

Quasi-Judicial Public Hearing Procedures (Planning & Zoning Board)

1. Any hearing listed on the agenda as a quasi-judicial public hearing will be conducted pursuant to these rules. This means that the Board is required by law to base its decision on the evidence contained in the record of this proceeding, which consists of the testimony at the hearing, and on the materials, which are in the official City file on this application at the end of the hearing.
2. At the beginning of the hearing, the members of the Board will announce for the record any "ex parte" contacts not previously disclosed in writing and included in the official City file. The name of the person with whom the contact occurred and the subject matter of the discussion will be disclosed.
3. The Board Secretary will administer an oath to all persons who intend to testify at this hearing. Each applicant shall disclose any consideration provided or committed directly, or on its behalf, for an agreement to support, or withhold objection to, the requested relief or action.
4. The City staff will make an initial presentation. The Chairman shall then establish the length of the applicant/petitioner's presentation pursuant to Resolution No. 139-2001. The applicant/petitioner will then make a presentation. During the staff and applicant/petitioner's presentation, only the members of the Board are permitted to ask questions.
5. After the applicant/petitioner's presentation, all other parties who are present to testify and/or provide written or other evidence for inclusion in the record will be permitted to do so. No person may give/yield time to any other person. During this time, only the members of the Board are permitted to ask questions.
6. After the staff, the applicant/petitioner and other interested parties have made their presentations, persons will be permitted to cross-examine participants in the hearing, including the staff and the petitioner, in order of their appearance at the hearing. Anyone who testifies at the hearing should remain until the conclusion of the hearing in order to be able to respond to any questions.
7. After the questions have been asked and answered, the applicant/petitioner shall be provided with an opportunity for a brief rebuttal and summary.
8. The Chairperson will then declare the public hearing closed, and a motion will be made regarding the matter. The Board will then proceed to discuss the matter and vote on the matter.