

West Linn Public Hearing Procedure:

1. INTRODUCTION & OPEN PUBLIC HEARING

The Chair opens public hearing, announces nature and purpose of hearing, and summarizes hearing procedures.

2. LEGAL MATTERS

The City Attorney summarizes the hearing rules, and lists the applicable substantive criteria (by chapter) that apply to the application.

a. Burden of Proof, Criteria and Appeal Rights

The applicant has the burden of proving that the application is consistent with the City of West Linn's Community Development Code, Comprehensive Plan, and any applicable Municipal Code provision.

b. Conflicts of Interest

Commissioners must state any conflicts of interest on the application.

c. Ex Parte Contacts

Commissioners must state if they have had any significant communication outside the hearing process concerning the substance of the application.

c. Challenges to Planning Commission's Jurisdiction

An affected party may challenge the Planning Commission's jurisdiction to hear the application.

e. Challenges to impartiality of any member of the Planning Commission

An affected party may challenge the Commission or Commissioners qualifications to hear the matter in an impartial manner.

3. Staff Report and Presentation

The project planner gives an overview of the proposal and approval criteria and may provide a recommendation.

4. Questions from Commissioners

Commissioners may ask questions of the applicant, staff, or anyone else who testifies at any time prior to the final decision.

5. Applicant Presentation (20 minutes)

The applicant presents their project.

6. Public Testimony (5 minutes, Neighborhood Association - 10 minutes)

Once recognized by the Chair, each citizen who requested to speak will be given 5 minutes to address the proposed project. Speakers must state their full name and address. All testimony, arguments and evidence must be directed toward the applicable substantive criteria which the person testifying believes to apply to the decision. If the testimony would be repetitious, but citizen would like to establish standing, they must state their name and address for the record and indicate the topics of their concerns.

7. Applicant rebuttal (10 minutes)

8. Addressing Request For Continuances

The Commission may continue the hearing to a date certain to gather additional evidence, to consider the application fully, to comply with State statutes, or to give notice to additional persons. Any participant may request an opportunity to present additional evidence, arguments, or testimony regarding the application.

9. Questions from Commissioners

10. Close Public Hearing

The Chair closes the public hearing. After the public hearing is closed, no new evidence or public testimony may be submitted.

11. Planning Commission Deliberation

12. Planning Commission Decision

13. Final Decision

Staff prepares final findings and order for the Chair to sign. A Planning Commission decision becomes effective at 5:00 p.m. on the fourteenth day from the date of mailing the notice of the final decision, unless appeal.