

THE LAND USE APPLICATION HEARING PROCESS

Planning Services Department

Public Hearings

- Allows the public to comment on proposed plans and projects before officials make decisions.



Decision Making Officials

□ Legislative - City Council

Examples:

- Land Use Ordinance
- Critical Areas Ordinances
- Comprehensive Plan



Greg Smith
Hearing Examiner

□ Quasi-judicial - The Hearing Examiner

Examples:

- Land Use application by property owners and developers



Planning Applications

- **Applications that Require a Public Hearing:**
 - Conditional Use Permit
 - Long Plat (subdivision of property into 10 or more lots)
 - Planned Unit of Development
 - Height Rezone
 - Variance



The Application Process

- ↓ Predevelopment meeting
- ↓ Community/traffic scoping meeting
- ↓ Application
- ↓ Routing to departments and agencies
- ↓ Public comment period
- ↓ SEPA determination
- ↓ Notice of public hearing
- ↓ Public Hearing
- ↓ Appeal period



Pre-Development Meeting

- Informational meeting for potential applicants
- Optional and free of cost
- Highlight potential issues
- Facilitated by the Building Department
- Held every Thursday afternoon



Community Meeting

- ❑ Conducted by the applicant
- ❑ Applicant presents the proposal to the community
- ❑ Community members provide feedback
- ❑ Notice is provided for meeting
- ❑ Completed within 120 days of application



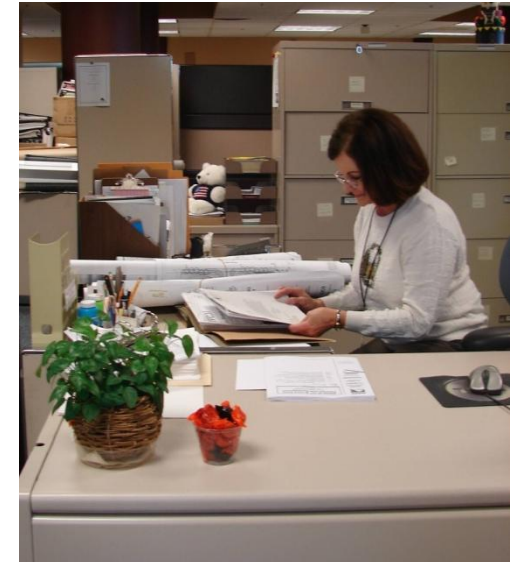
Application Submittal

- The applicant makes an appointment with a City Planner
- The application is reviewed for “counter completeness”



Routing to Interested Depts. and Agencies

- Departments and agencies are forwarded application
- Review for compliance with state law, City ordinances, and concurrency
- Review for Completeness
- Must respond/comment within 14 days



Concurrency

- Comprehensive Plan sets minimum levels of service
- Proposals must not compromise the City's ability to provide service at these levels



Notice of Application and Public Comment

- If no further information is needed, application is considered complete and is “vested”
- Notice of Application:
 - ▣ Main and Local Libraries
 - ▣ City Hall
 - ▣ Owners and occupants within 400 ft.
 - ▣ The newspaper (for some applications)
- 15-30 days long, depending on application type



SEPA Determination

- State Environmental Policy Act (SEPA)
- Requires all government agencies to consider the environmental impacts of a proposal before making a decision.
- Lead agency uses SEPA checklist, submitted reports, and public comments to make a determination.
 - ▣ Determination of Non-Significance (DNS)
 - ▣ Mitigated Determination of Non-Significance (MDNS)
 - ▣ Determination of Significance (DS)

SEPA Cont...

- The environmental review process in SEPA is designed to work with other laws and regulations to provide a comprehensive review of a proposal. Most regulations focus on particular aspects of a proposal, while SEPA requires the identification and evaluation of probable impacts to all elements of the environment.

For more information on SEPA:

<http://www.ecy.wa.gov/programs/sea/sepa/e-review.html>



Notice of Hearing

- 15 days before the hearing
- Notice of Public Hearing:
 - Main and Local Libraries
 - City Hall
 - Owners and occupants within 400 ft.
 - The newspaper (for some applications)



Staff Report

- Completed 10 days before the hearing
- Summarizes the application
- Addresses the decision criteria
- Makes recommendations



The Public Hearing

- Hearing Examiner starts the hearing
- Staff presents applications and findings
- Applicant presents
- Public testimony
- Staff or application addresses questions
- Decision criteria



Decision

- Issued within 10 days of close of hearing
- Sent to all parties of record
- Based on decision criteria in the Spokane Municipal Code (SMC)

Appeal Period

- 14 or 21 days long
- Appeal to City Council or Superior Court
- Must be a “party of record” to appeal
- Written statement of reasons for appeal

FOR MORE INFORMATION

Visit the Planning Services Department
on the 3rd floor of City Hall
808 W Spokane Falls Blvd.

Or

Call 625-6300



www.spokaneplanning.org