

17.04.150 – Public hearings

The procedure for all public hearings conducted under this Title shall conform to the following provisions and any additional procedures adopted by the body conducting the public hearing:

- A. All interested parties may appear for themselves or be represented by a person of their choosing. Written statements will be accepted prior to the hearing to be entered into the public hearing record.
- B. All testimony and evidence shall be given under oath, or by affirmation, to the body conducting the hearing, and shall be entered into the record. Any person may appear at a hearing and submit evidence, upon receiving recognition from the Chair of the body conducting the hearing. Each person who submits evidence shall identify themselves and their address. Any person may ask relevant questions of other witnesses, provided that the questions and responses are orderly and pertinent to the issues at hand, as determined by the Chair.
- C. The Chair, with consent of a two-thirds (2/3) majority of the body conducting the hearing, may limit testimony to a specific amount of time to provide a reasonable opportunity for all interested persons to testify.
- D. The body conducting the hearing is not bound by strict rules of evidence, but the Chair may exclude irrelevant, immaterial, incompetent or unduly repetitious testimony or evidence.
- E. Any public hearing for a Variation, Zoning Map Amendment, Special Use or Planned Unit Development application concerning property that is within a historic district or is a designated Landmark shall not be concluded until the Historic Preservation Commission provides its recommendation in accordance with Section 17.04.040.
- F. A public hearing may be concluded (see Paragraph 1 below) or continued (see Paragraph 2 below) by approval of a motion of the body conducting the hearing. If the body conducting the hearing determines that additional testimony or written evidence is expected to be submitted at a future date by the applicant or others with standing in relation to the application, the public hearing shall be continued.
 1. Concluded Hearing:

Once a public hearing is concluded, the body conducting the hearing shall not accept any additional testimony regarding the petition except:

 - a. A staff report analyzing the application based on the evidence presented at the public hearing, and adopted City plans, policies, codes and ordinances.
 - b. Any person presenting testimony or information in response to a specific question from the body that conducted the hearing.
 - c. Any person presenting testimony that directly rebuts sworn testimony presented at the hearing.
 2. Continuance:

The body conducting a public hearing may continue the hearing to a future date, time and place. When a hearing is continued, no new notice shall be required, provided that the date, time and place of the continued hearing is publicly announced at the hearing and placed in the minutes. If the hearing is adjourned, rather than continued to a date specified, all notices must be given that are required for a new public hearing.