

Information sheet for those attending
Quasi-Judicial Public Hearings of the Pullman Planning Commission

For many issues, the Planning Commission is required by law to hold what are known as “quasi-judicial” public hearings. Quasi-judicial hearings involve the legal rights of specific parties and usually pertain to one particular parcel of land. In these cases, the Commission acts like a judge by determining the legal rights, duties, and privileges of specific parties in the hearing (hence the term “quasi-judicial”). The fundamental purpose of a quasi-judicial hearing is to provide the affected parties due process. Due process requires notice of the proceedings and an opportunity to be heard. This information sheet has been prepared to help you understand what the Commission does during the course of these public hearings and why it follows these procedures. (Please note that the provision of a hearing notice to affected parties, while part of the entire process, is not included in the information below because this document addresses only those steps that occur during the public hearing itself.)

<u>PUBLIC HEARING PROCEDURES</u>	<u>WHY IS THIS DONE?</u>
1. The Planning Commission chair opens the hearing.	This step advises everyone present that the hearing is starting.
2. The chair reads the rules of procedure for the hearing. Procedures require administering an oath or affirmation to tell the truth to everyone who speaks. The chair can administer the oath or affirmation to all speakers while reading the rules of procedure or individually to each speaker prior to speaking.	The rules of procedure provide the organizational structure for the hearing process. The oath is administered to ensure the integrity of the evidence provided.
3. The chair asks questions to disclose any “Appearance of Fairness” issues for Commission members and to allow persons in the audience the opportunity to disclose conflicts affecting Commission members’ abilities to be impartial.	The “Appearance of Fairness” questions are asked so that any Commission member may disclose conflicts, and so that, when appropriate, Commission members may disqualify themselves because of these conflicts.
4. Planning staff presents its “staff report,” in which it summarizes background information and recommendations on the matter under consideration. Often the Commission asks questions of staff following presentation of this report.	The staff report furnishes information to the public and Commission to assist in all participants’ understanding of the matter.
5. The chair requests public testimony. The applicant and other proponents are called first, followed by opponents and neutral parties. Proponents and opponents then have an opportunity to respond. It is likely that time limits will be imposed on this public testimony. When this testimony is concluded, the chair closes the public input portion of the hearing.	Accepting comment from affected parties is a key component of the hearing process. Time limits are imposed to promote an efficient hearing and to facilitate the presentation of well-organized, concise testimony.
6. The Commission members discuss the merits of the case. Often the Commission asks more questions of staff or witnesses at this time. Sometimes this procedure is combined with step #7 below.	The Commission seeks consensus during this stage of the hearing so that it can proceed to making a final decision.
7. The Commission members formulate a written record of their decision called a “resolution.” First, the Commission members adopt “Findings of Fact” and “Conclusions,” based on the evidence presented at the hearing, in order to provide a written justification for their decision. Although staff usually provides a draft resolution to the Commission before the hearing, the Commission sometimes finds it necessary to prepare additional or different “Findings of Fact” and “Conclusions”; if this occurs, it can take some time because Commission members often must write complex statements. Then, once “Findings of Fact” and “Conclusions” have been adopted, the Commission makes its decision on the matter. The Commission’s decisions are always made in the form of recommendations to the City Council.	The Commission must ensure that it has appropriate documentation citing not just its decision, but also the reasons why it is making this decision. It must be careful to utilize only the evidence presented at the hearing, and the evidence used to justify a decision must be substantial in light of the entire record.