

ORIGINAL

LCM:clh
11/28/84

ORDINANCE NO. 1219

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING CHAPTER 2.04 OF THE REDMOND MUNICIPAL CODE BY ESTABLISHING POLICY GOVERNING REQUESTS FOR ADDITIONAL PUBLIC HEARINGS AND ESTABLISHING PROCEDURES FOR THE RECEIPT OF WRITTEN MATERIALS 'SUBSEQUENT TO' THE CLOSE OF PUBLIC HEARINGS.

WHEREAS, the City Council has determined that a formal policy should be adopted governing requests for a second public hearing by the City Council after the conduct of a hearing by the Hearing Examiner or Planning Commission and,

WHEREAS, procedures should be established which govern acceptance of written materials submitted after the close of a public hearing, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Chapter 2.04 of the Redmond Municipal Code is hereby amended by adding a new Section 2.04.260 thereto to read as follows:

"2.04.260 Requests for Additional Public Hearings. Where the Development Guide requires the Hearing Examiner or Planning Commission to conduct a public hearing prior to making a recommendation to the City Council, the City Council may consider a request for an additional public hearing. The following rules of procedure shall be followed when determining if an additional public hearing will be held:

1. A representative of proponents and opponents of a recommendation or decision of a hearing authority may speak at a regular meeting for no more than 5 minutes each.

2. The reasons for requesting an additional public hearing shall be clearly stated by the opponent or proponent. If possible, a written statement outlining the types of new evidence which merit additional public hearing shall be submitted.

3. The Council shall review the arguments submitted to them concerning a request for an additional hearing either before the City Council or hearing authority on the basis of the following criteria:

a) New evidence is available which was not considered by the hearing authority and may affect the hearing authority's recommendation or decision.

b) An error has been made by the hearing authority.

c) The decision is one of broad general interest to the community.

4. If the Council determines that the basis for holding an additional hearing is to consider substantial new evidence, the action shall be remanded to the original hearing body for an additional hearing.

5. When the basis for holding a public hearing is an error by the hearing authority, or the decision is of a broad general interest, a hearing may be held before the City Council.

6. If additional time is needed to review arguments submitted concerning an additional public hearing, the decision on a hearing should be delayed to the next meeting.

7. A document shall be prepared and made available to citizens which explains the process for obtaining an additional public hearing. The document shall be available at City Hall."

Section 2. Chapter 2.04 of the Redmond Municipal Code is hereby amended by adding a new Section 2.04.270 thereto to read as follows:

"2.04.270 Written Materials Submitted Subsequent to Public Hearings. Written communications may be submitted to the City Council following the close of a public hearing, subject to the following procedures:

1. Written materials received by the City Council shall be disclosed at the next regular City Council meeting. At that time the City Council should determine if the information submitted will be considered as part of the public record on the action.

2. If written materials will be considered as part of the public record, an exhibit number shall be assigned and notice given to all parties who testified at the public hearing or requested notice of further actions that materials are available for inspection at the City Hall. When this occurs, the final decision on the action should be delayed to a specific date to allow written responses from interested parties.

3. If written materials contain a request for an additional public hearing, the request will be reviewed under the criteria adopted to determine if an additional hearing will be held."

Section 3. This ordinance shall be in full force and effect thirty (30) days after passage and publication by posting as provided by law.

APPROVED:

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schauble
CITY CLERK, DORIS SCHAUBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY Jay C. Martin

FILED WITH THE CITY CLERK: November 29, 1984
PASSED BY THE CITY COUNCIL: December 4, 1984
SIGNED BY THE MAYOR: December 6, 1984
POSTED: December 6, 1984
EFFECTIVE DATE: January 5, 1985
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