The purpose of a public hearing is to give everyone the opportunity to express their views, and to provide evidence in support of those views. These opinions and evidence create part of the record, which the Hearing Body relies on for its findings, conclusions, and decisions.

An Agenda is established for each hearing. The Hearing Body follows the Order of Business on the Agenda unless it is altered by a majority vote.

**TYPES OF PUBLIC HEARINGS**

Public hearings can generally be classified as either Quasi-Judicial or Legislative. **QUASI-JUDICIAL** matters usually involve the property rights of a limited number of individuals and involve distinct proponents or opponents. These types of hearings are subject to stricter procedural standards than legislative matters. Examples are subdivisions and changes of zoning. **LEGISLATIVE** matters usually involve issues of Community-wide scope. Examples are changes to ordinances. Legislative decisions are not subject to findings and Order.

**TYPES OF HEARING BODIES**

The Hearing Body may be one of the following:

- Kootenai County Board of Commissioners
- Planning Commission
- Hearing Examiner

**HEARING PROCEDURES**

These procedures apply to public hearings:

The individual presiding over the hearing will call the meeting to order and introduce each new item of business. This individual has the authority to take any necessary measures to control the hearing, to include closing the meeting, clearing the hearing room, and calling the public in one at a time to testify.

Members of the County Staff will introduce the Application. Members of the Hearing Body may ask questions of the Planning Staff.
PUBLIC TESTIMONY

Anyone wishing to testify must sign in on a comment sheet and turn it in to the Hearing Secretary.

All testimony before the Hearing Body must be given from the podium so that a transcribable record may be made. Spontaneous comments from the floor are not permitted.

Persons testifying are required to state their name and address for the record.

Any exhibits which are presented to the Hearing Body will be retained for the record.

APPLICANT: The Applicant will be given a suitable time period to present their proposal, generally 15 to 20 minutes.

IN SUPPORT/NEUTRAL/OPPOSED: Persons in support/neutral/opposed to the proposal will be given a suitable time period to present testimony.

The Hearing Body may hear all of the testimony in support, in neutral, then all in opposition, or may alternate. Time limits for public testimony are generally 3 to 5 minutes.

REBUTTAL: The Applicant will be given a suitable time period to rebut testimony presented, generally 10 to 15 minutes.

The Hearing Body may ask questions during the presentation. Questions to the Applicant from the public must be addressed to the Hearing Body. The Hearing Body will determine whether to ask the question of the Applicant.

HEARING BODY DISCUSSION AND DELIBERATIONS

After closing public testimony, the Hearing Body will discuss the issue and may question the Planning Staff.

The Hearing Examiner will not make a recommendation at the public hearing. The Hearing Examiner’s recommendation is a written report submitted to the Planning Department and forwarded to the Board of County Commissioners for their action.

The Motion: A recommendation or decision may be issued immediately following the discussion or it may be issued at a later date.

The Vote: The Hearing Body votes on the motion. The vote may be by roll call or, at the discretion of the Chairman, by voice vote.

RULES FOR SUBMITTING EXHIBITS
ALL EXHIBITS, SUCH AS PHOTOGRAPHS, MAPS, VIDEOS, SLIDES, DRAWINGS, OR CHARTS, WHICH ARE PRESENTED TO THE HEARING BODY, WILL BE RETAINED FOR THE RECORD.

ALL EXHIBITS SHALL INCLUDE THE FOLLOWING:

➤ The name of the person submitting the exhibit.

➤ The name of the person who took the pictures, slide, etc. or who created the chart or drawing.

➤ If the exhibit consists of pictures, slides, or videos, the date they were taken.

➤ A key mapping the location of each picture, slide, etc. to a site map.

These rules are designed to ensure a fair and orderly decision-making process and to promote public participation in the land use decisions rendered by your local government.

The Staff of the Kootenai County Planning Department would be happy to explain this hearing process during office hours:

Monday through Friday, 8:00 a.m. to 5:00 p.m.

Kootenai County Planning Department
451 Government Way, P.O. Box 9000
Coeur d’Alene, Idaho 83816-9000
(208) 446-1070

Thank you for your participation.