

BEFORE THE HEARING EXAMINER  
IN AND FOR THE COUNTY OF SNOHOMISH

In Re Point Wells Urban Center,

No. 11-101457 LU/VAR  
11-101461 SM  
11-101464 RC  
11-101008 LDA  
11-101007 SP  
11-101457 FHZ  
11-101457 SHORE  
11-101457-002-00 VAR  
11-101457-003-00 VAR  
11-101457-000-00 WMD  
11-101457-001-00 WMD  
18-116078 CI

BSRE Point Wells LP,

Applicant,

Order Scheduling Additional Public  
Comment Opportunity and Extending  
Public Comment Deadline

Snohomish County Planning and  
Development Services Department,

Respondent.

1 An open record hearing was scheduled to commence with public comment on November 4,  
2 2020, followed by evidence presented by applicant BSRE and Planning and Development  
3 Services (PDS) on November 5, 6, 12, and 13. SCC 30.72.030(1) requires notice to be  
4 provided to the public at least 15 days prior to the hearing date. Notice includes publishing,  
5 mailing, and posting according to SCC 30.70.045. SCC 30.72.030(4). BSRE is obligated to  
6 post its property. SCC 30.70.045(1) (2006).

7 PDS provided BSRE with the notice on October 19, advising BSRE that signs needed to be  
8 posted on site. BSRE posted the notices on October 28, 2020.

9 October 28, 2020 is only 7 days before the public comment portion of the open record  
10 hearing, not 15 days as required by SCC 30.72.030(1). The portions of the open record  
11 hearing on November 5 through 13 will be conducted on the Zoom electronic platform, will  
12 be open to the public, and will be recorded so that interested people may watch at their  
13 convenience as if they were watching at the time of the actual hearing. People who are  
14 already parties of record received adequate notice of the hearing, but other people who may

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*11-101457 LU/VAR, et al.*

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1 only have found out by reading the notice posted at the site would not have received 15  
2 days' notice. To cure this deficiency, the Hearing Examiner extends the public comment  
3 period and schedules a further session on Zoom for public comment.

4 It is therefore ORDERED that the open record hearing is extended until 11:59 p.m. on  
5 Tuesday, November 24, 2020. The public may comment by:

6 A. Email addressed to [Hearing.Examiner@snoco.org](mailto:Hearing.Examiner@snoco.org) and received on or before  
7 11:59 p.m. on November 24, 2020;

8 B. Letter sent to the Office of Hearings Administration, M/S 405, 3000  
9 Rockefeller Ave., Everett, Washington 98201 and received or postmarked by  
10 the United States Postal Service on or before November 24, 2020.

11 If letters or emails are mistakenly sent to PDS, the Hearing Examiner asks  
12 PDS to forward them (including envelopes) to the Office of Hearings  
13 Administration and they will be considered if they are timely.

14 B. Speaking once on the Zoom electronic platform at the open record hearing  
15 on:

16 1. November 4, 2020 at 2:00 p.m. or 6:00 p.m. or

17 2. November 24, 2020 at 10:00 a.m.

18 The open record hearing will close at 11:59 p.m. on November 24, 2020.

19 This order supersedes any conflicting scheduling order provision or rule.

20 DATED this 3<sup>rd</sup> day of November, 2020.

*Peter B. Camp*

Peter B. Camp,  
Snohomish County Hearing Examiner

## 21 RECONSIDERATION AND APPEAL PROCEDURES

22 This is an interim decision from which no right of appeal lies. Any request for  
23 reconsideration must be made in writing within ten days.

24 Staff Distribution:

25 Department of Planning and Development Services: Ryan Countryman