

**BEFORE THE HEARING EXAMINER  
FOR THE CITY OF SHORELINE**

In the Matter of the Appeal of	)	No. PLN20-0138
	)	
<b>Shoreline Neighbors Advocating for Proper Placement of Shelters (SNAPPS)</b>	)	
	)	
Of a SEPA	)	
<u>Determination of Nonsignificance</u>	)	<b>PRE-HEARING ORDER</b>

TO: David Bricklin and Alex Sidles, Attorneys for Appellant  
Via email to: bricklin@bnd-law.com and sidles@bnd-law.com

Margaret King and Julie Ainsworth-Taylor, Attorney for City  
Via email to: mking@shorelinewa.gov and jainsworth-taylor@shorelinewa.gov

Allison Taylor, Clerk to the Hearing Examiner  
Via email to: ataylor@shorelinewa.gov [For file]

PLEASE TAKE NOTICE that attorneys David Bricklin and Alex Sidles, on behalf of Shoreline Neighbors Advocating for Proper Placement of Shelters (SNAPPS) (Appellant) filed an appeal of a Determination of Nonsignificance (DNS) issued by the City of Shoreline on October 1, 2020, under the State Environmental Policy Act (SEPA). The DNS concerns the proposed adoption of interim regulations within the Shoreline Development Code. The proposed interim regulations would impact the R-48 zoning district citywide. The Hearing Examiner has authority to hear this appeal. *Chapter 2.15 SMC; SMC 20.30.680.*

On October 16, 2020, the Appellant’s attorney requested via email that a Pre-Hearing Conference be held “to set a case schedule, including a dispositive motion briefing schedule, a discovery schedule, and a witness/exhibit disclosure schedule” citing “Hearing Examiner Rules, Ch. 3 Q.4.” The Hearing Examiner granted the Appellant’s request on October 19, 2020, and held a Pre-Hearing Conference with the parties on October 30, 2020, using remote meeting technology.

**ORDER FOLLOWING PRE-HEARING CONFERENCE**

Based on what the parties agreed to at the Pre-Hearing Conference, the following order is intended to facilitate a hearing and resolution of this matter:

1. **City Motion on Jurisdiction:** By **4:00 PM, November 3, 2020**, the City may submit a motion to dismiss the appeal on jurisdictional grounds. By **4:00 PM, November 6, 2020**, the Appellant may submit a response. By **4:00 PM, November 9, 2020**, the City may

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submit a reply. The Hearing Examiner intends on issuing a decision on the motion to dismiss on jurisdictional grounds by 4:00 PM, November 10, 2020.

2. Dispositive Motions: By **4:00 PM, November 17, 2020**, either party may file other dispositive motions (including summary judgment motions). Either party may file a response **by 4:00 PM, November 24, 2020**. The Hearing Examiner intends on issuing a decision on submitted dispositive motions by 4:00 PM, December 8, 2020.
3. Electronic Service: The parties shall provide to the other party electronic copies of any motions, responses, or replies, with an electronic copy to the Clerk to the Hearing Examiner of the City (who will forward such copies to the Hearing Examiner). Any documents attached to motions shall be labeled as follows: Exhibit A-1, A-2, etc., for attachments submitted by the Appellant; and Exhibit C-1, C-2, etc. for any attachments submitted by the City. The intent of this is to have a single set of potential exhibits in advance of a hearing (if necessary) for each party such that the same documents are not submitted multiple times.
4. Status Conference: If necessary, a status conference will be held (using remote technology) at **1:00 PM, December 11, 2020**.<sup>1</sup>
5. Settlement: The parties are encouraged to discuss settlement and to notify the Clerk to the Hearing Examiner of any settlement reached.

SO ORDERED this 2<sup>nd</sup> day of November 2020.



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ANDREW M. REEVES  
Hearing Examiner  
Sound Law Center

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<sup>1</sup> The Clerk to the Hearing Examiner will provide virtual access information to the parties prior to the status hearing.