

CITY OF ASHLAND PUBLIC HEARING FORMAT FOR LAND USE HEARINGS

1. **INTRODUCTION:** At the beginning of the meeting, the Chair will announce the land use hearings to be conducted and review the hearing format and required statements.
2. **ORDER OF PROCEEDINGS:** The order of proceedings will normally be as follows:
 - (1) Challenges for bias, prejudgment or personal interest
 - (2) Staff Report;
 - (3) Applicant's Presentation (limit of 15 minutes);
 - (4) Public testimony (limit of 5 minutes each);
 - (5) Rebuttal by the Applicant (limit of 5 minutes);
 - (6) Close the Hearing;
 - (7) Close the Record;
 - (8) Advice from Legal Counsel and staff;
 - (9) Deliberations and Decision.
3. **SPEAKER REQUEST FORM:** Persons wishing to participate in this hearing, including challenges for bias or conflict of interest, must **complete the pink speaker request/challenge form** located in the back of the room and deliver it to the Secretary as soon as possible once the hearing begins. When recognized by the Chair, please come forward to the podium, give your name and address and make your statement, confining your remarks to the applicable criteria for the decision. Please try to avoid repeating your testimony. If you wish, you may choose simply to agree with a previous speaker's statements. When recognized by the Chair, Commissioners may ask questions of staff and participants without affecting time limits.
4. **YOU MUST DIRECT YOUR TESTIMONY TO APPLICABLE CRITERIA :**
 - A list of applicable substantive criteria for each hearing is contained on the land use notice available in the back of the room and will be reviewed as part of the staff report.
 - All testimony, arguments and evidence must be directed toward these criteria, or such other criteria in the Plan or Land Use regulations which you believe apply to the decision.
 - In order to preserve your right to appeal any decision of the Planning Commission to LUBA (the Land Use Board of Appeals) you must raise one or more issues during the hearing and support them with sufficient statements and/or factual evidence to afford the Commission and/or other parties an opportunity to respond to the issue.
 - If you have constitutional or other issues related to proposed conditions of approval, you must raise them with sufficient specificity to allow the Planning Commission to respond, in order to preserve your right to an action for damages in Circuit Court.
5. **YOUR RIGHT TO APPEAL:** You must participate in the public hearing, either orally or in writing, in order to have the right to appeal the Planning Commission's decision to the City Council or LUBA (the Land Use Board of Appeals).
6. **CONTINUANCE OF THE HEARING:** Prior to the public hearing being officially closed, any person who participated may request either a continuance to provide additional testimony, argument or evidence, or that the record be left open to submit additional written testimony, argument or evidence.
7. **EX PARTE CONTACTS / BIAS/CONFLICT OF INTEREST:** Please avoid contacting Planning Commissioners about the subject of a land use hearing outside the hearing itself. All such contacts must be disclosed by the Commissioners and all parties to the hearing have the right to rebut the substance of the information the Commissioner received. You may also challenge any Commissioner for bias and/or conflict of interest by submitting your challenge in writing on the speaker request form and/or by addressing it during your testimony. (Note: The term "conflict of interest" for Planning Commission members is defined in state law ORS244.135.)
8. **DECORUM:** Please abide by the established Order of Proceedings for Public Hearings and follow the directions of the Chair.