



BUNCOMBE COUNTY

PLANNING & DEVELOPMENT

VIRTUAL MEETING PUBLIC PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

Due to the current Covid-19 public health emergency, the regularly scheduled Buncombe County Board of Adjustment meetings will be held remotely online. Links to the hearing and related documents are available for public viewing and use on the Planning and Development Department website, in the Development Projects section which can be found here: <https://bit.ly/37h90Jy>¹

How to enter the live meeting to view or participate:

On the day and time of the meeting, visit the Development Project webpage at the link above, click on the application you wish to speak about, and click the link 'VIEW THE LIVE MEETING'.

Participating as a Witness:

Anyone may watch the public hearing live, or view a recording after the meeting has concluded. Individuals wishing to speak to the Board during a hearing may only do so by giving sworn testimony, which must be substantive, competent, and relevant to the matter being heard. The Board can hear Witnesses testimony via telephone or live video. If you would like to participate as a witness, you should fill out the form available for download on the Development Projects page entitled "Request to Participate in Hearing as a Witness"². Return the completed form to the Planning Department by email or mail at least 24 hours prior to the hearing in which you wish to testify.

Participating with Standing:

Only those persons or entities with legal standing are permitted to act as parties during the hearing. Persons with standing include the person who requested the hearing (sometimes called the "applicant"), the person who owns the property being considered for development, or someone who would suffer unique damages different from the community as a whole. If you wish to assert standing, you must fill out the form available for download at the web address above, entitled "Request to Participate in Hearing as a Party with Standing"³. Return the completed form to the Planning Department by email or mail at least 24 hours prior to the hearing in which you wish to participate as a party with standing. Please contact an attorney if you have questions about whether you have legal standing.

Live "Q&A" Chat Room: If you are unable to submit a participation form before the meeting, you may request to testify by using the Q&A chat room during the meeting. The Q&A chat room can be found by entering the online meeting and clicking on the Q&A button. At a minimum, you will be asked to provide your name, and which application you will speak about. Individuals who have submitted one of the participation forms mentioned above prior to the meeting will be given priority to speak.

Speaker instructions continued on next page...

¹ The full link is: <https://www.buncombecounty.org/governing/depts/planning/development-projects.aspx>.

² Also available at: <https://www.buncombecounty.org/common/planning/calendar-files/Witness-Testimony-Application.pdf>.

³ Also available at: <https://www.buncombecounty.org/common/planning/calendar-files/Standing-Application.pdf>.

Testimony Instructions:

1. The Q&A chat room is for requesting to speak during the hearing if you were unable to provide the Standing or Witness form prior to the meeting. Comments submitted in the chat room will not be visible to the public during the meeting, will not be considered by the Board, and will not be entered into the case record. However, chat room comments and emails are considered public record and subject to public record requests.
2. Individuals speaking as a Witness or with Standing will be unmuted by staff when it is their turn to speak. The Board members will be able to hear you, but you will not appear on video.
3. You will be allowed to speak in the order that your request was received by staff. Individuals who submitted the Participation forms prior to the meeting will speak first.
4. Please continue to watch/listen to the meeting while you are waiting to speak. The Board will call your name when it is your turn. If your name is called and you do not respond within 1 minute, the next speaker will be called. If you miss your chance to speak, please use the Q&A chat room to request to speak again.
5. Once you have been unmuted to speak, staff will swear you in. The applicant has the right to cross-examine you, and the Board may ask you questions. Please stay logged in until the Board indicates that they have no further questions for you.

Additional Information:

Information about upcoming meetings, applications, and general information about quasi-judicial hearings can be found on the Buncombe County Planning & Development Department website under the Development Projects section at the following link:

<https://www.buncombecounty.org/governing/depts/planning/development-projects.aspx>.

For questions about the meeting or access to documents and forms, please email planninginfo@buncombecounty.org or call (828) 250-4830 to speak to a Planner.

