

F. Neighborhood Bill of Rights

The Board of County Commissioners recognizes that citizens of neighborhoods have an interest in participating in the planning process and development issues which affect them. To achieve that end, the following notice shall be provided to interested neighborhoods, as defined in Article 12, using the following procedures:

1. The County shall maintain a registry of neighborhoods. To register, an organization shall provide the County with the name and address of its authorized representative, a map which geographically identifies the boundaries of its neighborhood, and any other relevant information as may be required by the Administrator. To be placed on the Registry of Neighborhood Organizations, all organizations shall represent, a defined geographic area and provide evidence that they meet the following requirements:
 - a. Be an organization made up of residents within a defined geographic area.
 - b. Establish membership by virtue of residency or occupancy in the defined area.
 - c. Maintain officers or representatives, and demonstrate the method by which such officers or representatives are selected. Have a means to appoint a contact person.
 - d. Demonstrate the methods) by which the officers or representatives are authorized to act on behalf of the organization.
 - e. In addition to the preceding general requirements in (a) through (d) above, neighborhood organizations which represent not less than fifty (50) percent of the households within a defined geographic area comprised of at minimum twenty-five (25) members shall consist of at least twenty-five (25) households within the defined geographic area. Thus, they shall represent neighborhoods of at least fifty (50) households.
 - f. In addition to the preceding general requirements in (a) through (d) above, neighborhood organizations which expressly require BOCC approval to be placed on the Registry shall demonstrate that they are specifically chartered to consider and act on any of a broad range of issues affecting the lives and quality of their neighborhood.
 - g. Notice shall be provided by proof of mailing to all duly registered neighborhood organizations whose boundaries lie within one mile of the subject site for any proposed development requiring final approval of the Board of County Commissioners or the LUHO. Said notice by mail is the responsibility of the applicant and shall be mailed no later than twenty (20) calendar days after the cut-off date for filing the application.
2. Chartered area wide civic associations with dues paying members shall be allowed to register on the Neighborhood Registry to receive courtesy notice of applications within their area. However, receipt of the notice will not qualify the area wide civic association as a party of record.

G. Contents of Notice

1. Mailed and published notices shall contain the following information:
 - a. Application number and date of filing.
 - b. Present and proposed zoning classifications and/or proposed Special Use or proposed change if major modification.
 - c. Location and total area of the property.
 - d. Date, time, and place of Land Use Hearing Officer public hearing.
 - e. A statement in substantial compliance with the following form:
 - (1) Copies of the application and department reports are kept by the Clerk of the Board and the Administrator and are open to public inspection.
 - (2) All interested persons wishing to submit testimony or other evidence in this matter must submit same to the Land Use Hearing Officer at the public hearing before him or to the Administrator two (2) business days prior to the public hearing.
 - f. A statement in substantial compliance with the following form:

The review of the Land Use Hearing Officer's recommendation by the Board of County Commissioners of Hillsborough County shall be restricted to the record as defined in the Hillsborough County Land Development Code, as amended, unless additional evidence and/or oral argument is presented pursuant to the terms of said Code.
 - g. Instructions for obtaining further information regarding the application.
 - h. Name, address and telephone number of applicant or applicant's agent.
2. In addition to the foregoing, mailed notices shall include the following:
 - a. Due date of the staff recommendation on the application.
 - b. A statement requesting that citizen input be submitted to the County prior to the formulation of the staff report and recommendation to allow for citizen involvement prior to staffs reaching its final recommendation to the Board of County Commissioners or Land Use Hearing Officer, as appropriate.

H. County Department Reports

1. When an application has been set for public hearing, the Administrator shall coordinate and assemble the reviews of other departments and governmental agencies having an interest in the application and shall prepare a report summarizing the factors involved and the departmental findings, recommendations, and conditions. This report shall be available at the offices of the Administrator to all persons six (6) calendar

days prior to the hearing. The report shall be filed with the Land Use Hearing Officer and copy thereof shall be submitted to the Clerk of the Board for inspection by the public.

2. The Planning Commission staff shall, for all applications, prepare a separate written statement outlining the points of compliance or noncompliance with the Comprehensive Plan adopted by Hillsborough County pursuant to the Hillsborough County Local Government Comprehensive Planning Act of 1975, as amended, and shall file said statement at least twelve (12) calendar days prior to the date of the hearing before the Land Use Hearing Officer, with copy thereof submitted to the Clerk of the Board.

(Ord. No. 97-18, § 2, 12-18-97; Ord. No. 99-25, § 2, 11-18-99; Ord. No. 99-26, § 2, 11-18-99)

Sec. 10.03.03. Public Hearing Before the Land Use Hearing Officer

A. Participants

The participants before the Land Use Hearing Officer shall be the applicant, County agencies, proponents, and opponents, inclusive of the public and witnesses with relevant testimony. The proponent shall be defined as a participant in favor of the application, exclusive of the applicant; whereas, the opponent shall be defined as a participant against the application. Both definitions are inclusive of the public and any other parties of record.

B. Order of Presentation

The order of appearance and total time allotments shall be as follows:

1. Applicant and witnesses; proposal: 15 minutes
 2. Administrator; summary of the application, County staff and department findings: 5 minutes
 3. Planning Commission staff; statement of compliance or noncompliance: 5 minutes
 4. Proponents; argument for the application: 15 minutes
 5. Opponents; argument against the application: 15 minutes
 6. Staff; amended recommendations, if any: 5 minutes
 7. Applicant; rebuttal and summation: 5 minutes
- For good cause shown, the Land Use Hearing Officer may grant additional time.

C. Nature of Hearings

To the maximum extent practicable, the hearings shall be informal. Questioning shall be confined as closely as possible to the scope of direct testimony. The Land Use Hearing Officer may call and question witnesses as he deems necessary and appropriate. The Land Use Hearing Officer shall decide all questions of procedure.

D. Evidence

Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. Any part of the evidence may be received in written form, and all testimony shall be under oath. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient, in itself, to support a finding by the Land Use Hearing Officer unless it would be admissible over objections in a civil action.

E. Matters To Be Considered by the Land Use Hearing Officer in Making Recommendation

The Land Use Hearing Officer shall consider, in addition to all evidence presented at the hearing, the following as are relevant in making his recommendation on an application, which are not listed in any particular order:

1. The zoning history of the subject parcel.
2. Applicable zoning regulations promulgated by the Board of County Commissioners.
3. The Comprehensive Plan.
4. Reports and recommendations filed by reviewing agencies.
5. Uses permitted and the characteristics of the requested zoning classification.
6. Physical characteristics of the subject parcel and surrounding lands.
7. Impact on the surrounding transportation network.
8. Applicable goals, objectives, and policies contained in the Comprehensive Plan.
9. Availability and capacity of public services.
10. Nature of and impacts on surrounding land use.
11. Environmental impact of the use.
12. Applicable development standards promulgated by the Board of County Commissioners.

F. Findings and Recommendations of the Land Use Hearing Officer

The recommendation of the Land Use Hearing Officer shall include:

1. Summary of evidence presented.