

DEVELOPMENT REVIEW
PROCEDURES MANUAL (DRPM)
AMENDMENTS

ADOPTED: OCTOBER 9, 2007

EFFECTIVE: JANUARY 1, 2008

Exhibit “A”

ITEM #1

Reduce site development review time for projects meeting green development criteria

Sec. 4.1.4.1.2.2.1 Preliminary Plat Review

E. Review Procedures

3. Fifteen (15) working days will be given to the entities for review. Within five (5) working days from the end of the fifteen-day comment period, the development review committee shall meet with the applicant. The preliminary plat shall be either approved, approved with conditions, or required to be resubmitted to address comments. *Green Development, Affordable Housing, and Economic Development projects shall be granted a review in half of the normal working time. A completed checklist for the project which is proposing to meet a green development certification from the USGBC (U.S. Green Building Council), FGBC (Florida Green Building Coalition), or NHBA (National Home Builders Association) must be included with the submittal at the time of application for green development projects. Persons or corporations who fail to keep their commitments may be deemed ineligible for any future expedited reviews as determined by the Administrator and with a concurrence of the Director of the Planning and Growth Management Department.*

Sec. 4.1.4.1.2.2.2 Subdivision Construction Plan Review

E. Review Procedures

2. Twenty (20) working days will be given to the entities for review. Within five (5) working days from the end of this comment period, the Development Review Committee (DRC) shall meet with the applicant. The subdivision construction plan shall be either approved, approved with conditions, or required to be resubmitted. *Green Development, Affordable Housing, and Economic Development projects shall be granted a review in half of the normal working time. A completed checklist for the project which is proposing to meet a green development certification from the USGBC (U.S. Green Building Council), FGBC (Florida Green Building Coalition), or NHBA (National Home Builders Association) must be included with the submittal at the time of application for green development projects. Persons or corporations who fail to keep their commitments may be deemed ineligible for any future expedited reviews as determined by the Administrator and with a concurrence of the Director of the Planning and Growth Management Department.*

Sec. 4.1.4.1.2.3 Final Plat Review

E. Review Procedures

4. Ten (10) working days will be given to the entities for review. The final plat shall be either approved, approved with conditions, or required to be resubmitted. *Green Development, Affordable Housing, and Economic Development projects shall be granted a review in half of the normal working time. A completed checklist for the project which is proposing to meet a green development certification from the USGBC (U.S. Green Building Council), FGBC (Florida Green Building Coalition), or NHBA (National Home Builders Association) must be included with the submittal at the time of application for green development projects. Persons or corporations who fail to keep their commitments may be deemed ineligible for any future expedited reviews as determined by the Administrator and with a concurrence of the Director of the Planning and Growth Management Department.*

Sec. 4.1.5.1.1 Preliminary Site Development Plan Review

E. Review Procedures

4. Fifteen (15) working days will be given the entities for review. Within five (5) working days from the end of this fifteen-day comment period, the DRC shall meet with the applicant. The preliminary site development plan shall be either approved, approved with conditions, or required to be resubmitted to address comments. *Green Development, Affordable Housing, and Economic Development projects shall be granted a review in half of the normal working time. A completed checklist for the project which is proposing to meet a green development certification from the USGBC (U.S. Green Building Council), FGBC (Florida Green Building Coalition), or NHBA (National Home Builders Association) must be included with the submittal at the time of application for green development projects. Persons or corporations who fail to keep their commitments may be deemed ineligible for any future expedited reviews as determined by the Administrator and with a concurrence of the Director of the Planning and Growth Management Department.*

Sec. 4.1.5.1.2 Site Development Construction Plan Review

E. Review Procedures

2. Twenty (20) working days will be given to the entities for review. Within five (5) working days from the end of this comment period, the Development Review Committee shall meet with the applicant. The site development construction plan shall be either approved, approved with conditions, or require resubmittal. *Green Development, Affordable Housing, and Economic Development projects shall be*

granted a review in half of the normal working time. A completed checklist for the project which is proposing to meet a green development certification from the USGBC (U.S. Green Building Council), FGBC (Florida Green Building Coalition), or NHBA (National Home Builders Association) must be included with the submittal at the time of application for green development projects. Persons or corporations who fail to keep their commitments may be deemed ineligible for any future expedited reviews as determined by the Administrator and with a concurrence of the Director of the Planning and Growth Management Department.

Sec. 4.1.5.1.3 Minor Site Development Review

E. Review Procedures

2. Ten (10) working days will be given to the entities for review. The minor site development construction plan shall be either approved, approved with conditions, or required to be resubmitted. *Green Development, Affordable Housing, and Economic Development projects shall be granted a review in half of the normal working time. A completed checklist for the project which is proposing to meet a green development certification from the USGBC (U.S. Green Building Council), FGBC (Florida Green Building Coalition), or NHBA (National Home Builders Association) must be included with the submittal at the time of application for green development projects. Persons or corporations who fail to keep their commitments may be deemed ineligible for any future expedited reviews as determined by the Administrator and with a concurrence of the Director of the Planning and Growth Management Department.*

ITEM #2

Cross reference DRPM to LDC pertaining to
Land Excavation Special Use submittal
requirements

Sec. 5.2.1.5 Land Excavation Special Use Permit Supplemental Information

All applications for a Land Excavation Special Use Permit must be accompanied by a completed copy of the following Land Excavation Special Use Questionnaire Form, along with the required attachments and plans referenced within the questionnaire. Additionally, a report addressing all requirements of Section ~~2.03.09~~ 6.11.54 of the LDC shall be submitted.

ITEM #3

Clarify various submittal requirements for
Special Use and Variance applications

Sec. 5.2.2 VARIANCES TO THE LAND DEVELOPMENT CODE

C. Submittal and Public Notice Requirements:

4. Written Statement - explain why the variance is being requested.
 - a. *The explanation shall also specifically identify what is being requested, e.g., “Variance of 10 feet from the rear yard setback of 25 feet resulting in a rear yard setback of 15 feet”.*

11. *Vacation petitions*
 - a. *The applicant must obtain a resolution of the vacating of public interest in real property prior to the scheduled LUHO hearing. Failure to provide the final resolution in a timely manner will result in the variance petition not being heard.*

G. Request for a Variance to a Third Lot on Well and Septic

In addition to the submittal requirements listed in Section 5.2.2.C, the applicant shall obtain and furnish the County with a final determination of the WATER, WASTEWATER, AND/OR RECLAIMED WATER – SERVICE APPLICATION CONDITIONAL APPROVAL – RESERVATION OF CAPACITY application prior to the scheduled LUHO hearing. Failure to furnish the County with a final determination in a timely manner will result in the variance petition not being heard.

Sec. 5.2.2 VARIANCES TO THE LAND DEVELOPMENT CODE

G. Acknowledgement of Receipt of After the Fact Permitting Directive

In addition to submittal requirements listed in Section 5.2.2.C, the following form shall be provided with all Variance applications where it has been determined that the structure in question has been constructed illegally, i.e., without building permits.

***Acknowledgment of Receipt of
After the Fact Permitting Directive***

I, _____, hereby affirm that:

- 1) *I have received a copy of the Hillsborough County Building Services Division After The Fact Permitting Directive in regards to unpermitted structures at the following location (property address and folio number):*
_____.
- 2) *I have been advised that approval of my variance request, VAR _____, if granted by the Land Use Hearing Office, will not in any way obviate or replace the requirement to obtain After The Fact Building Permits for the structure(s) addressed by the variance, as well as any other unpermitted structure(s) on the property, in accordance with the procedures found in the Directive.*
- 3) *I have been advised that the cost of structural improvements, inspections and/or professionally prepared plans necessary to obtain the required After The Fact Building Permits may be substantial or prohibitive and that I have elected to pursue my variance request with the knowledge that if I am unable to bear such cost, all unpermitted work shall be removed in accordance with the Directive regardless of any variance that may be approved.*

Applicant's Signature

Date

ITEM #4

Clarify Personal Appearance (PRS) hearing procedures to reflect recent LDC revisions

SECTION 7.0

PERSONAL APPEARANCE (PRS) BEFORE THE BOARD OF COUNTY COMMISSIONERS

Personal Appearance (PRS) is a procedure structured to provide a framework for review and decision by the Board of County Commissioners (BOCC) for certain types of applications or other items which may not require a hearing officer recommendation or public notice.

- ~~A. General~~ There are two types of Personal Appearances: Non-Noticed and Noticed.
 - ~~1. The Non-Noticed Personal Appearance process provides a procedural framework for consideration and decision by the BOCC on various types of applications/issues that do not require public notice. Examples of these items are fee waivers and Developments of Regional Impact (DRI) annual reports.~~
 - ~~2. The Noticed Personal Appearance process provides a procedural framework for consideration and decision by the BOCC on various types of applications/issues that require public notice, but do not require hearing officer review. Examples of these items are minor modifications to planned developments and DRI notice of proposed change.~~
- ~~A. B.~~ Preapplication--A preapplication conference with county staff is encouraged prior to application submittal.
- ~~B. C.~~ Application and Fees--All applications for PRS shall be initiated in accordance with this manual by payment of fees as referenced in Section 2.0 and by filing an application as referenced in Section 3.0 with attached required supplemental information.
- ~~C. D.~~ Setting the Matter for Hearing--A public hearing date for the PRS application to be considered by the BOCC shall be established based on a schedule established by the Administrator.
- ~~E.~~ Public Notice For Noticed Personal Appearances only, public notice shall be provided in accordance with Section 12.0 of the manual.
- ~~F.~~ Staff Reports A report shall be prepared by staff evaluating the application. Said report shall be prepared in sufficient time to be made available to the public in accordance with the PRS schedule adopted by the Administrator.

~~G. — Order of Appearance Before the Board — The order of appearance and total time allotments shall be:~~

- ~~1. — Applicant oral argument. (15 minutes)~~
- ~~2. — Administrator; summary of the application; County staff and department findings. (5 minutes)~~
- ~~3. — Planning Commission staff, statement of compliance or noncompliance, if applicable. (5 minutes)~~
- ~~4. — Party of record (non applicant) oral argument. (15 minutes)~~
- ~~5. — Staff; amended recommendations, if any. (5 minutes)~~
- ~~6. — Applicant; rebuttal. (5 minutes)~~

~~H. — 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 BOCC may call and question witnesses as deemed necessary and appropriate.~~

~~I. — Evidence — Irrelevant, immaterial, or unduly repetitious evidence shall or may be excluded. Any part of the evidence may be received in written form, and all the testimony shall be under oath.~~

ITEM #5

Land Development Code Text Amendment
application packet

SECTION 8.0

PROCEDURE FOR TEXT AMENDMENTS TO THE LAND DEVELOPMENT CODE

Sec. 8.2 SPECIFIC SUBMITTAL REQUIREMENTS

B. Written Statement - to include the following:

- specific section(s) of the LDC to be amended,
- ~~reason for the requested revision~~ *general justification for requested revision,*
 - a. Intent Statement with specific detail, i.e., what the Code currently require, how it needs to change or why the amendment is needed, justification on what will be achieved, etc.*
- ~~error in the LDC to be corrected and how (if applicable),~~
- ~~changed conditions that make the amendment reasonably necessary to promote the public health, safety and general welfare,~~
- ~~compliance with the Comprehensive Plan (cite portion), and~~
- proposed new language.

**LAND DEVELOPMENT CODE (LDC)
TEXT AMENDMENT
APPLICATION INFORMATION PACKET**

Applications cannot be accepted without an appointment.

Call 277-1630 to schedule an appointment to file an application.

**Incomplete applications cannot be accepted.
Please read the instructions and use the attached checklist.**

The Land Development Code allows up to 30 business days for processing and review of administrative applications.



**Hillsborough County
Florida**

THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTED LOBBYING ORDINANCE NO. 93-8, AS AMENDED. PRIOR TO MEETING PRIVATELY WITH A BOARD MEMBER, COUNTY ATTORNEY, CHIEF ASSISTANT COUNTY ATTORNEY, COUNTY ADMINISTRATOR, ANY ASSISTANT COUNTY ADMINISTRATOR, OR ANY DEPARTMENT HEAD, YOU MAY BE REQUIRED TO REGISTER AS A LOBBYIST.

PROCEDURE FOR TEXT AMENDMENTS TO THE LAND DEVELOPMENT CODE

The procedures in this section are for applications for text amendments to the Land Development Code (LDC). The process of review typically includes six scheduled meeting or hearing dates with appropriate review entities. The Board of County Commissioners (BOCC) will ultimately decide on the application in a public hearing. Cross Reference to Land Development Code: Part 10.04.00

SUBMITTAL AND REVIEW PROCEDURES

This section contains submittal and procedural requirements for proposed text amendments to the LDC.

A. Pre-application Conference

A pre-application conference with county staff is encouraged prior to application submittal.

B. Application

A request to amend the LDC text shall be initiated by submission of an application and the specific submittal requirements herein. Required public notice for amendments to the LDC shall be provided in accordance with Florida Statute requirements.

C. Public Notice

The County shall provide public notice in accordance with Florida Statute requirements.

D. Schedule Before the BOCC and Notice to Applicant

The Administrator shall schedule the application for review in accordance with Section 10.04.04 of the LDC.

E. Referral to Staff

The Administrator shall forward the application for review by appropriate review entities in accordance with Section 10.04.03 of the LDC.

F. Hearing and Decision by the BOCC

The public hearing before the BOCC will be conducted in accordance with Section 10.04.05 and the BOCC's decision will be procedurally in accordance with Section 10.04.06 of the LDC.

SPECIFIC SUBMITTAL REQUIREMENTS

A. *Application and Fee Payment* - in accordance with requirements for non-noticed personal appearance (PRS) referenced in Section 7.0 of the manual, with the exception of public notice, which will be provided by the county in accordance with Florida Statute.

B. *Written Statement* - to include the following:

- Specific section of the LDC to be amended,
- Justification for the requested revision,
 - Intent Statement with specific detail, i.e., what the Code currently requires, how it needs to change or why the amendment is needed, etc,
 - Proposed new language.

**HILLSBOROUGH COUNTY
PLANNING & GROWTH MANAGEMENT DEPARTMENT
601 E. KENNEDY BLVD., 20th FLOOR, TAMPA, FLORIDA 33602**

APPLICATION FOR LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT

Please type or print your responses unless indicated otherwise:

APPLICANT INFORMATION:

Agency, Department, or Firm: _____
Contact Person: _____ Daytime Phone: (____) _____
Fax Number: _____ Evening Phone: (____) _____
E-mail Address: _____
Street Address: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____

AMENDMENT INFORMATION:

Specific Section(s) of the LDC to be Amended: _____
General Justification for Requested Revision (Specific Detail to be included in the Intent Statement):

Proposed New Language (Attach additional pages as needed): _____

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge.

Signature of Applicant: _____

*****THIS SECTION FOR OFFICIAL USE ONLY*****

Application Number: _____ Date Submitted: _____

Submitted for LDC Amendment Round (Example: 2007 Round 2): _____

Cut-off Deadline: _____ PC Workshop: _____ PC Public Hearing: _____

BOCC Workshop: _____ 1st Public Hearing: _____ 2nd Public Hearing: _____

Attach additional pages if necessary.

Checklist of Submittal Requirements for an LDC Text Amendment

	Applicant Initials	Intake Initials	Requirements
1.	_____	_____	Fee Payment
2.	_____	_____	Application (Included in this packet)
3.	_____	_____	Written Statement
4.	_____	_____	Supplemental information (List additional items submitted)

ITEM #6

Fee Waiver process regarding applications involving buildings and structures built without permits

Sec. 9.7 FEE WAIVERS

In addition to the general submittal requirements, the following supplemental submittal requirements and review information for fee waiver applications shall apply.

A. General Description

This is a process to consider the waiver or refund of certain types of land use or development review application fees. This process does not include impact fees and utility capacity fees. *Moreover, this process does not apply to applications where it has been determined that the structure in question has been constructed illegally, i.e., without building permits.*

Requests for fee waivers may be considered when necessitated due to financial hardship, staff error or emergency/ catastrophe. There are two (2) types of fee waiver requests: Personal and Non-Profit Organization

Applications will be reviewed by the Administrator in accordance with the criteria herein. Applications which cannot be approved by the Administrator will be automatically scheduled for review by the Land Use Hearing Officer for consideration of an Exception to the criteria unless the petitioner requests the application be withdrawn.