



**Hillsborough
County Florida**

LDC TEXT AMENDMENT

23-0311

- **INTENT STATEMENT**
- **PROPOSED TEXT CHANGE**


LDC 23-0311
**Comprehensive Plan Amendments (CPA) and related Rezoning Applications &
Planning Commission Staff Report Filing with the Administrator**

INTENT STATEMENT

This proposed amendment to the Land Development Code will modify the procedures for amendments to official zoning atlas (rezonings) of the LDC, specifically the consideration and final decision by the Board when rezoning or major modification applications are related to a Comprehensive Plan Amendment (CPA) application. This amendment will also modify the filing date for reports prepared by Planning Commission Staff for hearing applications (official zoning atlas - rezonings).

The amendment will establish that applications proceeding in accordance with the Land Development Code Part 10.03.00 that are contingent on a request to amend the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County will be deemed withdrawn and of no further effect in the event that such requested amendment to the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County is denied by the Board of County Commissioners and no further proceeding or action will be required.

Additionally, this amendment will eliminate the 12-day calendar requirement found in Section 10.03.02.H.2 for the filing of reports with the Administrator by Planning Commission staff for Land Use Hearing Officer rezoning applications and instead add a provision in the Code for the filing of these reports in accordance with the Hearing Master Schedule adopted by the Administrator.

LDC 23-0311	Division Director Sign-off	 J. Brian Grady Mon Feb 19 2024 12:53:57
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Sec. 10.03.02. Pre-Hearing Procedures

- A. Who May Request Amendment
1. The County Commission or Administrator may seek to rezone one or more parcels of land pursuant to the procedures prescribed herein.
 2. The owner of one or more parcels of land may seek to rezone any such parcel pursuant to the procedures prescribed herein.
- B. Preapplication Conferences and Applications
1. Conference with the Administrator may be requested in those cases where an applicant is in doubt as to the necessity of filing an application for a rezoning, or Special Use Permit, or the specific zoning classification permitting the proposed use.
 2. The applicant may request that the Administrator arrange a presubmittal conference to be attended by representatives of reviewing agencies and the applicant. The purpose of the presubmittal conference is to provide information to a potential applicant concerning the information needed for submittal and the standards and other requirements to be met. The reviewing agencies may include Planning and Growth Management Department (Natural Resources, Zoning Compliance, Traffic Operations, Stormwater Management, Water and Wastewater Utilities, and Adequate Public Facilities Determination), School Board, Environmental Protection Commission, and FDOT, if applicable.
 3. All applications shall be typed or neatly printed on forms provided by the Administrator. Applications shall be filed with the Administrator who shall mark thereon the date of filing and shall retain the original. Copies of the application shall be available for public inspection in the offices of the Clerk of the Board and the Administrator.
- C. Time of Hearing by the Land Use Hearing Officer and Recommendation
1. The Administrator shall set the matter for hearing before a Land Use Hearing Officer after the completed application has been filed in accordance with the published Land Use Hearing Officer Hearing Schedule.
 2. Continuance(s) of the public hearing shall be permitted in accordance with the procedures and requirements set forth below. However, in no case shall the public hearing be continued to a hearing date that is more than six months after the originally scheduled hearing date. If a public hearing is not held on the application within the required time frame, the application shall be withdrawn from processing by the Zoning Administrator. The cancellation by the County of a public hearing date during the six-month period due to County closures during emergency events, shall cause the calculation of time for the public hearing deadline to be tolled for each application until the next scheduled public hearing date at which a public hearing takes place. The calculation of time for the six-month deadline for an application shall resume at the next public hearing that the application is scheduled. The hearing time frame shall not apply to an application that is associated with either an application to amend the Hillsborough County Comprehensive Plan, an application for a new Development of Regional Impact (DRI), or an application to amend an existing DRI. For any application that has been reopened or remanded for further hearing, the calculation of time for the six-month deadline shall start from the newly scheduled remanded/reopened hearing date for the application.
 3. The public hearing shall be continued by the Land Use Hearing Officer to a date certain if the continuance request is filed in writing by the applicant with the Administrator at least three (3) business days prior to the published staff report filing deadline for the scheduled hearing, or by the County if additional time is needed to complete review. Any continuance request submitted by the applicant to the Administrator less than three (3) business days prior to the published staff report filing deadline for the scheduled hearing will be shown on the agenda to be heard but may be continued at the hearing at the discretion of the hearing officer only if the applicant can demonstrate the reason for the continuance was

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- not known in a timely manner, thereby preventing the applicant from requesting the continuance prior to the deadline.
4. The Land Use Hearing Officer may reopen a hearing for extraordinary cause. Action to reopen a hearing must take place within seven (7) calendar days of the initial close of the hearing. To reopen a hearing, the Land Use Hearing Officer must file with the Administrator an affidavit outlining the reasons for such reopening. Such reopenings shall only be ordered when the Land Use Hearing Officer has additional competent substantial evidence, not previously available, that would affect the Land Use Hearing Officer's recommendation, where it is necessary to avoid undue injury to the County or the applicant.
 5. Upon making a finding that the hearing should be reopened, the Land Use Hearing Officer shall schedule the hearing for a date not to exceed 45 calendar days from the initial close of the hearing. A reopened hearing shall be noticed as an original hearing with notice also going to any persons who appeared at the original hearing. The cost of providing notice shall be borne by the County. The reopened hearing shall be concluded within 30 calendar days of the date established by the Land Use Hearing Officer in his affidavit for reopening the hearing.
 6. The Land Use Hearing Officer shall file his recommendation with the Administrator within fifteen (15) business days of the close of the hearing, with a copy being provided to the Clerk of the Board. The Clerk of the Board shall, on the same calendar day or the next working day, mail or otherwise deliver a copy of the recommendation to the applicant, and to any other person who has supplied the Clerk with a self-addressed stamped envelope for the purpose.
- D. Notice of Public Hearing Before the Land Use Hearing Officer
1. In cases where zoning amendments are initiated by the County, public notice and hearings shall be in accordance with the provisions of Section 125.66(4), the Florida Statutes, with appropriate modifications to indicate that the hearing is to be held by the Land Use Hearing Officer.
 2. In all other cases, upon establishment of a public hearing date, notice of the public hearing shall be given:
 - a. By the Administrator posting a sign(s) no less than 30 calendar days prior to the hearing date in a conspicuous place upon the property which is the subject of the application; and
 - b. By the Administrator causing the publication of a notice one time no less than fifteen (15) calendar days prior to the hearing date in a newspaper of general circulation in Hillsborough County; and
 - c. By the applicant mailing notice no less than thirty (30) calendar days prior to the hearing date. Such notice shall be completed in the manner outlined in Subsections E and F below and the applicant shall submit proof of mailing to the Administrator no more than seven (7) calendar days after the notice deadline.
 - d. In the case of hearings remanded from the Land Use Appeals Board to the Land Use Hearing Officer, notice shall be given pursuant to subsections a. through c., above, and also by the applicant mailing notice no less than thirty (30) calendar days prior to the hearing date to all parties of record from the initial Land Use Hearing Officer hearing, as defined in LDC 10.03.06.A.1 and 10.03.06.A.3. The applicant shall submit proof of said mailing to the Administrator no more than seven (7) calendar days after the notice deadline.
 3. Continuance fees shall be required from the applicant for all continuances requested by the applicant by the deadline described in Section 10.03.02.C.3. Continuance fees and additional notice shall be required from the applicant for all other continuances either requested by the applicant or caused by the actions or inactions of the applicant.
 4. If at any time, the contents of any form of notice, required or otherwise, is determined to be incorrect, the application shall be determined to be out of order and shall be required to continue to the next available hearing, after the prior scheduled meeting, and notice shall be required in order to make the

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- appropriate corrections. Additionally, failure to meet any notice deadlines required in this code shall cause the application to be determined to be out of order and the application shall be required to continue to the next available hearing, after the prior scheduled meeting, and renote shall be required.
5. Notice of continuances for applications determined to be out of order due to the actions or inactions of the applicant, as described in Subsection D.4 above, shall be required in the following manner:
 - a. The applicant shall mail notice of the new hearing date to which the application has been continued, as determined by the Administrator, no less than thirty (30) days prior to the new hearing date. The applicant shall submit proof of mailing to the Administrator no more than seven (7) calendar days after the notice deadline.
 - b. The Administrator shall cause the posting of a sign(s) within ten (10) days following the hearing from which the application is being continued.
 6. Notice of continuances requested by the applicant prior to the deadline, as described in Subsection C.3 above, shall be required in the following manner:
 - a. The applicant shall mail notice of the requested continuance and new hearing date to which the application is being continued no less than seven (7) days prior to the hearing date from which the application is being continued. The applicant shall submit proof of mailing to the Administrator no more than seven (7) calendar days after the notice deadline.
 - b. The Administrator shall cause the posting of a sign(s) no less than three (3) calendar days prior to the currently scheduled hearing that is being continued.
 7. For other continuances requested by the applicant and for continuances caused by any actions or inactions of the applicant, except for applications determined to be out of order, notice shall be required in the following manner:
 - a. The applicant shall mail notice of the new hearing date following approval of the continuance. The notice shall be mailed no less than thirty (30) days prior to the hearing date to which the application has been continued. The applicant shall submit proof of mailing to the Administrator no more than seven (7) calendar days after the notice deadline.
 - b. The Administrator shall cause the posting of a sign(s) following the approval of the continuance within ten (10) days of the decision to reschedule the hearing.
 8. For continuances not caused by any actions or inactions of the applicant, notice shall be required in the following manner:
 - a. The Administrator shall cause the posting of a sign(s) following the approval of the continuance within ten (10) days of the decision to reschedule the hearing.
 9. Proof of Mailing: The applicant shall provide Planning and Growth Management Staff with the documentation listed below as proof of mailing in fulfillment of the notice requirements. Failure to submit proof of mailing in a timely manner shall result in the application being continued to the next available hearing, unless said continuance will cause the hearing to continue beyond the maximum time frame prescribed in Subsection C.1 above, in which case the application shall be withdrawn from processing by the Administrator.
 - a. A completed copy of the official notice letter.
 - b. An original "certificate of mailing" from the U.S. Post Office listing the names, mailing addresses and property folio numbers of all noticed parties.
 - c. A signed and notarized affidavit from the applicant acknowledging completion of the notice requirements.

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E. Property Owners' Notice

1. Notice shall be mailed to all owners of property, as reflected on the current year's tax roll, and, where common property lies within the required notice distance, to all condominium and owners' associations, lying within 500 feet in every direction when the subject parcel is within the Agricultural and Residential-1 Categories of the Comprehensive Plan, and 300 feet in every direction when the parcel is within any of the remaining Plan categories. If a subject parcel contains more than one land use designation, the greatest applicable notice distance shall apply.
2. If the notification requirements of Paragraph 1 immediately above result in the requirement to notify more than 200 property owners, the applicant may seek administrative relief through the Administrator for consideration of reducing the number of parties which must be notified while still providing sufficient notice.
3. A reduction in the number of notices may occur in cases where alternative methods of notice can provide sufficient notice and the parties which would receive the alternative notice would be only those which are least likely to be impacted by the proposed amendment. The size of the parcel and the intensity of the development around the subject parcel will be considered. However, large sized projects can expect to be required to provide larger numbers of notices because of the greater area which the project directly impacts. The Administrator shall be required to make a finding that the following criteria have been met:
 - a. In no case would notice be waived to property owners less than 250 feet in every direction from the subject property in the rural areas and 150 feet in every direction from the subject property in urban areas; and
 - b. The alternative form of notice shall reasonably alert the parties of the amendment action (for example, a condominium complex which has only a small portion of its property within the notification distance and no part of its property within the distance requirement in Paragraph 1 immediately above may receive notice to its Board of Directors more than the minimum requirement of 30 calendar days rather than the proof of mailing notice required to each condominium owner); and
 - c. The number of notices required shall not be less than 200 unless the alternative notice method affects a group of property owners such that it is impossible to notice one property owner without noticing the entire group; and
 - d. The notice pattern shall be as uniformly applied in all directions as is physically possible.

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, notice shall be provided by the applicant to all duly registered organizations on the Registry of Neighborhood Organizations and Civic Associations whose geographic 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. Accordingly:

1. The Hillsborough County Office of Neighborhood Relations shall maintain a Registry of Neighborhood Organizations and Civic Associations.
2. To register as a Neighborhood Organization, an organization shall provide the name and address of its authorized representative(s), a map which graphically identifies the boundaries of its neighborhood, and any other relevant information as may be required by the Administrator. Additionally, the organization shall provide evidence it meets all of the following requirements:
 - a. The organization is comprised of residents within a defined geographic area.

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- b. There are a minimum of 50 households within the defined geographic area.
 - c. The residents of at least 50 percent of all households in the defined geographic area are members of the organization.
 - d. That membership in the organization is established by virtue of residency or occupancy in the defined geographic area.
 - e. That the organization maintains officers or representatives, including the method by which such officers or representatives are selected. The method may be documented by copies of by-laws, covenants or deed restrictions if the method is specified therein.
 - f. That the organization has a means to appoint a contact person.
 - g. That the organization's officers or representatives are authorized to act on behalf of the organization. This authorization may be documented by copies of by-laws, covenants or deed restrictions.
3. To be registered as a Civic Association, the association must be chartered, area-wide and with dues paying members. The association must submit a copy of its charter with the application. Membership on the registry will allow the association to receive courtesy notice of applications within its area. However, receipt of the notice will not qualify the association as a party of record.

G. Notice Content

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 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 Administrator and are open to public inspection in the offices of the Clerk of the Board and the Administrator.
 - (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 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

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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 calendar days prior to the hearing. The report shall be filed with 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 with the Administrator ~~at least 12 calendar days~~ prior to the date of the hearing before the Land Use Hearing Officer in accordance with the Hearing Master Schedule adopted by the Administrator, with copy thereof submitted to the Clerk of the Board with the Administrator's report referenced above.

Sec. 10.03.04. Review by Board of County Commissioners

A. Generally

The record of the public hearing and the recommendation of the Land Use Hearing Officer will be considered by the Board of County Commissioners for final decision at a public meeting noticed in accordance with the terms of this Code.

B. Notice Date for Board of County Commissioners Consideration

1. Any person wishing to receive notice of the date when the Board will consider the application for rezoning or Special Use Permit may supply the Clerk of the Board with their name, address, and a stamped, self-addressed envelope for that purpose.
2. The Administrator shall arrange for the setting of a date and time at which the Board of County Commissioners will consider an application.
3. The Clerk of the Board shall give notice of the set date and time at which the Board of County Commissioners will consider an application for final decision by proof of mailing to the applicant and to parties who attended and presented evidence at the hearing before the Land Use Hearing Officer, and to parties who submitted written evidence to the Land Use Hearing Officer not less than two business days prior to the Land Use Hearing Officer hearing. Such notice shall be mailed at least 20 calendar days prior to the date set.

C. Evidence Before the Board of County Commissioners

1. The record before the Board of Commissioners upon consideration of an application shall be the complete record of the hearing before the Land Use Hearing Officer, including his recommendation. Except in those instances where the application involves a proposed zoning classification change or Special Use request that is either initiated by the County or is part of the review and application for development approval pursuant to Chapter 380.06, Florida Statutes, the Board, after reviewing the record and recommendation, shall consider additional evidence, and oral argument only as provided in D below.

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2. Applications initiated by the County or considered as part of the review of an application for Development of Regional Impact approval shall be considered by the Board within the context of a public hearing as below. All irrelevant, immaterial or unduly repetitious evidence shall be excluded. The record shall be transmitted to the Board at least five calendar days prior to the date set for final consideration by the Board.
 3. In those instances where the application involves a proposed zoning classification change or Special Use Permit approval, initiated by either the Board of County Commissioners or the Administrator, the Board shall consider the record of the Land Use Hearing Officer hearing and the recommendation within the context of a public hearing at which all interested individuals and County staff will be given an opportunity to present testimony and other evidence. Said public hearing shall be advertised in accordance with the terms of B above and Section 125.66, Florida Statutes. Said public hearing shall be conducted in accordance with the terms of this Code relating to conduct of the public hearing by the Land Use Hearing Officer. Provisions of D below shall not be required in this context.
 4. In those instances where the application involves a proposed zoning classification change or Special Use Permit approval which is being considered as a part of the review of an Application for Development of Regional Impact Approval pursuant to Chapter 380.06, Florida Statutes (1981), as amended, the Board shall consider the record of the Land Use Hearing Officer hearing and the recommendation within the context of a public hearing at which all interested individuals and County staff will be given the opportunity to present testimony and other evidence. Said public hearing shall be advertised in accordance with the terms of B above and Section 380.06, Florida Statutes (1981). Said public hearing shall be conducted in accordance with the terms of this Code relating to conduct of the public hearing by the Land Use Hearing Officer. Provisions of D below shall not be required in this context. The Application for the Development of Regional Impact Approval shall be reviewed in accordance with those procedures mandated by law.
- D. Additional Evidence and Oral Argument
1. The Board of County Commissioners shall consider only the record of the proceedings before the Land Use Hearing Officer, unless additional evidence and/or oral argument is accepted pursuant to the terms of this Section. The provisions contained herein relating to restricted presentations before the Board do not apply to public hearings convened by the Board to consider applications initiated by the County or that are part of the Development of Regional Impact review process. These public hearings are governed by the provisions of C above.
 2. Additional evidence may be allowed pursuant to the provisions of this Subsection, if:
 - a. Through the exercise of due diligence it could not have been discovered in time to present same to the Land Use Hearing Officer; and/or
 - b. The witness could not appear at the public hearing for good reason beyond his control.
 3. Within ten calendar days after the date of filing of the Land Use Hearing Officer's recommendation, the individual seeking to introduce the additional evidence described in 2 above, shall file with the Clerk of the Board a written request including:
 - a. The additional evidence; and
 - b. The reasons why the evidence could not through the exercise of due diligence have been discovered in time to present same to the Land Use Hearing Officer; and/or
 - c. The reasons why the witness could not appear.
 4. The request shall be filed on forms available from the Administrator. A copy of said request shall be maintained by the Administrator and maintained in a master file available to the public and the Board.

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5. The additional evidence, if documentary, shall be attached to the request. If testimonial in nature, a summary of the testimony shall be provided.
6. The Board shall consider the request for presentation of additional evidence and responses thereto at the public meeting on the Land Use Hearing Officer's recommendation. Staff of the Office of County Attorney shall review the additional evidence request in regard to whether or not the request meets the criteria stated in 2 above and whether or not the additional evidence is duplicative of material already in the record before the Land Use Hearing Officer. Staff of the County Attorney's Office shall report its findings at the meeting before the Board. The Board shall remand the proceeding to the Land Use Hearing Officer for the purpose of consideration of the additional evidence if he finds all the following:
 - a. The additional evidence could not through the exercise of due diligence have been discovered in time to present same to the Land Use Hearing Officer, or the witness could not appear at the public hearing for good reason beyond his control.
 - b. That the additional evidence is not duplicative of material already in the record before the Land Use Hearing Officer.
 - c. The evidence is relevant to the issues raised by the petition at issue.
7. If the Board finds that the additional evidence is not admissible based upon the criteria contained herein, then the Board shall deny the request and proceed to consider the petition. The Board of County Commissioners shall specifically state on the record why a request has been denied. Once a request is denied, the material presented shall not be considered by the Board in its deliberations.
8. If the Board finds that the additional evidence is admissible and therefore elects to remand the proceedings to the Land Use Hearing Officer, then the Board shall establish a date for said hearing. The remanded proceedings shall be conducted in accordance with the terms of this Code applicable to proceedings before the Land Use Hearing Officer, except that said proceeding does not have to be noticed. At the conclusion of the remanded proceedings, the Land Use Hearing Officer shall file an amended recommendation which has considered the introduction of the additional evidence. The Clerk of the Board shall notice all parties of record of the new set time and date at which the Board will consider an application for a final decision.
9. If the applicant elects to waive any objection to the additional evidence, the Board of County Commissioners may proceed to consider the petition without remand.

E. Oral Argument

1. The Board shall allow public testimony by Parties of Record at its meeting to consider the Land Use Hearing Officer's recommendation for any item on the Regular Agenda. Any public testimony shall be limited to the record of the proceedings before the Land Use Hearing Officer, unless additional evidence has been found admissible in accordance with this Part.
2. For applications which are subject to oral argument, the order of appearance and total time allotments shall be as follows:
 - a. Applicant oral argument: Ten minutes.
 - b. Administrator; summary of the application, County staff and department findings: five minutes.
 - c. Planning Commission staff; statement of compliance or noncompliance: five minutes.
 - d. Party of record oral argument by proponents: ten minutes.
 - e. Party of record oral argument by opponents: ten minutes.
 - f. Staff; amended recommendations, if any: five minutes.
 - g. Applicant; rebuttal: five minutes.

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3. If the Board finds that oral argument has raised issues that require further Land Use Hearing Officer review, then the Board reserves the right to remand the proceedings to the Land Use Hearing Officer. If the Board decides to remand the proceedings, then the Board shall establish a date for said hearing. The remanded proceedings shall be conducted in accordance with the terms of this Code applicable to proceedings before the Land Use Hearing Officer, except that said proceedings do not have to be noticed. At the conclusion of the remanded proceedings, the Land Use Hearing Officer shall file an amended recommendation which considers the issues addressed by the Board. The Clerk of the Board shall notice all parties of record of the new set time and date at which the Board will consider an application for a final decision.

F. Continuances Before the Board


1. The public meeting may be continued by the Administrator to a date certain if the continuance request is filed with the Administrator no less than 14 calendar days before the Board's meeting date. The Administrator shall determine whether the continuance shall be granted due to the petitioner or expert witness being unable to attend, or if it is known that the full Board will not be in attendance.
2. The applicant shall send notice of the continuance by proof of mailing to all parties of record no less than 11 calendar days before the Board's meeting. This notification shall include the new time, date, and location of the meeting.
3. If the criteria for granting a continuance as listed in 1 above are not satisfied, the continuance request shall be considered by the Board at its meeting when the petition was scheduled for consideration.
4. At the Board's discretion for unique circumstances, the Board may continue a petition at the Board meeting without notification.

G. Consideration and Final Decision of the Board

1. The Board shall consider the record of the hearing before the Land Use Hearing Officer, any additional evidence and oral argument introduced pursuant to the terms herein and shall approve or deny the application by resolution. The resolution shall include a statement of compliance or all points of noncompliance with the Comprehensive Plan, if different from the conclusions of the Land Use Hearing Officer, and shall give specific reasons for any decision contrary to his recommendation. A resolution approving an application shall specify any conditions which are required as part of the Board's approval.
2. The Board reserves the right to continue the public meeting upon a finding that said continuance is necessary to a complete review of the Land Use Hearing Officer's recommendation. Said continuance shall be to a date and time certain.
3. The Board reserves the right to remand a petition to the Land Use Hearing Officer when sufficient additional evidence after the Land Use Hearing Officer hearing is provided or when the petition requires further Land Use Hearing Officer review.
4. Any application proceeding in accordance with this Part that is contingent on a request to amend the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County shall be deemed withdrawn and of no further effect in the event that such requested amendment to the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County is denied by the Board of County Commissioners and no further proceeding or action shall be required.

(Ord. No. 99-25, § 2, 11-18-99; Ord. No. 99-26, § 2, 11-18-99; Ord. No. 00-38, § 2, 11-2-00; Ord. No. 01-30, § 2, 11-15-01; Ord. No. 03-9, § 2, 6-5-03; Ord. No. 06-18, § 2, 8-1-06; Ord. No. 21-18, § 2(Exh. A), 5-20-21, eff. 5-27-21)

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