

Hillsborough County City-County Planning Commission

Memorandum

Date: September 26, 2022

To: Chair Kimberly Overman and Members of the Board of County Commissioners (BOCC)

From: Melissa Zornitta, FAICP, Executive Director 

Re: Hillsborough County Comprehensive Plan Amendment Procedures Manual

The Hillsborough County Comprehensive Plan Amendment Procedures Manual has been revised and completely reformatted to reflect the Planning Commission staff's research of other jurisdictions on their plan amendment processes as well as several months of outreach. Attached is the strikethrough of the current Procedures Manual, the newly formatted version, and an overview of all the substantive changes made to the Procedures Manual.

At their September 12, 2022 meeting, the Planning Commission approved updates to the Hillsborough County Comprehensive Plan Amendment Procedures Manual. This item will be presented at the October 11, 2022, BOCC Land Use meeting for your consideration and approval.



Attachments:

- Summary of Substantive Changes
- New Version of Hillsborough County Procedures Manual
- Current HC Procedures Manual- Stricken

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Substantive Changes to the Unincorporated Hillsborough County Procedures Manuals

Related to HB 487

Small-scale Plan Amendments must meet the following criteria:

- The proposed amendment must apply to a property of fifty (50) ~~ten (10)~~ acres or less.

Plan Amendments that meet the following criteria are processed under the *Expedited State Review* procedure pursuant to Section 163.3184(3), Florida Statutes:

- The proposed map amendment must be applicable to a property of greater than fifty (50) ~~Ten (10)~~ acres.

~~Applications for Small Scale Plan Amendments can be submitted at any time and are subject to being scheduled for processing and review in the next available cycle.~~

LEGAL NOTICE REQUIREMENTS

Mis-notice

In the event a plan amendment is mis-noticed by the applicant, the plan amendment is automatically continued. Should there be a second mis-notice by the applicant, the status of the plan amendment shall immediately become "withdrawn".

B. Pro-Rata Share of Statutory Advertisement Cost for the Planning Commission and BOCC Government

Public Hearings

The applicant is responsible for the pro-rata share of advertising costs for one published advertisement noticing the Planning Commission public hearing and up to two public hearings held by the jurisdiction. Fees shall be made payable to the "Board of County Commissioners of Hillsborough County" by separate money order or check (delivered to the Planning Commission office). Fees are due at least fourteen (14) days prior to the public hearing being advertised. Failure to pay advertising fees by the deadline will result in an automatic continuation of the Comprehensive Plan Amendment. If the applicant fails to pay the advertising fee by the next scheduled public hearing, the status of the plan amendment shall immediately become "withdrawn".

Amendment Types

- **Revisions to the USA, Community Plan and Overlays constitute a text amendment**

Proposed revisions to the Urban Service Area boundary, Community Plan boundaries, or any overlay boundaries shall be constituted and viewed as separate stand-alone text plan amendments. Each Map and Text Amendment request constitutes a separate application. Revisions to Community Plan boundaries and any overlay boundaries also constitute a separate Comprehensive Plan Amendment (even in conjunction with a land-use change proposal), unless otherwise directed by the Hillsborough County Board of County Commissioners (BOCC) the local government and/or the Executive Director of the Planning Commission.

- **Privately Initiated Text amendment can only apply twice a year**
Privately initiated text amendments to the Comprehensive Plan are permitted twice a year (i.e., January, cycle 1; July, cycle 2).
- **Privately initiated text amendments will now go before the BOCC for an initial review of the proposal**

Once a privately initiated text amendment to the Comprehensive Plan is applied for, it will be scheduled by Planning Commission staff for the applicant before the Board pursuant to the schedule provided by the County. The applicant shall pay for the advertisement of that item in the newspaper, which shall follow the same procedure and schedule for legal advertisement of the BOCC transmittal hearing on a plan amendment pursuant to the advertising requirements of this manual. The Planning Commission will prepare a report to accompany the application that shall include, at a minimum, the following information:

- a. A determination of resources needed for adequate review
- b. A recommendation on timeframe to review the amendment
- c. A recommendation on additional public outreach to be conducted by the applicant beyond what is required by this manual

At the scheduled meeting, the applicant will be afforded time to make a presentation and public testimony will be permitted. Following board discussion, the Board shall take one of the following actions after review of the report by the Planning Commission and testimony provided by the applicant:

- Motion to take no further action on the application. A refund of 80% of the amount of the application fee will be provided should this occur.
- Motion to allow the application to proceed for review and public hearing in accordance with the procedures outlined herein. Said motion shall address the Planning Commission's recommendations on the review timeframes, public outreach and provision of additional resources (if applicable).

Mail Notification

Mail notifications shall be sent by the applicant for a Future Land Use Map Amendment to each real-property owner who is within 250-500 feet, inclusive of right-of-way, from the applicant's Map Amendment site.

Neighborhood Meeting

The purpose of a neighborhood meeting is designed to promote community awareness, inform the public of the nature of the proposed amendment, and provide the public an opportunity to participate early and throughout the decision-making process. The applicant shall be responsible for mailing notices of neighborhood meetings. The neighborhood meeting notice is additional to the required notification as outlined in the Procedures Manual. Neighborhood meetings can be initiated in two ways:

Applicant Initiated Neighborhood Meeting

A neighborhood meeting may be held at the applicant's option after the submission of the plan amendment application has been determined to be complete.

- If the applicant chooses to have the neighborhood meeting, the applicant must notify Planning Commission staff of their intent.
- Notice of an applicant initiated neighborhood meeting must go out within 15 days of the applicant notifying Planning Commission staff of the intent to hold a neighborhood meeting and at least 10 days prior to the meeting being held.

- A notification form letter will be provided to the applicant by Planning Commission staff. The applicant's contact information (name, telephone number, and/or email address) shall be included in the neighborhood meeting notice as well as information informing resident/property owners of their right to request a meeting up to 60 days prior to a Planning Commission public hearing.
- After the neighborhood meeting is held, the applicant shall provide Planning Commission staff the sign in sheet of the attendees and location.

Citizen Requested Neighborhood Meeting

An applicant shall be required to conduct a neighborhood meeting if requested by any resident/property owner or neighborhood association that's notified according to the notification requirements set forth in the Procedures Manual.

- The citizen requested notice letter must go out within 10 days of the applicant notifying Planning Commission staff of the intent to follow the Citizen Requested Neighborhood Meeting process.
- A citizen may request a neighborhood meeting up to 60 days prior to a Planning Commission public hearing, with the meeting taking place no later than 40 days prior to the Planning Commission public hearing.
- If a meeting is requested by a citizen, the citizen must notify Planning Commission staff of the request.
- Once a meeting is requested by a citizen, Planning Commission staff will notify the applicant that a meeting has been requested.
- Notice of a neighborhood meeting must go out within 15 days of Planning Commission staff notifying the applicant of the request and at least 10 days prior to the meeting being held. A meeting notification will consist of a form letter provided by Planning Commission staff to the applicant to be sent out.
- If the Applicant has already held or scheduled an Applicant Initiated Neighborhood Meeting, a citizen requested meeting is not warranted.

Neighborhood Meeting Requirements

- A neighborhood meeting must take place no less than 40 days prior to the Planning Commission public hearing.
- Once the neighborhood meeting has taken place, an additional neighborhood meeting cannot be requested.
- Any neighborhood meeting must start between 4:00 pm and 8:00 pm on weekdays and between 9:00 am and 5:00 pm on weekends. The meeting must be held within the general area of the subject application. Meeting locations shall be ADA accessible or reasonable accommodations shall be made at the request of citizens.
- A sign-in sheet for those attending the meeting must be submitted by the applicant to Planning Commission staff within a week after the meeting taking place, if this information is not submitted by the applicant, this may cause delay of the plan amendment.
- Mailed notice of the neighborhood meeting shall comply with notification distances set forth in the Procedures Manual.

Withdrawal, Denial, Resubmittal of an Amendment Application

Plan Amendments denied by the BOCC will not be permitted to be resubmitted for twelve (12) months from the date of denial. The twelve (12) month waiting period does not apply to amendments that have been modified from the previous submittal by either adding or subtracting land, requesting a different future land use plan category, or by making substantive changes to the originally proposed text that affects the policy direction of the Comprehensive Plan (as determined by Planning Commission staff).

RESOLUTION # _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, ADOPTING AN AMENDED PROCEDURES MANUAL FOR AMENDMENTS TO THE FUTURE OF HILLSBOROUGH COMPREHENSIVE PLAN FOR UNINCORPORATED HILLSBOROUGH COUNTY, REPEALING THE PREVIOUS PROCEDURES MANUAL FOR COMPREHENSIVE PLAN AMENDMENTS, PROVIDING FOR AN EFFECTIVE DATE

Upon motion by Commissioner _____, seconded by Commissioner _____, the following resolution was adopted by a vote of _____ to _____.

WHEREAS, the Board of County Commissioners adopted the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* by Ordinance 89-28, as amended; and

WHEREAS, the Board of County Commissioners adopted a procedures manual for amendments to the Comprehensive Plan for Unincorporated Hillsborough County in 1986; and

WHEREAS, the Board of County Commissioners adopted a consolidated procedures manual for amendments to the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* and the Cities of Tampa, Plant City and Temple Terrace on February 14, 2012 (the “Procedures Manual”), by Resolution R12-017; and

WHEREAS, on September 12, 2022, the Hillsborough County City-County Planning Commission passed a resolution recommending adoption of an amended Comprehensive Plan Amendment Procedures Manual which shall apply to Unincorporated Hillsborough County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, ASSEMBLED THIS 11th DAY OF OCTOBER, 2022:

Section 1. That the proposed amended *Comprehensive Plan Amendment Procedures Manual for Unincorporated Hillsborough County*, attached hereto as Attachment “A”, is hereby adopted.

Section 2. The previous Procedures Manual for Amendments to the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* is hereby repealed.

Section 3. This resolution shall be effective upon adoption by the Board of County Commissioners of Hillsborough County and shall apply to applications for amendments to the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* submitted

after October 11, 2022.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, Cindy Stuart, Clerk of the Circuit Court and Ex Officio Clerk to the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board of County Commissioners at a regular meeting held on _____, 2022, as the same appears of record in Minute Book _____ of the Public Records of Hillsborough County, Florida.

Witness my hand and official seal this ____ day of _____, 2022.

Cindy Stuart, Clerk of Circuit Court

By: _____
Deputy Clerk

Approved as to Form and Legal Sufficiency

By: _____
Senior Assistant County Attorney

Attachment “A”

Comprehensive
Plan Amendment

PROCEDURES MANUAL

FOR UNINCORPORATED

Hillsborough County

Updated October 3, 2022



Hillsborough County
City-County
Planning Commission

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Unincorporated Hillsborough County
Approved by Planning Commission Resolution

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INTRODUCTION

The purpose of this manual is to guide the public and other agencies on the process to follow for Comprehensive Plan Amendments for Unincorporated Hillsborough County. The process outlined in this manual has been developed solely for the expressed use of Unincorporated Hillsborough County. The Hillsborough County City-County Planning Commission (Planning Commission) is the designated Local Planning Agency (LPA) for Hillsborough County and the Cities of Tampa, Plant City, and Temple Terrace. Throughout this manual, the term days refers to calendar days, including weekends and holidays. Any applicable Florida Statutes or Laws of Florida regarding amendments to Comprehensive Plans may be found in Chapter 163, Florida Statutes.

AMENDMENT TYPES

Proposed revisions to the Urban Service Area boundary, Community Plan boundaries, or any overlay boundaries shall be constituted and viewed as a separate stand-alone text plan amendment (even in conjunction with a land-use change proposal), unless otherwise directed by the Hillsborough County Board of County Commissioners (BOCC) and/or the Executive Director of the Planning Commission.

Multiple parcels may be submitted as one map amendment if immediately adjacent or proximate to the main parcel. Planning Commission staff will ultimately determine the suitability of a multiple parcel request as one map plan amendment. The applicant may request multiple land use designations through the same application, on the same parcel, if there is no overlap.

A Plan Amendment may be publicly initiated by the BOCC or by the Planning Commission. For a publicly initiated amendment, copies of deeds or the written consent of the property owners are not required. Privately initiated text amendments to the Comprehensive Plan are permitted twice a year (January, cycle 1; July, cycle 2).

The review of privately initiated text amendments will follow the process used for privately initiated map amendments as outlined in this Plan Amendment Procedures Manual with the following additional steps. As part of the application for a privately initiated text amendment, the applicant will propose their plan to address items a-c of the Initial Submittal Review below, based on feedback from the pre-application conference.

Initial Submittal Review

Once a privately initiated text amendment to the Comprehensive Plan is applied for, it will be scheduled by Planning Commission staff for initial consideration at a meeting of the BOCC pursuant to the schedule provided by the County. The applicant shall pay for the required advertisement of that item in the newspaper which shall follow the same procedure and schedule for legal advertisement of the BOCC transmittal hearing on a plan amendment pursuant to the advertising requirements of this manual.



The Planning Commission will prepare a report to accompany the application that shall include, at a minimum, the following information:

- a. A determination of resources needed for adequate review
- b. A recommendation on timeframe to review the amendment
- c. A recommendation on additional public outreach to be conducted by the applicant beyond what is required by this manual.

At the scheduled meeting, the applicant will be afforded time to make a presentation and public testimony will be permitted. Following board discussion, the BOCC shall take one of the following actions after review of the report by the Planning Commission and testimony provided by the applicant:

- a. Motion to take no further action on the application. A refund of 80% of the amount of the application fee will be provided should this occur.
- b. Motion to allow the application to proceed for review and public hearing in accordance with the procedures outlined herein. Said motion shall address the Planning Commission's recommendations on the review timeframes, public outreach and provision of additional resources (if applicable).

Small-Scale Plan Amendment

Small-scale Plan Amendments must meet the following criteria:

- The proposed amendment must apply to a property of fifty (50) acres or less.
- The proposed amendment cannot include a change to the goals, objectives, policies or text of the Comprehensive Plan; however, text changes that relate directly to, and are adopted simultaneously with, a small-scale future land use map amendment may be adopted pursuant to Section 163.3187, Florida Statutes.

Plan Amendment Expedited Review Criteria

Plan Amendments that meet the following criteria are processed under the *Expedited State Review* procedure of Chapter 163, Florida Statutes:

- The proposed amendment applies to a property of greater than fifty (50) acres.
- A Text Amendment not related to a Small-Scale Plan Amendment.

PLAN AMENDMENT PROCESS

Generally, the month in which the application is submitted will determine when the Comprehensive Plan Amendment will be processed.

Comprehensive Plan Amendment Application Quarterly Submittal Schedule

Application Submittal Deadline
July completed application due on the first of the month,
or the first business day thereafter

Unincorporated Hillsborough County	January 1 April 1 July 1 October 1
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Pre-Application Meeting

A "Pre- Application Meeting" must take place not later than seven (7) days prior to the filing deadline for the Plan Amendment application. Pre-Application Meetings may be conducted in person or via a telephone conference. No Comprehensive Plan Amendment request will be accepted by the Planning Commission when the applicant has not participated in a Pre-Application Meeting with Planning Commission staff.

A Pre-Application Meeting will not be required when either Hillsborough County or the Planning Commission is the applicant for the Comprehensive Plan Amendment.

Application Submission

After submission of the application, including the required documentation listed on the Plan Amendment application checklist, staff conducts a seven (7) day sufficiency review period, which begins on the date the application is submitted. At this time, the application will be reviewed by staff for completeness to ensure that all required documents are submitted, including the applicable fee and to answer any questions the applicant may have. In accordance with Chapter 163 FS, both public and private plan amendments must be supported by professionally accepted data and analysis. A full refund will be issued if the application is withdrawn within the seven (7) day sufficiency review period.

Supplemental Information

The Planning Commission may require the applicant to submit supplemental information on the Plan Amendment. Failure to provide the information required within the time limits specified will result in a continuance to the next cycle, or the next available public hearing.

If the applicant provides new information to the Planning Commission that requires additional analysis, without enough time to review and analyze the submitted information, it will result in a continuance. New information must be received no later than thirty (30) days before the Planning Commission public hearing. Under these circumstances, the Plan Amendment request shall be continued to the next cycle, or the next available public hearing, at the discretion of the Planning Commission staff.

Modification of the Application after Submittal

A modification of the original application that increases or decreases the land area covered by the Plan Amendment, requests a different future land use designation, and/or substantially changes the originally proposed text that affects the policy direction, as determined by staff, must be received by the Planning Commission not less than thirty (30) days in advance of the scheduled Planning Commission public hearing. If the information is not received within the time specified, the application will be continued to the next available cycle, or the next available public hearing at the discretion of the Planning Commission staff.

Planning Commission Staff Review

Based on information received from the applicant and the reviewing agencies, staff will review the Plan Amendment application for compliance and consistency with the goals, objectives and policies, and other provisions of the comprehensive plan in accordance with professional planning principles and standards. The Planning Commission staff will request information and review comments from appropriate County staff and other reviewing government agencies and departments. Planning Commission staff makes recommendations to the Planning Commission on a finding of consistency or inconsistency of the Plan Amendment with the comprehensive plan.

The Planning Commission staff recommendation will be available for public review ten (10) days prior to the Planning Commission public hearing.

Planning Commission Briefing

The Planning Commission is briefed on the proposed Plan Amendment request during an advertised regular meeting of the Planning Commission. At this meeting, staff and members of the Planning Commission may discuss the amendment request.

The briefing is an opportunity for the Planning Commission to learn and ask questions about the proposed amendments.

No public comment, staff recommendation, or applicant presentation is taken at the briefing, unless requested by the Planning Commission. If the Planning Commission requests additional information at the briefing, or changes to the amendment, it may necessitate a second briefing to the Planning Commission.

Planning Commission Public Hearing

All Plan Amendments, regardless of type, require a public hearing before the Planning Commission. The Planning Commission public hearing process is the same for all types of Plan Amendments. Subsequent to the Planning Commission Briefing, a public hearing will be scheduled with due public notice for the Planning Commission to consider the Plan Amendment and staff recommendation, receive public input, and take action.

At the public hearing, Planning Commission staff will make a recommendation on a finding of consistency or inconsistency of the Plan Amendment with the Comprehensive Plan. The Planning Commission may agree with the staff recommendation, amend the staff recommendation, or reverse the staff recommendation. The Planning Commission will make a recommendation based upon a finding that the Plan Amendment is either consistent or inconsistent with the Comprehensive Plan and adopt a resolution by a simple majority vote.

Once the Planning Commission has completed the public hearing for a Plan Amendment, the recommendations are transmitted to the BOCC.

CONTINUATION OF PLAN AMENDMENT REQUESTS

Upon written request by the applicant, either to Planning Commission staff, and/or the Executive Director, a Plan Amendment may be continued to the next amendment review cycle, subject to the following:

- 1** Continuation of a Planning Commission public hearing may be requested by the applicant a maximum of two (2) times, with the first continuation request viewed as a matter of right. Continuances may only be permitted to the next cycle or scheduled Planning Commission public hearing date, at the discretion of the Planning Commission or the Executive Director (or designee).
- 2** Requests for continuance received at least thirty (30) days or more prior to the Planning Commission public hearing date shall result in the Plan Amendment application being excluded from the advertisement of the Planning Commission public hearing.
- 3** Continuation of a Plan Amendment request will occur if an applicant fails to timely remit the payment of required advertising fees prior to the scheduled hearing and will be considered as one (1) of the two (2) allowable continuances per Item 1.
- 4** The Planning Commission or the Executive Director (or designee) may continue a Plan Amendment (with the concurrence of the applicant) for an overriding public interest, such as, but not limited to, conducting additional public outreach, further coordination with other agencies, and such a continuance shall not constitute one of the allowable continuances.

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Per the application submission procedures within this manual, if the applicant provides new information to the Planning Commission that requires additional analysis less than 30 days before the Planning Commission public hearing, it will result in a continuation. This will be considered as one (1) of the two (2) allowable continuances per Item 1.

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These provisions shall not limit the authority of the Planning Commission or BOCC to authorize continuances.

Fee for Amendments Continued by Applicant's Request

Continuation of a Plan Amendment requested by the applicant at any point in the plan amendment process that necessitates preparation of additional hearing materials is subject to a continuation fee as per the adopted Fee Schedule. The fee is due at least 45 days prior to approved continuation public hearing.

BOCC PUBLIC HEARING

A. Small-Scale Comprehensive Plan Amendment Adoption

After receipt of the Planning Commission recommendation, the BOCC shall hold at least one advertised public hearing to consider adoption, adoption with changes, or determine that it will not adopt a proposed small scale Comprehensive Plan Amendment.

A small-scale Comprehensive Plan Amendment shall be adopted by ordinance and will become effective pursuant to Chapter 163, Florida Statutes.

B. Regular Comprehensive Plan Amendment Transmittal and Adoption Process

1. Transmittal Public Hearing:

For amendments that are not subject to the small-scale amendment adoption process outlined above, the Planning Commission's recommendation shall be provided to the BOCC in advance of the first scheduled public hearing date.

If the BOCC approves the Plan Amendment for transmittal to the State Land Planning Agency and other review agencies after the initial public hearing, the BOCC shall adopt a resolution approving the transmittal, and the Plan Amendment shall be transmitted in accordance with Florida Statutes.

2. Adoption Public Hearing:

Within one hundred and eighty (180) days after receipt of state reviewing agencies' written comments regarding Plan Amendment(s), the BOCC shall adopt, adopt with changes or determine that it will not adopt the Plan Amendment. During the course of the second public hearing, the BOCC shall review the written comments received from the state planning agency and any other person, agency or government.

All Plan Amendments shall be adopted by ordinance. Pursuant to Chapter 163, Florida Statutes, Plan Amendments adopted under the *Expedited State Review Process* that are not challenged become effective thirty-one (31) days after the State Land Planning Agency notifies the Planning Commission staff that the amendment package is complete. Challenges to adopted amendments are subject to an administrative proceeding pursuant to Florida Statutes. For additional information, contact the State Land Planning Agency.

LEGAL NOTICING REQUIREMENTS

An advertisement will be published in a local newspaper to notify the public of the Planning Commission public hearing for each Plan Amendment. The first advertisement shall be published at least ten (10) days prior to the Planning Commission Public Hearing. The applicant is responsible for the pro-rata share of advertising associated with one published advertisement noticing the Planning Commission public hearing and up to two BOCC public hearings. Fees are due at least fourteen (14) days prior to the public hearing being advertised. Fees shall be made payable to the "Board of County Commissioners of Hillsborough County" by separate money order or check (delivered to the Planning Commission office). Failure to pay advertising fees by the deadline will result in an automatic continuation of the Plan Amendment, subject to allowable continuances, or withdrawal of the Plan Amendment, as applicable. If the applicant fails to pay the advertising fee by the next scheduled public hearing, the status of the Plan Amendment shall immediately become "withdrawn".

In the event a Plan Amendment is mis-noticed by the applicant, the Plan Amendment is automatically continued. Should there be a second mis-notice by the applicant, the status of the Plan Amendment shall immediately become "withdrawn".

A. Legal Advertisement

The transmittal and adoption public hearing for Plan Amendments must be noticed pursuant to the requirements of Florida Statutes.

1. Proposed Amendment – Local Planning Agency (LPA) Stage – Pursuant to Florida Statutes, the LPA must hold at least one public hearing on the proposed Plan Amendment, and must provide the public notice for that hearing.
 - An advertisement in a newspaper of general circulation within the boundaries of the local government.
 - The advertisement must appear in the newspaper at least ten (10) days prior to the LPA public hearing.
2. Proposed Amendment – Transmittal Stage
 - Pursuant to Florida Statutes, the BOCC must consider transmittal of the proposed amendment at a public hearing.
3. The transmittal public hearing must occur on a week day at least seven (7) days after the day that the advertisement is published, pursuant to Florida Statutes.

4. Adoption Stage

- Pursuant to Florida Statutes, the BOCC must consider the adoption of the Plan Amendment at a second public hearing.
- The adoption public hearing must occur on a week day at least five (5) days after the day that the advertisement is published, pursuant to Florida Statutes.

B. Pro-Rata Share of Statutory Advertisement Cost for the Planning Commission and BOCC Public Hearings

The applicant is responsible for the pro-rata share of advertising costs for one published advertisement noticing the Planning Commission public hearing and up to two public hearings held by the BOCC. Fees shall be made payable to the "Board of County Commissioners of Hillsborough County" by separate money order or check (delivered to the Planning Commission office). Fees are due at least fourteen (14) days prior to the public hearing being advertised. Failure to pay advertising fees by the deadline will result in an automatic continuation of the Plan Amendment, subject to allowable continuances, or withdrawal of the plan amendment, as applicable. If the applicant fails to pay the advertising fee by the next scheduled public hearing, the status of the Plan Amendment shall immediately become "withdrawn".

Special Noticing Requirement (Chapter 97-351, Laws of Florida)

Future Land Use Element map or text amendments involving less than 5% of the total land area of Unincorporated Hillsborough County (publicly or privately initiated), require additional notice pursuant to Chapter 97-351 Laws of Florida. See Chapter 97-351, Laws of Florida, for which the applicant is responsible for payment pursuant to the foregoing conditions and restrictions applicable to legal notice and advertising costs.

Publicly Initiated Amendments

Plan Amendments initiated by the BOCC on publicly owned land to recognize property obtained through the Environmental Lands Acquisition and Protection Program (ELAPP), state conservation programs or to recognize school sites, parks, and existing public facilities are exempt from the mailing notification requirements unless mailed notice is required by Chapter 97-351. Legal advertising notice, consistent with state law shall be required.

Mail Notification

Mail notifications shall be sent by the applicant for a Future Land Use Map Amendment to each real-property owner who is within 500 feet, inclusive of right-of-way, from the applicant's Plan Amendment site. A listing of real-property owners within the 500 feet, inclusive of right-of-way, from the applicants Plan Amendment site is obtained from the Property Appraiser's office. Planning Commission staff will provide the applicant with a notice letter. Mailing the notice is the responsibility of the applicant.

Mail notifications shall be postmarked at least twenty one (21) days prior to the Planning Commission public hearing and at least thirty (30) days prior to the first BOCC public hearing.

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The mail notice shall include the location of the Plan Amendment and the request, and the times, dates and place of the public hearings. Registered Neighborhood Groups registered with the County's Neighborhood Relations Department that are within one (1) mile of the Plan Amendment site are also required to be noticed if there are no existing registered HOA within 250 feet of the site.

Proof of Mailing

All applicants must provide proof of mailing by completing the "Mailing of Notice of Public Hearing Declaration" form and providing the original proof of mailing certification by the US Post Office. This documentation shall be submitted to the Planning Commission office at least ten (10) days prior to each public hearing conducted by the Planning Commission and twenty (20) days prior to the BOCC public hearings.

Sign Posting

Applicants are required to install sign(s) at the Plan Amendment site in accordance with the following requirements: The Notice Sign(s) shall be installed at least twenty one (21) days prior to the Planning Commission's public hearing, and at least thirty (30) prior to (1) the Planning Commission public hearing and (2) up to two BOCC public hearings.

Proof of Posting

The applicant is required to provide photographic proof of the mounted notice sign(s), showing the installed notice sign(s) and location, and an original-signed copy of the "Sign Declaration" form at least ten (10) days prior to the Planning Commission public hearing and each BOCC public hearing. The applicant shall remove the Notice Sign(s) from the Plan Amendment site within seven (7) days after the final BOCC public hearing.

Neighborhood Meeting

The purpose of a neighborhood meeting is designed to promote community awareness, inform the public of the nature of the proposed amendment, and provide the public an opportunity to participate early and throughout the decision-making process. The applicant shall be responsible for mailing notices of neighborhood meetings. The neighborhood meeting notice is additional to the required notification as outlined in the Procedures Manual. Neighborhood meetings can be initiated in two ways:

Applicant Initiated Neighborhood Meeting

A neighborhood meeting may be held at the applicant's option after the submission of the plan amendment application has been determined to be complete.

- If the applicant chooses to have the neighborhood meeting, the applicant must notify Planning Commission staff of their intent.
- Notice of an applicant initiated neighborhood meeting must go out within 15 days of the applicant notifying Planning Commission staff of the intent to hold a neighborhood meeting and at least 10 days prior to the meeting being held.

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- A notification form letter will be provided to the applicant by Planning Commission staff. The applicant's contact information (name, telephone number, and/or email address) shall be included in the neighborhood meeting notice as well as information informing resident/property owners of their right to request a meeting up to 60 days prior to a Planning Commission public hearing.
- After the neighborhood meeting is held, the applicant shall provide Planning Commission staff the sign in sheet of the attendees and location.

Citizen Requested Neighborhood Meeting

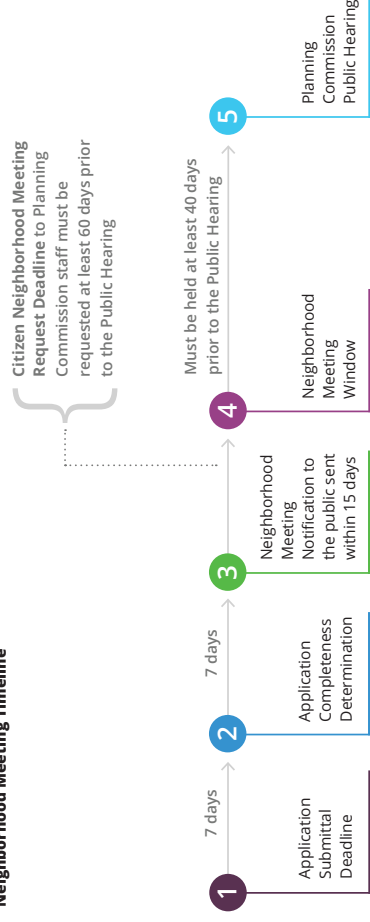
An applicant shall be required to conduct a neighborhood meeting if requested by any resident/property owner or neighborhood association that's notified according to the notification requirements set forth in the Procedures Manual.

- The citizen requested notice letter must go out within 15 days of the applicant notifying Planning Commission staff of the intent to follow the Citizen Requested Neighborhood Meeting process.
- A citizen may request a neighborhood meeting up to 60 days prior to a Planning Commission public hearing, with the meeting taking place no later than 40 days prior to the Planning Commission public hearing.
- If a meeting is requested by a citizen, the citizen must notify Planning Commission staff of the request.
- Once a meeting is requested by a citizen, Planning Commission staff will notify the applicant that a meeting has been requested.
- Notice of a neighborhood meeting must go out within 15 days of Planning Commission staff notifying the applicant of the request and at least 10 days prior to the meeting being held. A meeting notification will consist of a form letter provided by Planning Commission staff to the applicant to be sent out.
- If the Applicant has already held or scheduled an Applicant Initiated Neighborhood Meeting, a citizen requested meeting is not warranted.

Neighborhood Meeting Requirements

- A neighborhood meeting must take place no less than 40 days prior to the Planning Commission public hearing.
- Once the neighborhood meeting has taken place, an additional neighborhood meeting cannot be requested.
- Any neighborhood meeting must start between 4:00 pm and 8:00 pm on weekdays and between 9:00 am and 5:00 pm on weekends. The meeting must be held within the general area of the subject application. Meeting locations shall be ADA accessible or reasonable accommodations shall be made at the request of citizens.
- A sign-in sheet for those attending the meeting must be submitted by the applicant to Planning Commission staff within a week after the meeting taking place, if this information is not submitted by the applicant, this may cause delay of the plan amendment.
- Mailed notice of the neighborhood meeting shall comply with notification distances set forth in the Procedures Manual.

Neighborhood Meeting Timeline



WITHDRAWAL, DENIAL, AND RESUBMITTAL OF A PLAN AMENDMENT APPLICATION

An applicant may withdraw a request for a Plan Amendment at any time, by filing written notice or email to Planning Commission staff and/or the Executive Director (or designee) of the Planning Commission. If the withdrawal of a proposed amendment occurs less than thirty (30) days prior to the Planning Commission public hearing, payment will be required for the pro-rata share of the legal advertisement.

If the withdrawal of a proposed amendment occurs after the Planning Commission has submitted the Plan Amendment to the State Land Planning Agency for review, the applicant is required to send notice to the State Land Planning Agency and copy the Planning Commission. Application fees paid prior to withdrawal of a request are non-refundable.

Plan Amendments denied by the BOCC will not be permitted to be resubmitted for twelve (12) months from the date of denial. The twelve (12) month waiting period does not apply to amendments that have been modified from the previous submittal by either adding or subtracting land, requesting a different future land use plan category, or by making substantive changes to the originally proposed text that affects the policy direction of the Comprehensive Plan (as determined by Planning Commission staff).

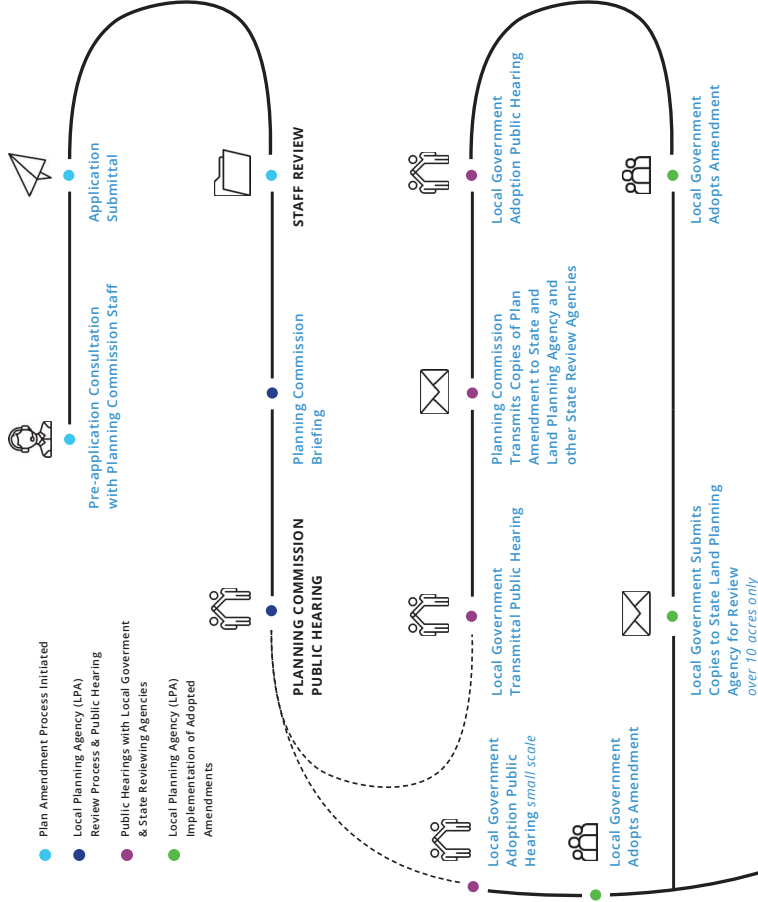
Application Fee Refund Schedule

The amount of the refund for Hillsborough County Plan Amendments shall be based on the point in the review process at which the application withdrawal is initiated by the applicant. If the "point of the review process" determination is unclear, the refund amount will be established at the discretion of the Planning Commission's Executive Director.

Application Fee Refund Schedule Refund -% of Application Fee

Application Sufficiency review time <i>within 7 days from submittal</i>	100%
Application Submittal Period <i>within 29-59 days from submittal</i>	75%
Agency Review Process <i>after 60 days from submittal and at least 14 working days before the Planning Commission briefing</i>	50%
<i>14 or less days before the Planning Commission briefing</i>	No refund 0%

EXPEDITED STATE REVIEW
PLAN AMENDMENT PROCESS





PLAN HILLSBOROUGH

County Center
601 E Kennedy Blvd, 18th Floor
Tampa, FL 33602
813/272-5940
planhillsborough.org

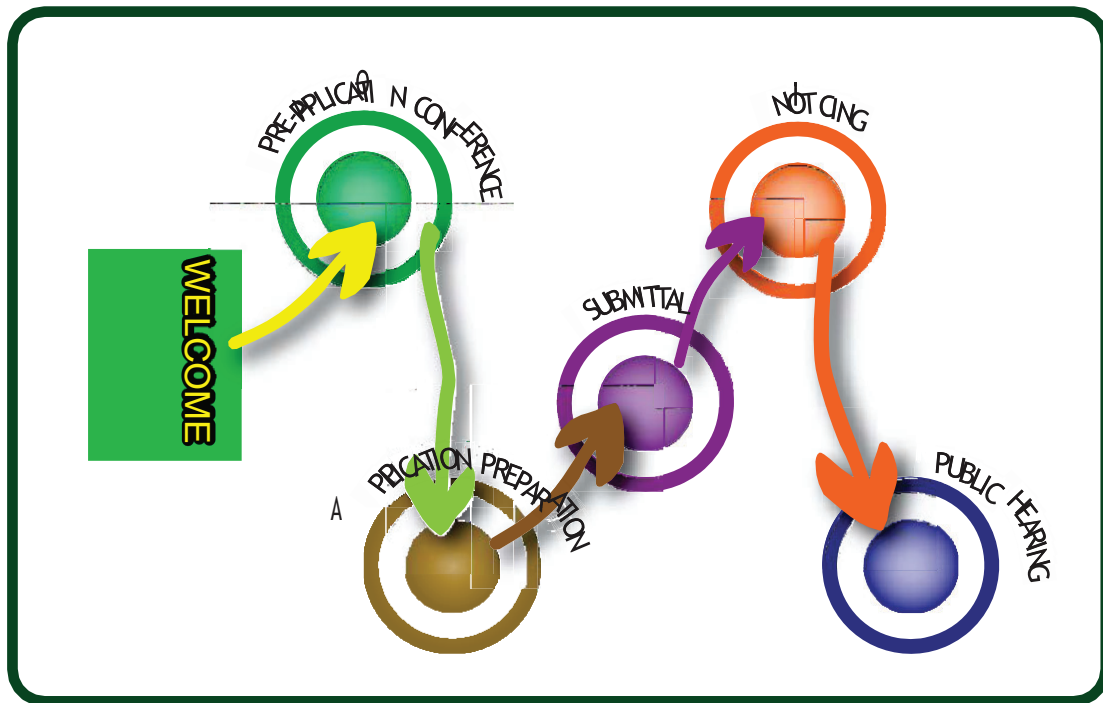
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COMPREHENSIVE PLAN AMENDMENT PROCEDURES MANUAL

**FOR UNINCORPORATED HILLSBOROUGH
COUNTY AND THE CITIES OF TAMPA,
PLANT CITY AND TEMPLE TERRACE**



COMPREHENSIVE AMENDMENT PROCEDURES FOR UNINCORPORATED HILLSBOROUGH COUNTY AND THE CITIES OF TAMPA, PLANT CITY AND TEMPLE TERRACE

Approved by the Planning Commission (PC) Resolution December 12, 2011 Last
Revision by the PC November 14, 2016
Approved by the BOCC December 13, 2016

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~~COMPREHENSIVE PLAN AMENDMENT PROCEDURES~~

~~FOR UNINCORPORATED HILLSBOROUGH COUNTY~~

~~AND THE CITIES OF TAMPA, PLANT CITY AND TEMPLE TERRACE~~

~~I. Purpose~~

~~The purpose of this procedures manual is to establish the procedures to follow, for a Map or Text Amendment to the Comprehensive Plans of unincorporated Hillsborough County, City of Tampa, City of Plant City or City of Temple Terrace.~~

~~This manual is in no way intended to replace the applicable Florida Statutes or Laws of Florida regarding amendments to Comprehensive Plans. It is intended to guide the public and other agencies in the process and the Hillsborough County City-County Planning Commission on Comprehensive Plan Amendments ("Plan Amendments"). In the event of any conflict, applicable Florida Law shall prevail.~~

~~II. Introduction~~

~~A Plan Amendment may be initiated by a private property owner, organization or by a local government through the Hillsborough County Board of County Commissioners ("BOCC"), the City Council/ Commission, the Mayor, County Administrator or City Manager or designee for each (collectively, "local government") or by the Hillsborough County City-County Planning Commission (the "Planning Commission") ("Publicly Initiated Amendment"). The Planning Commission is the Local Planning Agency ("LPA") for Hillsborough County and the Cities of Tampa, Plant City and Temple Terrace.~~

~~There are two (2) types of Comprehensive Plan Amendments, which include Text Amendments and Map Amendments. Text amendments can modify, add or delete the text of the local government's Comprehensive Plan. A Map Amendment can change the land use category on the Future Land Use Map within a specific jurisdiction.~~

~~Map and Text Amendment requests are described as follows:~~

~~Small-Scale Plan Amendment~~

~~Applies to Comprehensive Plan Amendment requests affecting 10 acres or less and Text Amendments that are directly related to a specific Small Scale Plan Amendment. This type of Plan Amendment cannot exceed 120 acres cumulatively each calendar year for each jurisdiction.~~

~~Plan Amendment~~

~~Applies to Map Amendments affecting greater than 10 acres, and/or Text Amendments not related to a Small Scale Plan Amendment.~~

~~Development of Regional Impact or Florida Quality Development (DRI/ FQD)~~

~~Any Comprehensive Plan Amendment request directly related to a proposed Development of Regional Impact (DRI), including changes which have been determined to be a substantial deviation as defined by Chapter 380, Florida Statutes, or a proposed Florida Quality Development (hereinafter FQD). The applicant must submit copies of all materials provided to the Tampa Bay Regional Planning Council (hereinafter TBRPC) and to the State Land Planning Agency for a determination of DRI status, substantial deviation status, or FQD status, and copies of all materials received from the TBRPC and the State Land Planning Agency prior to submittal of the Comprehensive Plan Amendment request. No request for such a Comprehensive Plan Amendment shall be accepted by the Planning Commission prior to the Planning Commission's receipt of the Notification of Pre-Application Meeting for the proposed DRI, substantial deviation, or FQD, from the TBRPC.~~

~~III. General Comprehensive Plan Amendment Application Information~~

~~Applications are available at:~~

- ~~• Planning Commission office located at 601 East Kennedy Boulevard, 18th Floor Tampa, Florida 33602~~
- ~~• Plant City City Hall located at 302 West Reynolds Street, Plant City, Florida 33563~~
- ~~• Temple Terrace City Hall located at 11250 North 56th Street, Temple Terrace, FL 33617 and,~~
- ~~• Online at www.theplanningcommission.org. A copy of the application can also be obtained in Appendix A of this manual.~~
- ~~• Application for Plan Amendments in Tampa can be obtained at the Planning Commission~~

~~A. Applicant Private Property Owner or Agent~~

~~Each Map and Text Amendment request constitutes a separate application. Revisions to the Urban Service Area boundary, Community Plan boundaries and any overlay boundaries also constitute a separate Comprehensive Plan Amendment (even in conjunction with a land use change proposal).~~

~~Only one Map Amendment per parcel may be submitted during an individual Comprehensive Plan Amendment Review Cycle. Multiple Map Amendment requests are prohibited on an individual parcel, regardless of whether it is a portion or the entire tract. This does not prohibit multiple land use category changes on or within parcel boundaries, as long as there is no overlap.~~

~~B. Applicant Local Government/Agency~~

~~When the Planning Commission or local government is the applicant, copies of deeds or the written consent of the property owners are not required.~~

~~IV. Application Submission Deadlines and Generalized Timelines~~

The month in which the application is submitted will determine when the Comprehensive Plan Amendment will be processed. Processing an application generally involves staff and agencies review and a report regarding the consistency or inconsistency of the request with the Comprehensive Plan. The Comprehensive Plan Amendment is then forwarded to the Planning Commission and applicable local government for a Workshop and Public Hearing. Application submissions occur quarterly each year.

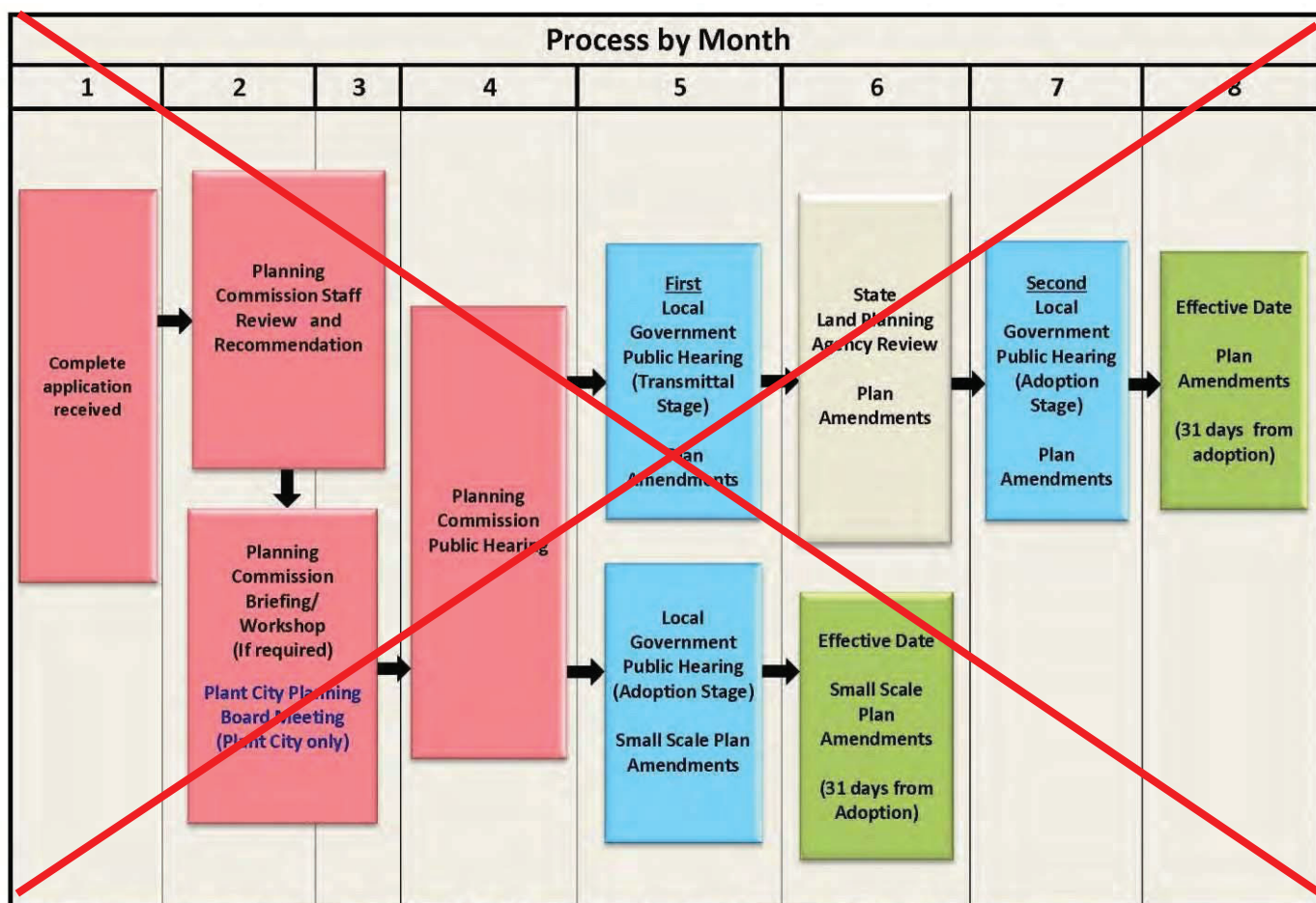
~~Applications for Small Scale Plan Amendments~~ can be submitted anytime.

Comprehensive Plan Amendment Application	
Quarterly Submittal Schedule	
Jurisdiction/Area	Application Submittal Deadline (Fully completed Application Due on the 1st of the month, or the first business day thereafter)
Unincorporated Hillsborough County	January 1 st
	April 1 st
	July 1 st
	October 1 st
City of Tampa	February 1 st
	May 1 st
	August 1 st
	November 1 st
City of Plant City	March 1 st
	June 1 st
	September 1 st
	December 1 st
City of Temple Terrace	March 1 st
	June 1 st
	September 1 st
	December 1 st

~~Note – A Pre-Submittal Conference is required within 6 months and at least fifteen (15) days prior to the filing deadline.~~

GENERALIZED PLAN AMENDMENT TIMELINE

UNINCORPORATED HILLSBOROUGH COUNTY, TAMPA, PLANT CITY AND TEMPLE TERRACE



Note: The timeline above is for illustrative purposes only, and approximates when public hearings may be scheduled to occur.

- ~~Plan Amendment~~ refers to a Text Amendment or a Map Amendment larger than 10 acres in size.
- ~~Small Scale Map Amendment~~ refers to a Map Amendment 10 acres or less in size and may include Text Amendments if specifically associated with a Small Scale Map Amendment.

~~A. Publicly Initiated Amendments~~

~~A Comprehensive Plan Amendment request initiated by the Planning Commission or by local government may be inserted into any review period prior to the Planning Commission's Public Hearing, regardless of the deadlines established in this manual, provided all the review and notice procedures established by this manual and pursuant to applicable law are complied with.~~

~~V. Application Procedures (Note: Regarding Deadlines, the term "days" refers to all days in a month, including weekends and holidays.)~~

~~Pre-Submittal Conference~~

~~Before submitting an application for a Comprehensive Plan Amendment, the applicant is required to have a Pre-Submittal Conference with staff of the Planning Commission. The purpose of that Pre-Submittal Conference is so the Planning Commission staff will begin a~~

dialogue to understand the application and provide information that will help the applicant through the process. Staff will also help the applicant with issues that will need to be addressed, and supplemental documents that will need to be submitted with the application, including processing and advertising fees.

The Pre-Submittal Conference must take place within 6 months and at least fifteen (15) days prior to the filing deadline for the Comprehensive Plan Amendment application. No Comprehensive Plan Amendment request will be accepted by the Planning Commission when the applicant has not participated in a timely pre-application conference with Planning Commission staff.

A pre-submittal conference will not be required when either the local government or the Planning Commission is the applicant for the Comprehensive Plan Amendment.

A. — Application Submission Conference

After addressing all requirements outlined in the Comprehensive Plan Amendment application and attending the pre-submittal conference meeting, the applicant will schedule an application conference (required) and submit a completed application.

*See Appendix A for a copy of the **Comprehensive Plan Amendment application**. An **Application Checklist** in Appendix B describes the items that need to be submitted for a complete application.*

The application will be reviewed by staff for completeness at the application conference to ensure that all required documents are submitted, including applicable fees, and to answer any questions the applicant may have. All information required in the application form, and the required application fees(s) must be submitted.

No applications will be accepted after 4:00 p.m. on the day of the deadline. Incomplete applications will not be accepted unless otherwise agreed upon during the official pre-submittal conference. A grace period of not more than seven (7) days after the deadline for submittal of a Comprehensive Plan Amendment request may be granted by the Planning Commission Executive Director or his designee, if warranted, to allow the applicant to complete the application and provide required information.

B. — Supplemental Information

The Planning Commission may require applicants to submit supplemental information on the Comprehensive Plan Amendment. For Comprehensive Plan Amendments associated with Developments of Regional Impact, the information supplied in the application for development approval will suffice for analysis of the Comprehensive Plan Amendment request.

Failure to provide the information required within the time limits specified will result in a continuance to the next review period (the “next cycle”). If the information required has not been furnished to the Planning Commission by the first day of the next applicable review period the Comprehensive Plan Amendment request will be considered as having been withdrawn by the applicant. However, the Planning Commission staff may, upon written request from the applicant showing good cause, allow an extension of time of not more than seven (7) days to provide the information required.

~~VI. Grounds for Continuation of Comprehensive Plan Amendment Requests Prior to Planning Commission Recommendation~~

~~A. Altering or Revising the Application after Submittal~~

~~Alteration or revisions to a more intensive land use designation, affecting 20% or greater of the original request, or increases in the land area covered by the Plan Amendment which is 20% or greater of the original request, or a substantive modification to text that affects policy direction, as determined by staff, must be received by the Planning Commission sixty (60) days or more in advance of the scheduled Planning Commission Public Hearing. In addition, the Comprehensive Plan Amendment shall require re-noticing to review agencies, surrounding property owners and (if applicable) Registered Neighborhood Groups. If the noticing requirements cannot be met, the Comprehensive Plan Amendment will be continued to the next Amendment Review cycle. Re-noticing is not required for an alteration or revision that involves a change to a less intensive land use designation, or a text change to further clarify the original intent of the proposed Text Amendment.~~

~~B. Additional Information Submission~~

~~The presentation of factual information by the applicant to the Planning Commission, or the Plant City Planning Board prior to or at a Workshop or Public which is beyond the scope of that submitted to the Planning Commission staff, may constitute grounds for continuation of the public hearing until the Planning Commission staff can analyze such information. Any continuance for this reason may result in delay of consideration of the Comprehensive Plan Amendment request beyond the normal review period. Under these circumstances, the Comprehensive Plan Amendment request shall be continued to the next Amendment Review cycle.~~

~~C. Continuation of Comprehensive Plan Amendment Requests to the Next Amendment Review Cycle~~

~~Upon request by the applicant, formal Comprehensive Plan Amendment review may be continued to the next Amendment Review cycle, subject to the following:~~

- ~~1. A request for continuation must be in writing and addressed to the Chairperson of the Planning Commission (or designee) at the Planning Commission's official address or by email.~~
- ~~2. Requests for continuation received at least forty-five (45) days or more prior to the Planning Commission Public Hearing date shall result in the Comprehensive Plan Amendment request being excluded from the advertisement of the Planning Commission Public Hearing.~~
- ~~3. Requests for continuation received less than forty-five (45) days prior to the Planning Commission Public Hearing may require payment of additional advertising fees to cover the advertising expenses for any subsequent Planning Commission Public Hearing.~~
- ~~4. Continuation of a public hearing may be requested by the applicant a maximum of two times. Continuations may only be permitted to the next cycle. Skipping an Amendment~~

~~Review cycle is prohibited. In the event the applicant chooses to forgo continuing to the next Amendment Review cycle, the Comprehensive Plan Amendment shall be considered to have been unconditionally withdrawn.~~

- ~~5. Continuation of a Comprehensive Plan Amendment request will occur if an applicant fails to timely remit the payment of required fees prior to the scheduled hearing.~~
- ~~6. The Planning Commission or the Executive Director (or designee) may continue a Comprehensive Plan Amendment (with the concurrence of the applicant) for an overriding public interest, such as, but not limited to, conducting additional public outreach, further coordination with other agencies or to allow for time to complete a neighborhood/community plan. An additional processing fee will not be required of the requesting party for a continuation processed under these circumstances.~~
- ~~7. These provisions shall not limit the authority of the Planning Commission or local government to authorize continuances.~~
- ~~8. After the Planning Commission makes its recommendation, a Comprehensive Plan Amendment may only be continued by formal action of the local government.~~

~~A Continuation Fee, if established by the local government shall be applicable to the continued amendment pursuant to the Fee Schedule in effect at the beginning of each Amendment Review cycle. Failure to remit this fee by the Amendment Review cycle application deadline will result in the withdrawal of the Comprehensive Plan Amendment application.~~

~~VII. Noticing Requirements~~

~~A. Legal Advertisement~~

~~The transmittal and adoption public hearing for Comprehensive Plan Amendments must be noticed pursuant to the requirements of Chapters 125 (Counties) and 166 (Cities), Florida Statutes.~~

- ~~1. Proposed Amendment - Local Planning Agency (LPA) Stage - Pursuant to Florida Statutes, the LPA must hold at least one public hearing on the proposed Comprehensive Plan Amendment, and must provide the public notice for that hearing.
 - ~~1) An advertisement in a newspaper of general circulation within the boundaries of the local government.~~
 - ~~2) The advertisement must appear in the newspaper at least ten (10) days prior to the LPA public hearing.~~~~
- ~~2. Proposed Amendment - Transmittal Stage
 - ~~A. Pursuant to Florida Statutes, the governing body of the local government must consider transmittal of the proposed amendment at a public hearing.~~~~
- ~~3. The transmittal public hearing must occur on a week day at least seven (7) days after the day that the advertisement is published.~~
- ~~4. Adoption Stage
 - ~~A. Pursuant to Florida Statutes, the governing body of the local government must consider the adoption of the Comprehensive Plan Amendment at a second public hearing.~~~~

- 1) ~~The adoption public hearing must occur on a week day at least five (5) days after the day that the advertisement is published.~~

B. — Pro-Rata Share of Statutory Advertisement Cost for the Planning Commission and Local Government Public Hearings

~~The applicant is responsible for the pro-rata share of advertising costs for one published advertisement noticing the Planning Commission public hearing and up to two public hearings held by the jurisdiction. Fees shall be made payable to the “Board of County Commissioners of Hillsborough County” by separate money order or check (delivered to the Planning Commission office). Fees are due at least fourteen (14) days prior to the public hearing being advertised. Failure to pay advertising fees by the deadline will result in an automatic continuation of the Comprehensive Plan Amendment.~~

~~**Municipalities (Only)** – The payment for the pro-rata share of the advertisement costs for municipal hearings should be made either by money orders or check payable to jurisdiction (City of Tampa, City of Temple Terrace, City of Plant City) in which they are held.~~

C. — Planning Commission

~~An advertisement will be published to notify the public of the upcoming Planning Commission hearing for any Comprehensive Plan Amendment. The size of the ad, frequency of publication, publication deadlines and other parameters are defined in the Planning Commission’s adopted Public Information Program, consistent with requirements of Part II, Chapter 163, Florida Statutes. The ad shall be published at least ten (10) days prior to the Planning Commission’s public hearing is required.~~

~~To enhance public awareness and participation at the Planning Commission Public Hearing of minority and neighborhood groups, additional advertisements may be placed in minority or neighborhood newspapers. The applicant is responsible for the pro-rata share of the legal advertisement cost if placed in minority or neighborhood newspapers.~~

D. — Local government Noticing Requirements

Mail Notification (required for all Local Governments)

~~Mailed notice shall be sent by the Planning Commission staff (in the case of the City of Temple Terrace, the Temple Terrace City Clerk will send the notice) to each property owner whose land will be affected by a Future Land Use Map amendment if the amendment involves less than 5% of governmental unit land area. The notice shall be mailed at least 30 days prior to the first local government public hearing and shall state the substance of the amendment and the time, date and place of the local government public hearings.~~

~~Plan Amendments initiated by the local government on publicly owned land to recognize property obtained through the Environmental Lands Acquisition and Protection Program, state conservation programs or to recognize schools, school sites and existing public~~

~~facilities are exempt from the mailing and sign posting requirements described below. Legal advertising notice, consistent with state law will be provided, and one notice sign will be posted per amendment site, which may also provide notice of immediately contiguous amendment sites.~~

~~For the City of Temple Terrace:~~

~~*Mail Notification **~~

~~Mail Notification will be sent by the City Clerk to each real property owner whose property will be affected by the proposed plan amendment whose address is known by reference to the latest ad valorem tax records. The notice will indicate the application statement/purpose as well as the date, time and place of the first City Council public hearing. The required notices will be sent by regular mail at least fourteen (14) days prior to the City Council's public hearing. In some cases, if timing and schedules are coordinated, the Planning Commission and City may arrange for a single mailed notice for all public hearings.~~

~~Surrounding Property Owner Notice*~~

~~*The City of Temple Terrace does not send mail notice to surrounding property owners.~~

~~For Hillsborough County, Tampa and Plant City only, Applicants requesting a Future Land Use Map amendment(s) are required to mail a notice of public hearing to each real property owner and Registered Neighborhood Groups (County) and Neighborhood Registry (Tampa) (if applicable) located within two hundred fifty feet (250 feet), inclusive of right-of-way, from the applicant's proposed amendment site in accordance with the following requirements:~~

~~"Registered Neighborhood Groups" means a group of citizens representing not less than 50% of the residents within a defined geographic area, a duly incorporated citizen or homeowners' group, or an unincorporated association approved by the Board of County Commissioners, which is organized for the purpose of considering and acting upon any of a broad range of issues affecting the livability and quality of their neighborhood who are registered with the County, pursuant to the Neighborhood Bill of Rights. Registered Neighborhood Groups shall be listed on the Hillsborough County registry pursuant to the Neighborhood Bill of Rights (County) and the Neighborhood Registry for the City of Tampa.~~

~~1. Timing~~

- ~~• Mail notices shall be mailed at least fourteen (14) days prior to the Planning Commission Public Hearing.~~
- ~~• For the Board of County Commissioners (BOCC), Tampa City Council, Plant City Planning Board (meeting) and City Commission, applicants must mail the notice at least thirty (30) days prior to the first Public Hearing.~~

~~2. Content of Mail Notice~~

- ~~• Planning Commission staff shall provide the Applicant a completed Mail Notice for each Public Hearing. The Applicant is responsible for making the required number of Notices for mailing purposes.~~
- ~~• The Mail Notice will state the substance of the amendment request, dates, time and the place of hearings.~~

~~3. Recipients of Mail Notices*~~

~~Applicants are required to send mail notices to each real property owner within two hundred fifty feet (250 feet) radius from the applicant's proposed amendment site. Applicants must send mail notices to each registered neighborhood association in which the applicant's property is located, and to all other registered neighborhood associations within two hundred fifty (250) feet of the applicant's proposed amendment site. Mail notices shall be sent to the registered neighborhood association within a mile of the site, if the applicant's amendment site does not lie within the boundaries of a registered neighborhood association, or if no registered neighborhood association exists within the required 250 feet distance.~~

~~*Mailing to registered neighborhood associations does not apply to amendment requests within the City of Plant City.~~

~~4. Where to obtain property addresses~~

~~Mail notices shall be sent to the most current address(es) of real property owners within the two hundred feet (250) radius of the applicant's proposed amendment site as shown in the records of the Hillsborough County Property Appraiser's Office – 16th Floor County Center. Phone (813) 272-5940.~~

~~5. Proof of mailing~~

~~All applicants must provide proof of mailing by:~~

- ~~• completing the "Mailing of Notice of Public Hearing Declaration" form (see Appendix D); and~~
- ~~• providing the original proof of mailing certification by the US Post Office~~

~~This documentation shall be submitted to the Hillsborough County City-County Planning Commission office at least fourteen (14) days prior to each Public Hearing conducted by Hillsborough County City-County Planning Commission and local governments.~~

~~**Sign Posting** (requirements applicable for Public Hearings by the Planning Commission, Hillsborough County Board of County Commissioners, City of Temple Terrace and Tampa City Council only)~~

~~Signs will be posted prior to each Public Hearing. In an effort to enhance public~~

~~awareness and participation on proposed Map Amendments in Unincorporated County, and Tampa. Applicants requesting Map Amendments are required to install public Notice Sign(s) at the Map Amendment site. Planning Commission staff will assist applicants as to the requirements and timing of installing public notice signs during the pre-application conference.~~

~~In the City of Temple Terrace, the Temple Terrace staff will install public Notice Sign(s) at the Map Amendment site.~~

~~**Note:** If the Applicant would like the Planning Commission staff to prepare and post signs, an hourly rate will be assessed and billed to the Applicant. The processing of the plan amendment request will not proceed until the billed amount has been received from the applicant.~~

~~Applicants are required to install sign(s) at the plan amendment site in accordance with the following requirements:~~

~~1. Timing*~~

- ~~• The Notice Sign(s) shall be installed at least fourteen (14) days prior to the Planning Commission's Public Hearing, and at least thirty (30) days(*fourteen days for the City of Temple Terrace) prior to the each Public Hearing (1 Planning Commission Public Hearing and 2 Local Government Public Hearings).~~
- ~~• The applicant is required to provide photographic proof of the mounted Notice Sign(s) and an original signed copy of the attached "Sign Declaration."~~

~~Note: The processing of the Map Amendment request will not proceed past the deadline, for the following, until they have been received from the applicant:~~

- ~~a. Photographic proof showing the installed Notice Sign(s) and location.~~
- ~~b. A completed "Sign Declaration" form, signed under penalty of perjury, that the Notice Sign(s) has/have been posted according to the requirements of this section.~~

~~2. Location of Notice Sign(s)~~

~~The Notice Sign(s) shall be located 4 feet from the property line along each street frontage of the property, and midway between the opposing boundaries or as directed by the Planning Commission staff. The Notice Sign(s) shall be clearly visible and unobstructed from public view or as directed by Planning Commission staff.~~

~~3. Sign Wording and Sign Stakes~~

- ~~• The Planning Commission staff will provide the Notice Sign(s) and complete the wording for the Notice Sign(s). The sign will state the proposed change to the~~

~~Future Land Use Map, from and to what designation, the Comprehensive Plan Amendment number, the number of acres involved, the time, date and location of the Public Hearing, the Planning Commission phone number and the date the sign is posted.~~

- ~~• The Planning Commission staff will also provide Notice Sign(s) supports able to sustain the weight of the Notice Sign (s) for a considerable period of time and through various climatic conditions (i.e. heavy winds) to ensure that it does not fall over or is damaged. Therefore, the Sign(s) must be mounted in a manner to ensure stability.~~
- ~~• The Applicant must complete the portion of the Notice Sign stating when the sign was posted before posting the sign and shown in the photograph.~~

~~4. Notice Sign Removal~~

~~The applicant shall remove the sign from the plan amendment site within seven (7) days after the application(s) is/are approved or denied by the Local government.~~

~~5. Proof of Posting~~

~~All applicants must provide proof of posting by completing the "Sign Declaration" form (See Appendix D) to the Hillsborough County City County Planning Commission at least ten (10) days prior to each Public Hearing conducted by Hillsborough County City County Planning Commission and local governments.~~

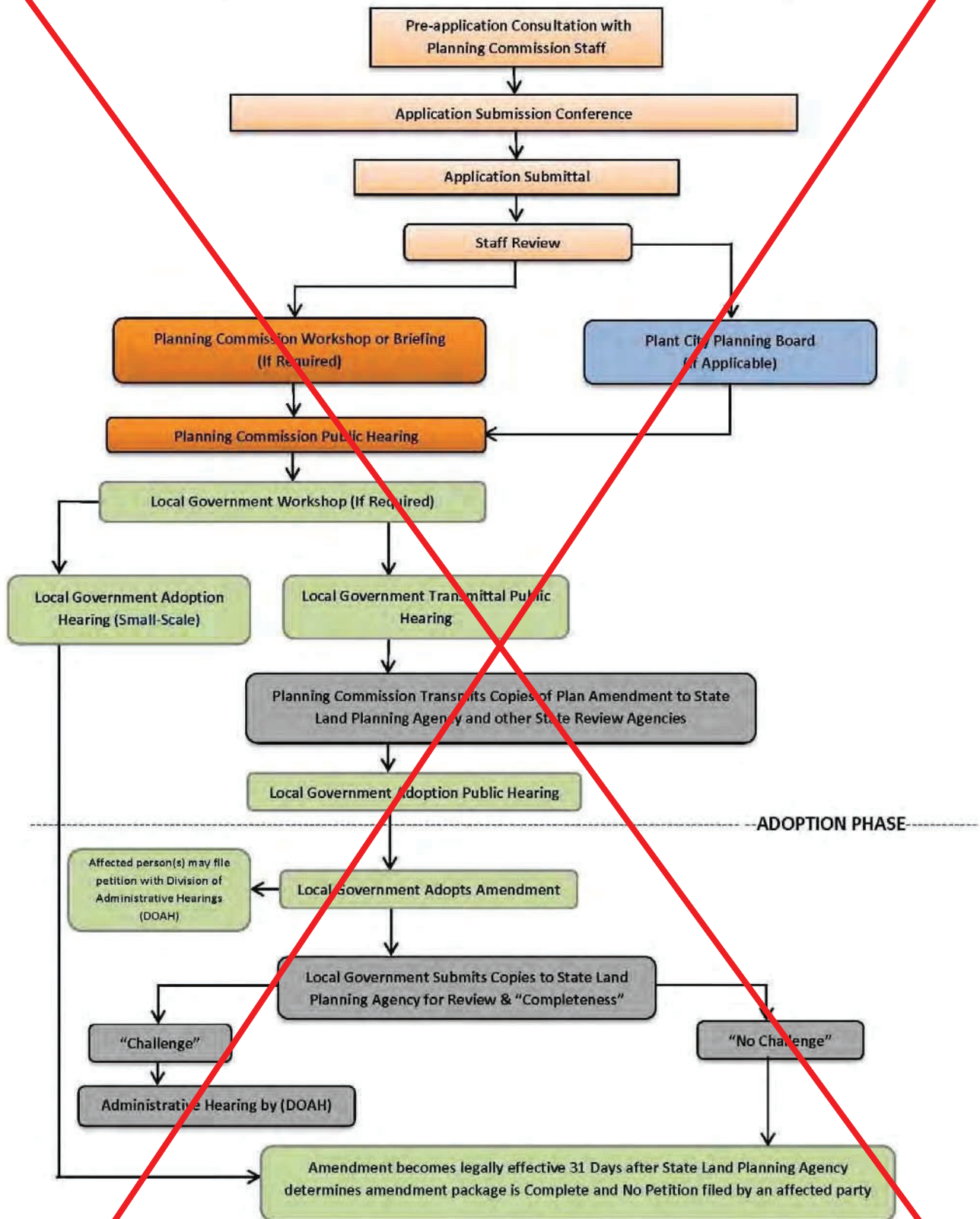
~~VIII. Withdrawal of an Amendment Application~~

~~An applicant may withdraw a request for a Comprehensive Plan Amendment at any time, by filing written notice or email with the Executive Director (or designee) of the Planning Commission. If the withdrawal of a proposed amendment occurs at any time after the Planning Commission has submitted the Comprehensive Plan Amendment to the State Land Planning Agency for review, the Planning Commission [on behalf of the local government] will provide notice of the withdrawal to the State Land Planning Agency. Fees paid prior to withdrawal of a request are non-refundable.~~

~~Privately initiated Plan Amendments withdrawn following the first public hearing with the Board of County Commissioners or City Council may not resubmit for one (1) year and upon resubmission of the proposed amendment will be treated as a new application. The one (1) year waiting period does not apply to amendments that have been modified from the previous submittal by either adding or subtracting land [more than 20%], requesting a different future land use plan category or substantive changes to the originally proposed text that affects the policy direction of the Comprehensive Plan.~~

PROCESS OVERVIEW

EXPEDITED STATE REVIEW PLAN AMENDMENT PROCESS



Note: There is a separate process for Plan Amendments that are in designated by State Law as an area of critical state concern; proposed for rural land stewardship; proposes a sector plan; updates the Comprehensive Plan based on an evaluation and appraisal of the Plan; development proposed pursuant to Section 380.06(24)(x) Florida Statute; or are new plans for newly incorporated municipalities. This process is identified as a State Coordinated Review in which the State Land Planning Agency issues an Objection, Recommendation and Comment Report following the review of a transmitted Plan Amendment and upon local adoption of the Plan Amendment issues a Notice of Intent to find the Plan Amendment in Compliance with State Law.

~~IX. HILLSBOROUGH COUNTY CITY-COUNTY PLANNING COMMISSION – THE LOCAL PLANNING AGENCY (LPA) REVIEW PROCESS AND PUBLIC HEARING~~

~~A. Planning Commission Staff Review~~

~~Based on information received from the applicant and the reviewing agencies, staff reviews the Comprehensive Plan Amendment for compliance and consistency with the Goals, Objectives and Policies, and other provisions of the Comprehensive Plan, regulations implementing the Plan, and with professional planning principles and standards. In its review, the Planning Commission staff will consider existing conditions and future plans, programs and anticipated conditions within the study area(s). The Planning Commission staff may request information or comment from appropriate local government or other reviewing government agencies and departments. Planning Commission staff makes recommendations to the Planning Commission on a finding of Consistency or Inconsistency of the Plan Amendment with the Comprehensive Plan.~~

~~The Planning Commission staff will inform the applicant of staff's recommendation. The Planning Commission recommendation will be available in writing for the applicant's review no later than ten (10) days prior to the Planning Commission Public Hearing or in the case of Plant City, one week prior the Plant City Planning Board meeting.~~

~~B. Plant City Planning Board Meeting (Plant City Only)~~

~~The City of Plant City has a "Planning Board", which holds a public meeting to consider Comprehensive Plan Amendments. The Planning Commission staff recommendation is presented at this meeting and the recommendation of the Planning Board is generally forwarded to the Planning Commission. In rare circumstances, the Planning Board may meet after the Planning Commission.~~

~~C. Planning Commission Workshop or Briefing~~

~~The Planning Commission is briefed on the proposed Comprehensive Plan Amendment request. At this meeting, staff and members of the Planning Commission discuss the amendment request. The "Workshop/Briefing" is an opportunity for the Planning Commission to learn and ask questions about the proposed amendments. No public comment or applicant presentation is taken at the "Workshop/Briefing". No staff recommendation is presented at this time.~~

D. — Planning Commission Public Hearing

All Comprehensive Plan Amendments, regardless of type, require a Public Hearing before the Planning Commission. The Planning Commission Public Hearing process is the same for all types of Comprehensive Plan Amendments.

Subsequent to the Planning Commission Workshop/Briefing, a Public Hearing will be scheduled with due public notice for the Planning Commission to consider the Comprehensive Plan Amendment, receive public input, and take action. The Planning Commission Public Hearing is held after 5:00 p.m. on a weekday, unless otherwise agreed by vote of the Planning Commission.

At the Public Hearing, Planning Commission staff will make a recommendation on a finding of Consistency or Inconsistency of the Plan Amendment with the Comprehensive Plan to the Planning Commission. The Planning Commission may agree with the staff recommendation, amend the staff recommendation, or reverse the staff recommendation. The Planning Commission will make a recommendation based upon a finding that the Comprehensive Plan Amendment is either consistent or inconsistent with the Comprehensive Plan, and adopt a resolution by a simple majority vote.

Once the Planning Commission has completed the Public Hearing for a Comprehensive Plan Amendment(s), its recommendations are transmitted to the local government.

X. — PUBLIC HEARINGS WITH LOCAL GOVERNMENT AND STATE REVIEWING AGENCIES

The Planning Commission's recommendation is transmitted to the Hillsborough County Board of County Commissioners, if the amendment request is in unincorporated Hillsborough County; to the Tampa City Council, if the request is in Tampa; to the Plant City City Commission, if the request is in Plant City; and to the Temple Terrace City Council, if the request is in Temple Terrace. The recommendation is transmitted in advance of each local government's scheduled hearing date.

After receipt of the Planning Commission's recommendation, the local government shall hold at least two advertised Public Hearings on a proposed amendment, except in the case of Small Scale Amendments, which require only one Public Hearing.

Public hearings of the governing body will be scheduled in accordance with the requirements of state law.

A. — First Local Government Public Hearing (Transmittal Stage)

If the local government approves the Comprehensive Plan Amendment for transmittal to the state land planning agency and other review agencies after the initial public hearing, the Comprehensive Plan Amendment shall be transmitted in accordance with the procedures below.

Within fourteen (14) days after the first advertised Public Hearing, the Planning Commission staff, on behalf of the local government, shall transmit the Comprehensive Plan Amendment to the state land planning agency and other reviewing agencies, as required by Florida law.

The state reviewing agencies shall review and may comment on the Comprehensive Plan Amendment and may transmit to the local government comments on the Comprehensive Plan Amendment. Each state reviewing agency is required to transmit any comments within thirty (30) days of receiving the Comprehensive Plan Amendment package.

Effect and Legal Status of Comments

Any comments on a proposed Comprehensive Plan Amendment which are submitted by the reviewing agencies are public documents, and part of the record in the matter.

B. — Small Scale Plan Amendment Adoption

After receipt of the Planning Commission recommendation, the local government shall hold at least one advertised Public Hearing to consider adoption, adoption with changes, or determine that it will not adopt a proposed small scale Comprehensive Plan Amendment.

In the cities of Tampa, Temple Terrace and Plant City, a simple majority vote is required for adoption of a Small Scale Plan Amendment. A majority plus one vote of the membership of the Hillsborough County BOCC is required for adoption of a Small Scale Plan Amendment that changes residential density on a parcel or parcels of land.

C. — Second Local Government Public Hearing (Adoption Stage)

Within one hundred and eighty (180) days after receipt of state reviewing agencies written comments regarding Comprehensive Plan Amendment(s), the local government shall adopt, adopt with changes or determine that it will not adopt the Comprehensive Plan Amendment.

During the course of the second Public Hearing, the local government shall review the written comments received from the state planning agency and any other person, agency or government.

Any Comprehensive Plan Amendment that changes a Future Land Use designation in the Future Land Use Element or that changes residential density on a parcel or parcels of land comprising less than 5 percent of unincorporated Hillsborough shall be adopted by at least a majority plus one vote of the total membership of the Hillsborough County BOCC. A simple majority vote is required by the local government of the City of Plant City, Temple Terrace and Tampa.

All Comprehensive Plan Amendments shall be adopted by local government ordinance utilizing the procedures set forth in this manual.

D. — Transmittal of Adopted Amendment to the State Land Planning Agency

Within ten (10) days after adoption of a Comprehensive Plan Amendment, the Planning Commission shall transmit the amendment, and a copy of the ordinance to the State Land Planning Agency and agencies that submitted comments, as prescribed by Florida Statutes.

Additionally, the Planning Commission shall transmit a copy of the adopted Comprehensive Plan Amendment to any other local government or agency that has provided comments prior to adoption of the amendment or has filed a written request with the local government for a copy of such amendment.

~~XI. Effective Date of Adopted Amendments~~

~~The Comprehensive Plan Amendment becomes effective thirty-one (31) days after the State Land Planning Agency determines the amendment package is complete, without any challenge having been filed by an affected party. Challenges to adopted amendments are subject to an administrative proceeding pursuant to Florida Statutes.~~