

Sec. 114-219. - Hearings.

Public hearings shall be scheduled and conducted in accordance with the procedures in this section as may be modified by the more specific procedures established in subsequent sections of this UDO.

- (a) *Calling a hearing.* Whenever required by this UDO or State law, public hearings shall be called by either the community development director, the chair of the planning and zoning commission or board of adjustments, or the board of commissioners in the manner set forth in this UDO. However, if a conflict exists between provisions of this UDO and the State law all public hearings shall be called in the manner set forth in State law.
- (b) *Hearing timing/location.* When hearings are required by both the P&Z and board of commissioners, at least 14 days shall be required between the hearings. The intent of this provision is to ensure that there is adequate time to accurately convey P&Z commission recommendations to the board of commissioners and to ensure that at least one hearing is conducted in the portion of the County where the proposed development is located.
- (c) *Hearing body.* As used in this article, the term "hearing body" shall mean either the board of commissioners, P&Z commission, board of adjustment, or building and construction board of appeals.
- (d) *Written comments.* Written comments on the subject of the hearing may be submitted by any agency, citizen or property owner at any time prior to the adjournment of the hearing.
- (e) *Oral comment sign-in required.* Persons desiring to present their views orally at the hearing, must first sign up on a form to be provided by the hearing body prior to the commencement of the hearing.
- (f) *Reading of requested action.* The hearing body chair will cause to be read the requested action under consideration and any analysis or recommendations from staff or other hearing bodies prior to receiving public input.
- (g) *Applicant and representative comments.* Comments from the applicant and the applicant's agent or attorney shall be heard before public comments.
- (h) *Public comments.* The hearing body chair shall call each person who has signed up to speak on the proposed decision or matter in the order in which the persons have signed up to speak. Each person shall have only one opportunity to speak unless called back to by the chair for questions or clarifications. Prior to speaking, the speakers will identify their names, current addresses, and clients, if the speaker is representing the applicant or an organization. Notwithstanding anything contained in this article to the contrary, a minimum time period of no less than ten minutes per side shall be allowed for rezoning applications presentation of data, evidence, and opinion by proponents and opponents of each hearing matter.
- (i)

Content of comments. Each speaker shall speak only to the merits of the requested action under consideration and shall address remarks solely to the hearing body. The merits of the proposed decision or matter shall include evidence or opinions regarding devaluation, fair market value, nuisance, environmental concerns, traffic, noise, aesthetics and in general, the health, safety, welfare and benefit of the county as it is affected by the requested action. Speakers shall refrain from comment on unrelated issues, unrelated tracts of land or matters not the subject of the hearing. Each speaker shall refrain from personal attacks on any other speaker or person and from discussion of facts or opinions irrelevant to the proposed decision or matter under consideration. The hearing body chair may limit or refuse a speaker the right to continue, if the speaker, after first being cautioned, continues to violate this subsection.

- (j) *Maintaining decorum.* Nothing contained herein shall be construed as prohibiting the hearing body from taking reasonable steps it deems necessary to ensure that hearings are conducted in a decorous and safe manner, or to assure that the public hearing on each requested action or matter is conducted in a fair and orderly manner.
- (k) *Response to P&Z commission recommendations.* In response to P&Z commission recommendation, the applicant may provide supplemental information prior to the board of commissioners public hearing. Supplemental information shall be submitted a minimum of ten business days before the scheduled hearing in front of the board of commissioners. If the supplemental information is not submitted within this timeframe, board of commissioners may postpone the hearing. If the supplemental information significantly changes the information presented at the P&Z commission meeting, the board of commissioners may require the P&Z commission rehear the matter and provide a new recommendation.
- (l) *Discussion.* After the public hearing is closed, the hearing body shall proceed to open the matter for discussion.
- (m) *Transcripts.* Any person desiring a transcript of the hearing must arrange for a court reporter at their own expense.

(Ord. No. 06-2020, § 3, 12-8-2020)