

The following is a list of evidence that may be considered pursuant to Section 2.3.7:

- **Party presenting evidence:** any affected party (includes applicant but may also be another party) must have a reasonable opportunity to present evidence and ask questions of the applicant, its representatives, or the City staff and representatives. At the discretion of the person chairing the body conducting the quasi-judicial public hearing, an affected party may be granted an opportunity to ask questions of any other members of the public who have testified at the hearing.
- **Evidence admissible:** according to HP ordinance, the hearing is not bound by rules of evidence and may consider all testimony and evidence it deems competent and material to the application under consideration.
- **Special Use Review Standards:** A special use shall be approved upon a finding that the applicant demonstrates the proposed special use:
 - Will not materially endanger the public health or safety if located where proposed;
 - Complies with all required standards, conditions, and specifications of this Ordinance, including Chapter 4: Uses;
 - Will not substantially injure the value of the abutting land, or the special use is a public necessity;
 - Will be in harmony with the area in which it is to be located; and
 - Is in general conformity with the City's adopted policy guidance.

Decision: The City Council, after the conclusion of a quasi-judicial public hearing, shall decide the application in accordance with Section 2.4.11 C, Special Use Review Standards. The decision shall be the one of the following:

- (1) Approval of the special use as proposed;
- (2) Approval of a revised special use;
- (3) Denial of the special use; or
- (4) Remand of the special use application to the P&Z for further consideration