

RESOLUTION NO. 2022 - 089

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, POLK COUNTY, FLORIDA, ESTABLISHING EXPEDITED HEARING PROCEDURES FOR LAND USE CASES

WHEREAS, the Polk County Board of County Commissioners (the “Board”) wants to adopt expedited hearing procedures for certain land use cases.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THAT:

1. The Board, upon recommendation of the Land Development Division Director, may use expedited hearing procedures under the following circumstances:
 - a. there was no opposition to the land use case present at the Planning Commission hearing;
 - b. the applicant agrees prior to the hearing in writing or verbally at the hearing to an expedited hearing pursuant to this Resolution or the case has been initiated by the County; and
 - c. the recommendation of the Development Review Committee is for approval.
2. When the Board uses expedited hearing procedures, the following shall apply:
 - a. the hearing will be listed on the Board’s agenda as an expedited hearing pursuant to this Resolution;
 - b. prior to the hearing, all documents for the case should be attached to the agenda along with a list of individuals who are being requested to be recognized by the Board as experts for the land use case;
 - c. staff shall briefly introduce the land use case;
 - d. after staff introduces the land use case, the hearing shall be opened for public comment;
 - e. if someone speaks during the public comment portion of the public hearing, the applicant will be given the opportunity to respond to any public comment;
 - f. after the public comment portion has been closed by the Board’s Chair and the applicant has had the opportunity to respond to public comment, if any, the Board shall consider the land use case.
3. At any time prior to the Board voting on the land use case, a full hearing may be requested and the expedited hearing procedures shall not be used. If there is a motion of the Board pending at the time a full hearing is requested, the motion shall be deemed withdrawn to allow for a full hearing on the land use case.

4. All documents attached to the agenda item shall be deemed part of the record of the land use case.
5. Unless removed from the list of experts by motion of the Board, all individuals on the list of experts attached to the agenda item shall be deemed experts for the purpose of the land use case.
6. For purpose of this Resolution, a land use case shall include all amendments to the Polk County Comprehensive Plan or Polk County Land Development Code and approvals, permits, waivers, or variances issued pursuant to the Polk County Comprehensive Plan or Polk County Land Development Code including, without limitation, conditional use approval, variances, comprehensive plan amendments, and text amendments.
7. This Resolution shall become effective upon adoption by the Board.

ADOPTED this 10th day of September, 2022.

ATTEST:
STACY M. BUTTERFIELD, Clerk

By: Stephanie May
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

By: Martha Santiago
Dr. Martha Santiago, Chairman
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