

**LEVY COUNTY PLANNING COMMISSION  
RULES OF PROCEDURE**

**WHEREAS**, Sections 50-51 through 50-55 of the Levy County Code establish the Levy County Planning Commission (the "Planning Commission") and empower the Planning Commission to serve as the County's "local planning agency" as required by Section 163.3174, Florida Statutes; and

**WHEREAS**, the Planning Commission desires to adopt rules for the orderly conduct of its meetings, agenda management, public participation and quasi-judicial proceedings, including ex-parte communication.

**NOW, THEREFORE**, the Planning Commission adopts the following rules of procedure:

**Rule 1. MEETINGS; ORDER OF BUSINESS.** Each regularly scheduled meeting of the Planning Commission (a "**Regular Meeting**") will be held at the date, time and location set forth in the schedule adopted by the Planning Commission for each calendar year and the order of business will be as follows:

Order	Description/Instructions
<b>Roll Call</b>	By the Clerk to the Planning Commission
<b>Adoption of the Agenda</b>	The Planning Commission may amend the agenda at this time, including setting time certain items; re-ordering, removing or continuing items
<b>Approval of Minutes</b>	The minutes of prior Planning Commission meeting(s) prepared by the Clerk
<b>Unfinished Business</b>	Any business that has been continued from or was not concluded at a prior meeting
<b>New Business or Informational Agenda Items</b>	May be submitted by a Member of the Planning Commission, the County Coordinator, a County Department Director or the County Attorney
<b>Adjourn</b>	

A **Special Meeting** may be held for the limited purpose of discussing and/or transacting business concerning the matters described in the notice. Votes on the noticed matters may be taken at a Special Meeting.

A **Workshop** may be held for informational items and informal discussions. No votes on business may be taken; however, procedural or administrative votes (such as scheduling the matter for a future meeting, directing staff to take further action, or adjourning the meeting) may be taken.

1 A Special Meeting or Workshop may be called: (1) by vote of the Planning Commission  
2 at any Regular Meeting; or (2) by written request of the Chair or the Planning and Zoning  
3 Director. The written request must state the date, time and location of the meeting or  
4 workshop and a description of the matter(s) to be discussed. Upon receipt of the written  
5 request, the Clerk to the Planning Commission will contact each Member to determine if  
6 a quorum is available for the requested meeting or workshop. If the Clerk confirms a  
7 quorum is available, the Clerk will notify each Member of the date, time, location and  
8 subject matter(s) to be discussed at the meeting or workshop.

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10 **Rule 2. PUBLIC NOTICE OF MEETINGS AND WORKSHOPS.** The Planning and  
11 Zoning Director, or designee, will post notice of all Planning Commission Meetings and  
12 Workshops on the calendar on the County's website ([www.levycounty.org](http://www.levycounty.org)) and on the  
13 bulletin board outside the County Commission Office in the Levy County Government  
14 Center located at 310 School Street, Bronson, Florida.

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16 **Rule 3. AGENDA PREPARATION; PUBLIC RELEASE OF THE AGENDA.** An agenda  
17 for each Regular Meeting, Special Meeting or Workshop will be prepared by the Planning  
18 and Zoning Director, or designee. The final version of the agenda will be released to the  
19 public by 5pm on the Friday prior to each meeting or workshop. Once released to the  
20 public, the agenda will not be further modified until the adoption of the agenda on the day  
21 of the meeting or workshop.

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23 **Rule 4. ATTENDANCE; QUORUM; VOTING; RECESS, CONTINUANCE OR**  
24 **CANCELLATION OF A MEETING.**

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26 Voting Members are expected to attend all scheduled Planning Commission meetings, or  
27 to notify the Planning and Zoning Director in advance of the meeting so that an Alternate  
28 Member can be requested to attend the meeting. Three (3) Members constitute a quorum  
29 for the transaction of business. If a quorum is lost during a meeting, the remaining  
30 Members may finish discussions (but take no action) and may adjourn the meeting.

31  
32 In accordance with Section 286.012, Florida Statutes, each Member who is present at a  
33 meeting shall vote on each matter, unless that Member has a conflict of interest under  
34 state ethics laws or, in the case of a quasi-judicial matter, is unable to be an impartial  
35 decision-maker. Members shall vote "yes" in support of a motion and "no" when voting  
36 not to support a motion. Silence by a Member will be recorded as a "yes" vote.

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38 The Planning Commission may recess and reconvene or continue any meeting to a time  
39 certain as it may determine during any meeting. Any meeting may be cancelled for cause  
40 (including, but not limited to, emergency conditions, lack of agenda items, a quorum will  
41 not be present) by the Chair and the Planning and Zoning Director. The Planning and  
42 Zoning Office will provide notice of any cancellation to all Members and will post public  
43 notice as specified in Rule 2. Otherwise, upcoming meetings may be cancelled by vote  
44 of the Planning Commission at any Regular Meeting.

1 **Rule 5. PRESIDING OFFICER; RULES OF DEBATE**

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3 The Chair shall be the presiding officer of the Board. ~~Each year, at~~ At the Regular Meeting  
4 ~~in on June 2, 2025, the Planning Commission will elect~~ one Member to serve as  
5 the Chair and one to serve as the Vice Chair (who shall be the presiding officer in the  
6 absence of the Chair). Each year thereafter in June (or the next meeting if June is  
7 cancelled), the then current Vice Chair shall become the Chair and the Planning  
8 Commission will elect one Member to serve as the Vice Chair.

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10 In the absence of both the Chair and the Vice Chair at any meeting, any Member may  
11 call the meeting to order and the quorum present will designate a presiding officer for that  
12 meeting.

13  
14 The presiding officer shall call the Planning Commission to order at the time noticed for  
15 the meeting and shall preserve order and decorum at all meetings. All discussion and  
16 comment during a meeting should be directed to the presiding officer. In the event the  
17 presiding officer leaves the meeting room, any Member designated by the presiding  
18 officer when leaving shall lead the meeting until the presiding officer returns.

19  
20 The presiding officer may move, second and debate, subject only to such limitations of  
21 debate as are enforced by these rules on all members. If the presiding officer desires to  
22 make a motion or second a motion, the presiding officer shall relinquish the gavel to any  
23 other Member who shall serve as the temporary presiding officer until the motion or  
24 second is finished. No motion may be debated or put to a vote unless seconded. No  
25 Member may reserve the priority to make a motion. All motions or amendments shall be  
26 reduced to writing, by the Clerk, upon request of a Member.

27  
28 Each Member desiring to speak shall address the presiding officer and, upon recognition  
29 by the presiding officer, shall confine their remarks to the question under debate and shall  
30 avoid personal attacks or inappropriate language. A Member who has the floor shall not  
31 be interrupted unless it is necessary for the presiding officer to call the Member to order.  
32 In which case, the Member must cease speaking until the question or order is determined  
33 by the presiding officer without debate and, if in order, the Member may proceed.

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35 **RULE 6. ORDER AND DECORUM; SERGEANT-AT-ARMS**

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37 **A. Conduct in Meetings.** Persons attending Planning Commission meetings are  
38 prohibited from engaging in disruptive conduct (defined in B below) and from possessing  
39 food, drink, props, signs, posters, or other similar materials in the meeting room.

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41 **B. Disruptive Conduct.** "Disruptive conduct" in the meeting room or the County  
42 Government Center includes, but is not limited to:

- 43  
44 1. Entering discussion without being recognized by the presiding officer, including  
45 speaking from the audience;  
46 2. Refusal to confine comment to the topic;

3. Refusal to conform to time limits on speaking;
4. Refusal to leave speaking podium;
5. Refusal to follow orders given by the presiding officer; or
6. Any conduct that violates rules of order and disrupts the meeting. This includes, but is not limited to:
  - a. Violent or tumultuous conduct threatening the safety of another;
  - b. Conduct creating danger to property or any person;
  - c. Provoking or engaging in a fight;
  - d. Use of words that may threaten or outrage others;
  - e. Using obscene, profane, or vulgar language or language directed at personalities; or
  - f. Outbursts of approval or disapproval, jeers or heckling which interrupt a speaker or the deliberation of the Planning Commission.

**C. Enforcement of Order and Decorum.** It is the duty of the presiding officer to maintain order and decorum at each meeting and workshop. Any Member may request the presiding officer enforce order and decorum upon a motion and a majority vote of Members present. In the event of “disruptive conduct”:

1. The presiding officer will first warn the person(s) that their conduct is disrupting the meeting and they must immediately stop the disruptive conduct or leave the meeting.
2. If the disruptive conduct continues, the presiding officer will: (a) revoke the persons’ right to speak at the meeting; or (b) revoke the persons’A right to attend the meeting and direct the sergeant-at-arms to remove the person from the meeting. In addition, the presiding officer may: recess the meeting, adjourn the meeting, or take such other appropriate action as permitted by law.
3. Upon instructions of the presiding officer, the sergeant-at-arms (who may request assistance from any law enforcement officer assigned to the meeting) shall escort the person who engaged in the disruptive conduct from the Planning Commission meeting room and/or the County Government Center or other location of a meeting. The sergeant-at-arms will provide information explaining the law on trespass and Section 871.01, Florida Statutes, regarding Disturbing Schools, and Religious and Other Assemblies, and advising the person that there are alternate means of presenting the person’s views to the Planning Commission. If the person refuses or resists removal, the person may be placed under arrest.

**D. Sergeant-At-Arms.** The Planning and Zoning Director, or designee, shall serve as the sergeant-at-arms at all Planning Commission meetings and workshops. The sergeant-at-arms will carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Planning Commission meeting.

1 **Rule 7. PUBLIC COMMENT ON AGENDA ITEMS THAT ARE NOT QUASI-JUDICIAL**

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3 **A. How and When Public Comment is Taken.** It is recognized that Planning  
4 Commission Meetings are a limited public forum in which the Planning Commission must  
5 timely conduct its assigned duties set forth in Sec. 50-55 of the County Code.  
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7 The Planning Commission will take public comment on all agenda items that are not  
8 quasi-judicial. Each speaker is limited to a maximum of 3 minutes per agenda item and  
9 must confine their comment to the agenda item being considered. As directed by the  
10 presiding officer, public comment may be taken once during an item, rather than upon  
11 every motion concerning that item. Time limits in this Rule are a guide and other time  
12 limits may be established by the presiding officer based on the number of participants  
13 and/or to provide equal time for opponents and proponents speaking to any particular  
14 issue.  
15

16 **B. Procedures for Public Comment.** Each person who speaks must:  
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- 18 1. state their name and address in an audible tone of voice;
- 19 2. limit their comments to the agenda item and the time provided;
- 20 3. address their comments to the presiding officer and not to any other member of the  
21 Planning Commission, County staff, or other member of the public;
- 22 4. follow directions given by the presiding officer; and
- 23 5. provide a copy of any documents they present to the Clerk. These copies will not be  
24 returned to the speaker.  
25

26 **RULE 8. QUASI-JUDICIAL MATTERS**

27  
28 **A. Parties and “Affected Party” status.** In a quasi-judicial hearing, the parties (or,  
29 individually, a “party”) are the applicant, the County and each “affected party.” A person  
30 who believes they have a special interest in the matter or would suffer an injury distinct  
31 in kind and degree from that shared by the public at large, may request to be recognized  
32 as an “affected party.”  
33

34 Each request to be recognized as an “affected party” must be submitted on the  
35 application form (provided by the County) to the County Attorney before the close of  
36 business at least ten (10) calendar days prior to the Planning Commission meeting when  
37 the matter is noticed to be heard. At the hearing, the Planning Commission will make a  
38 determination of affected party status by considering the facts articulated in the  
39 application. If the Planning Commission determines that the person is not an affected  
40 party, that person may participate during public comment on the item.  
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42 **B. Informal hearing.** Quasi-judicial hearings before the Planning Commission will be  
43 conducted as informal hearings without the formalities of swearing-in, cross-examination,  
44 rebuttal or closing.  
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**C. Order of Presentation for Quasi-Judicial Hearings; Time Limits.** The following is the order of presentation for each quasi-judicial hearing. The time limits listed may be modified to avoid unnecessary repetition by the presiding officer, by the Planning Commission on motion of a Member or upon request of a Party. In considering such request, the Planning Commission should be mindful of providing due process but without undue repetition and delay. Repetitious comment or information may be limited or stopped by the presiding officer and the sharing, transferring or yielding of speaking time to another person is not allowed.

Order	Maximum Time Limit
Determination of affected party status, if any timely applications were received (refer to A above)	Not applicable
Disclosure of ex-parte communication (Refer to E below)	Not applicable
Introduction of the matter by County staff	3 minutes
Applicant presentation (the Applicant bears the burden of proof that their application has met all requirements)	10 minutes
County Staff presentation (Staff will advise the Planning Commission of the requirements, provide professional analysis and recommendation(s))	10 minutes
Affected Party presentations (if any)	10 minutes per party
Public comment (the Planning Commission shall assign such weight and credibility to non-party comment as it deems appropriate)	3 minutes per person per agenda item
Deliberation and vote of the Planning Commission (The Planning Commission shall deliberate and vote on a motion to approve, deny or continue the matter. The Planning Commission must base its decision on the competent, substantial evidence presented at the hearing and in the record.)	Not applicable

**D. Evidence.** The Planning Commission must base its decision on the competent, substantial evidence presented at the hearing. Evidence before the Planning Commission includes, but is not be limited to, verbal testimony and written evidence that addresses whether the application is consistent with and meets the requirements of the County's adopted Comprehensive Plan, Code, rules, policies or plans and other applicable laws. It is up to the Planning Commission to weigh the evidence presented and to determine whether such evidence is competent and substantial.

**E. Ex Parte Communications.** In accordance with Section 286.0115, Florida Statutes, the Planning Commission adopts this process to disclose ex-parte communications (e.g., site visits, expert opinions, and other verbal or written

1 communication outside of the quasi-judicial hearing) in order to remove the presumption  
2 of prejudice and to allow parties who have opinions contrary to those expressed in the  
3 ex-parte communication a reasonable opportunity to refute or respond to the ex-parte  
4 communication. Any Party may question, through the presiding officer, a Member about  
5 any ex parte communications. Before or during the hearing at which a vote is taken on  
6 the quasi-judicial matter, each Member who received or engaged in ex-parte  
7 communications must:

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9 1. As to verbal communications, disclose the subject of the communication and  
10 the identity of the person, group, or entity with whom the communication took place.

11  
12 2. As to written communications, enter copies of all written communications into  
13 the record.

14  
15 3. As to site visits and consultation with experts, disclose any investigations or site  
16 visits made by the Member and the receipt of any expert opinions regarding the quasi-  
17 judicial matter. If such are reduced to writing, then a copy of the written communications  
18 must be entered into the record.

19  
20 4. Confirm ability to be an impartial decision-maker, or if unable to be impartial, the  
21 Member must abstain from discussion and voting in the quasi-judicial hearing.

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23 **RULE 9. WAIVER OF THESE RULES.** These Rules (except those that are required  
24 by law or those that involve notice) may be waived by affirmative vote of three Members  
25 of the Planning Commission at a meeting or workshop.

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27 Any prior agenda policies or rules of procedure adopted by the Planning Commission are  
28 hereby repealed and shall be of no further force or effect. These Rules of Procedure shall  
29 become effective upon adoption.

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31 **PASSED AND DULY ADOPTED** on \_\_\_\_\_, 2025.

32  
33 **PLANNING COMMISSION OF LEVY**  
34 **COUNTY, FLORIDA**

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36 \_\_\_\_\_  
37 Parks Wilson, Chair

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39  
40 Approved as to form and legal sufficiency

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42 \_\_\_\_\_  
43 Nicolle M. Shalley, County Attorney