

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Establish policies for continuing public hearing items and for scheduling public hearings

DEPARTMENT: Planning and Development DIVISION: Planning

AUTHORIZED BY: Dan Matthys CONTACT: Matthew West EXT. 7353

Agenda Date <u>03/22/05</u>	Regular <input checked="" type="checkbox"/>	Consent <input type="checkbox"/>	Work Session <input type="checkbox"/>
Briefing <input type="checkbox"/>	Public Hearing – 1:30 <input type="checkbox"/>	Public Hearing – 7:00 <input type="checkbox"/>	

MOTION/RECOMMENDATION:

Establish policies for continuing public hearing items and scheduling public hearing items as recommended by staff.

BACKGROUND:

The Board directed staff to propose a continuance policy and public hearing scheduling policy for the Commission's consideration. Staff contacted various local governments to determine if they had policies regarding requests to continue hearings. The responses were varied. Some communities charged a fee. Others required the applicant to notify all parties of records. Some had an unwritten policy of only one continuance per application. Some required a deadline by which to submit a continuance request. Based on the varied responses by the communities contacted and the previous discussions of the Commission, below are staff's recommendations:

Continuance Policy:

Although there are many approaches that can be taken, staff is proposing that the Board establish a straightforward policy. The following is recommended:

- o This policy shall apply to all applicant requested continuances;
- o Any request to continue an item must be made in writing and submitted by the applicant to the County Manager's Office. The request should be submitted no later than 12:00 noon the day before the hearing.
- o Only 2 continuances may be granted by request of the applicant. If a third continuance is requested by the

Reviewed by:	
Co Atty:	_____
DFS:	_____
Other:	<i>[Signature]</i>
DCM:	<i>[Signature]</i>
CM:	<i>[Signature]</i>
File No.:	RPDP01

applicant, the application must be withdrawn and resubmitted to start the process over which includes a new application fee.

- Large Scale Comprehensive Plan Amendments – Due to the delay caused to other applications and the tendency for the two annual amendment cycles to overlap which causes confusion, a large scale amendment application shall not be continued beyond the hearing dates established by the BCC unless the application is continued to the next amendment cycle.

Scheduling Public Hearings:

Staff's approach to scheduling for public hearings is to establish a policy that eliminates subjectivity and makes it clear and fair for all parties involved in the public hearing process. The following is recommended:

- Unless otherwise required by law or specifically directed by the BCC, all public hearings will be scheduled for the afternoon session.