

**BY-LAWS  
OF THE  
OKALOOSA COUNTY PLANNING COMMISSION**

**ARTICLE I - NAME AND AUTHORIZATION**

**A. NAME**

The name of the Board is the Okaloosa County Planning Commission as established in accordance with Florida Statute and Okaloosa County Code of Ordinances, herein after referred to as the "Planning Commission". The office of the Planning Commission is administered by the Okaloosa County Growth Management Department (or its successor), herein referred to as the "Office", where all official records shall be kept. Copies of all official documents, records, minutes, etc., shall be filed or recorded in the office of the Clerk of Court when required by Florida law.

**B. AUTHORIZATION**

The Planning Commission exists by the authority of the Okaloosa County Board of County Commissioners pursuant to the Okaloosa County Code of Ordinances Land Development Code, Appendix E, Chapter 11 and Florida Statutes, including, but not limited to chapter 163 part II, Florida Statutes. The Planning Commission and its members serve at the will of the Board of County Commissioners and may be modified or abolished by action of the Board of County Commissioners.

**ARTICLE II - PURPOSE AND FUNCTION**

**A. PURPOSE**

The Planning Commission is the local planning agency, as defined by law, the land development regulation commission, and when appropriate the airport zoning commission. The Planning Commission has the duties, responsibilities and powers to hear, decide recommend and approve those matters specifically authorized by law which delegates the authority to the Planning Commission.

**B. FUNCTION**

The functions of the Planning Commission shall include:

1. Preparation of the comprehensive plan.

2. Monitoring and oversight of the effectiveness and status of the comprehensive plan, including recommendations for amendments or changes to the plan as may be considered necessary from time to time.
3. Preparation of periodic evaluation and appraisal reports (EAR) as required by general law.
4. To hear and consider any requests for changes or amendments to the comprehensive plan future land use map or text of the plan, and to make recommendations regarding same to the Board of County Commissioners.
5. To hear and consider any requests for changes to zoning districts or district boundaries shown on the official zoning map, and to make recommendations regarding same to the board of county commissioners.
6. To hear and consider any requests for changes or amendments to the text of the Land Development Code when sitting as the land development regulation commission, and to make recommendations regarding same to the Board of County Commissioners.
7. To make recommendations to the Board of County Commissioners regarding planned unit developments, phased developments, or development agreements.
8. To conduct development order hearings as specified in section 1.11.08 of the Okaloosa County Land Development Code.
9. To make recommendations to the board of county commissioners regarding applications for developments of regional impact (DRI), or amendments to a previously approved DRI development order.
10. Serve as the Airport Zoning Commission in accordance with s. 333.05 F.S.

## **ARTICLE III - ORGANIZATION**

### **A. MEMBERSHIP**

1. The Planning Commission shall consist of a total of five voting members. Each elected official of the Okaloosa County Board of County Commissioners shall appoint one member of the Planning Commission residing within the County Commissioner's district. The appointments shall be confirmed by the Okaloosa County Board of Commissioners. For the purposes of conducting regular business of the Board a quorum shall consist of three (3) in person members being present. In addition, the Planning Commission shall also

include two nonvoting members, a representative of the school district and a representative of the local military installations.

3. The voting Planning Commission members shall serve staggered terms and the terms of office shall be three (3) years, but shall continue to serve until a vacancy is filled. At the expiration of a term, the Board of County Commissioners may renew any membership for additional terms. If a vacancy occurs prior to the expiration of any member's full term, the Board of County Commissioners whose district the member represented shall appoint a member residing within the County Commissioner's district to fill the remainder of the term, which shall be confirmed by the Board of County Commissioners.

4. All members of the Planning Commission shall serve without compensation; none are entitled to pension or retirement benefits for service on the Planning Commission.

5. A member of the Planning Commission may be removed from office with or without cause by a vote of three (3) or more members of the Board of County Commissioners.

6. Whenever a member of the Planning Commission shall fail to attend three (3) consecutive meetings without having been excused by the Chairman of the Planning Commission, the Planning Commission Chairman shall promptly certify in writing such absence to the Board of County Commissioners. Upon such certification, the defaulting member may be removed at the discretion of the Board of County Commissioners.

7. Resignations from the Planning Commission shall be in writing and transmitted to the Chairman of the Planning Commission, who will then forward via the Planning Commission's recording secretary a copy to the Board of County Commissioners.

## **B. ELECTION OF OFFICERS**

1. The Planning Commission shall elect from its members a Chair and Vice-Chair. Any member of the Planning Commission may volunteer for, or be nominated by another Planning Commission member for, the offices. Persons nominated for an office may decline the nomination; a person cannot be elected to an office without his or her consent. Officers shall be elected by a simple vote.

2. Officers shall be elected annually during the regularly scheduled organizational meeting of October and will assume office during the first meeting of the Planning Commission following the turn of the year.

3. Vacancies in any elected office shall be filled by regular election procedures as herein specified, terms are to run until the next annual organizational meeting or until a successor shall take office.

### **C. CHAIR**

1. The Chairman shall preside at all meetings and hearings of the Authority and shall have the duties normally conferred by parliamentary usage on such officers. The Chairman shall have the authority to call special meetings, and generally perform other duties as may be prescribed herein.

2. Special meetings may be called by the Chairman of the Planning Commission when such meetings are deemed necessary to the interest and welfare of the County. Additionally, when deemed necessary to the interest and welfare of the County the Chairman may cancel and reschedule any meeting.

3. The Chairman shall not have to read public notices and legal advertisements.

4. The Chairman shall prescribe the method of conduct of the hearing and is the presiding officer.

5. The presiding officer shall assure an orderly hearing and shall take the necessary steps to maintain the order and decorum of the hearing at all times. The presiding officer shall reserve the right to continue the hearing to another time in the event the discussion becomes unruly and unmanageable.

6. All comments must be directed to the Chairman, only after being properly recognized by the presiding officer.

### **D. VICE-CHAIR**

The Vice-Chair shall act for the Chairman in the event of his or her absence or disqualification and shall have the authority to perform the duties prescribed for that office.

## **ARTICLE IV. - PLANNING COMMISSION OPERATIONS**

### **A. SCOPE OF AUTHORITY**

The Planning Commission shall have no authority other than as provided herein in Article II, by state or local law, or as approved by the Board of County Commissioners.

## **B. MEETINGS**

1. The Planning Commission will meet regularly based upon a schedule adopted by the Planning Commission which will be provided to the Growth Management Department. Meeting dates may be changed by the Chair with notification in advance by mail or email to Planning Commission members, written notice to the Growth Management Department, and notice to the public in compliance with the Florida Sunshine Law. Special meetings may be called by the Chair or by a majority of the Planning Commission members, with reasonable notice to the public and to the Growth Management Department.

2. All meetings will be open to the public. For advertising purposes, the Planning Commission will publish a notice of its meetings and notice of any changes in meeting times as required by the Florida Sunshine Law. The Planning Commission will also provide a schedule of its meetings and provide notice of any changes in meeting times to the County's Growth Management Department. The Planning Commission will ensure agendas and minutes of its meetings are available to the public in accordance with the State Sunshine Laws.

3. The Planning Commission shall be governed by the Florida Sunshine Law, Public Records Law, the Okaloosa County Code of Ordinances, Florida Statutes, and these Bylaws.

4. Members of the Planning Commission, when possible, are to notify the recording secretary at least 48 hours in advance if they will not be present at any regular or special meeting.

5. Meetings of the Planning Commission may not go past 9 p.m. CST. Any matters not taken up before 9 p.m. CST shall be required to be continued to a time and date certain of a Special or Regular Meeting.

## **C. QUORUM**

Three voting (3) members of the Planning Commission present shall constitute a quorum and shall be necessary to conduct business or take any official action, except to cancel or continue a meeting that has no quorum.

## **D. VOTING RIGHTS**

1. Proxy votes and absentee ballots shall not be permitted. Each member shall be entitled to one (1) vote and shall cast that vote on each item submitted.

2. No member of the Planning Commission who is present at any meeting at which an official decision, ruling or other act is to be taken or adopted may abstain from voting in regard to any such decision, ruling or act, except when,

with respect to any such member, there is, or appears to be, a possible conflict of interest.

3. No Planning Commission member shall vote in his or her official capacity upon any measure which is advantageous to his or her special private gain or shall knowingly vote in his or her official capacity upon any measure which is advantageous to the special gain of any principal by whom he or she is retained. The Planning Commission members shall, prior to the vote being taken, publicly state the nature of his or her interest in the matter from which he or she is abstaining from voting and his or her interest as public record in a *Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers (Form 8B)* or *Disclosure of Business Transaction, Relationship or Interest (Form 4A)* filed with the recording secretary of the Planning Commission who shall incorporate the form into the minutes of the meeting.

## **E. PUBLIC PARTICIPATION AT PLANNING COMMISSION MEETINGS**

In order to provide the general public an opportunity to address the Planning Commission, and in compliance with Florida law, members of the public shall be given a reasonable opportunity to address the Planning Commission on any concern under the jurisdiction of the Planning Commission and on any proposition prior to the Planning Commission taking official action on such proposition. To ensure a full and fair opportunity for all citizens to be heard, the following rules shall apply to all legislative, quasi-legislative and quasi-judicial matters, unless formal quasi-judicial procedures are instituted in accordance with other adopted policies and regulations of the County:

1. Public comment on any concern under the jurisdiction of the Planning Commission or on any proposition to be considered by the Planning Commission shall be heard as an agenda item at each meeting of the Planning Commission prior to the beginning of the old and new business of the meeting or for quasi-judicial matters during a public hearing and prior to the Planning Commission taking any action on the concern or matter. Public comment shall be directed to the chairperson presiding over the meeting and not the audience or individual commissioners. If the subject matter requires investigation by county staff, the chairperson shall refer the matter to staff.

2. Prior to addressing the Planning Commission, each person shall fill out a speaker's form provided by the recording secretary stating the speaker's name and address. All comments must be made from the podium after verbally stating their name and address. Individuals who represent a legally formed organization registered with the State of Florida shall be permitted five (5) minutes during public input or public hearings to discuss matters related to the purposes for which the legal organization was formed. All other individuals shall be permitted three (3) minutes. Each individual representing an organization shall file written authorization with the recording secretary of the Planning Commission

indicating that the organization has appointed such individual to speak on its behalf. The authorization must be signed by the organization's president or secretary. The authorization must be provided each time said individual speaks on a matter and will be effective for one year unless amended or revoked by the organization.

3. Persons speaking during public hearings and workshops of the Planning Commission shall be limited to the time period set aside for public comment. The time limits set forth above shall be observed during public hearings and workshops.

4. The requirements set forth in subsection (2) above do not apply to:

- a. An official act that must be taken to deal with an emergency situation affecting the public health, welfare or safety if compliance with the requirements would cause an unreasonable delay in the ability of the Planning Commission to act;
- b. An official act involving no more than a ministerial act, including but not limited to approval of minutes; or
- c. A meeting during which the Planning Commission is acting in a formal quasi-judicial capacity, if other ordinances, policies and/or regulations have been specifically put in place for quasi-judicial proceedings.

5. Individuals who violate the rules of public participation/civility and decorum code for public hearings shall be requested to leave the podium and return to their seat. The use of insulting, threatening, vulgar, or profane language and/or gesturing directed at the Planning Commission, any member thereof or at members of the audience or staff shall not be tolerated. Any such conduct may result in law enforcement officers being summoned to remove such individuals from the meeting.

## **ARTICLE V. - ORDER OF BUSINESS**

1. The normal order of business shall be:
  - a. Call to Order;
  - b. Roll Call;
  - c. Approval of the Minutes;
  - d. Open to the Public (items not on the agenda);
  - e. Announcements;
  - f. Additions, Deletions, or Changes to the Agenda;
  - g. Acceptance of the Agenda;
  - h. Oath Taking ;
  - i. Disclosures;

- j. Old Business;
- k. New Business;
- l. Other Business;
- m. Adjournment.

2. The Chairman may dispense with any item on the agenda or change the order of business.

**ARTICLE VI. - AMENDMENTS TO BYLAWS**

These Bylaws may be amended at any meeting of the Planning Commission, only to the extent consistent with County resolution and provided that said notice of said proposed amendment is given to each member in writing at least five (5) business days prior to said meeting and the action is ratified by the Board of County Commissioners.

**ARTICLE VII. - RELATION TO COUNTY CODE, COMMISSION RESOLUTIONS AND STATE LAW.**

Any section or provision of any section of the Bylaws as adopted by the Planning Commission which conflicts with County Code, resolution or State laws shall have no force and effect.

**ARTICLE VIII. - THESE BYLAWS SHALL BECOME EFFECTIVE IMMEDIATELY UPON RATIFICATION BY THE BOARD OF COUNTY COMMISSIONERS.**

These Bylaws adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Jeremy Stewart,  
Planning Commission Chairman

ATTEST:

\_\_\_\_\_  
Recording Secretary of the  
Planning Commission

Ratified by the Board of County Commissioners this \_\_\_\_ day of \_\_\_\_\_,  
2025.

\_\_\_\_\_  
Paul Mixon, Chairman

ATTEST:

\_\_\_\_\_  
Brad E. Embry, Clerk of Courts

Approved as to form:

\_\_\_\_\_  
Lynn M. Hoshihara  
County Attorney