

APPROVED BY THE BOARD OF COUNTY  
COMMISSIONERS AT THEIR MEETING

AUG 20 1991



RESOLUTION NO. 91-M-39

A RESOLUTION PERTAINING TO PUBLIC PARTICIPATION PROCEDURES REGARDING THE COMPREHENSIVE PLANNING PROCESS; AMENDING RESOLUTION 89-M-45 TO CLARIFY THE PUBLIC HEARING PROCESS AND CONTINUAL PUBLIC PARTICIPATION; PROVIDING FOR CONTINUING APPLICABILITY OF NONAMENDED SECTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Resolution 89-M-45 sets forth the public participation procedures in regard to the Orange County Comprehensive Planning process; and

WHEREAS, as requested by the Florida Department of Community Affairs amendments to clarify the public participation procedures are warranted and set forth below.

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

Section 1. Resolution 89-M-45 is hereby amended as follows in Sections 2 through 4 with the new language being shown by underlining and the deleted language being struck through.

Section 2. Section 3(a) of Resolution 89-M-45 is hereby amended to read as follows:

At the conclusion of the final respective committee meetings, each committee's findings and conclusions shall be submitted for review by the LPA. A "July Draft" of the plan shall then be published and available for public review.

Section 3. A new Section 4 is created as set forth below and the present Section 4, Written Comments, is renumbered to Section 5:

Sec. 4. Public Hearing Process.

The "July Draft" of the plan will be submitted to the LPA prior to the LPA transmittal

public hearing (October 10, 1990). At this hearing, the LPA members will receive public input and consider transmittal of the plan to the DCA. The LPA's recommendations will be forwarded to the BCC.

The transmittal public hearing for the BCC will be approximately two weeks after the LPA (October 29, 1990). The time between the two public hearings will be used for amendments (if necessary) recommended by the LPA. The BCC at this hearing will consider transmittal of the plan to the DCA for review and comment. The plan will be transmitted to DCA by December 1, 1990.

After the DCA returns comments on the transmitted plan, the County will adopt the plan (with changes if necessary) as soon as possible while allowing for adequate public input, LPA review and recommendation and public comment at the Board of County Commissioner's adoption hearing. This adoption shall take place within sixty days or as close to that date as possible allowing for such input and preparation of modification to the plan stemming from such comments.

Public hearings with the LPA and BCC will be scheduled upon receipt of the DCA comments. The purpose of the LPA hearing will be to make a recommendation to the BCC that the comprehensive plan be adopted. The BCC hearing to consider adoption of the plan shall be held after the LPA hearing. The LPA Adoption Hearing is anticipated to be held April 24, 1991 and the BCC Adoption Hearing is anticipated to be held May 7, 1991.

All public hearings on the comprehensive plan update will be given due public notice. The BCC public hearing will be advertised at least one week prior to the hearing date. the advertisement will be no less than one quarter (1/4) page size and will contain a location map. It will not be published in the portion of the newspaper where legal notices and classified advertisements appear.

For the LPA hearing, "due public notice" is defined as "the publication of notice of the time, place and purpose of such hearings at least

twice in a newspaper of general circulation in the area, with the first publication not less than fourteen days prior to the date of the hearing, and the second to be at least five days prior to the hearing." In addition to advertisements in the newspaper, subsequent BCC hearings shall be announced during the LPA public hearings.

At all public hearings, opportunity for written and verbal comments will be provided in order to allow due consideration of and response to public comments. All comments submitted shall become part of the record of the public participation process. Prior to accepting verbal comments at a public hearing, a speaker's name, address, representation and plan area for concern shall be entered into the public record. The information will be a guide to the focus of discussion.

Section 4. The present Section 5 is hereby amended as follows:

**Sec. 5.6 Continual Public Participation.**

The public participation program shall be an ongoing effort as amendments to the GMP are considered, and ~~such effort shall be consistent with the Public Participation Handbook, as adopted by the Board of County Commissioners on July 17, 1989.~~ and Evaluation and Appraisal Reports are prepared. At a minimum, the following shall be implemented.

Prior to public hearings for consideration of plan amendments, participants in the 1990 update process shall be notified by newsletter when amendments to the plan are considered. The newsletter, at a minimum, shall include the schedule of the process and the list of amendments under consideration. The newsletter will encourage participation in the public hearing process, as well as request written comments on the amendments. The written comments will be collected and forwarded to the LPA and the BCC to be reviewed at public hearings. The

public hearings will be advertised according to State requirements to ensure public notification.

For the Evaluation and Appraisal Report, participants in the 1990 update process shall be sent a newsletter. The newsletter shall outline the monitoring and evaluation requirements set forth in Chapter 9J-5, Florida Administrative Code, and contain a questionnaire/survey to gather responses on plan performance. The newsletter shall also be used to solicit membership for a committee established to make recommendations for the plan update. The recommendations shall be presented to the Local Planning Agency and Board of County Commissioners to initiate the next plan update.

Section 5. Except as amended herein, the remainder of Resolution 89-M-45 shall remain in full force and effect.

Section 6. Severability. If any provisions of this Resolution or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared severable.

Section 7. Effective Date. This Resolution shall take effect immediately upon adoption.

ADOPTED THIS 20<sup>th</sup> DAY OF August, 1991.

ORANGE COUNTY, FLORIDA

BY: Vera M. Carter  
Vice County Chairman

FOR THE COUNTY CHAIRMAN

DATE: AUG 20 1991

ATTEST: Martha O. Haynie, Comptroller  
as Clerk to the Board  
of County Commissioners

BY: Mary J. Garrison  
Deputy Clerk