

**Exhibit “A”**  
**Town of Loxahatchee Groves**

**Procedures for Public Participation in the  
Comprehensive Plan Process**

## **I. INTRODUCTION**

This document outlines the methods to ensure that the public is afforded an opportunity to participate in the planning process, including consideration of amendments to the comprehensive plan and evaluation and appraisal reports. The Town's goal is to encourage public participation and input into the local government's growth management goals, objectives and policies.

The statutory requirement for public participation is contained in Chapter 163 of the Florida Statutes. Additional requirements are contained in Rule 9J-5 of the Florida Administrative Code.

These laws and rules require that the Town adopt procedures to ensure that the public at large will be afforded input into the comprehensive planning process, and that real property owners will receive notice of any Town action that regulates the use of their property.

## **II. PUBLIC PARTICIPATION AND ADOPTION PROCESS**

The adoption process is governed by both state law [Ch. 163 and 166, Florida Statutes (F.S.)] and Department of Community Affairs administrative rules [9J-5 and 9J-11, Florida Administrative Code (F.A.C.)].

The Local Planning Agency (LPA) of the Town of Loxahatchee Groves (the Town Council sitting as the LPA) and the Town Council of the Town of Loxahatchee Groves as the Local Governing Body (LGB) will represent the public in the adoption, monitoring end evaluation process for the comprehensive plan.

The LPA is responsible for holding a public hearing on the adoption of the comprehensive plan, amendments to the comprehensive plan and future land use map. The LPA, through the authority conferred by law (Ch. 163.3174, F.S.), may hold a series of review meetings. However, prior to recommending the amendments to the Town Council (LGB), the LPA is required to hold at least one advertised public hearing (Ch. 163.3174(4)(a), F.S.). Notification of the hearing must take place at least ten (10) days prior to the LPA making its recommendation. Following action by the LPA, its recommendation, together with the proposed amendments, is transmitted to the LGB for its review.

The responsibility of the Local Governing Body (LGB) is to make final determination on policy decisions through the comprehensive plan and amendment process. Following the notification requirements of Section 163.2184(15), Florida Statutes, the LGB will hold at least two (2) advertised public hearings on the proposed comprehensive plan or plan

amendment and any additional hearings deemed appropriate, and receive input from the general public.

Pursuant to Section 163.2184(15), Florida Statutes, at least seven (7) days prior to a regular meeting and on a weekday, the LGB shall publish an advertisement in a paper of general circulation regarding transmittal (first reading of the adoption ordinance) of the proposed amendments to the Department of Community Affairs and other agencies. The advertisement must be in the format described by Ch. 166.041(3)(c)2.b., F.S., i.e.,

The required advertisements shall be no less than 2 columns wide by 10 inches long in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisement appear. The advertisement shall be placed in a newspaper of general interest and readership in the municipality....

The procedure for transmittal of a proposed plan amendment to the State is by majority affirmative vote of members of the LGB present at the first public hearing.

The LGB shall transmit the complete proposed amendment package to the Department of Community Affairs (DCA), the Treasure Coast Regional Planning Council (TCRPC), the South Florida Water Management District (SFWMD), the Department of Environmental Protection (FDEP), the Department of State, the Department of Transportation (FDOT) and the Broward County Planning Council following the first public hearing (transmittal stage). A copy of the amendments is also sent to the Treasure Coast Regional Planning Council for staff consistency review.

Within five days after receipt of the proposed amendments, the DCA will transmit a notice to the local government, FDOT, SFWMD, TCRPC, and FDEP once the plan amendment submittal package includes all the information required by Rule 9J-11.006, F.A.C. These agencies must provide a written response to DCA within 30 days from the date the amendment was received.

The DCA then has 30 days from receipt of comments from the various government agencies to review their comments and the local government's amendments. The DCA must transmit its comments to the local LGB along with any objections, recommendations, or comments (ORC Report) during its 30-day review time period.

The LGB has 120 days after receipt of the ORC Report to respond to it and then adopt the amendments with or without changes. The second public hearing and adoption process is included in the 120 days.

The second public hearing shall be held at the adoption stage on a weekday at least five (5) days after the day that the second advertisement is published. . The LGB publishes an advertisement of the hearing in the same form as for the first public hearing.

There shall be a sign-in form at the transmittal hearing and at the adoption hearing for persons to provide their names and mailing addresses. The sign-in form must advise that any person providing the requested information will receive a courtesy informational statement concerning publications of the state land planning agency's notice of intent. The local government shall add to the sign-in form the name and address of any person who submits written comments concerning the proposed plan or plan amendment during the time period between the commencement of the transmittal hearing and the end of the adoption hearing. It is the responsibility of the person completing the form or providing written comments to accurately, completely, and legibly provide all information needed in order to receive the courtesy informational statement. The agency has model sign-in forms for use by the local government.

If the proposed comprehensive plan or plan amendment changes the actual list of permitted, conditional, or prohibited uses within a future land use category or changes the actual future land use map designation of a parcel or parcels of land, the required advertisements shall be in the format prescribed by s. [166.041\(3\)\(c\)2.b](#).

The procedure for adoption of the amendments is by affirmative majority vote of the LGB members present at the hearing.

Within ten (10) working days following adoption, the LGB will transmit the adopted amendment package to the DCA. The LGB is required to also transmit a copy to the TCRPC and any other unit of local government or agency in the state that has filed a written request for one. A certified copy of the plan or amendments is to be sent to the Treasure Coast Regional Planning Council for filing.

Upon receipt of the completed plan amendment package, the DCA has forty-five (45) days to determine if the plan is in compliance with the law and administrative rules. The DCA will issue a notice of intent concerning plan compliance by newspaper advertisement, and by mailing a copy to the local government, and to other requesting persons. A LGB may proceed with approval or amendment after a final order of compliance is issued from DCA.