

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA

RESOLUTION NUMBER 97-5

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ADOPTING PUBLIC PARTICIPATION PROCEDURES FOR THE PREPARATION AND ADOPTION OF THE TOWN OF FORT MYERS BEACH'S FIRST COMPREHENSIVE PLAN.

WHEREAS, the Fort Myers Beach Town Council PURSUANT TO CHAPTER 163, PART II, FLORIDA STATUTES, must adopt public participation procedures for the preparation and adoption of the Town's first comprehensive plan; and,

WHEREAS, the Local Planning Agency approved the public participation procedures at their meeting of December 17, 1996; and,

WHEREAS, the public participation plan contains procedures for notice to both real property owners and the general public; opportunity for written comment; public hearings; provisions to assure consideration and response to public comments; and public review of the comprehensive planning process.; and,

WHEREAS, for ease of use and implementation such procedures are contained in an Exhibit attached hereto and incorporated herein as Exhibit P;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA, THAT:

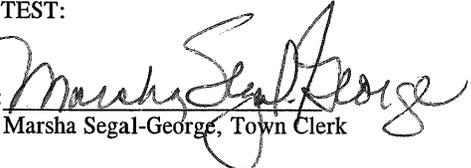
Section 1. The Fort Myers Beach Town Council by this Resolution creates the Town of Fort Myers Beach Public Participation Procedures attached to this resolution as Exhibit P, which will be available at the Town Hall.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member *Murphy*, and seconded by Council Member *FitzSimons*, and upon being put to a vote, the result was as follows:

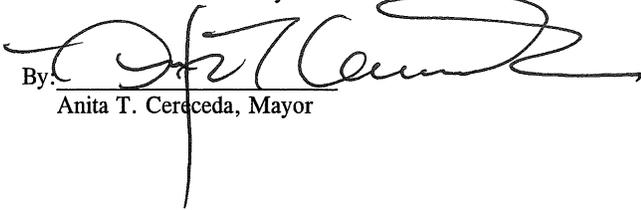
| | |
|-----------------------|------------|
| Anita T. Cereceda | <u>aye</u> |
| Ted FitzSimons | <u>aye</u> |
| William (Rusty) Isler | <u>aye</u> |
| Garr Reynolds | <u>aye</u> |
| Ray Murphy | <u>aye</u> |

DULY PASSED AND ADOPTED this *17th* day of *February*, 1997.

ATTEST:

By: 
Marsha Segal-George, Town Clerk

Town of Fort Myers Beach

By: 
Anita T. Cereceda, Mayor

Approved as to form by:


Richard V. S. Roosa, Town Attorney

EXHIBIT P

Public Participation Procedures

(1) The Local Planning Agency and the Town Council of Fort Myers Beach hereby adopt the following procedures to provide for and encourage public participation while preparing and adopting the first comprehensive plan.

(a) *Notice to Real Property Owners of Official Actions That Will Affect Their Property*

Notice of official actions that could affect the use of their property shall be provided to real property owners in accordance with methods set forth in Chapter 163, Part 11, *Florida Statutes*, specifically through advertisement in a paper of general circulation in the area, such notice to be made not less than seven days in advance of the public hearing.

(b) *Notice to the General Public*

Notice of meetings of the Local Planning Agency at which consideration of comprehensive plan related issues are on the agenda shall be provided as follows:

- As a part of the regular notice of the agenda for LPA meetings; and
- Through required notices for public hearings as specified in (a) above.

Additional efforts to keep the general public informed throughout the- planning process shall be undertaken as feasible through such methods including, but not limited to, newspaper articles; mailings to organizations in the Town; posting of information in places of local gathering; and public service announcements. Such information shall include:

- Schedule for the LPA's consideration of comprehensive plan related matters;
- Schedule for planned public workshops;
- Process and opportunities for providing written and verbal input; and
- Location of and means of accessing plan-related information.

(c) *Opportunity for Written Comment*

During the plan adoption process, written comments will be specifically encouraged. and the process and deadlines for submitting comments will be specified in the required public notice as described in (a) above. All written comments provided on the draft comprehensive plan, if received at least 10 days prior to the scheduled public hearing, will be acknowledged and specifically responded to as a part of the staff report provided to decision-makers, with the original correspondence attached as part of the public record.

Written Comments are also encouraged throughout the planning process, and should be directed to the Town Manager. They will be provided to LPA members for their consideration as a part of their packet for the next regularly scheduled meeting with comprehensive plan related items on the agenda. Such written contents will also become a part of the public record.

Specific opportunities for written comments will be provided as a part of each scheduled public workshop (as described in (2) below). Such comments will be summarized and

provided to decision-makers for consideration as a part of plan formulation and evaluation, and be retained on file in their original form.

(d) Provisions to Assure That the Required Public Hearings Are Held

Public hearings for consideration and adoption of the comprehensive plan shall be held in accordance with the requirements and procedures of Chapter 163, Part II, *Florida Statutes*.

(e) Provisions to Assure the Consideration of and Response to Public Comments

The LPA and Town Council will consider public comments (both written and oral) prior to taking their respective final votes on the comprehensive plan. The staff report to the LPA shall address written comments as specified in item (c) above. While the final vote of the LPA will constitute their response to all public comments both written and oral, such response should be supplemented as fully as possible to communicate their response to the Town Council.

The staff report to the Town Council shall address written comments as specified in item (c) above and shall summarize and respond to oral comments from the LPA's public hearing where appropriate. While the final vote of the Town Council will constitute their response to all public comments both written and oral, such response should be supplemented as fully as possible for the public record.

(2) All material provided to the LPA or Town Council related to the formulation and evaluation of the comprehensive plan as it is being developed shall be compiled and available for public review throughout the planning process at Town Hall, with copies available at a nominal cost to be determined in accordance with Town policy. To maximize public use of this material, it will also be made available, to the extent practical:

- at the Public Library's reference desk;
- at participating businesses which agree to maintain a file of materials and produce copies for a fee determined by the business, initially including the Print Shop of Fort Myers Beach at 2801 Estero Boulevard; and
- through the Internet at a designated location on the World Wide Web, initially at <http://www.spikowski.com>

During the planning process, community wide public workshops shall be conducted to disseminate information and gathering input. Summaries of these workshops and of the verbal and written input obtained as a part of the workshop shall be compiled, provided to the LPA and Town Council for their information and consideration, and shall be a part of the public record available at the above locations. All comment forms submitted by members of the public as a part of the workshops shall be on file and available for public review at the Town Hall at 2523 Estero Boulevard.

No less than two weeks prior to the first public hearing of the LPA on the draft plan, multiple copies of the draft plan will be available at designated location(s) for public review and/or for purchase.