

702 Selecting a Public Hearing Time and Location

Hearing Time

Most FDOT-sponsored public hearings are held on Tuesday or Thursday in the late afternoon/early evening starting at 5:00 p.m. Typically, Mondays and Fridays are avoided as some people may be taking an extended weekend, and Wednesday nights may be avoided due to religious services. Consider the age of the anticipated audience, transportation availability, location access, distance, etc., when determining the time of the hearing. Public hearings are typically divided into two parts – the open house portion where the public can review boards and materials at their own pace and the formal proceedings that include the hearing presentation and public testimony. For the benefit of the public, the hearing notification should include the time that the informal, open house starts and the time of the presentation.

Hearing Location

It is important, but not always easy, to find a venue that is in the project area, easy to reach (on a public transit route, if possible), complies with the Americans with Disabilities Act (ADA), complies with the Department's policy on the Jessica Lunsford Act (avoid public K-12 schools), has sufficient parking, and has sufficient space for the public hearing format.

Public venues are preferred over privately-owned facilities. If the nearest public facility is not reasonable due to either insufficient space or is located too far from the project area, then a privately-owned facility can be used. Document the site selection process in the project file.

Before selecting a facility, estimate the size required based on the expected number of attendees and the number and size of display boards. Prepare a room layout plan that shows the arrangement of the sign-in tables, display materials, tables, chairs, and space for attendees to confirm that the facility can accommodate your needs. It is important to visit the facility, take pictures and measurements and check the audio/visual equipment. Ask to meet the person who will be on duty at the facility during the hearing. Consider the following when selecting a location:

- If a sound system is needed, does the facility provide such equipment?
- Will the facility allow entry into the space early enough for set up? Likewise, is there a closing time that restricts breakdown time?
- Are there enough tables and chairs available?
- Is there plenty of parking and is handicapped parking available?
- Are the restrooms handicap accessible?
- Is the parking lot well-lit?
- Is there a place for signage directing people to the correct room?
- Can people walk easily from transit?
- Is there a property manager on duty at the time of the hearing for emergency purposes?
- Are there local sign regulations that require permits for way-finding signs?

Also make sure all of the following are considered before final approval of a location.

ADA Compliance: All public hearings must be held at a site that provides reasonable accommodation and access to disabled persons wishing to attend and participate. When notified at least seven days in advance, the

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Department must reasonably accommodate a person's disability to provide an equal opportunity for participation. While the Department cannot provide transportation for disabled persons, every effort should be made to accommodate special needs, such as wheelchair access and seating, materials for visual impairment (through the use of large print materials, for example), or referral to a transportation service that may suit their needs.

Jessica Lunsford Act: Public school facilities for grades K-12 should not be used for public hearings. School facilities may be used, however, if there are no other feasible options in the area, and with approval from the Department's Assistant Secretary of Engineering and Operations. Alternate educational facilities to consider include colleges, universities, and private schools.

Green Lodging Hotels: Any hotel used by the Department for a public hearing must be designated by the FDEP as a Green Lodging hotel. More information about Green Lodging hotels is available on the FDEP website at <https://floridadep.gov/osi/green-lodging>.

