

PROCEDURES FOR AMENDING THE THE LAKELAND COMPREHENSIVE PLAN

The City normally accepts applications for “Large Scale” (over 10 acres) future land use map or text amendments twice per year in two “cycles”, typically beginning in January and June respectively. However, the cycles may be combined into one, at the discretion of the Community Development Director, if there are project workload conflicts that take precedent. The annual schedule for Comprehensive Plan Amendments will be posted on the Community Development Department webpage no later than 2 months prior to the beginning of the cycle. The Comprehensive Plan was updated in April 2000.

Exceptions:

- **DRIs:** Comprehensive Plan amendments necessitated by a Development of Regional Impact (DRI) or the proposed change to a previously approved DRI are not subject to the twice per calendar year limitation.
- **Small Scale Map Amendments:** Comprehensive Plan map (FLUM) amendments for ten (10) acres or less (for a total of up to 60 acres per calendar year) are considered “Small Scale” and may be submitted any month by the 1st of the month, i.e., are not subject to the twice per calendar year limitation. Small Scale FLUM amendments are subject to the same completeness review and Planning & Zoning Board reviews as large scales described below followed by two readings of the ordinance/hearings by the City Commission; they become effective 31 days after Commission adoption of the amendment, unless appealed.

Exempt and Non-Exempt Amendments:

- **Exempt Amendments:** A land use amendment is exempt from DCA review if the property is located outside of the Green Swamp, has previously been annexed into the City and has, at some time, been given a City land use. Exempt amendments are accomplished on a faster timeline than non-exempt amendments, skipping some of the review steps; the flowchart on page 3 details the timeline for exempt amendments.
- **NonExempt Amendments:** Non-exempt amendments are those 1) pursuing annexation into the City concurrently with the request for City land use designation; 2) have previously annexed into the City, but still retain County land use; 3) are within the Green Swamp Area of Critical State Concern; or 4) are associated with a Development of Regional Impact (DRI). Non-exempt amendments follow the full review schedule as explained below, and as shown on the timeline on page 3.

To file an application for a Large Scale Comprehensive Plan amendment:

- A. Complete an application form for a Large Scale (FLUM) Amendment and locate the site on the required maps; include a full legal description; complete an Application for Non-Binding Concurrency Determination. Submit application packet to the Lakeland Community Development Department. The application packet must include, at a minimum, **2 hard copies and one digital copy on CD-ROM with all documents (PDF format is acceptable.)**
- B. Applications for large scale/FLUM amendments must be received **no later than the 1st business day of the month** in January or June when applications are accepted.
- C. Applications for FLUM amendments will be reviewed for completeness and the applicant(s) notified of deficiencies within approximately **ten (10) calendar days**; deficient material must be submitted to the City within approximately **seven (7) business days** of notice.

D. If the application is complete, the process will be as follows:

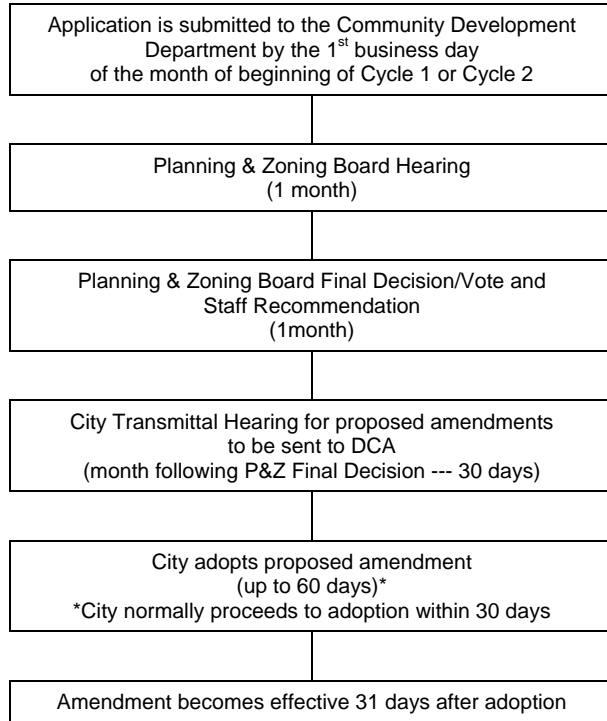
- 1) The proposed FLUM amendment will be heard by the Planning and Zoning (P&Z) Board at their regularly scheduled meeting held the month after the applications are submitted. The P&Z Board will hear a presentation by each applicant and take comments from the public, staff or Board members. *The Applicant has the right to withdraw the amendment at any time prior to adoption of the amendment, with written notice submitted to the City.*
- 2) The proposed FLUM amendment will again be brought before the P&Z Board for final recommendation from staff at the subsequent regularly scheduled Board meeting.
- 3) Proposed FLUM amendments receiving a favorable recommendation from the P&Z Board will be heard by the City Commission at a Public Hearing in the subsequent month during the Commission's second meeting of the month. This hearing is known as the Transmittal Hearing wherein the City Commission determines if it wishes to transmit the amendment to the State for review and comment. Seven (7) days before the City Commission transmittal hearing, a notice will appear in the non-legal section of a local newspaper.
- 4) Within 10 days of the transmittal hearing the City will send an amendment packet to DCA and relevant review agencies (requesting review of the proposed non-exempt amendments) on hard copy and on CD-ROM. Exempt amendments usually move directly to an Adoption Public Hearing, scheduled about one month after the first Public Hearing.
- 5) Once found sufficient, the State has about 60 days to review the City's package of proposed **non-exempt** amendments. The State will then issue an Objections, Recommendations and Comments (ORC Report) to the City for its consideration.
- 6) When the Community Development Department receives the DCA ORC Report, changes to the proposed amendment may be deemed necessary to address the concerns of the DCA and other reviewing agencies (FDOT, SWFWMD, CFRPC, FDEP, and Florida Department of State) as part of the Community Development Department's response to the ORC Report. Within 60 days after the City receives the State's ORC Report, a second public hearing (the Adoption Public Hearing) will be held and a public notice will appear in the non-legal section of a local newspaper approximately five (5) days prior to the scheduled public hearing.
- 7) At the Adoption Public Hearing, the City Commission may decide to *deny* the amendment request, or may, by ordinance, *adopt* or *adopt the proposed amendment with changes* that attempt to respond to State Agency review. If the City Commission does not adopt a proposed amendment, the Community Development Department will send a letter to DCA indicating that the previously transmitted amendment was not adopted.
- 8) No more than ten days after adoption hearing, the Community Development Department will send copies of the ordinance adopting the amendment to DCA for final determination of compliance with State law. For non-exempt amendments, DCA has 45 days to issue and publish in a local newspaper the Notice of Intent (NOI) to Find the Amendment In (or Not In) Compliance. A 21-day appeal period follows the NOI. After this period ends (if no appeal), the amendment will become effective. Exempt become effective 31 days after the Adoption Public Hearing.

DEPARTMENT OF COMMUNITY AFFAIRS

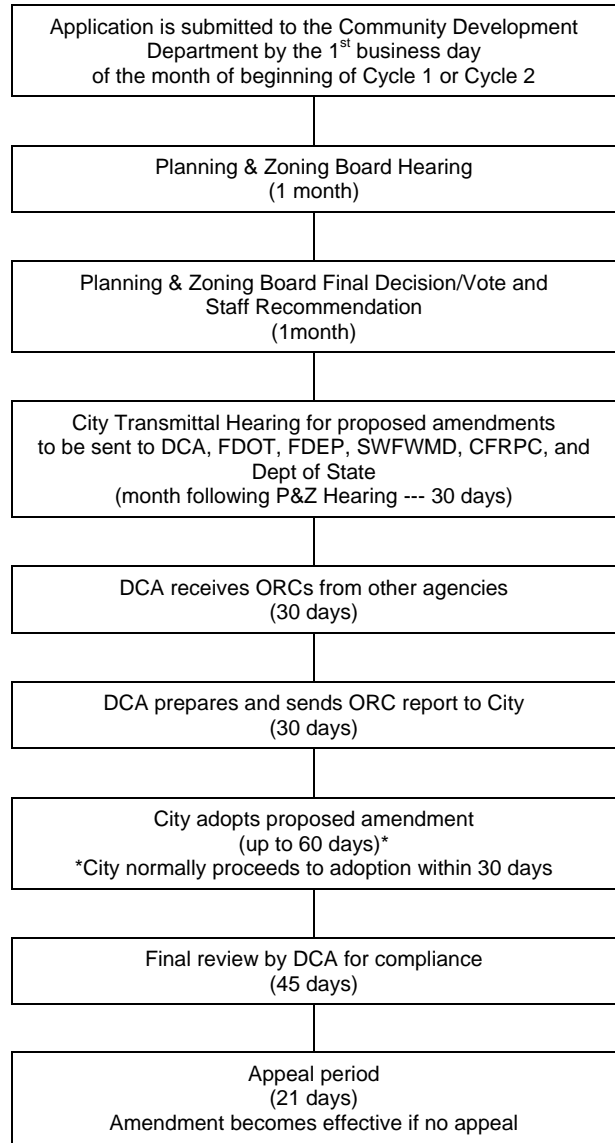
COMPREHENSIVE PLAN AMENDMENT

SCHEDULE OF REVIEW

Large Scale Amendment Review Process Exempt Amendments



Large Scale Amendment Review Process NonExempt Amendments



REQUIRED ATTACHMENTS for FUTURE LAND USE MAP CHANGE:

1. **Legal Description.*** (Acreage should be estimated at end.) An **electronic copy** of the legal description is **required** (native format for text, vector data for shapes/drawings).
2. **Boundary survey** or plat drawn at a scale of **1 inch = 200 feet or larger** which shows the location and dimensions of the property.
3. Copies of any required Impact Statement or other data submitted with Zoning Request, if applicable.
4. **Application for Non-Binding Concurrency Determination, Including:**
 - a. Traffic Circulation Analysis (over 750 AADT will need a traffic study submitted with application; traffic study methodology meeting with City Transportation Planner required prior to study initiation.)
 - b. Analysis of Demand for Potable Water and Sanitary Sewer Service
 - c. Stormwater Analysis
 - d. Analysis of Solid Waste Generation
 - e. Analysis of Recreation and Open Space Needs
 - f. Analysis of Available Mass Transit Service, as applicable.
5. **Maps** (each 8.5 x 11 inches) to be submitted by Applicant include, at minimum:
 - a. A General Location Map which clearly illustrates the site's location relative to major roadways and any proximate surface waters; north arrow/compass rose, source, owner, and number of acres of subject property should be included in legend.
 - b. Show site location on the relevant FEMA Panel of 100 year Flood Hazard Areas.
 - c. Aerial showing at minimum the site boundaries using Polk County parcel data, any major roadways and some of adjacent lands in each direction. Include legend and date of aerial photo.
6. **Brief list and description of any and all supporting information/documents.**
7. **Check** payable to the City of Lakeland.
8. Amendment sites located with the Green Swamp, A.C.S.C. shall include a complete narrative addressing all items listed in Policy X17 of the Future Land Use Element.

***The Community Development Dept. GIS staff must depict the site on a number of environmental maps required for State review. It is vital for the applicant to submit an accurate legal description in a timely manner in order to complete these maps. The legal description must be in a professional survey, metes and bounds or lot and block format. If the subject property contains multiple parcels, please submit one all-inclusive legal description.**

The Departmental map series includes:

- *Existing Land Use*
- *Future Land Use*
- *Wetlands (National Wetlands Inventory)*
- *Soils*
- *Land Cover (Vegetative cover)*
- *Listed Species Occurrences*
- *Surface and Commercially Valuable Minerals*
- *Floodplains*
- *Development Control Zones*

Proposed Amendment: # _____
Receipt: # _____ Fee: \$ _____
Small Scale? (≤ 10 acres) YES NO

**CITY OF LAKELAND
APPLICATION FOR FUTURE LAND USE MAP AMENDMENT**

City of Lakeland
Community Development Department
City Hall
228 S. Massachusetts Ave.
Lakeland, Florida 33801
Tel: (863) 834-6011
Fax: (863) 834-6249

FOR OFFICE USE ONLY

Date Received: _____
Received By: _____
P & Z Hearing: _____
(LS) Transmittal Hearing: _____
OR (SS) First Reading: _____
Adoption Hearing: _____

APPLICANT NAME: _____ PHONE: _____
EMAIL ADDRESS: _____ FAX: _____
ADDRESS: _____
(Enclose Letter of Authorization from Owner(s))

AGENT NAME: _____ PHONE: _____
EMAIL ADDRESS: _____ FAX: _____
ADDRESS: _____

OWNER NAME: _____ PHONE: _____
(Enclose Proof of Ownership; i.e., Photocopy of Deed, Tax Receipt)
EMAIL ADDRESS: _____ FAX: _____
ADDRESS: _____

REQUEST DCA REVIEW: YES NO NA # of acres: _____ Legal description attached

REQUEST FOR ANNEXATION? PARCEL ID #s: _____

A. SUMMARY AND LOCATION OF PROPOSED AMENDMENT:

B. PROVIDE JUSTIFICATION OF THE REQUEST, INCLUDING CHANGING CONDITIONS THAT SUPPORT THE PROPOSED AMENDMENT. DISCUSS ANY IMPACTS TO LOCAL POPULATION PROJECTIONS. ATTACH APPLICABLE MARKET ANALYSIS OR SUMMARY THEREOF:

C. ADOPTED FUTURE LAND USE:

(# acres of each land use on the site)

CURRENT

ZONING:

**IN SPI OVERLAY
DISTRICT?**

YES NO

**IS ANY OF SITE LOCATED WITHIN
GREEN SWAMP ACSC?**

YES NO

IF YES, HOW MANY ACRES?

PROPOSED FUTURE LAND USE:

(# acres of each use requested)

PROPOSED

ZONING:

LOCATED IN CRA? YES NO IF YES, WHICH CRA?

D. DESCRIPTION OF EXISTING LAND USES ON THE SUBJECT PROPERTY:

E. DESCRIPTION OF EXISTING LAND USES SURROUNDING THE SUBJECT PROPERTY.

NORTH:

SOUTH:

EAST:

WEST:

F. DESCRIPTION OF CURRENT DEVELOPMENT TRENDS IN THE AREA (WITHIN 1 TO 2 MILES OF THE AMENDMENT PROPERTY):

G. PROPOSED USE OF THE SUBJECT PROPERTY (DEVELOPMENT DESCRIPTION, SCHEDULE, AND PHASES):

H. MAXIMUM ALLOWABLE DENSITY UNDER ADOPTED FUTURE LAND USE MAP DESIGNATION:

I. MAXIMUM ALLOWABLE DENSITY UNDER PROPOSED FUTURE LAND USE MAP DESIGNATION:

J. ANALYSIS OF SOILS AND TOPOGRAPHY ON THE SITE:

K. ANALYSIS OF FLOOD PRONE AREAS ON THE SITE (CITE FEMA PANEL):

L. ANALYSIS OF VEGETATION AND NATURAL RESOURCES ON THE SITE (INCLUDING IF THERE ARE ANY WETLANDS, THEIR CONDITION, AND IF ANY HAVE BEEN DECLARED AS JURISDICTIONAL):

M. ANALYSIS OF THREATENED/ENDANGERED SPECIES ON SITE:

N. ANALYSIS OF HISTORIC/ARCHAEOLOGICAL RESOURCES ON THE SITE:

O. LIST OF OBJECTIVES AND POLICIES OF THE COMPREHENSIVE PLAN WITH WHICH THIS PROPOSED FLUM AMENDMENT IS CONSISTENT:

The above application for an amendment to the City of Lakeland's Comprehensive Plan is submitted for the City's review by the legal owner(s) of the property subject to the request, whose name(s) and signature(s) follows and, if applicable, who hereby authorize a designated agent, whose notarized signature is included below to represent them in all applicable actions indicated:

- Annexation
- Land Use Amendment
- Zoning/Rezoning Request

OWNER(S):		
_____	_____	_____
(Signature of Owner)	(Owner's Name Printed)	(Date)
_____	_____	_____
(Signature of Owner)	(Owner's Name Printed)	(Date)
_____	_____	_____
(Signature of Owner)	(Owner's Name Printed)	(Date)
AGENT, if applicable:		
_____	_____	_____
(Signature of Agent)	(Agent's Name Printed)	(Date)

TO BE NOTARIZED BELOW
(For Authorization of Agent Only)

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

Notary Public

State of Florida (Seal)