

APPLICATION FOR AMENDMENT TO THE
2010-2030 COMPREHENSIVE PLAN (CP)
ORANGE COUNTY PLANNING DIVISION



COMPREHENSIVE PLAN (CP) AMENDMENT
ORANGE COUNTY, FLORIDA

The applicant agrees and understands that this application is submitted pursuant to the Orange County Comprehensive Plan and Chapter 163, Part II (The Local Government Growth Management Plan and Land Development Regulation Act) of the Florida Statutes. The application must be filed in person during one of the two submission periods for plan amendments to: Orange County Planning Division, Comprehensive Planning Section, 201 South Rosalind Avenue, 2nd Floor, Orlando, Florida 32802-1393. Application completeness is the responsibility of the applicant. **Applications not completed by the sufficiency due date will be returned to the applicant.**

The public record of this application consists of: the application, the exhibits, documents or materials prepared by the applicant and submitted to the Orange County Comprehensive Planning Section, review documentation, information and/or materials prepared by the Orange County Comprehensive Planning Section, public comments submitted to the Orange County Comprehensive Planning Section, and public comments made during the public hearings on this application.

I hereby certify that all the information submitted with and pursuant to this application is true and correct to the best of my knowledge and belief.

Signature of Applicant

Pre-application Conference _____
Signature of Planning Staff _____ Date _____

CP APPLICATION FORM

TYPE or PRINT the following information:

Owner_____	Applicant/Agent_____
_____	_____
Address_____	Address_____
City_____	City_____
State_____ Zip Code_____	State_____ Zip Code_____
Phone (H) (_____)_____	Phone (H) (_____)_____
(W) (_____)_____	(W) (_____)_____
(Cell) (_____)_____	(Cell) (_____)_____
(Fax) (_____)_____	(Fax) (_____)_____
E-mail Address _____	E-mail Address _____

TYPE OF REQUEST (Check all that apply)

_____ **Land Use Change (Future Land Use Map)**
_____ Small-Scale Amendment _____ Regular Cycle Amendment
_____ USA/RSA/RS/GC Boundary Amendment _____ Other (explain) _____
Specify Adopted Future Land Use _____ Specify Proposed Future Land Use _____

_____ **Year** _____ **Cycle (Check One)** _____ First _____ Second

_____ **Text Change (Goals, Objectives, and Policies (GOP) of the CPP)**
Name of CP Element: _____ Text Page(s): _____
Goal/Objective/Policy (GOP) Number: _____
Map Number/Page: _____

_____ **Prior Submissions:** If a prior amendment application has been submitted for any of the properties included in this request, please indicate year, cycle and outcome of request (adopted, denied, postponed, or withdrawn). _____

PROPERTY INFORMATION

Parcel Identification Number (Tax I.D. Number)_____

Address (if available)_____

Gross Acreage_____ Developable Acreage_____(Less water bodies/wetlands acreage)

Project Name (if any)_____ County Commission District_____

LAND USE IDENTIFICATION

Residential (Specify type)	Non residential (Specify type)
Existing Future Land Use	Existing Future Land Use
Existing Use	Existing Use
Acres/Number of units	Acres/Sq. Ft.
Requested Future Land Use	Requested Future Land Use
Number of Proposed Units	Maximum Square Footage
Existing Zoning	Existing Zoning
Proposed Zoning	Proposed Zoning

Adjacent Future Land Uses	N:
For example "Commercial"	E:
	W:
	S:
Adjacent Land Uses	N:
For example "Gas Station"	E:
	W:
	S:

Applications that were previously *denied* transmittal or adoption by the Board of County Commissioners cannot be accepted, for the same request, for a period of two (2) years from the date of the decision.

CP AMENDMENT SUBMITTAL REQUIREMENTS

The original application package, one (1) hard copy and one (1) electronic copy of all the documents submitted in PDF format on a CD are required to be submitted by the applicant at the time the application is filed. (It cannot be delivered by a courier) The application package will include each of the checked "Required" items listed under the CP Amendment Checklist. (No binders or bound reports)

1. Maps
 - a. Site/location map of land use change (clearly demarcated site with major roadways)
 - b. Existing land use map
 - c. Proposed land use map
 - d. Zoning map
 - e. GIS (Geographic Information System) shape file (on CD) created as polygon in the following projection plane: NAD 1983 StatePlane Florida East FIPS 0901 Feet
 - f. Floodplain map (Large Scale)
 - g. Topographical map (Large Scale)
2. Certified Survey

County Property Appraiser's map illustrating the exact parcel *may* be accepted in lieu of a survey upon Comprehensive Planning staff approval. This can be obtained by visiting the Orange County Property Appraiser's website at www.ocpaf.org. If the request is only for a section of a parcel, a certified survey is **required**. In this instance the County Property Appraiser's map and/or a legal description with certified sketch will not be accepted in lieu of a certified survey.
3. Amendment Justification Statement –

Land Use Map (FLUM) Amendments:
Attach a statement justifying the need for the requested amendment, including the appropriate data and analysis to support the requested change, illustrating how the amendment is consistent with and furthers various objectives and/or policies of the Comprehensive Plan (CP). The justification should include, but not be limited to, adjacent land use compatibility, availability of sanitary sewer, potable water, stormwater, and solid waste facilities and demonstrated need based on population demands and/or market demand. In addition, the maximum development that can occur on the site under the proposed future land use designation and the anticipated development program under the proposed future land use designation needs to outlined by designation, including the square footage and acreage for each category.

Small-Scale Amendments:

Amendments require the same justification statement unless directed otherwise by the Planning Section. The criteria for small-scale amendments are provided in the Legal Information and Disclaimer section of this application.

Text Amendment to Goal, Objectives, and Policies:

Amendments to the policies shall be considered no more than two times a year. No applicant initiated text amendments are permitted unless sponsored or co-sponsored by Orange County. The County may sponsor or co-sponsor applications that further Workforce Housing, Infill, Transit Readiness or meet nationally recognized Green Building and energy and water conservation standards. Staff shall have the discretion to edit any adopted or proposed policies for format and numbering consistency with the adopted CP. All proposed text amendments must be reviewed prior to submission as part of a pre-application meeting with staff. Staff shall have the ability to establish additional application requirements for proposed text amendments, documentation, electronic files, map specifications, additional review, and copies for dissemination. Upon completion of the aforementioned procedures and should the outlined guidelines be met attach currently adopted policies and specify proposed policy revisions by using the underline and strikethrough format. Underline text denotes proposed policy language, whereas, strikethrough text denotes proposed deletions to currently adopted policies. Describe how the proposed policy revision is consistent with, and furthers the goals, objectives, and policies of the comprehensive plan.

4. **Small Area and Special Studies** - If an amendment request requires completion of a small area study or is an amendment to the USA (Urban Service Area), RS (Rural Settlement) or Growth Center boundary, pursuant to policies in the CP, the applicant must meet with the Planning Department staff to determine the level of analysis, format and length of the study or submittal information. Required small area studies must be submitted concurrent with the amendment application unless the Planning Manager or his/her designee grants special permission to extend the deadline. Special studies may include, but are not limited to land use studies, and/or vacant land analyses or demonstrated need for the land use change (Regular cycle amendments only).
5. **Environmental Assessment** – If there are wetlands on the property, a preliminary environmental assessment is required including a narrative describing the wetland, a table indicating the acreage, and an aerial photograph or map indicating the approximate location and extent of the wetlands on site.
6. **Transportation Analysis** – For methodology, contact Mirna Barq of the Transportation Planning Division at 407-836-7893.
7. **School Capacity** – At the time of application submittal for a Comprehensive Plan Amendment to the Orange County Planning Division, the applicant **must** provide a copy of the application, including the receipt of payment for an Orange County Public Schools (OCPS) - School Capacity Determination Report (SCDR). Information on the process of obtaining this report can be found via the following Orange County Public Schools (OCPS) website <https://www.ocps.net/fs/governmental/Pages/SchoolConcurrency.aspx>. **Please note that the form must be filled out by the applicant and then submitted to Nikki Williams at Chenicqua.Williams@ocfl.net prior to submitting the application to OCPS to determine if there is any vesting of units for the subject property.**

No later than two weeks before the Board of County Commissioners adoption hearing, the applicant shall deliver to the Planning Division a copy of a fully executed capacity enhancement agreement (CEA)/school mitigation agreement with the Orange County School Board (OCSB) or a copy of the School Capacity Determination Report (SCDR) indicating that a mitigation agreement will not be required. If the applicant does not deliver a copy of one of those two documents at least two weeks before the adoption hearing, the application shall be postponed to the next cycle of comprehensive plan amendments, with the same requirement that a copy of one of those two documents be delivered to the Planning Division by no later than two weeks before the next adoption hearing (School Mitigation Policy FLU8.7.11).
8. **Relationship Disclosure Form (RDF)** – For all development-related project application, Relationship Disclosure Form (RDF) shall be completed by the principal or the principal's authorized agent (when accompanied by an agent authorization form on file with the County) and shall be submitted to the department processing your application prior to the development related item being considered for review and/or approval by Orange County. It is **required** for this application. For questions regarding this form please contact Charles Hawkins of the Orange County Attorney's Office at 407- 836-7320.*
9. **Specific Project Expenditure Report (SPR)** – The Specific Project Expenditure Report (SPR) is a report of all lobbying expenditures incurred by the principal and his/her agent and the principal's lobbyist, contractors, and consultants, if applicable, for certain projects or issues that will come before the BCC. It is **required** for this application. For questions regarding this form please contact Charles Hawkins of the Orange County Attorney's Office at 407- 836-7320.*

**If at any time throughout the process this information changes it is the duty of the applicant/agent to notify staff and submit a revised Relationship Disclosure Form and Specific Expenditure Report.*

APPLICANT INFORMATION AND RESPONSIBILITIES

Fee Information: The application fee is **\$3,326** for a Small Scale and **\$5,871** for a Large Scale, payable to the Orange County Board of County Commissioners. The following shall be exempted from the payment of the amendment fee: Orange County, the Orange County School Board, the State of Florida, the U.S. government, municipalities situated wholly within Orange County, the Orlando-Orange County Expressway Authority, and other established transportation authorities. Others may request a fee waiver from the Board of County Commissioners (BCC) through a request to the Planning Manager.

Pre-Application Conference: Applicants are required to schedule a pre-application conference with the Comprehensive Planning section staff to discuss the content and format of the amendment proposal. Acceptance of an application for an amendment to the CP should not be construed as staff support of the amendment request, or as staff acceptance as to the sufficiency of the application. To schedule an appointment, please contact the Planning Division at (407) 836-5600.

Application Sufficiency: Upon review of the submitted application, the Planning Division may find the application incomplete and request the applicant to resubmit the application with clarification or additional information. Resubmitted applications or additional information are due within ten (10) working days of notice from the Planning Division unless special permission is granted by the Planning Director or his/her designee, to accommodate special/lengthy requests. *An application may be rejected for incompleteness and/or failure to resubmit in a timely fashion.* Signatories for companies, corporations, partnerships, or other legal entities that appear as legal Property Owners will be required to prove that they are authorized to sign for that legal entity. A copy of the articles of incorporation will satisfy this requirement.

Poster: Applicants are required to place a "Notice of Public Hearing" poster(s) on the property of the amendment request 10 days prior to both transmittal and adoption hearings. The Planning Division will prepare the poster(s); notify the applicant when to pick up the poster(s), and posting instructions will be included. The Planning Division provides public hearing notices to property owners within a minimum of 500 feet of the property proposed for amendment. Failure to post the property according to the instructions may result in a postponement of your hearing.

Community Meeting: Please note that should a community meeting be required for the amendment, the applicant will be assessed an additional fee* generated by Orange County Public Schools (OCPS) to cover the costs associated with the community meeting. While the check shall be made payable to Board of County Commissioners, it is required to be submitted to Orange County Planning Division to the attention of the application's assigned planner no later than fourteen (14) days prior to the scheduled community meeting. Should this not be received, the Community Meeting shall be cancelled and the amendment will be postponed to a later cycle.

*The application fee structure is in the process to be increased to cover this newly initiated community meeting fee created by OCPS but for the time being this shall be the interim procedure.

Public Hearings: This application will require one or more public hearings. Attendance at all hearings by the applicant or a representative is required. If the applicant or representative is not present, the request may be continued or denied. Inquiries from the public, the Local Planning Agency or the Board of County Commissioners for information or clarification may necessitate a response from the Applicant. Consequently, non-attendance may result in a vote of denial or continuance to a future hearing date. (See attached schedule of tentative hearing dates.) Applicants will be required to participate in a community meeting(s) in order to provide additional information to surrounding residents about the proposed (development) amendment request. Hearings that are continued due to the applicant's actions may require re-advertisement. All costs related to notice of rescheduled hearings and/or additional community meetings shall be the responsibility of the applicant.

Supplemental Information for Objections, Recommendations and Comments (ORC) Response: The County is required to submit copies of each CP Amendment to the Florida Department of Community Affairs (DCA) for their review. Subsequent to the County receiving the Department of Community Affairs' ORC Report, the applicant must submit to the County a response to the ORC, in an Electronic form, such as Microsoft Word, within ten (10) days of the County's request for a response, unless an extension is granted by the Planning Director or his/her designee. Failure to submit an adequate response in the time frame allocated may cause the public hearing for the amendment to be continued to a subsequent cycle. (Not applicable for small-scale amendments.) It is the applicant's responsibility to provide sufficient information to justify the proposed amendment before the County transmits the application to DCA after adoption.

Multiple Properties: Only one contiguous development is allowed per application for a Future Land Use amendment. Contiguous property can be submitted on one application upon authorization of all property owners if a separate Tax ID number/legal description and [agent authorization](#) form are submitted for each property owner.

Additional Information: This application hereby authorizes Orange County Planning Division Staff to enter upon the property at any reasonable time for the purpose of a site visit in connection with the review of this application. All documentation, including revised or updated traffic analysis, regarding the amendment needs to be routed to the Planning Division, at which time it will be forwarded to the appropriate agencies.

Refund Policy: If the applicant for a Comprehensive Plan Amendment withdraws three weeks prior to the published newspaper advertisement for the public hearing, they may request a partial refund that will be equal to half of the application fee. Applications withdrawn after this time shall not receive a refund. Small Scale Comprehensive Plan Amendments shall be allowed one continuance to the next available amendment cycle.

(cycles generally occur every six months). If the applicant does not notify the Planning Division of their intent to reactivate the case during the next cycle the applicant will forfeit all fees and will have to submit a new application with the current application fee to proceed. Large Scale Comprehensive Plan Amendments shall not be allowed to continue to the next cycle – if they are withdrawn prior to adoption, the applicant will forfeit all fees and will be required submit a new application with the current application fee to proceed. The availability, or lack thereof, of any concurrency related public facility shall have no impact on the foregoing refund policy.

LEGAL INFORMATION AND DISCLAIMERS

Be advised that the CP amendment does not guarantee/entitle the applicant/owner to a development permit.

Small Scale Land Use Amendments must meet the following criteria (Ch. 163.3187(1)(c), F.S.):

- The proposed amendment must involve a property of ten (10) acres or less, which does not involve an Urban Service Area (USA) boundary amendment.
- A proposed amendment involving a residential land use may not exceed a density of ten (10) units per acre.
- The proposed amendment does not involve property within 200 feet of another parcel under the same ownership, granted a change within the prior twelve (12) months.
- The proposed amendment cannot involve a change to the goals, objectives, policies or text of the CP.
- Small scale amendment applications will only be accepted until the statutory eighty (80) acre annual cumulative total is reached, except for applications within the designated International Drive Activity Center.

The Planning Manager or his/her designee shall determine whether the following circumstances of the small scale amendment predicate the need to process it as a regular amendment: community controversy, involves a Joint Planning Area Agreement, Developer’s Agreement, or a revision to the Urban Service Area boundary.

Developments of Regional Impact (DRI) or amendments thereof are not subject to the twice-yearly limit for comprehensive plan amendments and are processed consistent with Chapter 380.06, F.S. requirements.

State Compliance Review and Appeals: In the event the amendment requested by this application is either adopted in whole, in part, or a modified version is adopted by the Board of County Commissioners and subsequently found to be “not in compliance” pursuant to Chapter 163.3184(8), Florida Statutes, Orange County in its sole discretion, may choose to either pursue an administrative proceeding pursuant to this section or repeal the amendment thereby abrogating the basis of the “not in compliance” finding. The applicant and those he/she represents in this amendment are hereby put on notice that the amendment does not become effective until a final order determining the adopted amendment to be in compliance with the law has been issued and the appeal period expired, or in the case of an appeal, the appeal has been settled. Therefore, the applicant and those he/she represents are hereby put on notice that there shall be no reliance on, and, the County shall not be responsible for any reliance on an approval of this application until it is “effective”, pursuant to law. Adopted amendments that are not challenged are effective twenty-one (21) days after a finding of compliance. Small-scale amendments are effective thirty-one (31) days after adoption.

Binding Agreement for Future Land Use Map Changes: Pursuant to Section 163.3177(3)(e), Florida Statutes, Applicant may be required to enter into a “Proportionate Fair Share Agreement In Conjunction With Future Land Use Map Amendment” if the traffic from the property which is the subject of the requested Future Land Use Map amendment would impact failing transportation facilities. If required, a form of such agreement will be provided to Applicant by Planning Staff. The applicant shall be responsible for any applicable fees for submitting the agreement to the Concurrency Review Committee (CRC) for review. The final signed agreement is required to be submitted to the Orange County Planning Division to the attention of the assigned planner no later than fourteen (14) days prior to the scheduled Board of County Commissioners adoption public hearing. Should this not be received, the amendment will be postponed to a later cycle.

CP AMENDMENT CHECKLIST

Notarized application, required supplemental information, and the application fee must be filed by the application DEADLINE on _____. Please note that a submittal appointment must be scheduled with the Cycle Coordinator prior to the submittal deadline.

PROPERTY INFORMATION

Parcel Identification Number (Tax I.D. Number) _____

Address (if available) _____

Gross Acreage _____ Developable Acreage _____ (Less water bodies/wetlands acreage)

Project Name (if any) _____ County Commission District _____

Required Attached

_____ **Application Fee** (\$3,326/Small or \$5,871/Large)(Check made payable to Orange County B.C.C.)

_____ **Comprehensive Plan Amendment Application Form** (original)

_____ **Owner/Agent Authorization Form(s)** (one for each property owner) If the property is owned by a corporation, documentation certifying the signing individual's authority is required.

_____ **Legal Description (attach)** - The complete legal description of the property and any portion for which the amendment is being requested, typed on a separate sheet of paper with the Tax ID Number. Attach a separate description for each property.

_____ **Certified Survey** or Property Appraisers Map (see instructions on pg. 2 of this application)

_____ **Property Appraisers Information** (can be obtained online at www.ocpafil.org)

_____ **Documentation and Location Maps** (see instructions on pg. 2 of this application)

_____ **GIS (Geographic Information System) Shapefile** (see instructions on pg. 2 of this application)

_____ **Justification Statement** (see instructions on pg. 2-3 of this application)

_____ **Small Area and Special Studies** - It is the responsibility of the applicant to provide sufficient information to justify the proposed amendment before the County transmits the application to the Florida Department of Community Affairs. In some cases, the County may require that special studies be submitted, subject to the discretion of the Planning Manager. If this is an application for a Development of Regional Impact (DRI), a Fiscal Impact Analysis is required. (See *Additional Application Information*) **See Note Below*** _____ (note types of studies submitted)

_____ **Wetlands Determination/Environmental Assessment** – Contact the Environmental Protection Division at 407-836-1400. **See Note Below***

_____ **Transportation Demand Analysis** - For methodology, contact Mirna Barq / Transportation Planning Division at 407-836-7893. **See Note Below***

_____ **Vested Rights**

_____ **Concurrency Management System (CMS) Certification #** (attach)

_____ **Affordable Housing Project Certification** (required for Affordable Housing projects, attach)

_____ **Capacity Enhancement Agreement (CEA)/ School Mitigation Agreement or School Capacity Determination Report (SCDR) application** and receipt of payment (attach) **See Note Below*** (see instructions on page 3 of this application)

_____ **Relationship Disclosure Form (RDF)** Contact Charles Hawkins/Orange County Attorney's Office at 407-836-7320

_____ **Specific Project Expenditure Report (SPR)** Contact Charles Hawkins/Orange County Attorney's Office at 407-836-7320

_____ **Electronic Copy of all Documents in PDF format on a CD unsecured**

Will an application for **rezoning** or other development permit be submitted to the County? **See Note Below****
Yes _____ No _____

Has the property been subject to any **County Action** within the last five (5) years?
Yes _____ No _____ (If yes, list the type of action and dates within Justification Statement)

Is it an express purpose of the land use classification change requested by this application to accommodate a **Solid Waste Management Facility** on the property?
Yes _____ No _____

Is it an express purpose of the land use classification change requested by this application to accommodate a **Lot Split** request?
Yes _____ No _____ (If yes, please review the official lot split policy of Unincorporated Orange County)

The original application package, one (1) hard copy and one (1) electronic copy of all the documents submitted in PDF format on a CD are required to be submitted by the applicant at the time the application is filed. (It cannot be delivered by a courier) The application package will include each of the checked "Required" items listed under the CP Amendment Checklist. (No binders or bound reports)

* **Note:** One (1) hard copy and one (1) electronic copy in unsecured PDF format on a CD.

****Note:** If the proposed zoning is Planned Development, a preliminary land use plan may be required prior to the Board of County Commissioner (BCC) transmittal public hearing.

_____ **Planner's Initials**