



City of Freeport

FUTURE LAND USE MAP AMENDMENT/ ZONING ASSIGNMENT/RE-ZONING APPLICATION

INSTRUCTIONS

Prior to submitting this application, it is very important for you to make an appointment to discuss the application, your site, the plans you have for the site, any possible alternatives, and to answer your questions. This will prevent any unnecessary expenditure of funds to third parties (i.e., title company, postage, etc.) in the event that there is determined that there is an alternative. No refunds will be given for third party fees. Please call (850)835-2822 and ask for the City Planner who coordinates the Future Land Use Amendment applications. Be sure to request future land use/zoning verification. The City Planner will advise you as to the procedure and time frame for amendments. A schedule of meeting dates and advertising deadlines will be discussed at the pre-application conference. **Note: The review period does not begin until the submittal package is determined to be complete. The Planning Board meets only once a month. Application received after the deadline for a particular meeting will not be heard until the following meeting. Applicants are required to submit their packages at least two weeks prior to their target advertising deadline so that the package can be reviewed for completeness prior to the advertising deadline.**

At times, due to work load, the City Planner will assign review and administration of an amendment to a planner from West Florida Regional Planning Council (WFRPC). **Please note: Whenever an applicant would like any WFRPC staff member to appear and testify at a hearing, advance notice is required. Both the City Planner and the WFRPC staff member must be notified in writing 10 days in advance of the meeting.**

It is important for the application to be complete and on time. Requests for a future land use change for a parcel(s) are normally heard the month after they are submitted or as soon as they can be scheduled. In order for your application to move through the process in a timely manner, it is important for all items on the application to be completed. Incorrect or missing information could delay the hearing of your request. **The applicant or the applicant's agent must be present at the Planning Board and City Council meetings for which this application is scheduled.**

**LAND USE AMENDMENT /
ZONING ASSIGNMENT/RE-ZONING
APPLICATION**

NOTICE TO ALL APPLICANTS

You are required to schedule a pre-application conference with the Freeport Planning Department prior to submittal of all land use amendment applications. Your application will not be processed without verification that you have attended a pre-application conference with (a) representative(s) of the Freeport Planning Department.

A pre-application conference was held with _____
Regarding a land use amendment to amend Parcel #(s) _____

from the _____ Future Land Use category to the _____
_____ Future land Use category and/or to assign
a zoning category of _____, or to change the current
zoning category from _____ to _____.

This property consists of _____ acres. This property is located

_____.

The pre-application meeting was held on the _____ day of _____,
20____.

Planning Official Title

A pre-application conference was conducted regarding this proposed amendment request on the date indicated above. I understand that I or any person representing me cannot rely upon any comment concerning a proposed amendment request, or any expression of any nature about the proposed amendment made by any participant at the pre-application conference as a representation or implication that the proposed amendment will be ultimately approved or rejected in any form. The Freeport City Council has the final approval regarding all development projects. I understand that this proposed amendment will be subject to all applicable land use regulations, and that this amendment is not considered vested for specific land use regulations until the City Planner or his/her representative has issued a final development order. The applicant should not rely on any representation made by staff unless such representation is in writing and signed by the person making such representation and has been approved by the authorized entity.

I have read and understand these statements.

Owner/Agent Signature Date of Signature

FOR OFFICE USE

Application Submittal Date:
Application Found Complete:
Technical Review Date:
Planning Board Meeting Date:
City Council Meeting Date:
Ordinance Number(s):

APPLICATION INFORMATION

(please print or type)

PROPERTY OWNER INFORMATION
Owner Name(s):
Mailing Address(es):
Phone Number(s):
Fax Number(s):
E-Mail:
OWNER'S AGENT INFORMATION
Name/Company:
Mailing Address:
Phone Number(s):
Fax Number(s):
E-Mail:
PROJECT ENGINEER INFORMATION
Name/Company:
Mailing Address:
Phone Number(s):
Fax Number(s):
E-Mail:
ENVIRONMENTAL ASSESSMENT PROFESSIONAL
Name/Company:
Mailing Address:
Phone Number(s):
Fax Number(s):
E-Mail:

PARCEL INFORMATION	
Parcel#(s):	
Total Acreage:	
Parcel Location (driving directions from City Hall to site):	
Parcel Legal Description:	
ADJACENT EXISTING LAND USE (commercial, residential, vacant, etc.)	
North:	East:
South:	West:
CURRENT ADJACENT FUTURE LAND USE (MU, ER, LDR, UD, etc.)	
North:	East:
South:	West:
AMENDMENT REQUEST	
Current Future Land use category:	
Requested Future Land Use category:	
ZONING ASSIGNMENT REQUEST	
(Applicable only if the result of an annexation)	
Requested category:	
REZONING REQUEST	
Current Zoning Category:	
Requested Zoning Category:	
PROPOSED DEVELOPMENT (type, #units/square footage, etc.):	

NATURAL RESOURCES
FEMA Flood Zone(s) w/ Elevations (location and acreage):
Floodplains (location and acreage):
Wetlands (location and acreage):
Wellhead Protection Zone Proximity/Distance:
Soils Information:
Topography (elevations and slope):
HAZMAT location:
Historical site(s):
Archeological site(s):
Water bodies (lakes, creeks, bayous, etc.):
Vegetative Communities:
Listed Species (and mitigation plan if required)
Existing land uses (description):

SUBMITTAL REQUIREMENTS

1. Signed/completed application (original plus 2 unstapled copies)
2. Location Map with landmarks and street names (3 copies)
3. Legal description of property (3 copies)
4. Proof of Ownership, deed or tax notice (3 copies)
5. Agent Declaration Letter, if applicable (original plus 2 copies)
6. Written reason for Future Land Use Amendment request (3 copies) *See attached Application Criteria*
7. Boundary survey of property/parcel(s), 11" X 17" or larger (3 copies)
8. Proof of title search (3 copies)
9. Section map from Property Appraisers showing the subject parcel(s) illustrating existing land uses within 500 feet (3 copies)
10. All affidavits signed, dated and notarized (original plus 2 copies)
 - a. Affidavit of Ownership and Limited Power of Attorney
 - b. Land Use Change request
 - c. Concurrency Determination Acknowledgement
 - d. Notification of Affected Property Owners
 - e. Posting of Property Affidavit (submitted after given leave to post by the City)
11. Application Fee (check payable to "City of Freeport")
12. List of Property Owners within 500 feet of subject parcel(s)
13. Data & Analysis (3 copies)
 - a. A comparative analysis of the impact of both the current and the proposed future land use categories on the following items, presented in tabular format, based on data taken from professionally accepted existing sources, such as the US Census, State University System of Florida, National Wetlands Inventory maps, regional planning councils, water management districts, or existing technical studies. The data should show that the infrastructure is available to support the most intense development allowed under the requested Future land use

category, regardless of what type of development is proposed. No reductions should be factored in.

- Potable Water
 - Sanitary Sewer
 - Solid Waste
 - Drainage
 - Traffic (including discussion of impacted roadway(s))
 - Recreation and Open Space
- b. Discussion of proximity and impact in the natural resources present on-site and the protective measures required by city regulations (can be presented as an environmental assessment packet in addition to survey).
- c. Analysis of consistency with the Comprehensive Plan's Goals, Objectives, and Policies.

APPLICATION FEE SCHEDULE

ZONING/RE-ZONING REQUESTS	\$1200.00*
SMALL SCALE AMENDMENTS	\$1500.00*
LARGE SCALE AMENDMENTS	\$2650.00*

*These are fees for the application review and advertising costs, and are cumulative. Applications should be accompanied by a check made payable to the City of Freeport.

ATTACHMENTS

- **Future Land Use Determination Form from county (if applicable)**
- **Affidavit of Ownership and Limited Power of Attorney**
- **Future Land Use Change/Zoning Assignment/Re-Zoning Request**
- **Future Land Use Map Amendment Application - Concurrency Determination Acknowledgement**
- **Affected Property Owners Notification Requirements**
- **Sample Notification Letter**
- **Required Signage Instructions**
- **Posting Affidavit**
- **Owner Certification Form**
- **Application Criteria**
- **Submittal Checklist**

AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

As the owner of the property located at _____,
Freeport, Florida, property reference number _____, I
hereby designate _____, for the sole purpose of
completing this application and making a presentation to the Freeport Planning Board
sitting as the Local Planning Agency, and the Freeport City Council, to request 1) a
change in the Future Land Use Map category and or 2) assignment of a Zoning Map
category, and or 3) a change in the Zoning Map category on the above referenced
property. This Limited Power of Attorney is granted on the _____ day of
_____, the year of _____, and is effective until the Freeport City
Council has rendered a decision on this request and any appeal period has expired. The
owner reserves the right to rescind this Limited Power of Attorney at any time with a
written, notarized notice to the City Clerk.

Signature of Property Owner(s) Date Printed Name of Owner

State of _____ County of _____

The foregoing instrument was acknowledged before me this _____ day of
_____, year of _____, by _____,
who (___) did (___) did not take an oath. He/she is (___) personally known to me,
(___) produced current Florida/Other driver's license, and/or (___) produced current
_____ identification.

Signature of Notary Public Date Printed Name of Notary Public

My Commission Expires Commission No. (Notary seal must be affixed)

FUTURE LAND USE MAP AMENDMENT APPLICATION
CONCURRENCY DETERMINATION ACKNOWLEDGEMENT

Project name (if applicable): _____

Property reference #: _____

Project Address: _____

I/We acknowledge and agree that no future development permit or order (other than a rezoning/reclassification) shall be approved for the subject parcel(s) prior to the issuance of a certificate of concurrency for such proposed development based on the densities and intensities contained within such future development permit application.

I/We also acknowledge and agree that no development permit or order (other than a rezoning/reclassification) will be issued at that time unless at least one of the concurrency management system standards is met as contained in the City's Land Development Code, Article 2.02.03, namely:

- (1) The necessary facilities and services are in place at the time a development permit is issued; or
- (2) A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
- (3) The necessary facilities are under construction at the time a permit is issued; or
- (4) The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the development permit is issued. NOTE: This provision only relates to parks and recreation facilities. The LDC will include a requirement that the provision or construction of the facility or service must commence within one year of the issuance of the development order or permit; or
- (5) The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. Any such agreement shall include provisions pursuant to paragraphs 1, 2 or 3 above; or
- (6) The necessary facilities need to serve new developments are in place or under actual construction no more than three years after the issuance, by the city, of a certificate of occupancy or its functional equivalent. NOTE: This provision only relates to roads.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS _____ DAY OF _____, 200__.

Owner's signature

Owner's name (type or print)

AFFECTED PROPERTY OWNERS NOTIFICATION REQUIREMENTS
NOTIFICATION OF AFFECTED PROPERTY OWNERS FOR
AMENDMENTS/ZONING ASSIGNMENTS/RE-ZONINGS:

The City of Freeport shall require any person applying for a Future land Use Map Amendment or a Zoning Map Amendment to notify all property owners within 500 feet of the perimeter of the subject property. **DO NOT NOTIFY PROPERTY OWNERS UNTIL THE PLANNING DEPARTMENT VERIFIES THE DATE WHICH THE PROPOSAL WILL GO BEFORE THE PLANNING BOARD.** A sample notification letter is included in this application. The meeting dates and times shall be furnished by the Planning Department to the developer after the proposal completes Technical Review. The developer shall include within the notification the following:

1. Map showing location
2. Summary of the proposal.
3. Legal description
4. A clear legible site plan of the proposal

After the notices are mailed, the developer shall submit to the Planning Department the following:

1. Postal receipt showing mailing date (no less than 14 and no more than 20 days prior to the meeting).
2. Copy of package mailed to property owners.
3. Return receipt cares or any packages which were undeliverable
4. List of property owners within 500 feet

THE GREEN RECEIPT CARDS MUST BE SUBMITTED TO THE PLANNING DEPARTMENT REPRESENTATIVE AT THE PLANNING BOARD MEETING. It is the responsibility of the applicant to assure that notification is made as required by this policy, in a timely manner. It shall also be the responsibility of the applicant to insure that all property owners are notified as required. Names and addresses are to be obtained from the latest Property Tax Roll. **FAILURE TO NOTIFY PROPERTY OWNERS AS REQUIRED MAY RESULT IN DELAY OF PROJECT APPROVAL.**

I have read and understand this requirement.

Developer's Signature

Date of Signature

SAMPLE NOTIFICATION LETTER

YOUR LETTERHEAD

Date: _____

Re: _____ (applicant) _____ is/are proposing an amendment to the Freeport Future Land Use Map and/or an amendment to the Freeport Zoning Map for Parcel Number

_____ on _____ acres. The location of this property is _____

The current Future Land Use designation for this property is _____

The requested Future land Use designation is _____

The requested Zoning Assignment due to the recent annexation of this property into the City of Freeport is _____

The current Zoning of this property is _____

The requested Zoning is _____

Dear Property Owner:

As a property owner within five hundred (500) feet of the above referenced parcel, you are hereby notified that the owner has made application to the Freeport Planning Department for approval of the referenced proposal. A site plan is enclosed for your review. If you have questions or concerns regarding this proposal, please direct them to (applicant) at (area code & phone number). You may also direct your comments or concerns in writing to the Planning Department, PO Box 339, Freeport, FL 32439 no later than 4:30 p.m. the day prior to the Planning Board Meeting or you may be present at the scheduled public hearings. Reference the applicant and development proposal in all correspondence.

Freeport City Council has a public hearing scheduled to review this development proposal on (month/day/year). The meeting will begin at (time). The meeting will be held in the Council Chambers at Freeport City Hall in Freeport, Florida.

If ownership of your property in this vicinity has changed, please return this package with the name(s) and address (es) of the new owner(s) to ____ (applicant) ____ so that they may be notified regarding these meetings.

Please be advised accordingly.

(applicant/applicant's agent)

Enclosures

REQUIRED SIGNAGE INSTRUCTIONS /NOTICE TO APPLICANTS

POSTING OF PROPERTY REQUIREMENTS

All applications for Variances, Future Land Use Map Amendments, Development Projects, Zoning Changes, Planned Development Projects and Developments of Regional Impact shall be required to post the subject site with a sign notifying the public of such public meeting in accordance, with the following requirements:

1. The subject site described in the application shall have sign posted by the applicant for the owner, notifying the public of the required public hearing, date and time of meeting, location of meeting, and type of meeting.
2. The posted sign shall be placed upon the property in the correct location (as shown below),
3. The posted sign shall be placed upon the property not less than 14 days prior to the public meeting, and remain on the site until Final adoption by the City of Freeport. Applicant will remove sign within 14 days after final board decision.
4. The posted sign shall be provided by the applicant at the expense of the applicant.
5. The applicant shall provide a photo of the sign depicting the text and location of the sign in relation to the road right-of-way to the City Planning Department.
6. The applicant shall provide the attached Affidavit with the requirement of #5 above to the City Planning Department no less than 2 working days prior to such public meeting.
7. Failure to satisfy the above requirements will result in an automatic tabling of the item from the public meeting to the next available meeting, where the applicant will have to again satisfy the above requirements,

3 ft wide x 3 ft high

1 ½"	City of Freeport	
3"	Notice Of Public Hearing	
2"	Insert Type of Application Here (DEVELOPMENT/VARIANCE REQUEST/ FUTURE LAND USE CHANGE/ZONING CHANGE/ PLANNED DEVELOPMENT PROJECT)	
1 ½"	Planning Board Time: Date: Located at:	Freeport City Council Time: Date: Located at:

Note: Sign must have a WHITE background & BLACK letters. Sign shall be securely attached to 2 posts, being a minimum of a 2" x 4" post, and the face shall be a minimum of 1 foot above grade. Posts shall be a minimum of 18" below grade.

POSTING AFFIDAVIT

**CITY OF FREEPORT
POSTING OF PROPERTY AFFIDAVIT**

BEFORE ME, the undersigned authority, personally appeared _____
The owner and/or authorized agent of the following described property: _____
_____ who deposes and says as follows:

1. That the subject site described above has a sign posted by the owner and/or authorized agent for the owner, notifying the public of the required public hearing, date and time of meeting, location of meeting, and purpose of meeting in accordance to the City of Freeport requirements.
2. That the posted sign meets the dimensional requirements set by the City.
3. That the posted sign was placed and will be maintained upon the property in the correct location and not less than fourteen (14) days prior to the public meeting.
4. That a photo of the sign depicting the location of the sign in relation to the road right-of-way is attached.
5. This affidavit will be forwarded to the Freeport Planning Department no later than two (2) working days prior to the public meeting.

I have completed the said requirements as described in the City of Freeport Application.

Signed Name of Owner

Printed Name of Owner

STATE OF _____
COUNTY OF _____

Before me, the undersigned Notary Public in and for said County and State, appeared _____ who is personally known to me or who produced _____ as identification, and who did/did not take an oath, and who is known to me to be the individual described by said name who executed the foregoing instrument.

Given under my hand and official seal the _____ day of _____, 20__.

Signed Name
My Commission Expires: _____

Printed Name

APPLICATION CRITERIA

The Planning Board shall consider each application at a public hearing and, within 15 days of such hearing, make a recommendation to the City Council setting forth findings of fact and conclusions of law. Such recommendation shall be approval, approval with modification, or denial including reasons for any modifications or denial; and shall include consideration of the following:

- a. Consistency with the Comprehensive Plan. Whether the proposed amendment is consistent with the Comprehensive Plan;
- b. Consistency with this Code. Whether the proposed amendment is in conflict with any portion of the Land Development Code, and is consistent with the stated purpose and intent of the Land Development Code;
- c. Compatibility with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s);
- d. Changed conditions. Whether and the extent of which there are any changed conditions that impact the amendment or property(s);
- e. Effect on natural environment. Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment;
- f. Development patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

SUBMITTAL CHECKLIST*	
ITEM	COPIES
Signed/completed application including affidavits	Original & 2 unstapled copies
Application fee(s)	Check to City of Freeport
Location Map with landmarks/street names	3 copies (letter-size)
Legal description of property	3 copies
Proof of Ownership (deed/tax notice)	3 copies
Boundary Survey of property (11" X 17" or larger)	3 copies
Proof of title search	3 copies
Section map from Property Appraiser's Office showing existing land uses within 500 feet	3 copies
List of property owners within 500' of property	2 copies
Written reason for amendment request	Original & 2 copies
Data and Analysis / Concurrency	3 copies
Data and Analysis / Natural Resources	3 copies
Data and Analysis/Consistency with Comprehensive Plan/Compatibility/Development Impacts & Patterns	3 copies

**The City of Freeport reserves the right to request additional information which may be necessary for the review and completion of this application.*