

Comprehensive
Plan Amendment

PROCEDURES MANUAL

FOR THE CITIES OF

Tampa
Temple Terrace
Plant City

Updated October 2022



Hillsborough County
City-County
Planning Commission

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Approved by Planning Commission Resolution

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INTRODUCTION

The purpose of this manual is to guide the public and other agencies on the process to follow for comprehensive plan amendments (“Plan Amendment” or “Plan Amendments”) for the City of Tampa, City of Plant City, and the City of Temple Terrace (collectively, “local government”). The process outlined in this manual has been developed solely for the expressed use of these jurisdictions. The Hillsborough County City-County Planning Commission (“Planning Commission”) is the designated local planning agency (“LPA”) for Hillsborough County and the Cities of Tampa, Plant City and Temple Terrace. Throughout this manual, the term “days” refers to calendar days, including weekends and holidays. Any applicable Florida Statutes or Laws of Florida regarding amendments to comprehensive plans may be found in Chapter 163, Florida Statutes. Section 163.3184, Florida Statutes, addresses the Plan Amendment process.

AMENDMENT TYPES

Proposed revisions to the Urban Service Area boundary, Community Plan boundaries, or any overlay boundaries shall be constituted and viewed as separate stand-alone text plan amendment (even in conjunction with a land use change proposal), unless otherwise directed by the local government and/or the Executive Director.

Multiple parcels may be submitted as one map amendment if immediately adjacent or proximate to the main parcel. Planning Commission staff will ultimately determine the suitability of a multiple parcel request as one map plan amendment. The applicant may request multiple land use designations through the same application, on the same parcel, if there is no overlap.

A plan amendment may be publicly initiated by a local government through the City Council/ Commission, the Mayor, the City Manager or designee for each or by the Planning Commission (“Publicly Initiated Amendment”). For a publicly initiated amendment, copies of deeds or the written consent of the property owners are not required.

Small-Scale Plan Amendment

Small-scale Plan Amendments must meet the following criteria:

- The proposed amendment must apply to a property of fifty (50) acres or less;
- The proposed amendment does not involve a text change to the goals, policies, and objective of the comprehensive plan, but only proposes a land use change to the future land use map for the property included in the application;
- Text changes that relate directly to, and are adopted simultaneously with, a small-scale future land use map amendment may be adopted pursuant to Section 163.3187, Florida Statutes.

Plan Amendment

Plan Amendments that meet the following criteria are processed under the *Expedited State Review* procedure pursuant to Section 163.3184(3), Florida Statutes:

- The proposed map amendment must be applicable to a property of greater than fifty (50) acres.
- A text amendment not related to a Small-Scale Plan Amendment.

PLAN AMENDMENT PROCESS

Generally, the month in which the application is submitted will determine when the Plan Amendment will be processed.

Plan Amendment Application Quarterly Submittal Schedule

Jurisdiction/Area	Application Submittal Deadline <i>fully completed application due on the first of the month, or the first business day thereafter</i>
City of Tampa	February 1
	May 1
	August 1
	November 1
Cities of Temple Terrace & Plant City	March 1
	June 1
	September 1
	December 1

Pre-Application Meeting

The Pre-Application meeting must take place no later than seven (7) days prior to the filing deadline for the Plan Amendment application. Pre-application meetings may be conducted in person or via a telephone conference. No Plan Amendment request will be accepted by the Planning Commission staff when the applicant has not participated in a pre-application meeting with Planning Commission staff.

A pre-application meeting will not be required when either the local government or the Planning Commission is the applicant for the Plan Amendment.

Application Submission

After submission of the application and the required application documentation listed on the Plan Amendment application checklist, staff conducts a seven (7) day sufficiency review period, which begins on the date the application is submitted. At this time, the application will be reviewed by staff for completeness to ensure that all required documents are submitted, including the applicable fee and to answer any questions the applicant may have. A full refund will be issued if the application is withdrawn within the seven (7) day sufficiency review period.

Supplemental Information

The Planning Commission may require applicants to submit supplemental information on the Plan Amendment. Failure to provide the information required within the time limits specified will result in a continuance to the next cycle, or the next available public hearing.

If the applicant provides new information to the Planning Commission that requires additional analysis, without enough time to review and analyze the submitted information, it will result in a continuation. New information must be received not later than thirty (30) days before the Planning Commission public hearing. Under these circumstances, the Plan Amendment request shall be continued to the next cycle, or the next available public hearing, at the discretion of the Planning Commission.

Modification of the Application after Submittal

A modification of the original application that either increases or decreases the land area covered by the Plan Amendment, requests a different future land use designation, and/or substantially changes the originally proposed text that affects the policy direction, as determined by staff, must be received by the Planning Commission no later than thirty (30) days or more in advance of the scheduled Planning Commission public hearing and/or the Plant City Planning Board meeting. If the information is not received in the time specified, the application will be continued to the next available cycle, or the next available public hearing.

Planning Commission Staff Review

Based on information received from the applicant and the reviewing agencies, staff will review the Plan Amendment application for compliance and consistency with the goals, objectives and policies, and other provisions of each local government's comprehensive plan, land development and other local government regulations implementing the comprehensive plan, and with professional planning principles and standards. The Planning Commission staff will request information or comment from appropriate local government or other reviewing government agencies and departments. Planning Commission staff makes recommendations to the Planning Commission on a finding of consistency or inconsistency of the Plan Amendment with the comprehensive plan.

The Planning Commission staff recommendation will be available for public review ten (10) days prior to the Planning Commission Public Hearing.

Plant City Planning Board Meeting *(Plant City Only)*

The City of Plant City has a “Planning Board”, which holds a public meeting to consider Plan Amendments. The Planning Commission staff recommendation will be available for public review seven (7) days prior to the Plant City Planning Board meeting.

Planning Commission Briefing

The Planning Commission is briefed on the proposed Plan Amendment application during an advertised regular meeting of the Planning Commission. At this meeting, staff and members of the Planning Commission discuss the amendment request. The briefing is an opportunity for the Planning Commission to learn and ask questions about the proposed amendments. No public comment, staff recommendation, or applicant presentation is taken at the briefing, unless requested by the Planning Commission. If at the briefing the Planning Commission requests additional information, or changes to the application, it may necessitate a second briefing to the Planning Commission.

Planning Commission Public Hearing

All Plan Amendments, regardless of type, require a public hearing before the Planning Commission. The Planning Commission public hearing process is the same for all types of Plan Amendments.

Subsequent to the Planning Commission briefing, a public hearing will be scheduled with due public notice for the Planning Commission to consider the Plan Amendment and staff recommendation, presentation by the applicant, receive public input, and take action.

At the public hearing, Planning Commission staff will make a recommendation on a finding of consistency or inconsistency of the Plan Amendment with the local government’s comprehensive plan. The Planning Commission may agree with and adopt the staff recommendation, amend the staff recommendation, or reject the staff recommendation. The Planning Commission will make a recommendation to the local government based upon a finding that the Plan Amendment is either consistent or inconsistent with the comprehensive plan and adopt a written resolution by a simple majority vote.

Once the Planning Commission has completed the public hearing, the recommendations are transmitted to the local government.

CONTINUATION OF PLAN AMENDMENT REQUESTS

Upon written request by the applicant, either to Planning Commission staff, and/or the Executive Director, a Plan Amendment may be continued to the next amendment review cycle, subject to the following:

- 1 Continuation of a Planning Commission public hearing may be requested by the applicant a maximum of two (2) times, with the first continuation request viewed as a matter of right. Continuances may only be permitted to the next cycle or scheduled Planning Commission public hearing date, at the discretion of the Planning Commission or the Executive Director (or designee).
- 2 Requests for continuation received at least thirty (30) days or more prior to the Planning Commission public hearing date shall result in the Plan Amendment application being excluded from the advertisement of the Planning Commission public hearing.
- 3 Continuation of a Plan Amendment request will occur if an applicant fails to timely remit the payment of required advertising fees prior to the scheduled hearing and will be considered as one (1) of the two (2) allowable continuances per Item 1. If the applicant fails to pay the advertising fee by the next scheduled public hearing, the status of the plan amendment shall immediately become “withdrawn.”
- 4 In the event a plan amendment is mis-noticed the plan amendment is automatically continued. Should the applicant mis-notice twice, the status of the plan amendment shall immediately become “withdrawn”.
- 5 The Planning Commission or the Executive Director (or designee) may continue a Plan Amendment (with the concurrence of the applicant) for an overriding public interest, such as, but not limited to, conducting additional public outreach, further coordination with other agencies or to allow for time to complete a neighborhood/ community plan.
- 6 Per the Application Submission procedures within this manual, if the applicant provides new information to the Planning Commission that requires additional analysis, without enough time to review and analyze the submitted information, it will result in a continuation. This will be considered as one (1) of the two (2) allowable continuances per Item 1.
- 7 These provisions shall not limit the authority of the Planning Commission or local government to authorize continuances.

LEGAL NOTICING REQUIREMENTS

An advertisement will be published in a local newspaper to notify the public that a Plan Amendment will be considered at the upcoming Planning Commission hearing. The advertisement shall be published at least ten (10) days prior to the Planning Commission public hearing. The applicant is responsible for the pro-rata share of advertising fees associated with one published advertisement noticing the Planning Commission public hearing. Fees are due at least fourteen (14) days prior to the public hearing being advertised. Fees shall be made payable to the “Board of County Commissioners of Hillsborough County” by separate money order or check (delivered

to the Planning Commission office). Failure to pay advertising fees by the deadline will result in an automatic continuation of the Plan Amendment. If the applicant fails to pay the advertising fee by the next scheduled public hearing, the status of the plan amendment shall immediately become “withdrawn.”

Publicly-Initiated Amendments

Plan Amendments initiated by the local government on publicly owned land to recognize property obtained through the Environmental Lands Acquisition and Protection Program (ELAPP), state conservation programs or to recognize school sites, parks, and existing public facilities are exempt from the mailing notification requirements. Legal advertising notice, consistent with state law, will be provided.

Special Noticing Requirement (Chapter 97-351, Laws of Florida)

Future Land Use Element map or text amendments, affecting less than 5% of the total land area of the local government unit (publicly or privately initiated), require additional notice pursuant to Chapter 97-351 Laws of Florida.

ADDITIONAL NOTICING REQUIREMENTS

Mail Notification

City of Temple Terrace – Mail notification shall be sent to each real property owner whose property will be affected by the proposed amendment. Mail notifications are the responsibility of the City of Temple Terrace City Clerk.

Mail notifications shall be postmarked at least fourteen (14) days prior to the Temple Terrace City Council’s public hearing. The mailed notice shall include the location of property included in the application, the requested change, and the time, date, and place of the Temple Terrace public hearing.

City of Tampa and City of Plant City – Mail notifications shall be sent to each property owner who is within 250 feet, inclusive of right-of-way, from the applicant’s Map Amendment site. This distance will increase to 500 feet for map amendments requesting a transition from a Hillsborough County future land use designation to one for Plant City. A listing of real-property owners within the 250 feet, inclusive of right-of-way, shall be obtained from the Property Appraiser’s office, located on the 16th floor of the Hillsborough County Center Building. Planning Commission staff will provide the applicant with a notice letter. Mailing the notice is the responsibility of the applicant.

Mail notifications shall be postmarked at least fourteen (14) days prior to the Planning Commission public hearing and at least thirty (30) days prior to the first local government public hearing. The mailed notice shall include the location of property included in the application, the requested change, and the time, date and place of the Planning Commission and jurisdiction public hearings.

City of Tampa – Amendments located within the City of Tampa also require mail notice the appropriate neighborhood association. The Tampa Neighborhood Registry is the official list of active neighborhood associations within the City of Tampa. The information for which neighborhood groups are to be noticed will be provided to the applicant of a Map Amendment in advance of the deadline for notice.

Proof of Mailing – All applicants must provide proof of mailing by completing the “Mailing of Notice of Public Hearing Declaration” form and providing the original proof of mailing certification by the US Post Office. This documentation shall be submitted to the Planning Commission office at least ten (10) days prior to the Planning Commission public hearing and twenty (20) days prior to the local government public hearing. Failure to comply with the notice will result in a continuance to the next available public hearing.

Sign Posting

Applicants requesting a map amendment are required to post public notice sign(s) at the map amendment site. A minimum of one (1) sign must be posted. Additional signs may be required based on the size and/or geographic location of the subject site and adjacent public right-of-way.

Applicants are required to install sign(s) at the map amendment site in accordance with the following requirements:

City of Tampa: The Notice Sign(s) shall be installed at least fourteen (14) days prior to the Planning Commission public hearing, and at least thirty (30) days prior to the first Local Government public hearing

Cities of Plant City and Temple Terrace: The Notice Sign(s) shall be installed at least fourteen (14) days prior to the Planning Commission’s Public Hearing, and at least fourteen (14) days prior to the Local Government Public Hearing(s).

Proof of Posting – The applicant is required to provide photographic proof of the posted notice sign(s), showing the installed notice sign(s) and location, and an original-signed copy of the “Sign Declaration” form at least ten (10) days prior to the Planning Commission public hearing and twenty (20) days prior to the local government public hearing.

The applicant shall remove the Notice Sign(s) from the Map Plan Amendment site within seven (7) days after the final Local Government public hearing.

Mis-Notice for Additional Noticing Requirements

In the event a plan amendment is mis-noticed the plan amendment is automatically continued. Should the applicant mis-notice twice, the status of the plan amendment shall immediately become “withdrawn”.

LOCAL GOVERNMENT PUBLIC HEARING

The Planning Commission's written recommendation is transmitted to the appropriate local government in advance of each local government's scheduled hearing date. After receipt of the Planning Commission written recommendation, the local government shall hold a public hearing to consider:

- 1 Adoption of a proposed small-scale Map or Text Amendment. If approved, the small-scale amendment will become effective pursuant to the ordinances of the local government.

or

- 2 Transmittal of a Map or Text Amendment (exclusive of small-scale Plan Amendments) to the State Land Planning Agency. If the local government approves the Plan Amendment for transmittal to the State Land Planning Agency and other review agencies after the initial public hearing, the Plan Amendment shall be transmitted in accordance with the *Expedited State Review Process*, per Section 163.3184, Florida Statutes. If later adopted by the local government, the Plan Amendment will become effective pursuant to the ordinances of the local government.

Pursuant to Florida Statutes, Plan Amendments adopted under the *Expedited State Review Process* that are not challenged become effective thirty-one (31) days after the State Land Planning Agency determines the amendment package is complete. Challenges to adopted Plan Amendments are subject to an administrative proceeding pursuant to Florida Statutes. For additional information, contact the State Land Planning Agency.

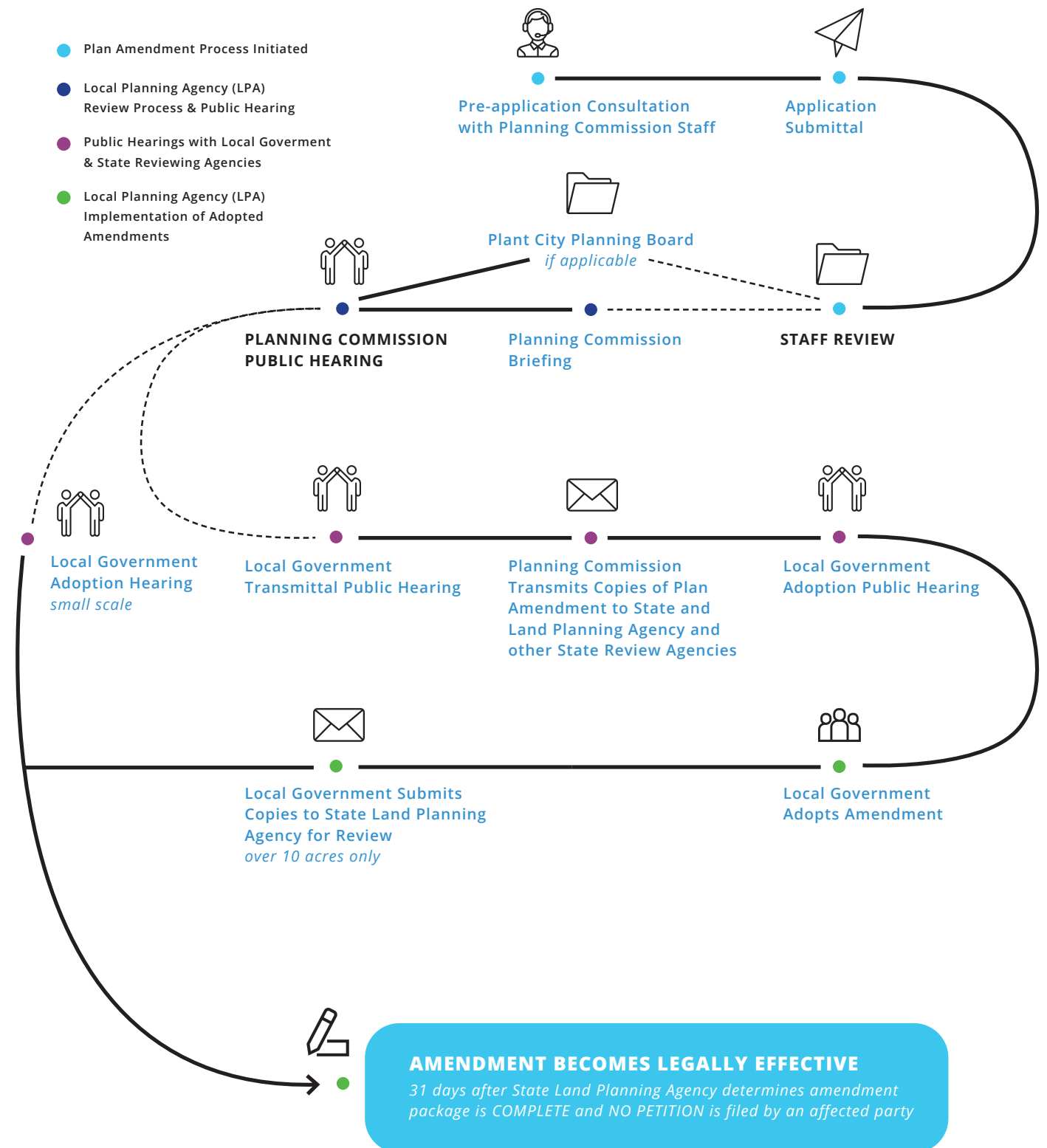
WITHDRAWAL, DENIAL, AND RESUBMITTAL OF A PLAN AMENDMENT APPLICATION

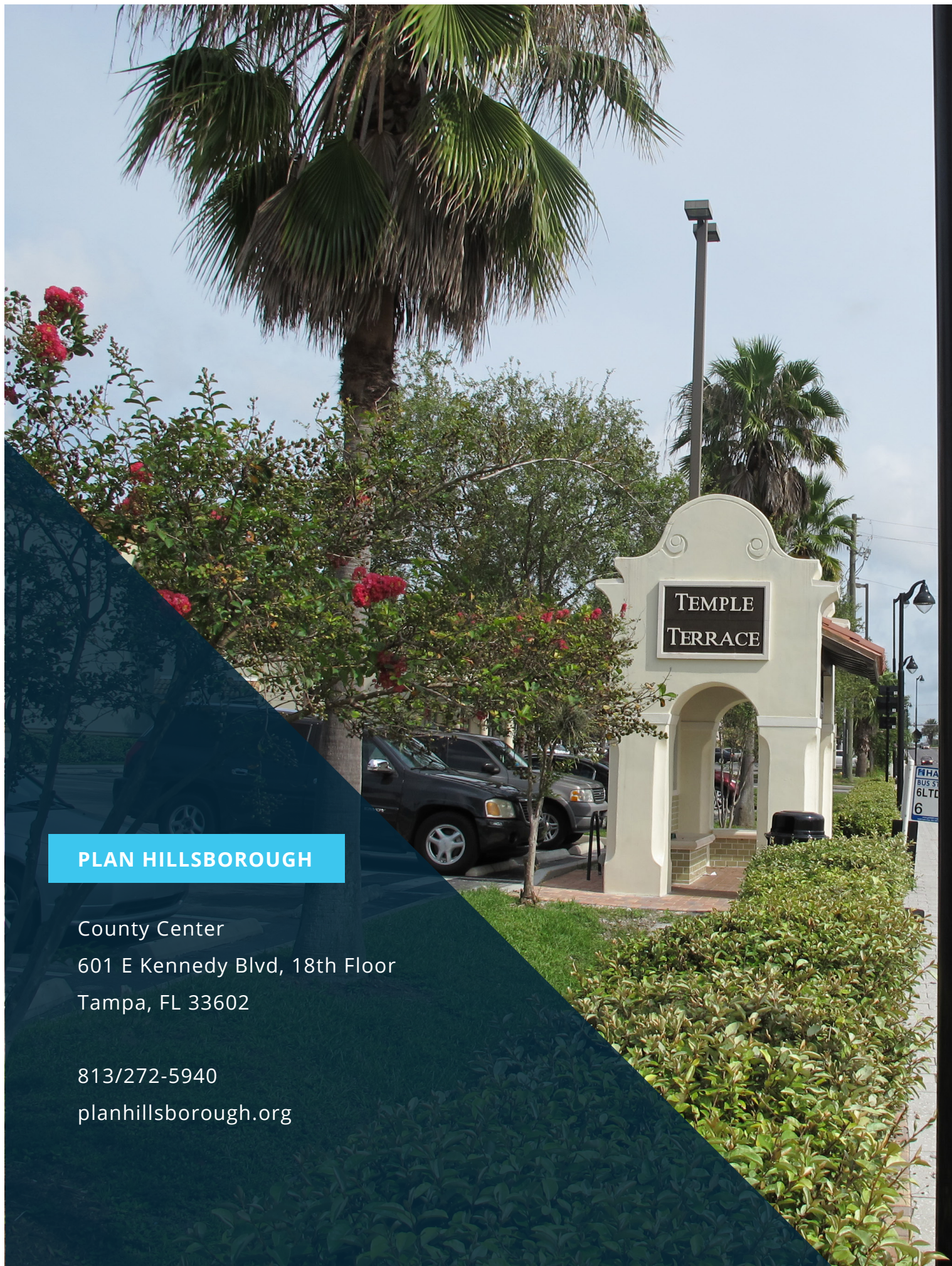
An applicant may withdraw a request for a Plan Amendment at any time, by filing written notice or email to Planning Commission staff and/or the Executive Director (or designee) of the Planning Commission. If the request to withdraw an application is received less than thirty (30) days prior to the Planning Commission public hearing, payment will be required for the pro-rata share of the legal advertisement.

If the request to withdraw a proposed amendment is received after the Planning Commission has submitted the Plan Amendment to the state land planning agency for review, the applicant is required to send notice to the state land planning agency and copy the Planning Commission.

If a Plan Amendment is denied by local government, an application for the same Plan Amendment will not be permitted to be filed for twelve (12) months from the date of denial. The twelve (12) month waiting period does not apply to applications which modify the previous submittal by either: (1) adding or removing property; (2) requesting a different future land use plan designation; or (3) substantively changing the originally proposed text that affects the policy direction of the comprehensive plan.

EXPEDITED STATE REVIEW PLAN AMENDMENT PROCESS





PLAN HILLSBOROUGH

County Center
601 E Kennedy Blvd, 18th Floor
Tampa, FL 33602

813/272-5940
planhillsborough.org

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