



TOWN OF WINDERMERE
COMPREHENSIVE PLAN MAP/TEXT AMENDMENT SUBMITTAL REQUIREMENTS

Two (2) hard copies and one (1) electronic copy (submitted in unsecured PDF format on a CD) of all required documents must be submitted by the applicant at the time the application is filed. The application package will include each of the “required” items listed below:

REQUIRED DOCUMENTATION (*ADDITIONAL DOCUMENTS MAY BE REQUESTED*)

1. Maps:

- a. Site/location map of land use change (clearly demarcated site with major roadways labeled)
- b. Existing land use map and/or aerial
- c. Zoning map
- d. GIS (Geographic Information System) shape file matching the legal description based on a certified survey (on CD) created as polygon in the following projection plane: NAD 1983 State Plane Florida East FIPS 0901 Feet
- e. Generalized soil types
- f. Floodplain map
- g. Topographical map

2. Certified Survey: Subject boundary including legal description.

Identify existing easements on the property indicating the purpose of each easement

3. Amendment Justification Statement:

Provide 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 is not be limited to, adjacent land use compatibility, availability of public 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 be outlined by designation, including the square footage and acreage for each category.

4. Comprehensive Plan Text Amendment:

Text Amendments to Goals, Objectives, and Policies (if required): Text amendments directly related to a proposed future land use map amendment shall be submitted in conjunction with the proposed amendment; 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. Town staff shall have the ability to establish additional application requirements for proposed text amendments, such as, documentation, electronic files, map specifications, additional review, and copies for dissemination. If the proposed text amendment(s) comply with the aforementioned requirements, proposed policy revisions shall be submitted utilizing the underline and strikethrough format. Underlined text denotes proposed policy language additions, and 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.

5. Environmental Assessment:

If there are wetlands on the property, a preliminary environmental assessment is required, including at minimum a narrative describing the wetlands, a table indicating the acreage, and an aerial photograph and map indicating the approximate location and extent of wetlands on the site.

6. Transportation Capacity Analysis:

For required methodology, contact Brad Cornelius with Wade Trim at (888) 499-9624 or tow@wadetrim.com.

7. Utilities:

Describe the proposed utilities to serve future development on the subject property.

8. School Capacity:

At the time of application submittal for a Comprehensive Plan amendment to the Town of Windermere, 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 for obtaining this report can be found via the OCPS website: <https://www.ocps.net/es/legislative/governmental/Pages/SchoolConcurrency.aspx>

No later than 14 calendar days prior to the Town Council adoption hearing, the applicant shall deliver to Wade Trim 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 14 calendar days before the adoption hearing, the application shall be postponed.

APPLICANT INFORMATION AND RESPONSIBILITIES

Fee Information: An application review deposit fee will be required for Small Scale and Large Scale Comprehensive Plan Text and Map Amendments, payable to the Town of Windermere. The application fee represents a deposit towards the total application processing costs. The applicant is responsible for all costs [advertisements, staff preparation of elements requiring changes, preparation of new maps, printing and transmittal costs to Tallahassee (UPS or US Post Office)]. Please contact Wade Trim for the required review deposit fee for your project.

Pre-Application Conference: Applicants are required to schedule a pre-application conference with the Town Manager and Wade Trim to discuss the content and format of the amendment proposal. Acceptance of an application 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 Brad Cornelius at Wade Trim at (888) 499-9624 or tow@wadedtrim.com.

Application Sufficiency: If upon review of the submitted application, Town Staff finds the application incomplete, the applicant will be required to resubmit the application with clarification or additional information. Resubmitted applications or additional information are due within 14 calendar days of notice from the Town unless an extension is granted by the Town Manager 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.* One of the requirements for sufficiency is agent authorization.

Poster: Applicants are required to place “Notice of Public Hearing” poster(s) on the property of the amendment request 10 calendar days prior to both transmittal and adoption public hearings. Town staff will prepare the poster(s) and notify the applicant when to pick up the poster(s), and posting instructions will be included. Failure to post the notice on the property according to the instructions may result in a postponement of your DRB and/or Town Council hearing.

Community Meeting: Please note that if a community meeting is required for the amendment, the applicant may be assessed an additional fee to cover the costs associated with the rental of a meeting location if the Town coordinates the meeting location. All rental fees must be paid no later than 14 calendar days prior to the scheduled community meeting. Should this requirement not be met, the community meeting may be cancelled and the amendment will be postponed. Town staff provides public hearing notices to property owners within a minimum of 500 feet of the property proposed for amendment.

Public Hearings: This application will require three or more public hearings. Attendance at all hearings by the applicant or a representative is required. Inquiries from the public, the DRB or the Town Council 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. Applicants may be required to participate in community meeting(s) in order to provide additional information to surrounding residents about the proposed amendment request. Hearings that are continued due to the applicant’s actions may require readvertisement. All costs related to notice of rescheduled hearings and/or additional community meetings shall be the responsibility of the applicant.

Supplemental Information for Reviewing Agencies’ Comments Response: (Not applicable for Small- Scale Development amendments.) The Town is required to submit copies of each Large Scale Comprehensive Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for their review. DEO and other State agencies will issue a comment letter if the amendment is processed under the *Expedited State Review Process*, or DEO will issue an objection, recommendations, and comment report (ORC) if the amendment is processed under the *State Coordinated Review*

Process. The Town will forward the aforementioned information to the applicant upon receipt. Subsequent to the Town receiving the comment letter or ORC, the applicant must submit to the Town a response in an electronic form (such as Microsoft Word) within the allotted time for a response, typically 14 calendar days, unless an extension is granted by the Town Manager or his/her designee. Failure to submit an adequate response in the time frame allotted may cause the public hearing for the amendment to be continued. It is the applicant's responsibility to provide a sufficient response, as well as any corresponding supporting evidence or documentation in response to DEO's comment letter or ORC before the Town transmits the application to DEO after adoption.

Multiple Properties: 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. Multiple applications on contiguous parcels to circumvent the 10 acre threshold for Small Scale Development Future Land Use Map amendments are prohibited.

Additional Information: This application hereby authorizes Town staff to enter upon the property at any reasonable time for the purpose of a site visit in connection with review of this application. All documentation pertaining to the amendment (including revised or updated traffic analyses) needs to be routed to Wade Trim, at which time it will be forwarded to appropriate agencies. The Town Manager or its designee reserves the right to request additional information at a later date, should clarification be necessary due to further analysis, site visits, the community meeting, or public hearing process.

Refund Policy: If the applicant for a Comprehensive Plan Amendment withdraws three weeks prior to the published newspaper advertisement for the transmittal public hearing, the applicant may request a partial refund. Applications withdrawn after this time will not receive a full refund. Pursuant to 163.3184, FS, Large Scale Comprehensive Plan amendments processed under the Expedited State Review and State Coordinated Review processes must be adopted within 180 days of the County receiving DEO's and reviewing agencies' comments. If the Large Scale Comprehensive Plan amendment is not adopted within the 180-day time frame, the applicant will forfeit all fees and will be required to submit a new application and pay 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. The applicant shall be responsible for any fees associated with continuing an application to the next available review period, including but not limited to notification, advertising, and document production.