

## About Future Land Use Plan Amendment Petitions

The Comprehensive Plan, which includes the Future Land Use Plan (FLUP), was adopted by the City Council in November 2014. At times, the City may encounter a development proposal that does not directly reflect the purpose and intent of the land use pattern shown on the FLUP. In order for the City Council to consider a development proposal that is inconsistent with the FLUP, a property owner must submit a FLUP Amendment Petition, which may be considered based upon the Letter of Request, Statement of Relevant Goals and Objectives, and other supporting materials, as described on Page 2. Each FLUP Amendment Petition will be evaluated by the City Council on its own merits. It is the responsibility of the property owner or applicant to provide evidence that the proposed FLUP amendment supports community goals and objectives as set forth within the Comprehensive Plan.

The adopted Comprehensive Plan provides that amendments to the FLUP should not be made without thorough analysis of immediate needs, as well as consideration for long-term effects of proposed amendments. The City Council will consider each proposed FLUP Amendment Petition carefully to determine whether it is consistent with the Comprehensive Plan's goals and policies, and whether it will be beneficial for the long-term health and vitality of Cedar Park. Upon review of the Letter of Request, Statement of Relevant Goals and Objectives, and other supporting materials, a FLUP Amendment Petition may be accepted by a majority vote of the City Council. Acceptance of a FLUP Amendment Petition by the City Council indicates an applicant may proceed through the FLUP amendment process.

While city staff may review the petition for completeness and accuracy, city staff does not make a recommendation to the City Council as to whether a FLUP Amendment Petition should be accepted.

**ACCEPTANCE BY THE CITY COUNCIL OF A FLUP AMENDMENT PETITION SHALL NOT CONSTITUTE OR GUARANTEE APPROVAL OF THE PROPOSED FLUP AMENDMENT. ACCEPTANCE OF A FLUP AMENDMENT PETITION ONLY INDICATES AN APPLICANT MAY PROCEED THROUGH THE FLUP AMENDMENT PROCESS. IF THE CITY COUNCIL DOES NOT VOTE TO ACCEPT OR TABLE THE FLUP AMENDMENT PETITION, THE PETITION SHALL BE DEEMED DENIED. ACCEPTANCE OF A FLUP AMENDMENT PETITION SHALL BE VALID FOR A MAXIMUM OF 18 MONTHS FROM CITY COUNCIL CONSIDERATION UNLESS A PUBLIC HEARING FOR THE FLUP AMENDMENT HAS BEEN HELD BEFORE THE PLANNING AND ZONING COMMISSION. ANY SUBSTANTIVE CHANGES TO ORIGINAL FLUP AMENDMENT PETITION MUST BE SUBMITTED FOR RECONSIDERATION BY CITY COUNCIL.**

### Instructions:

- 1) Contact Planning staff (450 Cypress Creek Road, Building 1 / Telephone: 512-401-5057) to discuss the proposed Future Land Use Plan amendment prior to submission of a petition;
- 2) Make an appointment with Planning staff (450 Cypress Creek Road, Building 1 / Telephone: 512-401-5057) to submit the petition; petitions will only be accepted by appointment; and
- 3) Submit the petition on a labeled CD or USB Drive (min. 300 dpi resolution; non-returnable) with the items listed on the checklist found on Page 2

Project Name: \_\_\_\_\_

Proposed Amendment: From: \_\_\_\_\_ To: \_\_\_\_\_

Project Location/Address: \_\_\_\_\_

Project Legal Description: \_\_\_\_\_

**REQUIRED ITEMS FOR CITY COUNCIL CONSIDERATION OF FLUP PETITION:**

- 1. Proof of property ownership. Copy of deed or other documentation establishing ownership by and individual or entity. If owned by an entity, including a partnership, documentation that the person signing the Owner's Acknowledgment has the authority to do so.
- 2. An aerial map clearly depicting the subject property and surrounding properties; the same or additional map should identify the property's current FLUP designation and the designation of surrounding properties.
- 3. Letter of Request. A Letter of Request from the owner/applicant outlining the justification for the proposed FLUP amendment. The Letter shall include:
  - a) How the proposed change will enhance the site and the surrounding area;
  - b) Whether the necessary infrastructure is already in place or how this will be provided;
  - c) How the proposed change reflects the vision identified by the Future Land Use Plan;
  - d) Whether or how the subject property is compliant with surrounding land uses and zoning;
  - e) How the proposed land use impacts adjacent areas – whether the proposed land use impacts existing areas and uses in a negative manner a compatible manner, or enhances adjacent areas;
  - f) Whether uses adjacent to the proposed land use are similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility. If adjacent uses are dissimilar, how compatibility will be addressed;
  - g) How the proposed land use presents a better benefit to the public health, safety and welfare of the community than the current designation of future land use; and
  - h) How the proposed land use contributes to the City's long-term economic well-being.
- 4. Statement of Relevant Goals and Objectives. This Statement from the applicant identifies which goals and objectives of the Comprehensive Plan are supported by the proposed land use change, and how they are supported or strengthened by the proposal.
- 5. Proposed Land Use and Development Information. This includes information on proposed land uses, building intensity, building height, building area, density, number of non-residential or residential dwelling units, etc.
- 6. Identification of unique characteristics of the area that supports the proposed land use and any additional maps or other information from the applicant to support the proposed Amendment.
- 7. Scan of completed Owner's Acknowledgement (following page).

Project Name: \_\_\_\_\_

**Owner's Acknowledgement & Designation of Agent:**

The signature of the property owner or owners is required. If the property owner information does not match Appraisal District records, documentation verifying the change in ownership must be provided.

By signing, the owner indicates consent to the submittal of this petition. If the owner designates an agent to facilitate the petition, both owner and agent must sign this acknowledgement. Signatures certify that the applicant and his agent, if so designated, has reviewed the requirements of this petition and acknowledges that the acceptance of the proposed amendment petition by the City Council does not grant the requested Future Land Use Plan amendment or guarantee such approval by the Planning and Zoning Commission or City Council when the amendment is presented for consideration. **Acceptance** of a FLUP Amendment Petition shall be **valid 18 months** from City Council consideration unless a public hearing for the FLUP Amendment has been held before the Planning and Zoning Commission and any substantive changes to original submission must be submitted for reconsideration by City Council.

**Note:** The agent is the official contact person for this petition and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

**(Check One:)**

\_\_\_\_\_ *I will represent my petition before the City Council.*

\_\_\_\_\_ *I hereby authorize the person named below to act as my agent in processing this petition before the City Council.*

Owner's Name (printed) \_\_\_\_\_ Phone \_\_\_\_\_ Cell \_\_\_\_\_

Owner's Mailing Address \_\_\_\_\_ Owner's Email Address \_\_\_\_\_

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Agent's Name (printed) \_\_\_\_\_ Phone \_\_\_\_\_ Cell \_\_\_\_\_

Agent's Firm \_\_\_\_\_ Firm's Mailing Address \_\_\_\_\_ Agent's Email Address \_\_\_\_\_

Agent's Signature \_\_\_\_\_ Date \_\_\_\_\_

(Submittal Date – Office Use Only)
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