

TEXT AMMENDMENT APPLICATION



Town of Leland, North Carolina

102 Town Hall Dr., Leland, NC 28451
www.townofleland.com
FEE: \$354.00

Economic & Community Development
Phone 910-371-3390 Fax 910-371-1073
Fees are subject to change without notice.

All pages must be completely filled out before application is accepted.
For assistance completing this application contact the Economic & Community Development Planning Department

To the Leland Town Council

I, _____ do hereby make application to change the Zoning/Subdivision Ordinance of the Town of Leland as herein requested.

Amend article _____ Section _____ as follows: _____

PLEASE USE AN ATTACHMENT IF NECESSARY

Applicant Information:

Applicant Name: _____
Mailing Address: _____ City/State/Zip: _____
Phone: _____ Alt. Phone: _____ Fax Number: _____
Email: _____

Email addresses are only used by this office for correspondence with the applicant if needed.

Consultant Information:

Consultant Name: _____
Mailing Address: _____ City/State/Zip: _____
Phone: _____ Alt. Phone: _____ Fax Number: _____
Email: _____

Email addresses are only used by this office for correspondence with the applicant if needed.

STANDARD OPERATING PROCEDURES REGARDING TEXT AMENDMENTS ON PAGE 2

Applicants Printed Name

Date

Applicant's Signature

This information describes the process for text amendments to the Town of Leland Zoning Ordinance.

I. WHAT IS A TEXT AMENDMENT?

A text amendment is a procedure that changes the written provisions of the ordinances contained in the Zoning Code. From time to time, provisions of the Zoning or Subdivision Ordinances may need to be updated or changed in order better serve the needs of the Town and its citizens. In those cases, the text of the Zoning or Subdivision Ordinances may need to be changed, deleted or revised. In most cases, the Town is the initiator of this process but occasionally a residential, institutional or commercial applicant initiates the process for the change in text to the Zoning or Subdivision Ordinances. The end result of the process is for the Town Council to pass an ordinance amending the text of the Zoning Code.

II. WHAT TYPE OF ZONING OR SUBDIVISION ORDINANCES TEXT CHANGE REQUIRES A TEXT AMENDMENT?

All changes to the text of the Zoning or Subdivision Ordinances require a "text amendment" to be approved by the Town Council. Even minor grammatical changes to the text of the code require this procedure since the wording of an ordinance can have a profound effect on the outcome of the enforcement of the ordinance. Examples of a text amendment might include changing the required setback distance for a structure or adding a particular use to the list of permitted uses allowed in a particular zoning district.

III. WHO MAY APPLY FOR A TEXT AMENDMENT?

The Zoning Code states "any person" may file an application for text amendment.

IV. PRE-SUBMISSION MEETING WITH ZONING ADMINISTRATOR

It is strongly encouraged that you schedule a meeting with the Developmental Services Staff in advance of the deadline for submitting your application for Text Amendment. Such a meeting will ensure that you have met all submission requirements. Applicants who do this tend to get through the approval process with less difficulty than those who do not. For appointment call (910) 371-3390.

V. APPLICATION, MEMO AND ADDITIONAL INFORMATION TO SUBMIT

- A. Application Form: Application forms are available at the Town of Leland Development Services building located at 102 Town Hall Drive. Complete and sign the application form (attached). Use additional sheets if necessary. The applicant will have to provide the following information on the form: 1) Applicant's name, address, and day telephone number 2) Zoning Code Section / Subsection to be amended. 3) Current text to be deleted 4) Proposed text to be added.
- B. Memo: In addition to submitting the completed application, the applicant shall submit a memo detailing, in narrative form, why the applicant wishes to amend the Zoning Code and the situation the applicant is trying to address by the amendment. In the memo, address the impact the text amendment will have on the citizens of Leland. One paper copy and one digital format copy of the memo is required.
- C. Additional Information: Additional information, beyond the requirements listed above, may be requested by the Developmental Services Staff, Planning Board or Town Council when such additional information is determined to be necessary for evaluating the proposed text amendment.

Forward the executed application form and all supporting documents to the Developmental Services Department, 102 Town Hall Drive, Leland, NC 28451. Developmental Services staff will not accept a text amendment application without complete supporting documents.

VII. THE HEARING PROCESS

Deadlines: The Planning Board meets on a monthly basis. To be added to a particular meeting's agenda, turn in the fully completed application (as stated above) by noon, no later than twenty days prior to the scheduled meeting date. No new material or information for that month's meeting will be accepted after the published deadline. It is strongly encouraged that the application be submitted several days early to allow time to remedy any deficiencies.

Meeting Date: Once the Text Amendment submittal is complete, the Developmental Services staff will add the application to the next regularly scheduled meeting's agenda.

Staff Report: The Developmental Services Staff will prepare a staff report on the application and make a recommendation and forward that to the Planning Board.

Planning Board Action: At the Planning Board meeting, the applicant should be prepared to present the issues cited in the application and give reasons why the text amendment should be granted. Applicants may represent themselves or have a representative do so on their behalf. In most cases, at that same meeting, the Planning Board will provide a recommendation for approval, denial, or alternative amendment. The recommendation is then forwarded to the Town Council.

Town Council Action: Before acting on any application for amendment, the Town Council shall set a public hearing. After setting the hearing, public notice of it shall be given in accordance with the requirements of the Zoning Code. On the night of the public hearing, the applicant shall appear before and be prepared to present their case to the Town Council. After the public hearing on the proposed amendment and before making its final decision, the Town Council may refer the application back to the Planning Board for additional study. In this event, no additional public hearing is required. After all considerations have been weighed, the Town Council will vote on whether or not to approve the text amendment.

VIII. WITHDRAWAL OF APPLICATION

Any application for amendment may be withdrawn by providing Developmental Services staff with a written notice from the applicant. This notice may be received at any point in the review process but prior to final action on the application by Town Council. A withdrawal shall not entitle the applicant to a refund of any required fees, nor shall any fees paid be credited to a future application for amendment.

IX. IF APPROVED WHAT EFFECT WILL THE AMENDMENT HAVE

If the text amendment is approved, then the provisions of the new ordinance will take effect immediately upon passage. When the Zoning Code is updated (on a yearly basis) the new text will be included in the revised edition.