

**Submittal Requirements for Ordinance Amendment Requests**  
**Initial Town Council Meeting**  
**(Refer to Code of Ordinances CH. II-22)**

Name of Requestor: \_\_\_\_\_ Phone # \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Name of Property Owner (If different): \_\_\_\_\_ Phone # \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Street Address of parcel(s) for which the amendment is being requested:

\_\_\_\_\_

Tax map/lot # of parcel(s) for which the amendment is being requested: \_\_\_\_\_

Existing zoning district of parcel(s) for which the amendment is being requested: \_\_\_\_\_

Proposed zoning district of parcel(s) for which the amendment is being requested: \_\_\_\_\_

**All requests must include the following information<sup>1</sup>:**

\_\_\_ 1. Payment of application fee.<sup>2</sup> (Refer to Land Use Fee Schedule)

\_\_\_ 2. Documentation of right, title or interest in property. (e.g. deeds, leases, purchase and sales agreements, written permission from property owner, etc.)

\_\_\_ 3. Plot plan including the following:

\_\_\_ a. Title, north arrow, scale, and date.

\_\_\_ b. Adjacent streets.

\_\_\_ c. Property boundaries, street addresses, tax map/lot numbers, and owners of the subject and abutting properties.

\_\_\_ d. Existing zoning designations and boundaries for subject and abutting properties.

\_\_\_ e. Surrounding land uses in the vicinity of the subject property.

\_\_\_ f. Existing site conditions and site improvements on the subject and abutting properties including buildings, driveways, parking areas, etc.

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<sup>1</sup> If a submittal requirement is believed to be not applicable, requestors may indicate "N/A" but must include a narrative justification as to why the submittal requirement is not applicable.

<sup>2</sup> Application fees are nonrefundable. The payment of application fees does not obligate the Town Council to approve a request for an ordinance amendment and should not be construed as a commitment to amend the ordinance.

- \_\_\_4. Narrative description of property to be rezoned including description of any existing deed restrictions, covenants, and easements.
- \_\_\_5. Narrative description of the ordinance amendment request including:
- \_\_\_a. How the proposed request is consistent with the Comprehensive Plan and other adopted Town plans/policies;
  - \_\_\_b. How the request is consistent with allowed and established nearby land use patterns and not incompatible with adjacent land uses;
  - \_\_\_c. Explanation of why current zoning does not allow desired outcome;
  - \_\_\_d. Description of the property's unique conditions that warrant a deviation from the Town's ordinances;
  - \_\_\_e. Anticipated impacts of the proposed request on adjacent and nearby properties and on the overall Town. Without limitation, types of impacts frequently associated with development include noise, traffic, light, air quality, water quality, stormwater, and drainage.<sup>1</sup>
  - \_\_\_f. Proposed ways to mitigate negative impacts of the request.
- \_\_\_6. Description of public benefit of the proposed ordinance amendment.
- \_\_\_7. Description of public outreach/engagement undertaken to engage and solicit feedback from abutting and nearby property owners and a summary of information gained from those efforts. (See bullets below for additional information on public engagement.)
- \_\_\_8. (Optional) Type of ordinance amendment remedy being requested, if known. (e.g. contract zone, map amendment, text amendment, map and text amendment)
- \_\_\_9. (Optional) Any other information to help support the request.

**Please be aware of the following:**

- Noncompliance with these requirements will cause a request to be withheld and not considered. If omissions and/or errors are discovered at any time during the review process, the request may be rejected or withheld until sufficient information is provided.
- The ordinance amendment process generally takes several months from the time the requestor submits a request to the time approval is considered by the Town Council. Complex amendment requests may require more time. In addition to the requirements of the Falmouth Code of Ordinances, the ordinance amendment process is governed by requirements in the Town Charter and State law. These requirements will always need to be reviewed and adhered to for any given ordinance amendment request.

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<sup>1</sup> Heightened attention will be given to requests proposing non-residential uses in residential areas and to requests that would allow development adjacent to sensitive land uses. (e.g. schools, sensitive environmental areas, etc.)

- The Town strongly recommends that requestors proactively engage in public outreach to abutters and area property owners early in the process to inform them of the request and to solicit input on the request. The extent of this public outreach should be in relation to the nature and scope of the proposal and should include members of the public who would be reasonably expected to be impacted by the request. (Generally speaking, a notification radius of 500 feet will be the minimum expected radius for notification.)
- Where warranted by the nature and scope of a request for an ordinance amendment, requestors are encouraged to organize and conduct a neighborhood meeting with abutters and area residents early in the process and to provide evidence of such meeting, a list of meeting attendees, and the information gathered from the meeting to the Town. In any event, neighborhood meetings organized and conducted by the applicant may be required at any time at the discretion of the Town Council.
- The Council, at any time, reserves the right to ask requestors for any additional information deemed necessary to make an informed judgment on a request, including but not limited to impact studies. The Council may also solicit feedback from the Town Attorney, professional consultants, and/or other Town boards and committees.
- Any discussion of ordinance amendments with any member of Town staff is not to be construed as a commitment to amend the ordinance. All final legal decisions regarding ordinance changes are made by the Town Council.
- Applicants may propose specific language for an ordinance amendment for the Town's consideration. In some instances, this may help expedite the Town's review process. The Town is not, however, obligated to accept the proposed amendment language.
- Proposed amendments to ordinances are treated with caution and with the community as a whole in mind.