

	Town of Plymouth PETITIONED ZONING AMENDMENT POLICY
Effective Date	August 1, 2009
Expiration Date	Subject to periodic review
Date Last Revised	New Policy
Planning Board Vote	July 13, 2009

PETITIONED ZONING AMENDMENT POLICY

Purpose:

To establish guidelines and procedures for citizens interested in filing petitioned zoning amendments for consideration by Plymouth Town Meeting.

This policy has been adopted to ensure that the Planning Board has adequate time to review a petition. Failure to adhere to the guidelines in this policy may result in the Planning Board being unable to support the petition.

This policy is advisory in nature. The Planning Board issues a recommendation to Town Meeting on every petitioned zoning amendment. This policy identifies a general timeline that the Planning Board recommends. The timeline helps to ensure that the Planning Board has adequate time to investigate, hold public hearings, evaluate proposed changes and make recommendations to Town Meeting.

If you are considering filing a petitioned zoning amendment you are encouraged to contact the Department of Planning and Development as soon as possible. Staff will discuss timelines and milestones necessary for the successful consideration of a petitioned article at Town Meeting.

The filing process is as follows:

- The proposed amendments are submitted to the Board of Selectmen.
- The proposed amendments are forwarded to the Planning Board within 14 days.
- First Notice of Planning Board hearing is published in a newspaper of general circulation 14 days prior to a public hearing.
- Second Notice of Planning Board hearing is published in a newspaper of general circulation during the week immediately following the first publication.
- Planning Board must hold the hearing within 65 days of the date the Board of Selectmen forward the proposed amendment to the Planning Board.
- Planning Board issues a Report with Recommendations to Town Meeting.
- The Report with Recommendations is be filed with the Advisory and Finance Committee and Selectmen one week prior to their review.

Overall Policy Guidelines:

Informal pre-filing discussions with the Planning Board are strongly encouraged. These informal meetings will allow the Planning Board to ask questions, identify information that should be submitted and give the petitioner insight on significant concerns and issues of Board members.

The filing of a petitioned article **should not be considered a “place – holder”**. Upon submission of a petitioned zoning article, staff immediately schedules and advertizes the public hearing. A complete petition (including final language, maps and supporting documentation) must be on file prior to the first notice of the Planning Board hearing.

Zoning Bylaw amendments are governed by two more or less independent processes:

1. Planning Board Petition Review Process; and
2. The process required to place an article on the Town Meeting warrant.

Plymouth holds two Annual Town Meetings (one in April and one in October). Generally, the April Town Meeting warrant closes at the end of November and the Fall Annual Town Meeting warrant closes in late July or early August. The timeline required for placement of an article on the Town Meeting warrant is much shorter than the Planning Board’s review process.

In addition, the Town typically calls at least one Special Town Meeting each year. Consideration of zoning bylaws at Special Town Meetings is often difficult since the timeline for Special Town Meetings tend to be more compressed than the Annual Town Meeting. Because of the compressed timeline, the filing of zoning amendments for a Special Town Meeting is strongly discouraged.

As noted in the table below, the zoning amendment review process can take between two and a half to four and a half months to complete.

Timeline for Planning Board Review of Proposed Zoning Changes		
Item	Days	Total Days
Complete Petition Filed	---	---
Advertise & Hold 1 st Public Hearing	30 – 45	30 - 45
1 to 3 continued hearings ¹	14 - 56	44 - 101
One week to prepare vote	7	51 – 108
Submit to Selectmen & Fin. Comm. a week prior to their review	7	58 – 115
Fin. Comm. vote 20 days prior to Town Meeting	20	78 – 135
Total in Months		2.6 - 4.5 months

Petitioners should plan on a zoning amendment review process lasting up to four and a half months.

Again, failure to adhere to the suggested timelines will likely result in an unfavorable recommendation to Town Meeting by the Planning Board.

C: Town Clerk

¹ The number of hearings will depend on the complexity of the proposal and the level of public interest/participation.