

## PETITION FOR AMENDMENTS TO ZONING ORDINANCES

A Citizen's Guide to the Process

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Citizens sometimes find that the Town's zoning ordinance fails to consider an issue of concern, or alternatively the regulations lead to undesirable outcomes. In the first instance, the planning board is responsible for adopting the community's master plan and drafting ordinances to implement it. Citizens who feel that the zoning ordinance requires amendment should first approach the planning board with ideas for change.

If the planning board does not respond, citizens may petition the Town to adopt a proposed amendment at the regular Town meeting. The process is outlined in RSA 675:4.

- Twenty five or more voters may petition for an amendment to a zoning ordinance. The draft Petition sets forth the proposed changes, with enough spaces designated for at least 25 signatures.
- A Petition to Amend a Zoning Ordinance shall be submitted to the Board of Selectmen during the period between 120 and 90 days prior to the annual town meeting. For example, if the town meeting is held on March 14, the first day to submit citizen Petitions is November 14, and the last day to submit citizen petitions is December 14<sup>th</sup>. It is important to start the process early enough to educate people and obtain signatures well in advance of this filing period.
- The Petition shall be in correct warrant article form, as determined by the Selectmen.
- The Board of Selectmen shall submit the petitions to the planning board in a timely manner.
- The Planning Board, at its first regular meeting following the petition period, shall set a date for a public hearing on each petitioned amendment, and shall hold a public hearing on each petitioned amendment.
- Notice of the Public hearing shall be the same as provided in RSA 675:7. This statute provides that notice shall be given at least 10 calendar days before the hearing, and that notice of each public hearing shall be posted in a paper of general circulation in the municipality and shall be posted in at least two public places.

- Once the public hearing has taken place and the final form of the amendment drafted, the amendment shall be placed on a ballot. The ballot will contain a notation as to whether or not the planning board approves or disapproves of the amendment. Whether or not the planning board approves the amendment, it will appear on the ballot at Town Meeting.
- Petitioned amendments shall be voted only at annual town meeting.
- Any petitioned question receiving an affirmative vote of a majority of the legal voters present and voting shall be adopted.

Please note that there may be other statutes or rules that apply depending on the form of government (city or town council) or type of zoning amendment proposed.

The process is simple, but does require the Petitioners to reflect on the amendments they want to make, to educate the public to gain support for the proposed change, and to obtain the necessary signatures.