



Town of Johnston, Rhode Island

Office of the Town Clerk

Town Hall - 1st Floor
1385 Hartford Ave.
Johnston, Rhode Island 02919
Telephone: 401-351-6618
Facsimile: 401-553-8835

**PROCEDURE AND PETITION
FOR A PETITION FOR AN
AMENDMENT TO THE ZONING ORDINANCE
AND / OR ZONING MAP**

1. SUBMISSION REQUIREMENTS

Filing Fee: **\$650.00** Initial Fee (Non-Refundable) and payable to the "Town of Johnston". **If the total amount for advertising and mailing exceeds \$650.00, you will receive an invoice for the difference**

Radius Map - Plans and/or Maps of area requesting to be re-zoned with all Tax Plat(s) and Lot(s) delineated that are impacted by the Petition. Said plan and/or map shall delineate the required radius area for notification as well as the existing zone and the proposed zone of all parcels delineated on the plan/map. Reference streets shall be identified and legible. The specific lots/portions of lots impacted by the petition shall be delineated on the submitted map. A reduction of all said plans(s)/map(s) sized no larger than 11" x 17" shall be provided.

Site and Plot Plan(s) of the property including the identification of any existing and/or new structures on the property or how the property(ies) will be used after rezoning, including dimensions, locations and proper identification of structures, driveways, streets, and any other proposed improvements and the uses for each clearly labeled. Existing and proposed zoning boundaries shall also be delineated. Said plot plan shall also clearly identify and label existing and proposed property boundaries, angles, curve data, and dimensions, waterways and freshwater wetlands, easements, rights-of-way, foundations, cemeteries and other restricted uses, and the like. Said plot plan shall be drawn to scale with the scale identified and include a locus map of a scale no greater than 1" = 2,500'. A reduction of all said Plot Plan(s) sized no larger than 11" x 17" shall also be provided. *Please note that certain rezoning proposals, such as Planned Development Overlay Districts and Multi-Family Zoning Proposals, may require specific additional information to appear on the submitted plans plus other supplementary materials. Please refer to the Johnston Zoning Ordinance and Johnston Land Development and Subdivision Review Regulations for all special submission requirements.*

Abutting Property Owner Mailing Labels-Required to be notified by Statute - List of all Property Owners within a 200' Radius of the property including the following for each "abutting" lot: tax plat and lot numbers for each "abutting" name of all owners, mailing address of the "abutter". Any property proposed for rezoning that does not have at least eight (8) property owners other than the Petitioner within a 200' Radius of the proposal, a Radius Area of 500' shall be used for determining the list of all property owners to be notified.

The petitioner is responsible for adherence to all State Law requirements for constructing the abutters list

Procedure

- Submit Application, Petition, Initial Fee, and all required materials to the Johnston Town Clerk's Office, 1st floor, Town Hall, 1385 Hartford Avenue, Johnston, RI, 02919 : (telephone: 401-553-8830 ; fax: 401-553-8835)
- Upon receipt of a properly completed application, initial fee, and all required materials, the petition will be placed on the Town Council agenda for referral to the Planning Board for an advisory opinion.

Planning Board Review - The Planning Board will review the matter at a regularly scheduled meeting of the Board. The Planning Board may require additional information of the applicant in order to render their determination and recommendations. After the Planning Board's review is complete, a vote is taken and a "Findings of Fact" is forwarded to the Town Council.

Town Council Public Hearing Scheduled - Upon receipt of the "Findings of Fact" from the Planning Board, the Town Clerk will schedule the Zoning Amendment Petition for Public Hearing before the Johnston Town Council and post the petition as an Ordinance.

Newspaper Notice and Mail Notifications - The Notice of the Public Hearing is published in a newspaper of general circulation and all "abutters" are notified by Certified Mail.

Town Council Public Hearing - The Public Hearing is held by the Johnston Town Council in accordance with the notice for same. At said Hearing, the petitioner and other interested parties will be permitted to present information to the Town Council relative to the Zoning Amendment Petition. After the Public Hearing is held and closed, a "Vote" of the Town Council will be taken at a scheduled Council meeting. The vote will be to approve the petition, with or without conditions; to partially approve the petition, with or without conditions specifically stipulated; or, to deny the petition.

Ordinance recorded if Ordinance Amendment Approved - Subsequent to the Town Council vote the Town Clerk will prepare the ordinance for a Zoning amendment Approval and/or Zoning Amendment Approval with Conditions in accordance with the procedure for the adoption of a Town Ordinance and publish same in a newspaper of general circulation in the Town. Said Ordinance shall also be recorded in the Land Evidence Records of the Town of Johnston.

Filing Instructions

Please file the required materials and a check payable to the Town of Johnston for **\$650.00** at:

Town of Johnston

Vincent Baccari Jr., Town Clerk

1385 Hartford Ave.

Johnston, RI 02919

Telephone: 401-553-8830

Fax: 553-8835

Petition is on the next page



TOWN OF JOHNSTON, RHODE ISLAND

Application/Petition for

AMENDMENT TO THE ZONING ORDINANCE

Initial Fee: \$500

(Additional fees may be required for mailing and advertising)

**TO: The Honorable Town Council of the Town of Johnston
Town Hall, 1385 Hartford Avenue, Johnston, Rhode Island 02919**

To the Honorable Town Council of the Town of Johnston:

_____ of _____
Petitioner Address

as follows:

1. That he/she/they is/are the owners(s) in fee of a parcel of land in the Town of Johnston, Rhode Island, described as: Assessor's Plat: _____ Assessor's Lot: _____

and street location of: _____

2. That said parcel is presently zoned as a _____ Zoning District under the Zoning Ordinance and Zoning Map of the Town of Johnston, Rhode Island.

And, the undersigned respectfully requests the Honorable Town council to Re-Zone said Parcel of Land

from a _____ Zoning District

to a _____ Zoning District, and

to hold a PUBLIC HEARING in connection with this request at which time the undersigned may be allowed an opportunity to be heard in support of this request.

The Undersigned hereby applies to the Johnston Town Council for the following type(s) of Amendment to the Zoning Ordinance (please check "√" appropriate box/boxes)

Zoning MAP Change

Zoning TEXT Change

Applicant: _____ Address: _____

Phone Number: _____ E-mail _____

Owner: _____ Address: _____

Phone Number: _____ E-mail _____

Legal Counsel: _____ Address: _____

Phone Number: _____ E-mail _____

Lessee/
Purchaser: _____ Address: _____

Phone Number: _____ E-mail _____

If the Petitioner does not own the land, this section must be completed and notarized

I, _____, owner of the property described above by their Assessor's Plat,
Assessor's Lots and Street Address-

Do hereby grant permission to, _____ to petition the Johnston Town
Council to change the zoning designation as described herein

Signature of property owner

State of: _____ County of: _____

On this _____ day of _____, 20____, before me, the undersigned notary public,

personally appeared _____ and proved through satisfactory evidence of
identification, to be the person whose name is signed on the attached document

Notary Public Signature

Notary Public Printed Name

Notary ID

Commission Date _____

Seal:

ZONING MAP CHANGE Petition

Please complete the following section for Zoning MAP Amendment Petitions.

1. LOCATION OF PROPERTY

Street Address: _____

Assessor Plat _____/Lot #s: _____

2. ZONING DESIGNATIONS:

Current Zoning District: _____ Proposed Zoning District: _____

3. EXISTING AND PROPOSED DEVELOPMENT

a. EXISTING DEVELOPMENTAL STATE

Are there any buildings on the PROPERTY at the present time? YES NO

If YES → How many buildings?

If YES → Identify the Size and Use of each Building:

Note: Use Additional Sheet(s) if necessary

Building Type

Height

Area

Use

(1) _____

(2) _____

(3) _____

Identify Present Use(s) of Property:

Note: Use Additional Sheet(s) if necessary

How long has this property been utilized for the above stated purpose(s)? _____

IF the existing development involves dwelling(s) and/or multi-family structure(s),

Identify the Number of Dwelling Units Existing for each Existing Building: _____

b. PROPOSED DEVELOPMENT YES NO

Are there any buildings and/or other structures proposed to be constructed on the property?

If YES → How many buildings? _____

If YES → Identify the Size and Use of each Building:

Note: Use Additional Sheet(s) if necessary

<u>Building Type</u>	<u>Height</u>	<u>Area</u>	<u>Use</u>
(1) _____			
(2) _____			
(3) _____			

IF the proposed development involves dwelling(s) and/or multi-family structure(s),

Identify the Number of Dwelling Units Proposed for each Building: _____

Have building plans for proposed construction activities been submitted to the Johnston Building Official for review and approval? YES NO

DOES NOT APPLY

If YES → Has a Building Permit Been Refused? YES NO

IF a Building Permit has been refused, under what GROUNDS was the permit refused?

Please complete the following section for Zoning TEXT Amendment Petitions.

1. Identify specific section(s) of the Zoning Ordinance for which the Text Change is proposed (*attach additional sheets if necessary*)

2. Describe the proposal for the text change, including nature of the change as well as the intended meaning and use of the text amendment (*attach additional sheets if necessary*).

3. Identify how the Zoning Text is proposed to be changed (*attach additional sheets if necessary*).

LEGAL BASIS FOR ENACTMENT, AMENDMENT, OR REPEAL

1. State GROUNDS under which this Zoning Amendment Application should be approved:

2. Describe how the proposed amendment conforms to the Comprehensive Plan:

I/WE, the undersigned, swear that all information provided in this Zoning Amendment Application is to the best of my/our knowledge complete and correct in every detail.

Respectfully submitted,

Signatures:

Date

Petitioner

Petitioner

Petitioner

Notary Public: _____

Commission Expires: _____

Date: _____

Seal: