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# CITY PLAN COMMISSION

## WHO WE ARE

The City Plan Commission has been created in conformance with the requirements of RI General Laws **[RIGL]** Ch. 45.22 [\[CLICK HERE\]](#) and with the requirements of the Cranston City Charter Ch. 13 §13.01 [\[CLICK HERE\]](#).

The Commission has 9 members who are appointed as follows:

- The Director of Public Works
- The Director of Finance
- Five members appointed by the Mayor for 4 year terms, and
- Two members appointed by the City Council President for 4 year terms
  - One Member shall be appointer for either Ward 1, 2, or 3 and
  - One Member shall be appointed from either Ward 4, 5, or 6.

## WHEN AND HOW WE MEET

Generally, the City Plan Commission meets the first Tuesday of every month. Meetings start at 6:30 pm and are usually held in the City Council Chamber of City Hall. Special meeting [date, time and location] are noted when they are scheduled. **If you are interested in upcoming hearings of the Plan Commission [both regularly scheduled and special], you should regularly check the City's Calendar on Cranston's web page [\[CLICK HERE\]](#).**

## WHAT WE DO

The City Plan Commission has a number of responsibilities. These include:

- Acting on applications for Major and Minor Subdivisions [\[CLICK HERE\]](#),
- Acting on applications for Major Land Development [\[CLICK HERE\]](#),
- Acting on applications for Residential Plan Districts under the Zoning Ordinance Ch.17.96 [\[CLICK HERE\]](#) and Ch. 17.104 [\[CLICK HERE\]](#) and the Subdivision of Land Development Regulations **[SUBDIVISION REGULATIONS]** Section IV [\[CLICK HERE\]](#),
- Acting on applications for Mixed Use Plan Development under the Zoning Ordinance Ch.17.96 [\[CLICK HERE\]](#) and Ch. 17.100 [\[CLICKED HERE\]](#) and the Subdivision Regulations Section IV of [\[CLICK HERE\]](#),
- Acting on applications for an Educational Institution under the Zoning Ordinance Ch.17.106 [\[CLICK HERE\]](#),
- Making recommendations to the Zoning Board of Review **[ZBR]** on all applications that are before the ZBR [Requests for Variances and Special Permits, requests to alter preexisting non-coming sites or uses and appeals of the zoning decisions of the Building Inspector],
- Making recommendations to the City Council on proposed amendments to the Cranston's Comprehensive Plan and to the City's Zoning Ordinance [\[CLICK HERE\]](#),
- Preparing, on an annual basis, a Capital Improvement Plan/Budget [\[CLICK HERE\]](#),

- Updating the Cranston's Comprehensive Plan every 10 years as required by RIGL CH. 45.22.2 [\[CLICK HERE\]](#) and
- Acting on Applications for Comprehensive Permits in accordance with RIGL Ch.45-53. [\[CLICK HERE\]](#).

## WHAT IS A SUBDIVISION?

When a parcel of land is divided into two or more parcels, it is subdividing property and the provisions of the RIGL Ch. 45-22 [\[CLICK HERE\]](#) and the Subdivision Regulations [\[CLICK HERE\]](#) come into play. In order to subdivide a piece of land, you must obtain the approval for a "subdivision plan" from the Plan Commission. [Please note that if a proposal only involves moving lot lines between existing parcels or merging existing lot, you may seek approval for an "Administrative Subdivision" through the City's Planning Department.

Subdivision approval ensures that:

- The land is suitable for its proposed new use,
- The proposed subdivision complies with the requirements set forth in the Subdivision Regulations [\[CLICK HERE\]](#),
- The proposed subdivision conforms to Cranston's Comprehensive Plan [\[CLICK HERE\]](#),
- and to the City's Zoning Ordinance [\[CLICK HERE\]](#) and
- Abutting properties and the City are protected from developments which are inappropriate.

## WHAT IS A SUBDIVISION PLAN?

A subdivision plan is a legal document that generally shows:

- The exact surveyed boundaries and dimensions of lots on which houses or buildings are to be built,
- The location, width and names of streets,
- The public improvements [i.e. water, sewer, and drainage] that will be constructed and
- Parcels that will be dedicated for schools, open space or parks [if any].

The plan does not need to show specific building locations; the rules for locating buildings are set out in the City's Zoning Ordinance and will be shown on plans to be submitted as part of an application for a building permit. Building locations show on a subdivision plan are for illustrative purposes only.

A plan of subdivision must be:

- Surveyed by a land surveyor registered by the State of Rhode Island,
- In general conformity with the Cranston's Comprehensive Plan and the City's Zoning Ordinance,
- Approved by the City Plan Commission and
- Filed in the registry of deed at the City Clerk's Office.

A Final Plan of Subdivision creates new, separate parcels of land and can be legally used for development and for the sale of lots.

## HOW ARE APPLICATIONS FOR SUBDIVISION EVALUATED?

In considering a plan of subdivision, the City Plan Commission evaluates the merits of the proposal against criteria such as:

- Conformity with Comprehensive Plan and compatibility with adjacent uses of land,
- Compliance City's Subdivision Regulations,
- Compliance with the Zoning Ordinance,
- Suitability of the land for the proposed use, including the size and shape of the lot(s) being created; adequacy of vehicular access, water supply, sewage disposal; and environmental constraints and
- The need to ensure protection from potential flooding.

## WHAT ARE THE STAGES OF REVIEW FOR SUBDIVISION OR MAJOR LAND DEVELOPMENT?

Subdivisions and land development projects are classified as major or minor. These classification determines the steps need to take in the approval procedure.

- **A Minor Subdivision** is a subdivision of land consisting of 5 or fewer lots and that does not require a waiver or modification to the Subdivision and Land Development Regulations.
- **A Major Subdivision** is a subdivision of land consisting of greater than 5 lots or that requires a waiver or modification to the Subdivision and Land Development Regulations.
- **A Major Land Development** is a Land Development Project that proposes:
  - multi-family residential project in excess of 5 units where a subdivision is not proposed;
  - to construct retail, service and/or office building(s) of 50,000 square feet or more of gross floor area or that involves 5 or more acres of land;
  - to construct industrial building(s) of 100,000 square feet or more of gross floor area or that involves 10 or more acres of land;
  - to construct a Mixed Use Planned Development as defined by the City's Zoning Ordinance and the Subdivision Regulations and
  - to construct a Residential Planned District as defined by the City's Zoning Ordinance and the Subdivision Regulations.

Major subdivisions and major land development projects are acted on in the following stages:

- Pre-application conference – The applicant meets informally Planning Department and/or with the Plan Commission to present the project and exchange ideas.
- Master Plan – The Plan Commission reviews and acts on a general, conceptual plan for the development. Complete engineering details are not required. The plan undergoes a review through an **informational meeting** held by the Plan Commission.
- Preliminary Plan – The Plan Commission reviews and acts on fully engineered plans for the development. As part of the preliminary plan process, a proposed development must receive all required state permits. The plan undergoes a detailed review, including

a **public hearing** to be held by the Plan Commission. The Plan Commission may require changes to the plan submitted or place conditions on the approval.

- Final Plan – The City Planner grants final approval after insuring that all the conditions set by the preliminary plan approval have been satisfied.

Minor subdivisions with street extensions are acted on in the following stages:

- Pre-application conference – The applicant meets informally with the Planning Department to present the project and exchange ideas.
- Preliminary Plan – The Plan Commission reviews and acts on fully engineered plans for the development. As part of the preliminary plan process, a proposal must receive all required state permits. The plan undergoes a detailed review, including a **public hearing** to be held by the Plan Commission. The Plan Commission may require changes to the plan submitted or place conditions on the approval.
- Final Plan – The Plan Commission or the City Planner grants final approval after insuring that all the conditions set by the preliminary plan approval have been satisfied.

Minor subdivisions without street extensions are acted on in the following stages:

- Pre-application conference – The applicant meets informally with the Planning Department to present the project and exchange ideas.
- Preliminary Plan – The Plan Commission reviews and acts on fully engineered plans for the development. As part of the preliminary plan process, a proposal must receive all required state permits. The plan undergoes a detailed review, including a **hearing** to be held by the Plan Commission. The Plan Commission may require changes to the plan submitted or place conditions on the approval.
- Final Plan – The City Plan Commission or the City Planner grants final approval after insuring that all the conditions set by the preliminary plan approval have been satisfied.

## **WHEN CAN A SUBDIVISION OR LAND DEVELOPMENT PROJECT BE REGISTERED?**

When all conditions of the preliminary approval have been met, final approval is given and the plan of subdivision or land development is filed the registry of deeds in the Office of the City Clerk. The developer may then start construction or sell lots.

## **WHAT IS THE COMPREHENSIVE PLAN?**

Cranston's Comprehensive Plan is a document designed to guide the future actions City by providing a vision for the future and long-range goals and objectives for all land related activities that may affect the City [[CLICK HERE](#)]. The Plan includes guidance on:

- how to make decisions on public and private land development proposals,
- the expenditure of public funds and
- issues of pressing concern, such as open space preservation or the rehabilitation of the City's older neighborhoods areas.

As required State Law RIGL Ch. 45.22.2 [[CLICK HERE](#)] and by the guidance [the State Guide Plan] provided Rhode Island Department of Administration Division of Statewide Planning,

[\[CLICK HERE\]](#) the Comprehensive Plan must provide guidance for future activities over 20-year period after plan adoption. However, the plan is to be reviewed and updated every 5 years.

As stated in RIGL Ch. 45.22.2§45.22.2-3 [\[CLICK HERE\]](#) the goals for the Comprehensive Plan is as follows:

- To promote orderly growth and development that recognizes the natural characteristics of the land, its suitability for use, the availability of existing and proposed public and/or private services and facilities, and is consistent with available resources and the need to protect public health, including drinking water supply, drinking water safety, and environmental quality.
- To promote an economic climate which increases quality job opportunities and overall economic well-being of each municipality and the state.
- To promote the production and rehabilitation of year-round housing and to preserve government subsidized housing for persons and families of low and moderate income in a manner that: considers local, regional, and statewide needs; housing that achieves a balance of housing choices, for all income levels and age groups; recognizes the affordability of housing as the responsibility of each municipality and the state; takes into account growth management and the need to phase and pace development in areas of rapid growth; and facilitates economic growth in the state.
- To promote the protection of the natural, historic and cultural resources of each municipality and the state.
- To promote the preservation of the open space and recreational resources of each municipality and the state.
- To provide for the use of performance-based standards for development and to encourage the use of innovative development regulations and techniques that promote the development of land suitable for development while protecting our natural, cultural, historical, and recreational resources, and achieving a balanced pattern of land uses.
- To promote consistency of state actions and programs with municipal comprehensive plans, and provide for review procedures to ensure that state goals and policies are reflected in municipal comprehensive plans and state guide plans.
- To ensure that adequate and uniform data are available to municipal and state government as the basis for comprehensive planning and land use regulation.
- To ensure that municipal land use regulations and decisions are consistent with the comprehensive plan of the municipality, and to ensure state land use regulations and decisions are consistent with state guide plans.
- To encourage the involvement of all citizens in the formulation, review, and adoption, or amendment of the comprehensive plan.

As required RIGL Ch. 45.22.2§45.22.2-6, Comprehensive Plan must include the following contents [\[CLICK HERE\]](#):

- A. The comprehensive plan must utilize a minimum twenty (20) year planning timeframe in considering forecasts, goals, and policies.
- B. The comprehensive plan must be internally consistent in its policies, forecasts, and standards, and shall include the content described within this section. The content described in subdivisions (1) through (10) may be organized and presented as deemed suitable and appropriate by the municipality. The content described in subdivisions (11) and (12) must be included as individual sections of the plan.

1. **Goals and policies.** The plan must identify the goals and policies of the municipality for its future growth and development and for the conservation of its natural and cultural resources. The goals and policies of the plan shall be consistent with the goals and intent of this chapter and embody the goals and policies of the state guide plan.
2. **Maps.** The plan must contain maps illustrating the following as appropriate to the municipality:
  - a. Existing conditions:
    1. Land use, including the range of residential housing densities;
    2. Zoning;
    3. Key infrastructure such as, but not limited to, roads, public water, and sewer;
    4. Service areas for public water and sewer;
    5. Historical and cultural resource areas and sites;
    6. Open space and conservation areas (public and private); and
    7. Natural resources such as, but not limited to, surface water, wetlands, floodplains, soils, and agricultural land;
  - b. Future land use illustrating the desired patterns of development, density, and conservation as defined by the comprehensive plan; and
  - c. Identification of discrepancies between future land uses and existing zoning use categories.
3. **Natural resource identification and conservation.** The plan must be based on an inventory of significant natural resource areas such as, but not limited to, water, soils, prime agricultural lands, forests, wildlife, wetlands, aquifers, coastal features, and floodplains. The plan must include goals, policies, and implementation techniques for the protection and management of these areas.
4. **Open space and outdoor recreation identification and protection.** The plan must be based on an inventory of outdoor recreational resources, open space areas, and recorded access to these resources and areas. The plan must contain an analysis of forecasted needs, policies for the management and protection of these resources and areas, and identification of areas for potential expansion. The plan must include goals, policies, and implementation techniques for the protection and management of existing resources and acquisition of additional resources if appropriate.
5. **Historical and cultural resources identification and protection.** The plan must be based on an inventory of significant historical and cultural resources such as historical buildings, sites, landmarks, and scenic views. The plan must include goals, policies, and implementation techniques for the protection of these resources.
6. **Housing.** The plan must include the identification of existing housing patterns, an analysis of existing and forecasted housing needs, and identification of areas suitable for future housing development or rehabilitation. The plan shall include an affordable housing program that meets the requirements of § 42-128-8.1, the "Comprehensive Housing Production and Rehabilitation Act of 2004" and chapter 45-53, the "Rhode Island Low and Moderate Income Housing Act". The plan must include goals and policies that further the goal of subdivision 45-22.2-3(c)(3) and implementation techniques that identify specific programs to promote the preservation, production, and rehabilitation of housing.
7. **Economic development.** The plan must include the identification of existing types and patterns of economic activities including, but not limited to, business, commercial, industrial, agricultural, and tourism. The plan must also identify areas suitable for future economic expansion or revitalization. The plan must include goals, policies, and implementation techniques reflecting local, regional, and statewide

- concerns for the expansion and stabilization of the economic base and the promotion of quality employment opportunities and job growth.
8. **Services and facilities.** The plan must be based on an inventory of existing physical infrastructure such as, but not limited to, educational facilities, public safety facilities, libraries, indoor recreation facilities, and community centers. The plan must describe services provided to the community such as, but not limited to, water supply and the management of wastewater, storm water, and solid waste. The plan must consider energy production and consumption. The plan must analyze the needs for future types and levels of services and facilities, including, in accordance with § 46-15.3-5.1, water supply system management planning, which includes demand management goals as well as plans for water conservation and efficient use of water concerning any water supplier providing service in the municipality, and contain goals, policies, and implementation techniques for meeting future demands.
  9. **Circulation/Transportation.** The plan must be based on an inventory and analysis of existing and proposed major circulation systems, including transit and bikeways; street patterns; and any other modes of transportation, including pedestrian, in coordination with the land use element. Goals, policies, and implementation techniques for the provision of fast, safe, efficient, and convenient transportation that promotes conservation and environmental stewardship must be identified.
  10. **Natural hazards.** The plan must include an identification of areas that could be vulnerable to the effects of sea-level rise, flooding, storm damage, drought, or other natural hazards. Goals, policies, and implementation techniques must be identified that would help to avoid or minimize the effects that natural hazards pose to lives, infrastructure, and property.
  11. **Land use.** In conjunction with the future land use map as required in subdivision 45-22.2-6(b)(2)(ii), the plan must contain a land use component that designates the proposed general distribution and general location and interrelationships of land uses including, but not limited to, residential, commercial, industrial, open space, agriculture, recreation facilities, and other categories of public and private uses of land. The land use component shall be based upon the required plan content as stated in this section. It shall relate the proposed standards of population density and building intensity to the capacity of the land and available or planned facilities and services. The land use component must contain an analysis of the inconsistency of existing zoning districts, if any, with planned future land use. The land use component shall specify the process and schedule by which the zoning ordinance and zoning map shall be amended to conform to the comprehensive plan and shall be included as part of the implementation program.
  12. **Implementation program.**
    - a. A statement which defines and schedules the specific public actions to be undertaken in order to achieve the goals and objectives of each component of the comprehensive plan. Scheduled expansion or replacement of public facilities, and the anticipated costs and revenue sources proposed to meet those costs reflected in a municipality's capital improvement program, must be included in the implementation program.
    - b. The implementation program identifies the public actions necessary to implement the objectives and standards of each component of the comprehensive plan that require the adoption or amendment of codes and ordinances by the governing body of the municipality.
    - c. The implementation program identifies other public authorities or agencies owning water supply facilities or providing water supply services to the municipality, and coordinates the goals and objectives of the comprehensive plan

with the actions of public authorities or agencies with regard to the protection of watersheds as provided in § 46-15.3-1, et seq.

- d. The implementation program must detail the timing and schedule of municipal actions required to amend the zoning ordinance and map to conform to the comprehensive plan.
- e.

## **TO WHOM AND HOW DO WE PROVIDE NOTIFICATION OF PLAN COMMISSION ACTIVITIES**

All activities of the Plan Commission must occur at a public meeting as required by the Open Meeting Act [OMA] RIGL Ch. 42-46 [\[CLICK HERE\]](#). The OMA requires:

- that all items to be taken up by the Commission must be listed on a formal agenda,
- that the agenda must be posted on both the Secretary of State's and the City's web site a minimum of 48 hours before any meeting and
- that the agenda must be posted at City Hall and one other municipal site [the Library].

In addition, the City's Subdivisions Regulations have additional notification requirements [\[CLICK HERE\]](#). These are:

- **Notification Requirements for Major Subdivisions and Major Land Developments:**
  - For the Master Plan stage a notice [date, time, location and subject] of an **informational meeting** must be published in a newspaper a minimum of 7 days prior to the meeting and notice to abutters within 100 feet of the property shall be provided by meeting by post card.
  - For the Preliminary Plan stage a notice of a **public hearing** must be published in a newspaper a minimum of 14 days prior to the meeting and notice to abutters within 100 feet of the property shall be provided by certified mail 10 days prior to the hearing.
- **Notification Requirements for Minor Subdivisions**
  - For Minor Subdivisions with street extensions, a notice of a **public hearing** must be published in a newspaper a minimum of 14 days prior to the meeting and notice to abutters within 100 feet of the property shall be provided by certified mail 10 days prior to the hearing.
  - For Minor Subdivisions without street extensions, notice to abutters within 100 feet of the property shall be provided by first class mail 10 days prior to a **hearing**.
- **Notification Requirements for Amendments to Comprehensive Plan**, the City Charter Ch. 13§13.03 requires that a notice [date, time and subject] of the Plan Commission's **public hearing** shall be published a newspaper a minimum of twice a week for three successive weeks prior to the hearing. [\[CLICK HERE\]](#).

## **HOW DO I APPLY FOR A SUBDIVISION OR MAJOR LAND DEVELOPMENT?**

Applications for Subdivision and Major Land Development may be obtained from the Planning Department located on the 3<sup>rd</sup> floor of Cranston City Hall at 869 Park Avenue Cranston, RI 02910. Applications may also be obtained from the Planning Department's web page on the City's web site [\[CLICK HERE\]](#).

**THE PLANNING DEPARTMENT REQUIRES THAT YOU CALL FOR AN APPOINTMENT AND MEET WITH STAFF FROM THE DEPARTMENT PRIOR TO SUBMITTING ANY APPLICATION FOR DPR.**

**HOW DO YOU CONTACT US?**

You may contact the Plan Commission through the Planning Department. The Planning Department is located on the 3<sup>rd</sup> floor of Cranston City Hall at 869 Park Avenue Cranston, RI 02910. You may call the Planning Department at (401) 780-3136. To access the Planning Department's web page [CLICK HERE](#).

# THE CITY COUNCIL

## WHO WE ARE

The City Council [**COUNCIL**] has been created in conformance with the requirements of the Cranston Charter Ch. 2§2.06. [\[CLICK HERE\]](#).

The Council has 9 members who are elected by the residents as follows:

- One Council member from each of the City's six ward,
- Three Council members city wide.

Council members are elected for 2 year terms and may serve up to 5 consecutive terms.

## WHEN AND HOW WE MEET

Generally, the Council meets the fourth Monday of every month. Meetings start at 6:30 pm and are usually held in the City Council Chamber of City Hall. **If you are interested in upcoming hearings of the Council or its subcommittees [i.e. ordinance, finance or public safety] [both regularly scheduled and special], you should regularly check the City's Calendar on Cranston's web page [\[CLICK HERE\]](#).**

## WHAT WE DO

With regards to land development, the Council has two major responsibilities. These are:

- Enacting and amending Cranston's Zoning Ordinance in accordance with the Zoning Ordinance Ch.17.120 [\[CLICK HERE\]](#), with the City Charter Ch. 13§13.05. [\[CLICK HERE\]](#) and with RIGL §45-24.51 [\[CLICK HERE\]](#).
- Adopting and amending Cranston's Comprehensive Plan in accordance with RIGL Ch. 45.22.2, [\[CLICK HERE\]](#) and the City Charter Ch. 13§13.03. [\[CLICK HERE\]](#).

## HOW ARE AMENDMENTS TO THE ZONING ORDINANCE EVALUATED?

When it considers an amendment to the zoning ordinance, the Council evaluates it against criteria that include:

- Conformity with Cranston's Comprehensive Plan,
- Recommendations of the City Plan Commission,
- Recommendations from other applicable City Departments,
- Consistency with other sections of the Zoning Ordinance,
- Compatibility with adjacent uses of land,
- Suitability of the land for the proposed purpose, including the size and shape of the lot(s) being created and
- Environmental impacts.

## HOW ARE AMENDMENTS TO THE COMPREHENSIVE PLAN EVALUATED?

- Recommendations of the Plan Commission,
- Consistency with other sections of the Comprehensive Plan,
- Recommendations from other applicable City Departments and
- Consistency with the State Guide Plan [[CLICK HERE](#)].

## TO WHOM AND HOW DO WE PROVIDE NOTIFICATION OF CITY COUNCIL ACTIVITIES

All activities of the Council must occur at a public meeting as required by the Open Meeting Act [OMA] RIGL 42-46. [[CLICK HERE](#)] The OMA requires that:

- all items to be taken up by the Council must be listed on a formal agenda,
- the agenda must be posted on both the Secretary of State's and the City's web site a minimum of 48 hours before any meeting and
- the agenda must be posted at City Hall and one other municipal site.

In addition, the actions of the Council have additional notification requirements. These are:

- For all amendments to the Zoning Ordinance, the City Council is required to hold a **public hearing**. Notice [date, time, location and subject] of the public hearing must be published in a newspaper a minimum of once a week for three successive weeks prior to the hearing. Zoning Ordinance Ch. 17.120 [[CLICK HERE](#)].
- For amendments to the Zoning Ordinance that proposes to amend the zoning classification of specific properties, in addition to the notice required above, notice [date, time and subject] of the public hearing must be provided via certified mail to abutters within 400' of the property being rezoned. Zoning Ordinance Ch. 17.120 [[CLICK HERE](#)].
- For amendments to the City's Comprehensive Plan, the Council is required to hold a **public hearing**. Notice [date, time and subject] of the public hearing shall be published in a newspaper a minimum of once a week for three successive weeks prior to the hearing. In addition, prior to the Council's hearing on the Comprehensive Plan, the City Plan Commission is required to hold a public hearing. Notice [date, time and subject] of the Plan Commission's public hearing shall be published a newspaper a minimum of twice a week for three successive weeks prior to the hearing. [[CLICK HERE](#)].

## HOW DO I APPLY TO AMEND THE COMPREHENSIVE PLAN OR THE ZONING ORDINANCE?

Applications for Comprehensive Plan or Zoning Ordinance amendments may be obtained from the Office of the City Clerk located on the 2<sup>nd</sup> floor of Cranston City Hall at 869 Park Avenue Cranston, RI 02910.

## **HOW DO YOU CONTACT US?**

You may contact the Council through the Office of the City Clerk. The City Clerk is located on the 2<sup>nd</sup> floor of Cranston City Hall at 869 Park Avenue Cranston, RI 02910. You may call the City Clerk at (401) 780-3194. To access the City Clerk's web page [[CLICK HERE](#)].

# ZONING BOARD OF REVIEW

## WHO WE ARE

The Zoning Board of Review [ZBR] has been created in conformance with the requirements of RIGL Ch. 45.24§56 [\[CLICK HERE\]](#) and with the requirements of the Zoning Ordinance of the Code of Ordinances Ch. 17.108 [\[CLICK HERE\]](#).

The ZRB has 5 regular members who are appointed by the City Council as follows:

- One member from Wards 1 or 2
- One member from Wards 3 or 4
- One member from Wards 5 or 6
- One member at large from eastern Cranston
- One member at large from western Cranston

ZBR members are appointed for 5 year terms and may serve 2 consecutive terms.

The ZRB also has 4 alternate members appointed by the Mayor and City Council as follows

- The Mayor shall appoint the first and third alternate and
- The City Council shall appoint the second and fourth alternate.

Alternate members are appointed for one year terms.

## WHEN AND HOW WE MEET

The ZBR meets the second Wednesday of every month. Meetings start at 6:30 pm and are usually held in the City Council Chamber of City Hall. **If you are interested in upcoming hearings of the ZBR [both regularly scheduled and special], you should regularly check the City's Calendar on Cranston's web page [\[CLICK HERE\]](#).**

## WHAT WE DO

The ZBR has a number of responsibilities. These include:

- Acting on applications for variance both use and dimensional from the Zoning Ordinance Ch.17.92§010. [\[CLICK HERE\]](#).
- Acting on applications for a Special Permit use under the Zoning Ordinance Ch.17.92§020. [\[CLICK HERE\]](#).
- Acting on an appeal from a zoning determination made by the City's Zoning Officer under the Zoning Ordinance Ch.17.116. [\[CLICK HERE\]](#).

## WHAT IS THE ZONING ORDINANCE?

The zoning ordinance controls the use of land in the City. It states exactly:

- how land may be used,

- where buildings and other structures can be located,
- the types of buildings that are permitted and how they may be used and
- lot sizes and dimensions, parking requirements, building heights and setbacks from the street.

While the Comprehensive Plan sets out Cranston’s general policies for future land use, the Zoning Ordinance put that plan into effect and provides for its day-to-day administration. It contains specific requirements that are legally enforceable. Construction or new development that doesn't comply with the Zoning Ordinance is not allowed and the City will refuse to issue a building permit.

Cranston has a comprehensive zoning ordinance that divides the City into different land use zones, with detailed maps. The ordinance specifies the permitted uses (e.g. commercial or residential) and the required dimensional and density standards (e.g. building size and location) in each zone.

## **WHAT IS A ZONING VARIANCE?**

A variance is a request for relief from current zoning requirements. If granted, it permits a use of the land for a specific parcel of land in a manner that would not normally be permitted by the zoning ordinance. It is not a change in the zoning ordinance. Instead, it is an individual waiver of requirements of the zoning ordinance. Cranston’s Zoning Ordinance defines “variance” as:

"Variance" means permission to depart from the literal requirements of the zoning ordinance. An authorization for the construction or maintenance of a building or structure or for the establishment or maintenance of a use of land, which is prohibited by this chapter. There shall be only two categories of variance, a use variance or a dimensional variance.

1. "Use variance" means permission to depart from the use requirements of the zoning ordinance where the applicant for the requested variance has shown by evidence upon the record that the subject land or structure cannot yield any beneficial use if it is to conform to the provisions of this chapter.
2. "Dimensional variance" means permission to depart from the dimensional requirements of this chapter, where the applicant for the requested relief has shown, by evidence upon the record, that there is no other reasonable alternative way to enjoy a legally permitted beneficial use of the subject property unless granted the requested relief from the dimensional regulations. However, the fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief."

## **WHAT IS A SPECIAL USE PERMIT?**

A Special Use is a use that meets the intent and purpose of the zoning district in which it is located but requires additional review and approval by the ZBR in order to insure that any adverse impacts on adjacent uses, structures or public services and facilities that may be generated by the use are mitigated.

## **WHAT IS PRE-EXISTING NONCONFORMING?**

A nonconforming use or site is a permitted use of a property or a dimensional\density lot configuration that would otherwise be in violation of the current zoning ordinance. A

nonconforming status is created when the use of the land or building or the lot configuration legally existed before the zoning ordinance became effective. Cranston's Zoning Ordinance defines "nonconformance" as:

"Nonconformance" means a building, structure or parcel of land or use thereof, lawfully existing at the time of the adoption of the zoning ordinance of January 1, 1966 or any amendment thereof and not in conformity with the provisions of such ordinance or amendment. Nonconformance shall be of only two types:

1. Nonconforming by Use. A lawfully established use of land, building or structure which is not a permitted use in that zoning district. A building or structure containing more dwelling units than are permitted by the use regulations of a zoning ordinance shall be nonconforming by use; or
2. Nonconforming by Dimension. A building, structure or parcel of land not in compliance with the dimensional regulations of the zoning ordinance. Dimensional regulations include all regulations of the zoning ordinance, other than those pertaining to the permitted uses. A building or structure containing more dwelling units than are permitted by the use regulations of a zoning ordinance shall be nonconforming by use; a building or structure containing a permitted number of dwelling units by the use regulations of the zoning ordinance, but not meeting the lot area per dwelling unit regulations, shall be nonconforming by dimension."

## **WHY DO YOU NEED A ZONING ORDINANCE?**

The zoning ordinance:

- implements the objectives and policies of a Cranston's Comprehensive Plan,
- provides a legal way of managing land use and future development and
- protects you from conflicting and possibly dangerous land uses in the City.

## **HOW ARE APPLICATIONS FOR ZBR ACTIONS EVALUATED?**

### **FOR A VARIANCE**

As required by the Zoning Ordinance Ch.17.92§010. [[CLICK HERE](#)], for the grant of a variance, the ZBR must determine the following:

- In granting a use variance the subject land or structure cannot yield any beneficial use if it is required to conform to the zoning ordinance.
- In granting a dimensional variance, that the hardship that will be suffered if the dimensional variance is not granted will amount to more than a mere inconvenience, which means that there is no other reasonable alternative to enjoy a legally permitted beneficial use of one's property. The fact that a use may be more valuable after the relief is granted shall not be grounds for relief.
- In addition to the above, the ZBR shall require proof that following standards have been met:
  - That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant.

- That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain;
- That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan; and
- That the relief to be granted is the least relief necessary.

## FOR A SPECIAL PERMIT

As required by the Zoning Ordinance Ch.17.92§020. [[CLICK HERE](#)], for the grant of a Special Permit, the ZBR must determine the following:

- Within a residential district, that the proposed use is consistent with the residential use of the district;
- Within an industrial district, that the factual evidence has demonstrated that the proposed use will predominantly serve the employees and visitors to the existing industrial uses within the district;
- Within a commercial district, that the proposed use will substantially conform to the scale and context of the surrounding developments;
- Within an open space district, that the building and uses of land will be so designed and located in relation to the property as to preserve an open or natural character in the district.

## TO WHOM AND HOW DO WE PROVIDE NOTIFICATION OF ZBR ACTIVITIES

All activities of the ZBR must occur at a public meeting as required by the RIGL 42-46 Open Meeting Act [OMA] RIGL 42-46 [[CLICK HERE](#)]. The OMA requires:

- that all items to be taken up by the ZBR must be listed on a formal agenda
- that the agenda must be posted on both the Secretary of State's and the City's web site a minimum of 48 hours before any meeting and
- that the agenda must be posted at City Hall and one other municipal site.

In addition, the actions of the ZBR have additional notification requirements as set by the Zoning Ordinance. These are:

- That notice [date, time, location and subject] of the **public hearing** must be published in a newspaper a minimum of 20 days prior to the hearing;
- That written notice of the public hearing must be provided to abutters within 400 feet of the property by ordinary mail a minimum of 20 days prior to the hearing;
- That written notice of the ZBR's decision must be provided to abutters within 400 feet of the property by ordinary mail within 4 days of the decision.

## HOW DO I APPLY FOR A ZONING BOARD ACTION?

- Applications ZBR actions may be obtained from the located at Department 35 Sockanosset Crossroad, Suite 6 Cranston, RI.

- Applications for ZBR actions may also be obtained from the Department of Building Inspections web page on the City's web site. [\[CLICK HERE\]](#)

## **HOW DO YOU CONTACT US?**

You may contact the ZBR through the City's Department of Building Inspections and Zoning. The Department is located at 35 Sockanosset Crossroad, Suite 6 Cranston, RI. You may call the Building Department at (401) 780-6012. To access the Building Department's web page [\[CLICK HERE\]](#).

# CRANSTON DEPARTMENT OF PLANNING

## WHO WE ARE

The Cranston Planning Department is a municipal agency funded by the City of Cranston. The Department consists of the Director of Planning and professional planners. Department staff are hire by and supervised by the City Plan Commission and are employees of the City.

## WHAT WE DO

The Planning Department has a number of responsibilities. These include:

- Serving as staff for the City Plan Commission and assisting the Commission in meeting its statutory obligations.
- Acting on applications for Development Plan Review [DPR] under Zoning Ordinance Ch. 17.84. The Director of Planning is chair of the Development Plan Review Committee [DPRC]. [\[CLICK HERE\]](#)

## WHEN AND HOW WE MEET

- As a municipal department, the Department is available for business Monday thru Friday [8:30 am to 4:30] at City Hall.
- For Development Plan Review, the Development Plan Review Committee meets the first and third Wednesday of every month as needed. Meetings start at 9:00 am and are usually held in the City Council Chamber of City Hall. **If you are interested in upcoming hearings of the DPRC, you should regularly check the City's Calendar on Cranston's web page [\[CLICK HERE\]](#).**

## WHAT IS A DEVELOPMENT PLAN REVIEW?

A development plan review establishes criteria for the layout, scale, appearance, safety and mitigation of environmental impacts of commercial, industrial or multifamily development, in an attempt to "fit" these projects into the community. Development plan review focuses on compliance with zoning, consistency with Cranston's Comprehensive Plan and on potential development impacts including parking, traffic, drainage, roadway construction, signage, utilities, screening, lighting, and other aspects of the proposal to arrive at the best possible design for a project. A DPR approval must be obtained before issuance of a building permit or before seeking an approval from the City Plan Commission or the Zoning Board of Review.

## WHAT PROJECT ARE SUBJECT TO A DEVELOPMENT PLAN REVIEW?

The following projects are subject to a development plan review:

- A nonresidential development on a parcel not located in or within two hundred (200) feet of a residential zoning district (all A-zones and B-zones) which proposes:
  - A new structure(s) having eight thousand (8,000) square feet or more or that requires twenty-five (25) or more off-street parking spaces;

- To increase a structure(s) by the lesser of twenty-five (25) percent or four thousand square feet provided that said structure(s) will have eight thousand (8,000) square feet or more after the increase or that requires the addition of seven or more off-street parking spaces;
- A nonresidential development on a parcel located in or within two hundred (200) feet of a residential zoning district which proposes:
  - A new structure(s) having an area of five thousand (5,000) square feet or more or that requires fifteen (15) or more off-street parking spaces;
  - To increase structure(s) by the lesser of five percent or one thousand five hundred (1,500) square feet provided that said structure(s) will have five thousand (5,000) square feet or more after the increase or that requires the addition of four or more off-street parking spaces.
- A multi-family development which proposes four or more dwelling units or any accessory structure of one thousand (1,000) square feet or more. Any increase in an existing development resulting in four or more dwelling units.
- A change in use provided that said change would in any three-year period:
  - Involve lesser of twenty (20) percent or fifteen thousand (15,000) square feet;
  - Require the addition of six or more off-street parking spaces;
  - Employ different materials and/or processes than those associated with the existing use;
  - Result in significant changes to traffic flow or volumes, landscaping or buffering, hours of operation, noise, effluent discharge, drainage or lighting.
- Any Development which proposes to include a drive-thru use.

## **HOW ARE APPLICATIONS FOR DEVELOPMENT PLAN REVIEW EVALUATED?**

In considering a development plan review, the Committee evaluates the merits of the proposal against criteria that include the following:

- A Development complies with zoning and other city codes and regulations and is consistent with the comprehensive plan.
- Erosion is controlled in accordance with Chapter 15.28 "soil erosion and sedimentation control" of the city code so that erosion shall not impact abutting properties or public streets.
- Storm water runoff is treated using best management practices so that there shall be no increased runoff from a development. (All developments shall meet the standards set in the Rhode Island Stormwater Design and Installation Standards Manual as most recently amended.)
- Vehicular and pedestrian movement within and access to and egress from a development are safe and efficient and provisions are made for snow removal.
- Site improvements, utilities, infrastructure, streets, sidewalks, and parking areas will be constructed in compliance with the applicable city regulations and standards.
- The location, arrangement, appearance and quantity of off-street parking and loading are adequate to serve the development and comply with zoning.

## **TO WHOM AND HOW DO WE PROVIDE NOTIFICATION OF A DEVELOPMENT PLAN REVIEW**

All activities of the DPRC must occur at a public meeting as required by the Open Meeting Act [OMA] RIGL 42-46 [[CLICK HERE](#)]. The OMA requires:

- that all items to be taken up by the DPRC must be listed on a formal agenda
- that the agenda must be posted on both the Secretary of State's and the City's web site a minimum of 48 hours before any meeting and
- that the agenda must be posted at City Hall and one other municipal site [City Library].

In addition, DRRC meetings in which applications for DPR review are heard have additional notification requirements. City's Zoning Ordinance requires that abutters within 200' of the parcel being reviewed to be noticed [date, time, location and subject] by first class mail posted a minimum of 7 days prior to the meeting.

## **HOW DO I APPLY FOR A DEVELOPMENT PLAN REVIEWS?**

Applications for DPR may be obtained from the Planning Department located on the 3<sup>rd</sup> floor of Cranston City Hall at 869 Park Avenue Cranston, RI 02910.

Applications for DPR may be obtained from the Planning Department's web page on the City's web site [[CLICK HERE](#)].

**THE PLANNING DEPARTMENT REQUIRES THAT YOU CALL FOR AN APPOINTMENT AND MEET WITH STAFF FROM THE DEPARTMENT PRIOR TO SUBMITTING ANY APPLICATION FOR DPR.**

## **HOW DO YOU CONTACT US?**

The Planning Department is located on the 3<sup>rd</sup> floor of Cranston City Hall at 869 Park Avenue Cranston, RI 02910. You may call the Planning Department at (401) 780-3136. To access the Planning Department's web page [[CLICK HERE](#)].

# **CRANSTON DEPARTMENT OF BUILDING INSPECTIONS AND ZONING**

## **WHO WE ARE**

Cranston’s Department of Building Inspections and Zoning is a municipal agency funded by the City of Cranston. The Director of the Department is appointed by the Mayor. Department staff are hire by and supervised by the Director and are employees of the City.

## **WHAT WE DO**

The Department has a number of responsibilities. These include:

- Issuing building permits [building, electrical, plumbing, grading and floodplain] in accordance with the Rhode Island Building Code and Titles 15 and 17 of Cranston’s Code of Municipal Ordinances.
- Serving as staff to the ZBR for all matters appearing before the ZBR.
- Enforces the provisions and requirements of the Zoning Ordinance as authorized by §17.04.070 of the Ordinance [\[CLICK HERE\]](#).
- Issuing Modifications to the Zoning Ordinance in accordance with §17.20.130 of the Zoning Ordinance. Modifications are adjustments or deviations not exceeding 25% of any of the requirements of dimensional or quantitative requirements or the Zoning Ordinance [\[CLICK HERE\]](#).
- Issuing zoning certificates attesting to that a use, structure, building or lot either complies with or is legally nonconforming to the provisions of this zoning ordinance or in an authorized variance or modification therefrom in accordance with §17.04.070 of the Ordinance [\[CLICK HERE\]](#).
- Participating in Development Plan Reviews as a member of the DPR Committee.

## **WHEN AND HOW WE MEET**

As a municipal department, the Department is available for business Monday thru Friday [8:30 am to 4:30] at City Hall. Building permits are issued administratively after staff review. Certificates of consistency and modifications are issued administratively by Department staff.

## **TO WHOM AND HOW DO WE PROVIDE NOTIFICATION**

Prior to ruling on a modification, the building official shall give notice:

- by ordinary mail, to all property owners within a 400’ radius of the property and
- by publishing in a newspaper having general circulation in the city of Cranston.

Notice shall include that the Building Department is considering a modification, the location of property in question, the nature of the proposed modification, a statement that such modification may be granted by the building official if no objection is received within thirty (30) days, and an invitation to allow any member of the public to inspect plot plans and application forms during normal working hours at the city hall. There is no public hearing associated with these activities.

## **HOW DO I APPLY FOR A BUILDING PERMIT OR ZONING APPLICATION?**

Applications for building permits and applications for zoning matters may be obtained from the Department of Building Inspections and Zoning located at 35 Sockanosset Crossroad, Suite 6 Cranston, RI.

Applications may also be may be obtained from the Department's web page on the City's web site [[CLICK HERE](#)].

## **HOW DO YOU CONTACT US?**

The Department of Building Inspections and Zoning is located at 35 Sockanosset Crossroad, Suite 6 Cranston, RI. You may call the Building Department at (401) 780-6012. To access the Departments web page [[CLICK HERE](#)].

# **CRANSTON DEPARTMENT OF PUBLIC WORKS**

## **WHO WE ARE**

Cranston's Department of Public Works is a municipal agency funded by the City of Cranston. The Director of Public Works is appointed by the Mayor. Department staff are hire by and supervised by the Director and are employees of the City

## **WHAT WE DO**

The Department of Public Works has a number of responsibilities. These include:

- Issuing street opening permits including curb cut permits.
- Reviewing applications for building permits and advising the Inspector Buildings as the adequacy of the provisions for water and sewer.
- Participating in Development Plan Reviews as a member of the DPR Committee.

## **WHEN AND HOW WE MEET**

As a municipal department, the Depart is available for business Monday thru Friday [8:30 am to 4:30] at City Hall.

## **TO WHOM AND HOW DO WE PROVIDE NOTIFICATION**

Street opening permits are issued administratively after staff review. Review and comment on building permits are addressed administratively by Department staff. There is no public hearing associated with these activities.

## **HOW DO I APPLY FOR A STREET OPENING PERMIT?**

Applications for a Street Opening Permit may be obtained from the Department of Public Works located on the 1st floor of Cranston City Hall at 869 Park Avenue Cranston, RI 02910.

## **HOW DO YOU CONTACT US?**

The Department of Public Works is located on the 1<sup>st</sup> floor of Cranston City Hall at 869 Park Avenue Cranston, RI 02910. You may call the Department of Public Works at (401) 780-3175. To access the Department's web page. [[CLICK HERE](#)]

# THE HISTORIC DISTRICT COMMISSION

## WHO WE ARE

The Historic District Commission [**COMISSION**] has been created in conformance with the requirements of the requirements of the Ch. 17.12 of The Zoning Ordinance. [[CLICK HERE](#)]

The Commission has 7 members and may have 1 auxiliary. Member of the Commission are appointed by the Mayor for 3 year terms.

## WHEN AND HOW WE MEET

The Commission meets as needed. Meetings start at 7:00 pm and are usually held in the 3<sup>rd</sup> Floor Conference Room City Hall. **If you are interested in upcoming hearings of the Commission, you should regularly check the City's Calendar on Cranston's web page [[CLICK HERE](#)].**

## WHAT WE DO

The commission makes recommendations to the City Council for the establishment, laying out or defining of districts which are deemed to be of historic or architectural value [Local Historic Districts].

The Commission acts on requests for any construction, alteration, repair, removal or demolition which affects the exterior appearance of a structure or its appurtenances within any designated local historic district. Approval, if granted, is called a certificate of appropriateness.

## LOCAL HISTORIC DISTRICTS

The City has established the following local historic districts maps of which are on file in the office of the City Clerk.

- Oak Lawn Village Local Historic District.
- Lippitt Hill School Local Historic District.
- Evangeliste Turgeon House Local Historic District.
- The Joy Homestead Local Historic District.
- The Niles Westcott House Local Historic District.
- The James H. Armington House Local Historic District.
- The Nathan Westcott House Local Historic District.

## TO WHOM AND HOW DO WE PROVIDE NOTIFICTION OF HISTORIC DISTRICT COMMISSION ACTIVITIES

All activities of the Commission must occur at a public meeting as required by the Open Meeting Act [OMA] RIGL 42-46 [[CLICK HERE](#)]. The OMA requires:

- that all items to be taken up by the Commission must be listed on a formal agenda
- that the agenda must be posted on both the Secretary of State's and the City's web site a minimum of 48 hours before any meeting and
- that the agenda must be posted at City Hall and one other municipal site.

In addition to the requirements of the OMA, applications to the Historic District Commission have additional notification requirements. These are:

- Notice [date, time, location and subject] of commission meetings at which an application for a certificate of appropriateness is being considered shall appear in a newspaper at least 6 days, but no more than 14 days prior to such meetings.
- Notice of any other commission meeting shall be prominently posted in at least three locations within city hall, for a period of at least ten (10) days prior to and including the meeting date.

### **HOW DO I APPLY FOR A CERTIFICATE OF APPROPRIATENESS?**

Applications for a Certificate of Appropriateness may be obtained from the Planning Department located on the 3<sup>rd</sup> floor of Cranston City Hall at 869 Park Avenue Cranston, RI 02910.

### **HOW DO YOU CONTACT US?**

You may contact the Plan Commission through the City's Planning Department. The Planning Department is located on the 3<sup>rd</sup> floor of Cranston City Hall at 869 Park Avenue Cranston, RI 02910. You may call the Planning Department at (401) 780-3136. To access the Planning Department's web page [\[CLICK HERE\]](#).

**THE PLANNING DEPARTMENT REQUIRES THAT YOU CALL FOR AN APPOINTMENT AND MEET WITH STAFF FROM THE DEPARTMENT PRIOR TO SUBMITTING ANY APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS.**

# THE CONSERVATION COMMISSION

## WHO WE ARE

The Conservation Commission [**COMISSION**] has been created in conformance with the requirements of the requirements of the Cranston Charter Ch. 2.52.

The Council has 7 members and 2 alternates.

Commission members are appointed by the Mayor with the advice and consent of the City Council for 3 year terms.

## WHEN AND HOW WE MEET

The Commission meets as needed. Meetings start at 6:30 pm and are usually held in the 3<sup>rd</sup> Floor Conference Room City Hall. **If you are interested in upcoming meetings of the Commission, you should regularly check the City's Calendar on Cranston's web page [\[CLICK HERE\]](#).**

## WHAT WE DO

The purpose of the Commission is to promote and develop the natural resources, to protect the watershed resources, and to preserve natural esthetic areas within the city. The Commission has a number of responsibilities. These include:

- Conducting researches into local land areas and shall seek to coordinate the activities of unofficial bodies organized for similar purposes.
- Recommending to the city council a program for the better promotion, development, utilization, or preservation of open areas, streams, shores, wooded areas, roadsides, swamps, marshlands, and natural esthetic areas.
- Making recommendations to the Plan Commission, the ZBR, the Development Plan Review Committee and the City Council on land use application.

## WHO AND HOW DO WE PROVIDE NOTIFICATION OF CONSERVATION COMMISSION ACTIVITIES

All activities of the Commission must occur at a public meeting as required by the Open Meeting Act [OMA] RIGL 42-46 [\[CLICK HERE\]](#). The OMA requires:

- that all items to be taken up by the Commission must be listed on a formal agenda
- that the agenda must be posted on both the Secretary of State's and the City's web site a minimum of 48 hours before any meeting and
- that the agenda must be posted at City Hall and one other municipal site.

## HOW DO YOU CONTACT US?