

CITY PLANNING DEPARTMENT



Memorandum – Ordinance Recommendation

To: City Plan Commission
From: Jonas Bruggemann, Assistant Planning Director
Date: September 30, 2026
RE: Ordinance– “2026 State Legislation”
Proposed Amendment – Zoning Ordinance

Proposal

The Proposal amends various sections of the Zoning Ordinance in accordance with the most recent State Legislation package passed during the 2026 legislative session in addition to various other minor amendments to create general compliance with state law, add clarifying language, or fix minor errors. An overview of each specific revision is included in the Planning Analysis section.

Planning Analysis:

The table below lists the proposed amendments to the specific sections in the zoning ordinance and lists whether the amendment is a change required by state law or a change that was enabled but not explicitly required to be implemented. Planning staff have also recommended several technical and quality of life changes that are intended to create consistency between the Subdivision Regulations and the zoning ordinance, provide clarifying language to certain sections, or small changes that create conformance with Cranston’s Comprehensive Plan.

Section	Required (R) Discretionary (D)	Action	Reason
17.04.030	R	Amended definitions for "substandard lot of record" and increased individuals permitted in "family daycare home" from 8 to 12.	H8004A, H7371

Section	Required (R) Discretionary (D)	Action	Reason
17.04.030	D	Changed family daycare home to be in line with RIGL 42-12.5 and rolled in the definition of "group family daycare home"	Added "Group family daycare home" as it has separate definition in state law and not including it could create the need for a use variance for a use that is very similar in use and occupancy but with a separate license requirement with the state. Both could be listed as separate uses but as both uses have the same general use and same cap on individuals in care, we decided to keep it as the same use category.
17.04.030	D	Added definition of "buildable lot"	Referenced throughout the code but not defined
17.04.030 17.92.010	D	-Removed "to flood areas" from definition of Critical Facility -ZBR or CPC may also grant a variance or other form of zoning relief for the protection of a critical facility upon the finding that the property has been subject to or is at a reasonably foreseeable risk of vandalism, trespass, theft, or damage by extreme weather or climate change related disaster	Among other changes S2601, added an optional finding that permits the ZBR or CPC to give zoning variances for "critical infrastructure" (mostly defined as important utilities such as powerlines or water/sewer/gas mains) that is under threat of damage from human or environmental sources such as flooding, vandalism, theft, etc. The Zoning Ordinance has a definition for "critical facility" which includes utilities but is broader than the definition of "critical infrastructure" as defined in § 5-94-2. By using this "critical facility" definition, the ZBR and CPC are given more options beyond the state law to grant variances for hospitals, police and fire stations, etc. to allow for prevention and protection from a variety of human and environmental threats.
17.04.070	R	Added limitation on which individuals can request zoning certificates	H8004A

Section	Required (R) Discretionary (D)	Action	Reason
17.08.010	R/D	Defined our 3 district categories: base zoning districts, planned districts, and overlay districts. Added the Transit Hub Overlay District (THOD).	Response to H8005A. Largely lists and clarifies existing districts but adds the THOD for compliance with H8005A
17.08.030	R	Establishes and sets standards for THOD.	Compliance with H8005A. Optional items for compliance include defining the districts using state provided RIGIS data as the legal base for this district. The section otherwise has very similar language to H8005A
17.20.020	R	Added that projects with 10% affordable housing have no maximum density	S1086 from 2025. This was omitted by accident from previous round of amendments to the zoning ordinance
17.20.40 17.88.010	D	Moved "development proposals" section to 17.88.010 and renamed it to "development on substandard lots of records"	Edit made for ease of use. This subsection deals exclusively with development on substandard lots of record but is separated from the section which deals with substandard lots (17.88.010). Both sections are under one section in state law under RIGL 45-24-38. Keeping these sections together makes it easier for developers, regulators, and the general public to use and understand our code.
17.20.130	R	-Specified that the section refers to "dimensional modifications" only. -Added a finding on freshwater wetlands from RIGL 45-24-46 -Included Plan Commission as a body that can vote on modifications that received objections	-H8004A specified amendments -Added a finding which was omitted from the zoning ordinance for unknown reasons. Added it to ensure compliance with state law. -Plan Commission is enabled under Unified Development Review to grant zoning relief since 2023.
17.20.130	D	Changed format by breaking up large blocks of text into numbered subsections	Change made for ease of use and legibility

Section	Required (R) Discretionary (D)	Action	Reason
17.20.130	R	Added section on Neighborhood character-based modifications (NCBMs)	Now required per H8004A
17.20.130	R	Included requirements for record keeping and specified that the applicant is responsible for any costs associated with modifications	Specified in RIGL § 45-24-46 but not in the zoning ordinance. This addition codifies processes that are already required and enforced.
17.60.010	D	Removed section that exempts uncovered structures such as pools and decks from lot coverage calculations	Request from Building Official. Reduces impervious area and permits consistency on how we historically have enforced this section
17.86.020	R	Added Administrative Subdivisions to applications which can be reviewed under Unified Development Review	H8004A (stage of review is not specified as Administrative Subdivisions only have a single stage of review)
17.86.040	R	Added that applications needing relief from dimensional requirements under Unified Development Review are not subject to one of the findings for variances	Aligns UDR with state law. Missed during last round of amendments
17.88.010	D	Removed definition of substandard lots of record	Redundant to have the definition restated as it is already in the Definition section
17.88.010	R	Specified that substandard lots of record in common ownership are to be merged under Zoning Ordinance only to the degree that they reach compliance. Specified elements in the calculation needed to determine if lots can be unmerged	H8004A
17.92.010	R	Added that applications under unified development review should be reviewed by the City Plan Commission.	RIGL § 45-24-41. Added for clarification and accidental omission from previous amendments to the zoning ordinance
17.92.010	R	Removed "variance" and replaced with "relief" in finding C.3	H8004A

Section	Required (R) Discretionary (D)	Action	Reason
17.92.030	R	Limited the special conditions that the zoning board or plan commission can set on a project when approving a variance or appeal of the decision of the zoning official	H8004A

Findings per City Code §17.120.030

(A): Consistency with the Cranston Comprehensive Plan 2024:

§17.120.030(A) requires that the City Plan Commission include, as part of its recommendation to the City Council; a statement on the general consistency of the proposal with the Comprehensive Plan.

The Proposal includes numerous updates to the development process, and ensuring Staff are informed on the nature of these updates is key to providing accurate and appropriate information to Applicants, residents, and developers, (EDP-15) as well as understanding how these updates impact development proposals and guiding Applicants accordingly (Policy ED-16), which collectively speaks to having a clear, concise, and efficient development process in the City (Goal ED-1).

For these reasons, this Ordinance is consistent with the City's Comprehensive Plan.

(B). Recognition and Consideration of the Purposes of Zoning in City Code §17.04.010:

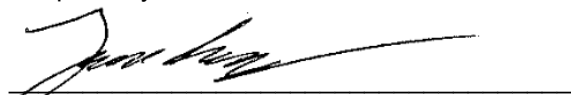
§17.120.030(B) requires that the City Plan Commission include, as part of its recommendation to the City Council; a demonstration of recognition and consideration of each of the applicable purposes of the Zoning Ordinance.

To the extent that the Proposal amends the Zoning Ordinance to maintain consistency with State law, Staff finds that the Proposal adequately addresses the appropriate purposes detailed in §17.04.010.

Recommendation

Based on the findings that the amendment is consistent with the goals and policies of the Comprehensive Plan, and the general purposes of the zoning ordinance, Planning Staff recommend that the City Plan Commission forward this Ordinance to the City Council for their review and consideration.

Respectfully Submitted,



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Assistant Director / Administrative Officer