

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**

IN AMENDMENT OF CHAPTER 17.84 OF THE CODE OF THE CITY OF  
CRANSTON, 2005, ENTITLED "ZONING"  
(Conformance to District Regulations Required &  
Substandard Lots of Record)

No.

*Passed:*

*Christopher G. Paplauskas, Council President*

*Approved:*

*Kenneth J. Hopkins, Mayor*

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1:** Chapter 17.20.040 entitled "Conformance to District Regulations Required" is hereby amended as follows:

**Section 17.20 Permitted Uses**

**17.20.040 – Conformance to District Regulations Required**

~~No structure or land shall be hereafter used and no structure or part thereof shall be erected or moved nor shall the exterior be altered unless in conformity with the regulations for minimum lot area herein specified for the district in which it is located, except as provided for in Sections 17.04.070, 17.04.080, and Chapters 17.108 Zoning Board of Review, 17.88 Nonconforming Uses and Structures and 17.112 Industrial Performance Commission of this title.~~

A. Subdivision of Land

1. Minor and Major Subdivisions of land, as defined by the City of Cranston Subdivision Regulations, as amended, shall not be approved unless all buildable lots are in conformity with the minimum lot area and minimum lot width & frontage as per Section 17.20.120 Schedule of Intensity Regulations.

- 38 2. Administrative Subdivisions of land, as defined by the City of Cranston  
39 Subdivision Regulations, as amended, shall not be approved unless all buildable  
40 lots are in conformity with the minimum lot area and minimum lot width &  
41 frontage as per Section 17.20.120 *Schedule of Intensity Regulations*, unless the  
42 proposal results in the reduction of existing nonconformities and does not create  
43 or intensify any nonconformity.  
44

#### 45 B. Development Proposals

- 46  
47 1. Primary structures shall be permitted on substandard lots of record that have a  
48 minimum of two-thirds the lot area specified for the district which it is located  
49 unless said lot is merged to form a conforming lot per Section 17.88.010  
50 *Substandard Lots of Records & Lot Mergers*, and provided that the lot has  
51 sufficient accommodations for vehicular access including that required for  
52 emergency vehicles as determined by the Fire Chief or his/her designee. Such  
53 proposals shall not require conformance with minimum lot area and lot width &  
54 frontage. This provision shall not apply to two-family or multi-family  
55 development which are subject to Section 17.20.090 *Specific Requirements &*  
56 *17.20.120 Schedule of Intensity Regulations*.  
57  
58 2. Accessory structures may be permitted on substandard lots of record, in  
59 accordance with Chapter 17.60 *Accessory Uses*, and shall not require  
60 conformance with minimum lot area and lot width & frontage.  
61  
62 3. Additions, expansions or renovations to existing structures on substandard lots  
63 of record that do not result in a required increase of minimum lot area per  
64 Section 17.20.090 *Specific Requirements & 17.20.120 Schedule of Intensity*  
65 *Regulations* may be permitted and shall not require conformance with minimum  
66 lot area and lot width & frontage. Additions, expansions or renovations which  
67 result in a required increase in the minimum lot area per Section 17.20.090  
68 *Specific Requirements & 17.20.120 Schedule of Intensity Regulations* shall  
69 require conformance with minimum lot area and lot width & frontage.  
70

#### 71 C. Changes of Use

- 72  
73 1. Changes of use which result in a required increase in minimum lot area per  
74 Section 17.20.090 *Specific Requirements & 17.20.120 Schedule of Intensity*  
75 *Regulations* shall require conformance with minimum lot area and lot width &  
76 frontage.  
77

- 78           2. Changes of use which do not result in a required increase in minimum lot area  
 79           per Section 17.20.090 Specific Requirements & 17.20.120 Schedule of Intensity  
 80           Regulations shall not require conformance with minimum lot area and lot width  
 81           & frontage.

82  
83

84 No exemption in this Section shall be meant to provide relief from any other section of the  
 85 Zoning Code.

86

87           **Section 2:** Chapter 17.88.010 entitled “Substandard lots of record” is hereby amended  
 88 as follows:

89

90 **Section 17.88 Nonconforming Uses and Structures**

91 **17.88.010 – Substandard Lots of Record & Lot Mergers**

92           A. “Substandard Lots of Record” Defined. ~~For the purposes of this chapter, A~~“substandard  
 93           lot of record" is a lot which does not satisfy one or more dimensional requirements set  
 94           forth in Section 17.20.120, but which was shown on a plat or deed recorded prior to  
 95           January 1, 1966 or an approved plat recorded after January 1, 1966 which has otherwise  
 96           been legally created and which has not been altered to become more nonconforming  
 97           since its creation, except by approval of the ~~planning board of review~~ City Plan  
 98           Commission.

99

100           B. ~~Contiguous Substandard Lots of Record~~ Lot Mergers

101           1. If two or more contiguous substandard lots of record are owned by the same  
 102           person or entity as of January 1, 1966, or if one of any two abutting lots under  
 103           common ownership by the same person or entity as of the same date is less than  
 104           4,000 square feet, such lots shall be considered to be combined to form ~~as many~~  
 105           conforming lots as are permitted in the particular district for the purpose of this  
 106           chapter, unless the lot meets the exemption as outlined in item (3) below;

107           2. In the event that there are multiple contiguous substandard lots of record with  
 108           more than one way the lots could be merged, upon request of a Zoning  
 109           Certificate, the Zoning Official shall determination which lots are merged. The  
 110           determination shall be based upon factors including but not limited to the  
 111           existing improvements on site, natural conditions, and/or the sum of the area  
 112           and frontage of the substandard lots (those lots whose sum is closest to the  
 113           minimum required in the underlying zoning district would be combined before  
 114           lots with larger sums, all other conditions being equal).

115           3. In a block that is seventy-five (75) percent or more developed in A-6, B-1 and  
 116           B-2 zones, lots having an area of at least four thousand (4,000) square feet and  
 117           having an area and frontage equal to or greater than the average of those  
 118           developed parcels within two hundred (200) feet of the lot which are on the

119 same side of the street need not be so combined. Substandard lots of record that  
120 are merged shall be considered merged for the purposes of calculation of this  
121 provision. Non-buildable lots of record and lots with zoning designations other  
122 than the subject lot shall not be included in the calculation. Side corner lots and  
123 double frontage lots may qualify for this exemption by measuring from any of  
124 its available frontages, so long as that frontage becomes the primary front for  
125 the subsequent development of the lot.

126 C. Where two or more ~~No parcel, tract or~~ lots are combined in accordance with this  
127 section, they shall not be subdivided in a manner where the lot width, ~~depth~~ frontage or  
128 area of any resulting lot shall be less than the requirements fixed by this chapter.

129 D. Any substandard lot of record which is not merged to a contiguous substandard lot of  
130 record under common ownership to form a conforming lot shall be regulated in  
131 accordance with 17.20.040 *Conformance to District Regulations Required.*  
132

133 **Section 2.** This Ordinance shall take effect upon it final adoption.

134 Positive Endorsement:

Negative Endorsement: (Attach reasons)

135

136 \_\_\_\_\_  
137 City Solicitor Date

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City Solicitor Date

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139 Sponsored by Mayor Hopkins

140 Referred to Ordinance Committee March 11, 2021

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