

CITY PLANNING DEPARTMENT



Memorandum – FINAL

To: City Plan Commission
From: Kenneth R. Kirkland MPA, MRP, AICP; Asst. City Planning Director
Date: December 5, 2023
RE: Proposed Amendment – “State Legislation”
Subdivision & Land Development Regulations

Proposal:

The Proposal amends a number of sections of the Subdivision Regulations in order to remain consistent with State law. Bills H6061A and H6086A constitute a majority of the “planning-based” revisions, although many of the zoning related bills have implications for planning, (such as Unified Development Review).

Analysis of Revisions:

- Major changes include the breakup of Section III(J): (Submittal Documents and Criteria for Certification of Completeness) and Section V: (Review Criteria & Procedure for Approval of Subdivision Plats and Land Development Plans) into respective Sections for Administrative Plans, (new Section IV); Minor Subdivisions & Minor Land Development Projects, (new Section V); and Major Subdivisions & Major Land Development Projects, (new Section VI).
- Special Requirements have been renamed to Special Regulations and have moved from Section IV to Section VII, (no changes with the exception of the inclusion of Section VII(C) for Unified Development Review).
- Section VIII deals with Public Hearings, which are not part of the existing Regulations.
- Appeals have been moved to Section XV and are broken down into appeals from the Administrative Officer, (new, Section XV(A)) appeals to Superior Court, and appeals of enactment or amendment of Regulations.

Key Revisions:

- Minor Subdivision: up to nine (9) lots, approved administratively.
- Major Subdivision: ten (10) lots or more.
- Land Development Project: defined, thresholds for minor and major.
- Either Subdivision / Land Development Project or Development Plan Review, not both.
- Public Hearing: moved to Master Plan stage of review, public informational meeting is eliminated.
- Platting Board of Review is essentially eliminated; establishment of land-use calendar in Superior Court.
- Planning Commission / Board = “City Plan Commission” or “Commission”
- Statutory citations: “In accordance with the provisions of RIGL §...”
- Internal citations: “In accordance with the provisions of Section X of these Regulations”

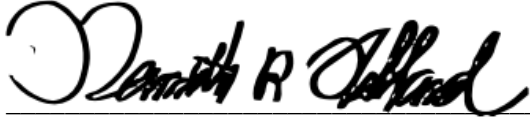
Color Coding:

- **Turquoise** = Section Heading
- **Grey Background** = New Changes

Recommendation:

In accordance with RIGL § 45-23-52 and §X(A) of the Subdivision Regulations, Staff recommends that the City Plan Commission adopt the Analysis of Revisions documented above and **ADOPT** the Regulations as amended.

Respectfully Submitted,

A handwritten signature in black ink, reading "Kenneth R. Kirkland". The signature is written in a cursive style with a large initial "K".

Kenneth R. Kirkland, MPA, MRP, AICP
Assistant City Planning Director

Cc: City Planning Director
File