CITY OF CRANSTON

SUBDIVISION & LAND DEVELOPMENT REGULATIONS

Adopted November 10, 2026

SUBDIVISION & LAND DEVELOPMENT REGULATIONS
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SECTION I – AUTHORITY & INTENT

A. Authority

1. These Subdivision & Land Development Regulations are adopted pursuant to the authority contained in Title 45, Chapter 23, Sections 25 through 74 of the Rhode Island General Laws, known as the Rhode Island Land Development and Subdivision Review Enabling Act of 1992 as amended to reflect changes of the Rhode Island General Assembly 2024 legislative session.
2. These Regulations revise the rules and regulations initially adopted by the Cranston City Plan Commission (the Commission) on March 15, 1946. These Regulations shall take precedence over any Regulations enacted prior to the enactment of these Regulations.
3. These Regulations may be amended by the City Plan Commission in accordance with the provisions of RIGL §45-23-52.

B. Intent

The intent of these Regulations is to:

1. promote the public health, safety, and general welfare;
2. prevent overcrowding of land;
3. prevent development of unsanitary areas for housing purposes;
4. secure a well-articulated street and highway system;
5. promote coordinated development to address present and future needs of the community;
6. secure the appropriate allotment of land in new developments for all the requirements of community life;
7. conserve natural beauty and other natural resources;
8. conform to the Comprehensive Plan; an
9. facilitate the adequate, efficient, and economic provision of transportation, water supply, sewerage, recreation, and other public utilities and requisites.

C. Purpose

The purpose of these Regulations is to establish procedural and substantive provisions for the subdivision and development of land that shall, consistent with the provisions of the Comprehensive Plan and the Cranston Zoning Ordinance, accomplish the following:

1. Protect the public health, safety, and welfare of the community;
2. Provide for the orderly, thorough and expeditious review and approval of proposed subdivisions and land developments;

3. Promote high quality and appropriate design and construction of subdivisions and land developments;
4. Promote thorough technical review of all proposed land developments and subdivisions by appropriate local officials;
5. Protect existing natural and built environments and mitigate the significant negative impacts of proposed subdivisions and land developments on those environments;
6. Promote subdivision and land development designs that are well-integrated into surrounding neighborhoods with regard to natural and built features and concentrate development in areas that can best support intensive use because of natural characteristics and existing infrastructure;
7. Encourage design and improvement standards to reflect the intent of the Comprehensive Plan and that are appropriate to the various neighborhoods and districts of the City;
8. Require measures for mitigating the impact of new development on the City that are based on clear documentation of needs and that are fairly applied and administered;
9. Direct the development of land consistent with state-of-the-art practices that promote and foster growth in a manner that protects the City's distinctive character while at the same time accommodating economic growth;
10. Guide land development with an emphasis on siting subdivision and land development improvements to allow for the maximum preservation of existing natural features;
11. Insure that proposed designs institute best management practices that acknowledge existing site constraints and the natural setting.
12. Require for the dedication of public land, impact mitigation, and payment-in-lieu thereof, are based on clear documentation of needs and are fairly applied and administered.

D. Consistency With The Comprehensive Plan

These Regulations shall be interpreted to be consistent with and further the implementation of the Comprehensive Plan and the Subdivision Act. Consistency with the Comprehensive Plan shall be interpreted as those proposals, actions, and/or decisions that either directly facilitate the achievement of a stated goal, policy, or action item or do not run counter to any stated goal, policy, or action item in the Plan.

E. Severability

If any section, paragraph, clause, phrase, or provision of these Regulations shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of these Regulations as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

F. Effective Date

These Regulations shall take effect on November 10, 2026, and shall supersede all other Regulations in effect at the time of such adoption.

G. Vesting & Continuing Applications Under Prior Regulations

1. Subdivisions or Land Development Projects, submitted for approval prior to November 10, 2026, that are being reviewed by the City Plan Commission or Administrative Officer shall be continued to be reviewed under the provisions of the Regulations in effect prior to November 11, 2026.
2. Subdivisions or Land Development Projects that received an approval by the City Plan Commission or Administrative Officer under the provisions of the Regulations in effect prior to November 10, 2026, shall continue to be reviewed by the City Plan Commission or Administrative Officer under those Regulations in accordance with vesting rights applicable to the stage of approval in accordance with the applicable state statute and section of these Regulations.
3. An application submitted prior to November 10, 2026, shall be vested if the application is certified as complete by the Administrative Officer. Said application shall continue to be reviewed under the Regulations in effect at the time of submission.
4. The Commission may, in its discretion, grant extensions to any such final approval in accordance with the following procedure for such extensions:
    a. The Applicant shall request an extension in writing. The responsibility for a request lies with the Applicant. Requests should be made at least one (1) month prior to expiration.
    b. A new performance bond amount may be required.
    c. If the subdivision or land development project is located in an area within the jurisdiction of the Rhode Island Department of Environmental Management (RIDEM), a current approval under the Freshwater Wetlands Act by RIDEM as required may be required.
    d. A unique situation exists wherein the Applicant has expended significant monies in the preparation of preliminary plans in an amount that if re-application under the revised Regulations were to be required due to an expired approval, a significant economic hardship would result. None of the following shall be construed as "significant economic hardship:"
        1. Cost of re-drafting, reformatting, or re-submission of application, plans, or narrative;
        2. Cost of application and notification fees;
        3. Cost of public hearing;
        4. Cost of limited design, or technical revisions not affecting the overall layout of the plan;

5. Cost of voluntary changes in the plans made by the Applicant; or
6. Re-submittal for state or federal regulatory permits.

H. Relationship to Zoning Ordinance

For the purposes of these Regulations, the requirements of the Zoning Ordinance shall be the mandatory minimum standards for all subdivisions and land development projects governed by these Regulations.

SECTION II – DEFINITIONS

Where words or phrases used in these Regulations are defined in the definitions section of either the Rhode Island Comprehensive Planning and Land Use Regulation Act, RIGL §45-22.2-4, or the Rhode Island Zoning Enabling Act of 1991, RIGL §45-24-31, they have the meanings stated in those Acts.

The following words or phrases, when used in these Regulations, shall have the following meaning, unless otherwise specifically provided:

Adaptive Reuse: The conversion of any commercial building, including offices, schools, religious facilities, medical buildings, mills, and malls into residential units or mixed-use developments which include the development of at least fifty percent (50%) of the existing gross floor area into residential units.

Adequate hydrant coverage: As determined by the AHJ in accordance with the adopted fire code and referenced standards. Adequate hydrant coverage shall be determined based on required fire flow, distance to hydrants, and spacing consistent with the adopted Fire Code and Fire Department operational capabilities.

Administrative Officer: The municipal official designated by these Regulations to administer the subdivision and land development regulations, to review and approve qualified applications and/or coordinate with local boards and commissions, municipal staff, and state agencies as set forth herein. The Administrative Officer shall be a staff member appointed by the City Planning Director and approved by the Commission. See RIGL §45-23-55.

Aggrieved Party: An aggrieved party shall be:

1. any person or persons or entity or entities who can demonstrate that their property will be injured by a decision of any municipal body or employee responsible for administering these Regulations; or
2. anyone requiring notice pursuant to these Regulations.

Agricultural Land: Land suitable for agriculture due to suitability of soil or other natural characteristics or past use for agricultural purposes. Agricultural land includes that defined as prime farmland or additional farmland of statewide importance for Rhode Island by the National Resource Conservation Service, (NRCS) of the United States Department of Agriculture, (USDA).

Applicant: An owner or authorized agent of the owner submitting an application or appealing an action of any official board or agency.

Authority Having Jurisdiction (AHJ): The Fire Marshal or designee.

Board of Appeal: The local review authority for appeals of actions of the Administrative Officer, which shall be the Zoning Board of Review, constituted as the board of appeal. See RIGL §45-23-57.

Bond, Performance: See "improvement guarantee."

Buildable Lot: A lot meeting the requirements under the Zoning Ordinance , or having obtained relief therefrom, as well as the requirements of applicable federal, state, and local regulations.

Certificate of Completeness: A notice issued by the Administrative Officer informing the Applicant that the application is complete and meets the requirements of these Regulations and that the Applicant may proceed with the review process.

Certificate of Mailing: issued by the U. S. Post Office provides evidence that you sent an item when you say you did. This official record only shows the date your mail was accepted by the U.S. Post Office.

Cistern: A buried water storage tank and associated appurtenances dedicated to supplying firefighting water. The "Cistern" includes the tank, suction/drafting assembly, underground piping, venting, manway, appurtenances, and associated access areas required for fire department operations.

City Engineer: The Director of Public Works, who is by Charter a professional engineer. The Director of Public Works shall empower their Engineering Division to act on their behalf in matters relating to these Regulations.

City Plan Commission: The official planning agency of the City of Cranston.

Concept Plan: A plan with accompanying information showing the basic elements of a proposed subdivision or land development used for early discussions and classification of the project within the approval process.

Concept Plan Review. A presentation by the developer of a project to the City Plan Commission, Development Plan Review Committee, or the Technical Review Committee in an open meeting. This stage is required for Major Subdivisions and Land Development Projects. The purpose of the Concept Plan Review is to provide input in the formative stages of major subdivision and land development concept design. See RIGL §45-23-35(b). See also "Pre-Application Conference with Staff."

Consistency With Comprehensive Plan: A requirement of all local land use regulations which means that all these Regulations and subsequent actions shall be in accordance with the public policies arrived at through detailed study and analysis and adopted by the City Council as the Comprehensive Plan, in accordance with RIGL §45-22.2-3.

Dedication, Fee In-Lieu-Of: Payments of cash, which are authorized when requirements for

mandatory dedication of land are not met because of physical conditions of the site or other reasons. The conditions under which such payments will be allowed and all formulas for calculating the amount shall be specified in advance in the local regulations. See RIGL §45-23-47

Development Plan Review: Design or site plan review of a development of a permitted use. Development Plan Review shall be used to encourage a development to comply with design and/or performance standards under specific and objective guidelines, for the following categories of developments:

1. A change in use at the property where no extensive construction of improvements is sought;
2. An adaptive reuse project located in a commercial zone where no extensive exterior construction of improvements is sought;
3. An adaptive reuse project located in a residential zone which results in less than nine (9) residential units;
4. Development in a designated urban or growth center;
5. Institutional development for educational or hospital facilities.

Development Plan Review Committee (DPRC) a committee of the directors of planning and public works, fire chief, inspector of buildings and public safety manager or their designees as defined in Cranston Ordinance 17.84.040.

Development Regulation: Zoning, subdivision, land development plan, development plan review, historic district, official map, flood plain regulation, soil erosion control, or any other governmental regulation of the use and development of land.

Easement: The right of a party to use all or part of the property of another for a specific purpose.

Endorsement: The signature of an Administrative Officer or Commission President on an approved plat, permitting recording of the plat, or as further provided in Section IX of these Regulations.

Environmental Constraints: Natural features, resources, or land characteristics that are sensitive to change and may require conservation measures or the application of special development techniques to prevent degradation of the site, or may require limited development, or in certain instances, may preclude development. See also physical constraints to development.

Final Plan: The final stage of subdivision or land development review. See RIGL §45-23-38, 45-23-39 and 45-23-50.

Final Plat: The final drawing(s) of all or a portion of a subdivision, to be recorded in the City Clerk's Land Evidence Records Office after approval by the Commission and any accompanying material as described in the Regulations and/or required by the Commission.

Floodplain Or Flood Hazard Area: An area that is subject to a flood from a storm having a one

percent (1%) chance of being equaled or exceeded in any given year, as delineated on a community's flood hazard map as approved by the federal emergency management agency pursuant to the National Flood Insurance Act of 1968, as amended (Pub. L. No. 90-448), 42 U.S.C. §4011 et seq.

Floor Area, Gross: The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

Floor Area, Net: The actual occupied area not including unoccupied accessory areas such as corridors, stairways, ramps, toilet rooms, mechanical rooms and closets.

Governing Body: The body of the local government, generally the City Council, having the power to adopt ordinances, accept public dedications, release public improvement guarantees, and collect fees.

Impact Fee: A one-time charge levied on new residential subdivisions and land development projects in order to generate revenue for funding capital improvements necessitated by such new development.

Improvement: Any natural or built item that becomes part of it, is placed upon, or is affixed to real estate.

Improvement Guarantee: A security instrument accepted by the Commission to ensure that all improvements, facilities, or work required by these Regulations or as a condition of approval will be completed in compliance with the approved plans and specifications. See RIGL §45-23-46.

Land Development Project: A project in which one or more lots, tracts, or parcels of land or a portion thereof are developed or redeveloped as a coordinated site for one or more uses, units, or structures, including but not limited to, planned development or cluster development for residential commercial, institutional, recreational, open space, or mixed uses.

1. **Minor Land Development Project***:* A land development project involving any one the following categories:
    a. Less than 50,000 gross square feet of floor area of new commercial or institutional development or that involves less than five (5) acres of disturbed land; or
    b. Less than 100,000 gross square feet of floor area of new manufacturing or industrial development or that involves less than ten (10) acres of disturbed land; or
    c. An expansion of up to fifty percent (50%) of existing floor area or up to ten thousand (10,000) square feet for commercial, institutional, manufacturing, or industrial structures; or

d. Mixed-use development consisting of up to six (6) dwelling units and two thousand five hundred (2,500) gross square feet of commercial space or less; or

e. Multi-family residential or residential condominium development of nine (9) units or less.

2. **Major Land Development Project**: A land development project involving any one the following:

   a. A Land Development Project which exceeds the thresholds for a Minor Land Development Project as set forth in these Regulation; or

   b. A Land Development Project that proposes to construct a Mixed Use Planned Development (MPD) as defined and regulated under Section VII(A)(1) of these Regulations and/or Chapter 17.96 – Planned Districts Generally, and Chapter 17.100 – Mixed Use Planned Districts of the Zoning Ordinance; or

   c. A Land Development Project that proposes to construct a Residential Planned Development (RPD) as defined and regulated under Section VII(A)(2) of these Regulations and/or Chapter 17.96 – Planned Districts Generally, and Chapter 17.104 – Residential Planned Districts of the Zoning Ordinance.

Land Suitable For Development: The total land area, less land unsuitable for development.

Land Unsuitable For Development:

1. Fresh water wetlands are as defined by RIGL §2-1-20, as amended;
2. Coastal wetlands, as defined by Rhode Island General Laws Section 46-23-6.(2).(iii).(E);
3. Floodplain or Flood Hazard Areas
4. Streets, including all areas proposed for public and/or common vehicular access, whether or not intended to be dedicated to the City.
5. Land possessing other physical constraints, including, but not limited to areas with ledge outcrops, cemeteries, etc., which by their nature and severity would preclude conventional development.
6. Land within any easement on which utilities, including, but not limited to electrical transmission and distribution lines, natural gas mains, oil pipelines, sewer mains and water mains are constructed and/or located.
7. Land with existing conservation easements.

Lot: Either:

1. The basic development unit for determination of lot area, depth, and other dimensional regulations; or
2. A parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or recorded map and which is recognized as a separate legal entity for purposes of transfer of title.

Lot Building Coverage: That portion of the lot that is, or may be, covered by buildings and accessory buildings.

Maintenance Guarantee: A security instrument accepted by the Commission to ensure that all improvements, facilities, or work required by these Regulations, or as a condition of approval, will function as required for a specified period of time. Also see "Improvement Guarantee."

Master Plan: An overall plan for a proposed project site outlining general, rather that detailed, development intentions. It describes the basic parameters of a major development proposal, rather than giving full engineering details. It is required for review of major land development projects and major subdivisions only. It is the first formal review step of the major subdivision or major land development project process and the step in the process in which the public hearing is held. See RIGL §45-23-39.

Modification of Requirements: See RIGL §45-23-62 and "waiver of requirements."

Municipal Lien Certificate (MLC): A legal document issued by the City Tax Collector documenting any outstanding taxes, assessments, or charges due for a property. Municipal Lien Certificates showing no outstanding balance due issued within six months are considered current for the purposes of these sub-regulations.

Non-Buildable Lot: A parcel of land recorded in the City Clerk's Land Evidence Records Office that is created or reserved for a purpose other than present or future construction of buildings or structures.

Parcel: A lot or contiguous group of lots in single ownership or under single control and usually considered a unit for purposes of development. Also referred to as a tract.

Parking Area or Lot: All that portion of a land development project that is used by vehicles, the total area used for vehicular access, circulation, parking, loading, and unloading.

Permitting Authority: The local agency of government, meaning any board, commission, or administrative officer, specifically empowered by state enabling law and local ordinance to hear and decide on specific matters pertaining to local land use.

Phase: A portion of a subdivision or land development project to be developed, or sold as lots, at a particular time, as part of an effort to coordinate population growth with the availability of facilities and services.

Phased Development: Development, usually for large scale projects, where construction of public and/or private improvements proceeds by sections subsequent to approval of a master plan for the entire site. See RIGL §45-23-48.

Physical Constraints to Development: Characteristics of a site or area, either natural or man-made, which present significant difficulties to construction of the uses permitted on that site or

would require extraordinary construction methods. See "Environmental Constraints."

Plat: A drawing or drawings of a subdivision or land development project showing the location, boundaries, and lot lines of individual properties, as well as other necessary information as specified in these Regulations.

Pre-Application Conference with Staff: An initial conference between developers and municipal representatives that affords developers the opportunity to present their proposals informally and to receive comments and direction from municipal officials and others. Applicants are invited to contact the Planning Department to schedule a conference with staff prior to submitting an application. See RIGL §45-23-35. See also "Concept Plan Review."

Preliminary Plan: A required stage of land development and subdivision review that requires detailed drawings. See RIGL §45-23-41.

Public Hearing: A hearing before the City Plan Commission that is duly noticed in accordance with the provisions of RIGL §45-23-42 and Section VIII of these Regulations, and that allows public comment.

Public Improvement: Any street or other roadway, sidewalk, pedestrian way, tree, lawn, off-street parking area, drainage feature, or other facility for which the City or other governmental entity is presently responsible or will ultimately assume responsibility for maintenance and operation upon municipal acceptance.

Residential Development: Development consisting entirely of single-family or multiple family dwelling units. A dwelling unit is a structure or portion thereof providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation and containing a separate means of ingress and egress.

Site Plan: The subdivision or development plan for one (1) or more lots on which is shown the existing and/or the proposed conditions of the lot.

Slope of Land: The grade, pitch, rise, or incline of the topographic landform or surface of the ground.

Stormwater Detention: A provision for storage of stormwater runoff and the controlled release of such runoff during and after a flood or storm.

Stormwater Retention: A provision for storage of stormwater runoff.

Street: A public or private thoroughfare used or intended to be used for passage or travel by people or goods. Streets are further classified by the functions they perform. See "Street Classification."

Street, Access To: An adequate and permanent way of entering a lot. All lots of record shall have access to a public street for all vehicles normally associated with the uses permitted for that lot.

Street, Alley: A public or private thoroughfare primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

Street, Cul-De-Sac: A local street with only one (1) outlet and having an appropriate vehicular turnaround, either temporary or permanent, at the closed end.

Street, Limited Access Highway: A freeway or expressway providing for through traffic. Owners or occupants of abutting property on lands and other persons have no legal right to access, except at such points and in such manner as may be determined by the public authority having jurisdiction over the highway.

Street, Private: A thoroughfare established as a separate tract for the benefit of multiple, adjacent properties and meeting specific, municipal improvement standards. This definition does not apply to driveways.

Street, Public: All public property reserved or dedicated for street traffic.

Street Right-of-Way: The entire area to be dedicated for the passage of people and goods, including the pavement or travel surface, and the areas on both sides of the pavement or travel surface that may be reserved for installation of sidewalks, bike lanes, curbs, bus stops, street vegetation, landscaped areas, street furniture, utilities, drainage improvements or other purposes.

Street, Stub: A portion of a street reserved to provide access to future development, which may provide for utility connections.

Street Classification: A method of roadway organization which identifies a street hierarchy according to function within a road system, that is, types of vehicles served and anticipated volumes, for the purposes of promoting safety, efficient land use and the design character of neighborhoods and districts. Local classifications shall use the following as major categories:

1. **Arterial**. A major street that serves as an avenue for the circulation of traffic into, out of, or around the City and carries high volumes of traffic.
2. **Collector**. A street whose principal function is to carry traffic between local streets and arterial streets but that may also provide direct access to abutting properties.
3. **Local**. Streets whose primary function is to provide access to abutting properties.
4. **Marginal Access Street**. A local street parallel and adjacent to an arterial street or highway, providing access to abutting properties and protection from the arterial street or highway.

Subdivider: Any person who:

1. having an interest in land, causes it, directly or indirectly, to be divided into a subdivision; or
2. directly or indirectly sells, leases, or develops or offers to sell, lease or develop, or

advertises to sell, lease, or develop any interest, lot, parcel, site, unit or plat in a subdivision; or

3. engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision of any interest, lot, parcel, site, unit, or plat in a subdivision.

Subdivision: The division of a lot, tract, or parcel of land into two (2) or more lots, tracts, or parcels or any adjustments to existing lot lines shall be considered a subdivision.

1. **Administrative subdivision**. Subdivision of existing lots which yields no additional lots for development and involves no creation or extension of streets. This subdivision only involves division, mergers, mergers and division, or adjustments of boundaries of existing lots.
2. **Minor subdivision**. The following categories of subdivisions are minor subdivisions:
    a. A subdivision creating nine (9) or fewer lots with or without a street extension or creation;
    b. A subdivision of any number of lots on an existing improved public street; and
    c. Oversized lot subdivisions.
3. **Major subdivision**. A subdivision creating ten (10) or more buildable lots where a street extension or street creation is required.

Technical Review Committee: A committee appointed by the City for the purpose of reviewing, commenting, approving, and/or making recommendations to the City Plan Commission or Administrative Officer, as set forth in these Regulations. For the City, the Technical Review Committee shall be the Development Plan Review Committee as established by §17.84.040 of the Zoning Ordinance.

Temporary Improvement: Improvements built and maintained by a developer during construction of a development project and prior to release of the improvement guarantee, but not intended to be permanent.

Unified Development Review: The review and approval of dimensional variances, use variances, and/or special-use permits for properties undergoing review by the City Plan Commission as land development or subdivision projects pursuant to §45-23-36 conducted and decided by the City Plan Commission.

Vested Rights: The right to initiate or continue the development of an approved project for a specified period of time, under the regulations that were in effect at the time of approval, even if, after the approval, the Regulations change prior to completion of the project.

Waiver of Requirements: See RIGL §45-23-62 and Section XIII of these Regulations.

Zoning Board of Review. The local authority for appeals of actions of the Zoning Enforcement

Officer per RIGL §45-24-64 and Building Inspector per Cranston City Charter Section 13.05. Additionally, it is a local authority for review and approval of special use permits, dimensional variances and use variances, except where the City Plan Commission is designated as the authorized permitting authority under Unified Development Review.

SECTION III – GENERAL PROVISIONS

A. The Administrative Officer

1. Administration

   a. Administration of these Regulations shall be under the direction of the Administrative Officer, who shall report to the City Plan Commission. The Administrative Officer shall be a staff member or members appointed by the City Planning Director and approved by the City Plan Commission.

   b. Qualifications and procedure for the appointment of the City Planning Director are regulated by Chapter 13 of the City Charter.

2. Duties & Responsibilities

   The duties and responsibilities of the Administrative Officer shall include, but not be limited to:

   a. Coordinating the review, approval, recording, and enforcement provisions of these Regulations;

   b. Coordinating the review and approval procedures for proposed subdivisions and land developments projects with adjacent municipalities and as is necessary to be consistent with applicable federal, state, and local laws and as directed by the Commission;

   c. To issue approvals and all other authority where specifically set forth in RIGL Chapter 45-23;

   d. Advising Applicants as to which category of approval for a proposed subdivision or land development project is required; and,

   e. Enforcing these Regulations as provided in Section XIV of these Regulations. The Administrative Officer is responsible for coordinating the enforcement efforts of the Zoning Enforcement Officer, the Building Official, Planning Department staff, the City Engineer, the Department of Public Works, and other local officials responsible for the enforcement or carrying out of discrete elements of the Regulations.

B. The City Plan Commission

1. Meetings: The City Plan Commission shall hold at least one (1) regularly scheduled meeting per month. Special meetings may be called by the Chair upon giving 48-hour notice to the membership.

2. Quorum: Unless otherwise provided by statute, a majority of the Commissioners shall constitute a quorum for the conduct of business.

3. Agenda: An Agenda for each regular meeting shall be prepared by the Department of

City Planning. The Agenda, and supporting materials, shall be posted and shall be emailed to the City Plan Commission no later than seven (7) days prior to each regular monthly meeting. Upon request of a Commissioner, a hard copy of the supporting materials shall be provided to a Commissioner. The Agenda may be amended no less than forty-eight (48) hours prior to the meeting.

4. Records: All records of the Commission's proceedings and decisions shall be in writing and shall be kept permanently available for public review. Completed applications for proposed subdivisions and land development projects under review by the Commission shall also be available for public review.

5. Participation in a Commission meeting or other proceedings by any party shall not be cause for civil action or liability except for acts not in good faith, intentional misconduct, knowing violation of law, transactions where there is an improper personal benefit, or malicious, wanton, or willful misconduct.

6. All final written comments to the Commission from the Administrative Officer, municipal departments, the technical review committee, state and federal agencies, and local boards or commissions shall be part of the permanent record of the subdivision or land development project application.

7. All votes of the Commission shall be made part of the permanent record and shall show the Commissioners present and their votes. A decision by the Commission to approve any subdivision or land development project application requires a vote for approval by a majority of the Commissioners present at the time of the vote. A decision by the Commission to approve a variance and/or special-use permit pursuant to unified development review requires a vote for approval by a majority of the Commissioners that were present at the public hearing at which the request was heard.

8. All written decision of the City Plan Commission shall be recorded in the land evidence records within twenty (20) days after the Commission vote. A copy of the recorded decision shall be mailed within one business day of the recording, by certified mail, to the applicant and to any objector who has filed a written request for notice with the Administrative Officer.

C. Development Classification / Category of Approval

1. The Administrative Officer shall advise an Applicant as to which application for development approval is required for a project.

2. The following applications for development, as defined in Section II of these Regulations, may be filed:

   a. Administrative subdivision

   b. Minor subdivision

   c. Major subdivision

d. Minor land development project

e. Major land development project

f. Development plan review

g. Unified development review

3. An Applicant shall not be required to obtain both subdivision and land development project approval and development plan review approval for the same project.

D. Application Review

1. Review of an application for subdivisions and land development projects shall be conducted by the following entities:

PROJECT CLASSIFICATIONS	
Administrative Subdivision	Subdivision of existing lots which yields no additional lots for development and involves no creation or extension of streets. This subdivision only involves division, mergers, mergers and division, or adjustments of boundaries of existing lots.
Minor Subdivision	A subdivision of any number of lots on an existing improved public street.
	A subdivision creating nine (9) or fewer lots with or without a street extension or street creation
	Oversized lot subdivisions
Major Subdivision	A subdivision creating ten (10) or more lots where a street extension or street creation is required.
Minor Land Development Project	Less than 50,0000 gross square feet of floor area of new commercial or institutional development or that involves less than 5 acres of disturbed land
	Less than 100,0000 gross square feet of floor area of new industrial development or that involves less than 10 acres of disturbed land
	An expansion of up to fifty percent (50%) of existing floor area or up to ten thousand (10,000) square feet for commercial, institutional, manufacturing, or industrial structures;
	Mixed-use development consisting of up to six (6) dwelling units and two thousand five hundred (2,500) gross square feet of commercial space or less;
	Multi-family residential or residential condominium development of nine (9) units or less
Major Land Development Project	A Land Development Project which exceeds the thresholds for a Minor Land Development Project and Development Plan Review;
	A Land Development Project that proposes to construct a Mixed Use Planned Development (MPD) as defined and regulated under Section VII(A)(1) of these Regulations and/or Chapter 17.96 – Planned Districts Generally, and Chapter 17.100 – Mixed Use Planned Districts of the Zoning Ordinance.

	A Land Development Project that proposes to construct a Residential Planned Development (RPD) as defined and regulated under Section VII(A)(2) of these Regulations and/or Chapter 17.96 – Planned Districts Generally, and Chapter 17.104 – Residential Planned Districts of the Zoning Ordinance.
Development Plan Review	A change in use at the property where no extensive construction of improvements is sought;
	An adaptive reuse project located in a commercial zone where no extensive exterior construction of improvements is sought;
	An adaptive reuse project located in a residential zone that results in less than nine (9) residential units;
	Development in a designated urban or growth center;
	Institutional development for educational or hospital facilities.
Unified Development Review[1]	A Subdivision / Land Development Project that requires zoning relief or a zoning modification that has been denied by the zoning officer appears before the City Plan Commission for all approvals.

[1] Unified Development Review shall be processed in conjunction with the subdivision and land development process both major and minor.

REVIEW BODY BY DEVELOPMENT STAGE OF REVIEW				
	Pre-Application Concept Review	**Master Plan**	**Preliminary Plan**	**Final Plan**
Administrative Subdivision				
Without zoning relief	Admin. Officer	N/A	N/A	Admin. Officer
With zoning relief	City Plan Commission and/or TRC	N/A	N/A	City Plan Commission
Minor Subdivision/LDP				
Without street extension or zoning relief	Admin. Officer and/or TRC	N/A	Admin. Officer and/or TRC	Admin. Officer
With street extension and/or zoning relief	City Plan Commission and/or TRC	N/A	City Plan Commission	Admin. Officer
Major Subdivision/Major LDP	City Plan Commission and/or TRC	City Plan Commission +TRC	City Plan Commission +TRC	Admin. Officer
Development Plan Review	City Plan Commission and/or TRC	N/A	DPRC	Admin. Officer

STAGES OF REVIEW BY DEVELOPMENT				
	Pre-Application Conference	**Master Plan**	**Preliminary Plan**	**Final Plan**
Administrative Subdivision	Recommended	N/A	N/A	Required
Minor Subdivision / LDP	Recommended	N/A	Required	Required
Major Subdivision / LDP	Recommended	Required	Required	Required
Development Plan Review	Recommended	N/A	Required	Required

VESTING BY DEVELOPMENT STAGE OF REVIEW			
	Master Plan	**Preliminary Plan**	**Final Plan**
Administrative Subdivision	N/A	N/A	90 Days
Minor Subdivision / LDP	N/A	1 Year	1 Year
Major Subdivision / LDP	2 Years, + 2x 1-year extensions	2 Years, + 2x 1-year extensions	2 Year
Development Plan Review	N/A	2 Years	1 Years

E. Submittal Deadlines

Applications for approval of subdivisions and land development projects shall be submitted complete and in proper format as established by these Regulations. The Department shall assess each Application for completeness and sufficiency prior to placement on the Agenda.

1. Applications for Master Plan Review shall be submitted to the Department no later than forty-five (45) days prior to the date of the regular Commission meeting.
2. Applications for Preliminary Plan Review, where a public hearing is required, shall be submitted no later than sixty (60) days prior to the date of the regular Commission meeting.

F. Filing Fees***

The following fees shall be paid by an Applicant for the review of any subdivision and/or land development project, for the adequate review and hearing of applications, issuance of permits, and the recording of the decisions thereon:

1. Administrative Subdivision:
   a. Administrative Review: $125
   b. CPC Review (UDR):.....$250

2. Minor Subdivision & Land Development Project

   a. Pre-Application Meeting with Staff.....no fee
   b. Pre-Application Concept Plan Review w/ CPC or TRC.....$125 + $25 per unit
   c. Preliminary Plan:
      i. Administrative Review:.....$250 + $45 per unit
      ii. CPC Review (UDR & Street Creation/Extension):.....$450 + $45 per unit
   d. Final Plan**: .....$250 + $45 per unit

3. Major Subdivision & Land Development Project

   a. Pre-Application Meeting with Staff.....no fee
   b. Pre-Application Concept Plan Review w/ CPC or TRC.....$125 + $25 per unit*
   c. Master Plan: .....$625 + $95 per unit*
   d. Preliminary Plan: .....$625 + $95 per unit*
   e. Final Plan**: .....$375 + $95 per unit*

4. Development Plan Review

   a. Preliminary Plan: ..... $500 + $20 / acre for each full acre in the development

* For commercial or industrial developments, and non-residential elements of Mixed Used Planned Districts, unit fees indicated above shall be assessed per developed acre or per 1,000 square feet of gross floor area, whichever is greater. For residential developments the unit

fee is per residential unit.

**If Final Plans are not recorded either within one (1) year of the approval of Preliminary Plans [if a project is bonded] or by the time specified in the City Plan Commission's decision [if the public improvements are to be constructed by the Applicant] the fee to be charged at the Final Plan stage is increased by 50%.

***This fee schedule shall be effective as of date of adoption and shall be automatically adjusted on July 1st in subsequent years. The basis for said adjustment shall be the percentage increase/decrease in the Planning Department's budget between the then fiscal year and the upcoming fiscal year.

5. Combining of Review Stages: In the case that an Administrative Officer combines Master Plan and Preliminary Plan stages of review, the filing fee for the Master Plan stage of review shall be charged. In the case that an Administrative Officer combines Preliminary Plan and Final Plan stages of review, the filing fee for the Preliminary Plan stage of review shall be charged.

6. Recording Fees: As provided in RIGL Title 34, Chapter 13.

7. Inspection Fees: Two percent (2%) of the total estimated cost of all required improvements as estimated in accordance with the procedure established in Section XI of these Regulations. Inspection fees shall be paid in full before construction begins of any improvements requiring inspection.

8. Advertising / Mailings: The cost of all required advertisements and mail notices for all Applications shall be borne by the Applicant.

9. Extensions of Time:

   a. Administrative Subdivision: $100
   b. Minor Subdivision: $100
   c. Major Subdivision:.....$300
   d. Land Development Project: $300

10. Reinstatement of Approval:

    a. Minor Subdivision: $200
    b. Major Subdivision:.....$600
    c. Land Development Project: $600

11. Professional Review Fees:

    a. The City Plan Commission may require an Applicant to pay professional review fees so that the City may hire outside professionals to conduct peer review of impact analyses submitted by Applicant and to conduct independent reviews. The

elements of an Application for which the Commission may require professional review fees shall include, but not be limited to, the following: drainage, traffic, noise, environmental assessments, and geotechnical sampling and testing. The amount of the fee shall be based upon written cost estimates prepared by qualified consultants in response to a written scope of work prepared by the Administrative Officer. The Applicant shall be afforded opportunity to review and comment on the scope of work and the proposed fees. These review fees shall be deposited in an escrow account established by the City and dedicated solely for expenditure to the selected consultant.

b. When such peer review is required by the City Plan Commission, the Commission shall so indicate at the Master Plan stage of review. This shall not preclude the City Plan Commission from requiring such outside professional review at a later stage in the review process if additional information is received which leads the Commission to believe that such is required for an adequate review of the Application.

c. As part of the public record the City Plan Commission shall indicate its intent to spend any portion of this account and shall specify the purpose for the proposed expenditure(s). Those funds deposited by the Applicant and not spent by the City Plan Commission in the course of its review shall be returned to the Applicant within thirty (30) days after the City Plan Commission renders its final decision on the Application.

12. Stenographer Fee: $350.00

G. Dedication of Fees / Land for Public Improvements

1. Capital Facilities Development Impact Fee:

a. In order to adequately provide for expansion of Cranston's municipal capital facilities in the functional categories of recreation, police, library, and roadway, the City Council hereby determines that it is in the public interest to enact and impose a Capital Facilities Development Impact Fee on all future residential development. The purpose of collecting the Capital Facilities Development Impact Fee (hereinafter called "the Fee") is to recover a fair share of the cost the City incurs to provide expansion of its major capital facilities, to an accepted standard, as Cranston continues to grow. The assessment charged to the subdivider/developer under this section is calculated on a per unit basis. The Fees collected shall be assessed in accordance with the table set forth in subsection "E" of this section and deposited into separate non-lapsing trust funds for each of the functional categories included. Expenditure of the proceeds collected through this Fee shall be restricted to the items listed in subsection (b) of this section as established and annually amended.

b. In accordance with the stated purpose of this section, the Fee shall be assessed to

new residential developments in order to defray a fair share portion of the cost for the following new or expanded capital facilities.

Functional Area	Land (Acres)	Cost	Facilities	Cost
Recreation	59.0	$1,180,000	Development of ball fields, basketball, tennis, soccer and other recreational facilities	$389,000
Police	0	0	Building addition	$828,970
Library	0	0	Oaklawn addition	$82,500
Library	2.0	$40,000	New Branch	$450,000
Roadway	N/A	Included in development cost	Improvements to various arterial roads in Western Cranston	$4,880,000
TOTAL	61.0	$1,220,000		$6,630,470

c. Establishment of Facility Service Area: In order to properly assess the Fee for each functional category to those developments reasonably related to the facility need created, the following service areas are hereby established. These service areas shall be recognized for the lifetime of their corresponding funds or until such time, if any, that the standards currently used are amended. Service areas may be expanded, reduced, moved geographically, added, or deleted only by a majority vote of the City Plan Commission.

1. Recreation Citywide
2. Police Citywide
3. Library Western Cranston
4. Roadway Western Cranston

d. Establishment of Non-lapsing Trust Funds: In accordance with the specified goals and objectives of this section, there are hereby established the following non-lapsing trust funds into which the proceeds collected under subsection "e" of this section shall be deposited.

1. Recreation Trust Fund
2. Police Trust Fund
3. Library Trust Fund
4. Roadway Trust Fund

These trust funds shall be the only funds into which the Fee proceeds may be deposited until such time as (a) all capital facilities to be financed by such funds are completed, after which, said fund shall be retired, or (b) the need for additional fund(s) are deemed necessary by the City Council and subsequently established.

e. Assessment of Fees: There is hereby established a Capital Facilities Development Impact Fee schedule for the four (4) functional categories of recreation, police, libraries, and roadways, as follows:

1. For development outside Western Cranston:
   Recreation: .....$422.34 / dwelling unit
   Police: .....$171.12 / dwelling unit
   TOTAL: .....$593.46 / dwelling unit

2. For developments in Western Cranston:
   Recreation: .....$422.34 / dwelling unit
   Police: .....$171.12 / dwelling unit
   Library: .....$181.21 / dwelling unit
   Roadways: .....$614.83 / dwelling unit
   TOTAL: .....$1,389.50 / dwelling unit

f. Collection of Fees: This Fee is applicable to all subdivisions and land development projects except administrative plans that are recorded with the City Clerk's Land Evidence Records Office after the effective date of this ordinance (1987). The City Plan Commission shall assess the Fee at the time of Final Plan approval. The City Treasurer shall collect said Fee prior to recording. The proceeds shall be deposited into the appropriate fund as determined by the City Plan Commission in accordance with the formula set forth in subsection "e" of this section.

g. Exemptions:

1. Any parcel of land which, on the effective date of this ordinance, (1987) has been recorded with the City Clerk's Land Evidence Records Office as part of an accepted plat or subdivision.

2. All subdivisions and land development projects designated solely for the purpose of establishing and carrying on commercial or industrial business operations.

3. At the discretion of the City Plan Commission, by a majority vote, all or part of the Fee, for any or all functional categories, may be waived in return for land dedication or provision or construction of specific improvements of equal or greater value to that which is waived. In special cases where the value of the land and/or improvements to be dedicated to the City exceed the total required Fee amount, the City Plan Commission may, by majority vote, grant the subdivider a credit which may be used toward a Fee payment on future development subject to the following conditions:

   a. Both developments shall be located in the same facility service area for that portion of the fee credited.

   b. Credits shall be used within three (3) years or within a time limit deemed reasonable by the City Plan Commission.

c. Credits shall be granted for a specific dollar value without interest accrual or increase in value corresponding to future increases in per unit fee amounts.

d. Credits cannot be sold or transferred except to developments that are to be located in the same facility service area as that in which the original credit was granted.

No exemption shall be granted for dedication of land for public road right-of-way; construction of roadways; installation of public water; surface drainage and/or detention basins; subsurface drainage; and subsurface wastewater removal systems required currently or in the future as a standard prerequisite for approval.

h. Appeals: Any person who is aggrieved by any decision made by the City Plan Commission relative to the administration of this section may appeal that decision pursuant to restrictions and requirements described in Section XII of these Regulations.

i. Expenditures: Expenditures from funds established in subsection "d" of this section may be made by the City Council for the purposes of acquisition and development of the major capital facilities identified in subsection "d" of the section, in conjunction with expenditures made for same through the City's Capital Budget & Improvement Program. All such expenditures must be directly related to the mitigation of the impacts of residential growth in the City.

j. Annual Review: The City Plan Commission shall annually review the fee schedule established herein and shall report to the City Council, at its first meeting of each year, the results of such review including any recommended revisions of said schedule based on changes in construction or other capital cost indexes, and/or changes in zoning. The City Plan Commission shall also consider changes and/or amendments in the fee formulation and assessments, including the establishment of new trust funds for the purpose of collecting capital development impact fees for major capital facilities not currently anticipated.

H. Pre-Application Meetings and Concept Review:

1. One or more pre-application meetings may be held for all major land development or subdivision applications at the request of the applicant.
2. Pre-application meetings may be held for administrative subdivision and minor land development or subdivision applications, upon request of the applicant.
3. Pre-application meetings allow the applicant to meet with appropriate officials, boards and/or commissions, planning staff, and, where appropriate, state agencies, for advice as to the required steps in the approvals process, the pertinent local plans, ordinances, regulations, rules and procedures and standards which may bear upon the proposed development project.

4. At the pre-application stage, the applicant may request the City Plan Commission or the Technical Review Committee for a concept plan review for a development. The purpose of the concept plan review is to provide City Plan Commission or the Technical Review Committee input in the formative stages of major subdivision and land development concept design.
5. All pre-application meetings are intended to encourage information sharing and discussion of project concepts among the participants. Pre-application discussions are intended for the guidance of the applicant and are not considered approval of a project or its elements.
6. Submittal Requirements: The Applicant shall provide the following information regarding a proposed development. Stamped plans by a registered engineer or registered land surveyor are not required, but should be reasonably accurate with regard to location and area of existing and proposed features.
    a. Concept Plan: Proposed layout of lots, streets, and proposed structures. Concept plans overlaid aerial photography is prohibited.
    b. Existing Conditions Map: Utilizing existing datasets from the City's GIS portal, identify location and areas of all natural and cultural resources existing on site, including but not limited to:
        3. Topography / drainage
        4. Wetlands / floodplains
        5. Easements
        6. Utilities
        7. Zoning classification
        8. Public lands
        9. Any natural or man-made features that may materially affect development of the parcel.
    c. For Planned Districts: Applicant shall provide sufficient information to satisfy Section 17.100.040(A) or Section 17.104.030(B) of the Zoning Ordinance.
    d. Other: Applicant may provide additional information unique to the land or proposal in question where it may aid in clarifying the intent of the application.
    e. Accompanying Information: Identification for all necessary state and federal permits, identification wetlands on a plan. Identification of impacts caused by additional traffic, noise, and burdens on water and sewer systems.
    f. Project Narrative: Basic description of proposed development.
    g. Filing Fee: Every pre-application conference shall be filed together with the appropriate fee, as specified in Section III(F) of these Regulations.

I. Certification of Completeness

1. An application shall initially be reviewed by the Administrative Officer solely for the purpose of determining whether the application lacks information required for the

respective application type as specified in the local checklist, and whether the applicant lacks items or information which was required as a condition of a previous approval stage(s) for the same project. An Application shall be complete for purposes of commencing the applicable timeframe for required action when so certified by the Administrative Officer.

2. Within the timeframe required to certify an Application as complete, the Administrative Officer shall in writing:

   a. Certify, by a Certificate of Completeness, that an Application is complete; or,

   b. Identify, by a Certificate of Incompleteness, that an Application lacks documents or information, as specified by these Regulations required for an Application to be complete. An application shall not be deemed incomplete for reasons other than the failure to supply an item or items listed on the applicable checklist.

3. If a Certificate of Completeness or Incompleteness for an Application is not made within the time specified by these Regulations, the Application shall be deemed complete for purposes of commencing the review period.

J. Application Revisions

1. Notwithstanding other provisions of this section, the Administrative Officer, the Development Plan Review Committee, or the City Plan Commission may require correction of any information found to be in error and the submission of additional information specified in the Regulations but not required by the Administrative Officer prior to certification, as is necessary to make an informed decision.

2. Where the review is postponed, with the consent of the Applicant, pending further information or revision of information, the time period for review is stayed and resumes when the Administrative Officer, the Development Plan Review Committee, or the City Plan Commission determines that the required additional materials have been submitted.

K. Public Hearing

Where a public hearing is required pursuant to these Regulations, the requirements outlined in Section VIII of these Regulations shall apply.

L. Impact Assessment

1. An Impact Assessment may be required for any subdivision or land development project that meets any of the following criteria:

   a. A Land Development Project that proposes to construct commercial/institutional building(s) of 100,000 square feet or more of gross floor area or that involves eight (8) or more acres of disturbed land;

   b. A Land Development Project that proposes to construct industrial building(s)

150,000 square feet or more of gross floor area or that involves fifteen (15) or more acres of disturbed land;

c. A Land Development Project that proposes to construct a Mixed Use Planned Development (MPD) as defined and regulated under Section VII(A)(1) of these Regulations and/or Chapter 17.96 – Planned Districts Generally, and Chapter 17.100 – Mixed Use Planned Districts of the Zoning Ordinance that is ten (10) acres or larger.

d. A Land Development Project that proposes to develop a multi-family residential project of 100 units or more where subdivision of the land is not requested or required.

e. A Subdivision that proposes to create fifty (50) or more buildable lots or involves fifteen (15) or more acres of disturbed land.

2. The City Plan Commission may determine that an Impact Assessment is not required. In making the determination, the Administrative Officer shall identify the potential impacts that may be generated by a subdivision or land development project and shall make findings for the record as to why said impacts will not require further review through an Impact Assessment.

3. For any subdivision or land development project not meeting the criteria above, the City Plan Commission may require an Impact Assessment if it is determined that there is a reasonable expectation that a proposed subdivision or land development project will have a significant negative impact on a site or nearby properties, or on the built or natural environment.

M. Required Findings of Fact

1. The requirements listed below shall be applicable to all minor and major land development and subdivision applications, except that minor subdivisions subject to administrative review and approval only, as set forth in RIGL § 45-23-38(a)(2) and Section V(A)(1)(b) of these Regulations shall only be subject to the standard provisions set forth in subsections 2, 4, and 5 of this section. Prior to approval of any stage of review for any subdivision or land development project, the authorized permitting authority shall make positive findings on the required standards cited in RIGL §45-23-60 listed below for the project record. If a negative finding for any applicable standards is made, the authorized permitting authority shall have grounds for denial of an Application.

   a. Each subdivision or land development project shall be consistent with the requirements of the Comprehensive Plan or shall satisfactorily address the issues where there may be inconsistencies;

   b. Each subdivision or land development project lot shall conform to the standards and provisions of the Zoning Ordinance or has obtained relief that exempts compliance with a specific provision or standard, with the exception that lots being created for purposes other than that of development need not meet area and other dimensional requirements of the Zoning Ordinance provided that:

a. A notation is shown on the recorded plat that the lot in question is not a buildable lot; or is being dedicated to the City for public infrastructural purposes; and,

b. A conservation or preservation easement pursuant to RIGL §34-39, as amended, is granted to the City prohibiting any such present or future development.

c. There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;

d. The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of "buildable lot"). Lots with such physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans;

e. All proposed land developments and all subdivision lots shall have adequate physical and permanent physical access to a public street unless the applicant has obtained the required relief from this provision.

2. Administrative subdivisions shall only be subject to the following standard provisions:

a. That the application does not create additional lots;

b. Unless otherwise allowed by an approved modification or variance, that the moving of lot lines does not increase any pre-existing dimensional nonconformity or create a new nonconformity;

c. That the application does not remove any pre-existing adequate physical or permanent access to a street, without sufficient replacement.

N. Precedence of Approvals Between City Plan Commission and Other Local Permitting Authorities

1. Zoning Board of Review: Where an applicant requires both a variance or special use permit from the provisions of the zoning ordinance and City Plan Commission approval, the application may be reviewed under unified development review pursuant to RIGL §45-23-50.1 and 45-24-46.4 and Section 17.86 of the Zoning Ordinance. At the applicant's discretion, applications for variances or special use permits may be filed with the Zoning Board of Review.

2. City Council: Where an Application requires both City Plan Commission approval and City Council approval for a Zoning Ordinance or Zoning Map change, the Applicant shall first obtain an advisory recommendation on the zoning change from the City Plan Commission as well as conditional Commission approval for the first approval stage for the proposed project, which may be simultaneous, then obtain a zoning change from the City Council and then return to the Commission for subsequent required approval(s).

SECTION IV – SUBMISSION, REVIEW, & APPROVAL PROCEDURES FOR ADMINISTRATIVE SUBDIVISIONS

A. Application Types

1. Applications requesting relief from the Zoning Ordinance

   a. Modifications: Applications which require relief which qualifies only as a modification may file an application and a request for a modification to the Zoning Official. If any modifications are granted, the application shall be reviewed by the Administrative Officer pursuant to the applicable requirements of this section. If the modification is denied or an objection is received, such application shall be reviewed by the Commission under Unified Development Review.

   b. Variances: Applications which require relief from the literal provisions of the Zoning Ordinance in the form of a dimensional variance, shall be reviewed by the Commission under Unified Development Review and a request for review shall accompany the preliminary plan application.

2. Other Applications: The Administrative Officer shall review and grant or deny all other Administrative Subdivision applications under this section.

B. **Submission Requirements:** Any Applicant requesting approval of a proposed administrative subdivision shall submit an application to the Administrative Officer via the online portal an application consent form signed by the applicant and all owners, and all materials required by the appropriate checklist. Two (2) paper copies, one (1) mylar and one (1) digital copy of the Plan suitable for inclusion into the City's GIS system of the site plan shall be submitted only after approval by an Administrative Officer.

1. Administrative Plan Contents: Said plan shall encompass the entire tract of land proposed for subdivision, shall be prepared, stamped, and signed by a registered professional land surveyor as appropriate under the requirements established by the State of Rhode Island for a Class I survey (Class IV survey may be accepted for lot mergers), and shall include, at a minimum, the following:

   a. Name of the proposed subdivision, (including proper citation if replat of existing plat);

   b. Plan identified as "Administrative Subdivision Record Plan;"

   c. Name(s) and address(es) of the Applicant(s) and property owner(s) of record;

   d. Date of preparation of the plan, and the dates of all revisions to the plan;

   e. Name(s), address(es) and telephone number(s) of the land surveyor(s);

   f. Assessor's map and lot number for each parcel of land involved in the proposed subdivision and for each abutting parcel of land;

   g. Zoning district classification(s) of all land involved in the proposed subdivision, along with the applicable minimum building setbacks required

for that zone;

h. Information on any decision on a variance, special permit, or appeal made by the Zoning Board applicable to the subdivision of the land or its development;

i. Scale of the drawing, which shall be no smaller than one inch equals eighty feet (1" = 80');

j. North arrow, including source;

k. Locations and configurations of existing streets, alleys, railroads, utilities, and existing structures and improvements;

l. Locations and configurations of existing and proposed lots and easements;

m. Area and street frontage of each proposed lot;

n. Location of all existing structures, including distance of existing structures from any existing and proposed property lines;

o. Existing and proposed use of all lots;

p. Metes and bounds description;

q. Legal documents describing all proposed easements and rights-of-way; and,

r. Certification by the tax collector that all property taxes are current.

Submission Checklist: The Application checklist is included in the Appendix. In the event of a conflict between these Regulations and the checklist, the checklist shall control.

C. Pre-Application Conference: A Pre-Application Conference may be held upon request of the applicant, by appointment, prior to submission of an application for an Administrative Subdivision.

D. Certification of Completeness:

1. An application shall be certified, in writing, as complete or incomplete by the Administrative Officer within twenty (20) days from the date of its submission in accordance with the provisions of RIGL §45-23-37(b).

2. The running of the time period set forth in this section will be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and will recommence upon the resubmission of a corrected application by the applicant. However, in no event will the Administrative Officer be required to certify a corrected submission as complete or incomplete less than ten (10) days after its resubmission.

E. Technical Review Committee (TRC):

1. For applications where the Commission is the authorized permitting authority, the TRC may review the Application prior to the first Commission meeting and make recommendations to the Commission upon request by the Administrative Officer or the Applicant.

2. For applications where the Administrative Officer is the authorized permitting authority, the Administrative Officer may utilize the technical review committee for initial review and recommendation.

F. Application Review:

1. Commission Review: If reviewed by the City Plan Commission, the Commission shall hold a public hearing and shall consider the application and the recommendations of the Administrative Officer and/or the Technical Review Committee and either approve or deny the application within sixty-five (65) days of certification of completeness.

2. Administrative Officer Review**:** Within twenty (20) days of a certification of completeness, the Administrative Officer shall review an application and approve or deny it. The Administrative Officer shall report their actions to the Commission at its next regular meeting, to be made part of the record.

3. If an applicant also submits for a modification to the zoning enforcement officer, the running of the time period set forth herein will not begin until the decision on any modification is made.

G. Criteria for Review:

1. The required findings outlined in Section III(M)(b) of these Regulations shall be used in the review of any administrative subdivision.

2. Administrative subdivisions requiring approval for a variance under Unified Development Review shall make the required findings subject to the standards in Section 17.92.010 of the Zoning Ordinance.

H. Decisions: Any approval or denial of an administrative subdivision shall be evidenced by a written decision which shall be filed and posted in the City Clerk's Land Evidence Records Office as specified in RIGL §45-23-64.

I. Failure to Act: Failure of the permitted review authority to act within the prescribed period constitutes approval of the administrative subdivision plan and the resulting approval shall be issued on request of the applicant.

J. Appeals: Denial of an application is appealable pursuant to Section XV(B) or the plan may be submitted as a minor subdivision application.

K. Vesting: Approval of an administrative subdivision shall expire ninety (90) days after the date of approval unless within the ninety (90) days a plat in conformity with such approval is submitted for signature and recording in accordance with the provisions of RIGL §45-23-64.

SECTION V – SUBMISSION, REVIEW, & APPROVAL PROCEDURES FOR MINOR SUBDIVISIONS & MINOR LAND DEVELOPMENT PROJECTS

A. Minor Subdivisions & Minor Land Development Projects

1. Application Types:

   a. Applications Requesting Relief from the Zoning Ordinance:

      1. Variance and Special-Use Permits: Applications which require relief from the literal provisions of the Zoning Ordinance in the form of a variance and/or special-use permit, shall be reviewed by the Commission under Unified Development Review in accordance with the provisions of RIGL §45-23-50.1, Chapter 17.86 – Unified Development Review of the Zoning Ordinance, and Section VII(C) of these Regulations and a request for review shall accompany the preliminary plan application.

      2. Modifications: Applications which require relief which qualifies only as a modification under RIGL §45-24-46 and §17.20.130 of the Zoning Ordinance may file an application and a request for a modification to the Zoning Official. If any modifications are granted, the application shall be reviewed by the Administrative Officer pursuant to the applicable requirements of this section. If the modification is denied or an objection is received, as set forth in RIGL §45-24-46 and §17.20.130 of the Zoning Ordinance, such application shall be reviewed by the Commission under Unified Development Review in accordance with the provisions of RIGL §45-23-50.1, Chapter 17.86 – Unified Development Review of the Zoning Ordinance, and Section VII(C) of these Regulations.

   b. Oversized Lot Subdivision.

      1. An oversized lot subdivision is a subdivision of an existing lot:

         a) Which results in the creation of a vacant lot or lots for residential use; and

         b) Which does not involve a street extension or creation; and

         c) Which resulting vacant residential lots are equal to or greater in lot area than the lot area of at least fifty percent (50%) of the developed residential lots within two hundred feet (200′) of the lot proposed for subdivision, as confirmed by a professional land surveyor based on a compilation plan, as such term is defined by the rules and regulations for professional land surveying; and

         d) Which resulting residential lots have access to available sewer and water, or have demonstrated the ability to drill a private well meeting state standards if no public water is available and/or the suitability and

setbacks required for an on-site wastewater treatment system, where no public sewer is available; provided that

i. For lots serviced by public water and sewer, the resulting lots are not less than three thousand square feet (3,000 ft^2) in lot size for each; or

ii. For lots serviced by private wells or on-site wastewater treatment systems, the resulting lots are not less than ten thousand square feet (10,000 ft^2); or

iii. For lots serviced by both private wells and on-site wastewater treatment systems, the resulting lots are not less than twenty thousand square feet (20,000 ft^2).

2. Notwithstanding the lot sizes set forth above or as determined by the compilation plan, lot area requirements or limitations established by state regulations or state permit requirements remain applicable and not superseded by this provision.

3. A lot, qualifying for this type of oversized lot subdivision shall be reviewed under the requirements and procedures set forth in Section V, but shall not require zoning relief solely based on the resulting reduced lot area of the newly created lots. The subdivision itself and the resulting subdivided lots shall have the benefit of reduced requirements as set forth in Section 17.20.40 of the Cranston Zoning Ordinance, and/or are eligible for modifications as set forth in Section 17.20.130 of the Cranston Zoning Ordinance, as applicable.

c. Applications Involving Street Creation or Extension: Any application involving a street creation or extension shall be reviewed by the Commission pursuant to the applicable requirements of this section and shall require a public hearing.

d. All other Applications: The Administrative Officer shall review and approve, approve with conditions, or deny all other applications for minor subdivisions and minor land development projects. The Administrative Officer may utilize the Technical Review Committee for initial review and recommendation.

2. Stages of Review:

a. The review of a minor subdivision or minor land development project shall consist of two (2) stages: Preliminary and Final.

b. Pre-application conferences/meetings may be held for minor subdivision applications, upon request of the applicant (See §VI.3.).

c. The Administrative Officer may combine the review stages, upon a finding that the submission requirements for both stages have been met.

d. If a street creation or extension is involved, or a request for variances and/or special-use permits is submitted, pursuant to Section VII(C) of these Regulations,

a public hearing shall be required before the Commission.

3. Preliminary Plan:

a. Submission Requirements: Any Applicant requesting preliminary approval of a proposed minor subdivision or minor land development project shall submit an application to the Administrative Officer via the online portal, provide an application consent form signed by the applicant and all owners, and submit all materials required by the appropriate checklist.

1. Preliminary Plan Contents: Said plan shall encompass the entire tract of land proposed for subdivision, shall be prepared, stamped, and signed by a registered professional land surveyor as appropriate under the requirements established by the State of Rhode Island for a Class I survey, and shall include, at a minimum, the following:

a. Name of subdivision or development, name of owner, name of registered engineer, registered land surveyor with accompanying stamp, date, north point, and scale;

b. Boundary Lines: Boundary lines and lot lines with angles and distances marked thereon. Such boundaries shall be determined by survey in the field and shall be balanced and closed;

c. Primary Control Points: Suitable points, approved by the City Engineer, to which all dimensions, angles, and similar data on the plat shall be referred;

d. Permanent Monuments: Locations of all existing and proposed monuments or bounds;

e. Lots: Lot lines, approximate dimensions, approximate area, and lot numbers;

f. Existing and proposed streets: Location, name, and right-of-way widths for streets on entire development parcel and on abutting property;

g. Utilities: Location and size of existing and proposed water, sewer, electrical and cable lines on the development parcel and on adjacent property;

h. Existing and proposed easements: Location, width, and purpose;

i. Topography: Contours at intervals no greater than five (5) feet; the Administrative Officer may require contours at intervals of two (2) feet if conditions are such as to make such detail necessary;

j. Surface Water: The location of any lakes or ponds, water courses, and the proposed drainage pattern;

k. Existing and proposed drainage and stormwater management. A full

drainage analysis per City Engineer's specifications;

l. An Erosion Control Plan;

m. Wetlands: Delineation of wetland boundaries and proof of application to RI Department of Environmental Management to certify said delineation. If any portion of the proposed plat or subdivision is located within a flood hazard area as identified by the Federal Emergency Management Agency's "Flood Insurance Rate Map" and "Flood Boundary and Floodway Map", November, 1984, as may be amended, base flood elevation data shall be provided;

n. Archaeological Significance: Identify location of existing archaeological sites in areas shown on Map 5A-1, Comprehensive Plan, February, 1992, or stipulate that none are present.

o. Subsurface conditions: Soil types, and suitability to development, as identified in the Soil Conservation Service's publication Soil Survey of Rhode Island; location and results of percolation tests, groundwater elevations, and statements of subsoil conditions as required by the City Engineer.

p. Other conditions: The location of rock outcrop, wooded areas, existing structures, embankments or retaining walls, railroads, power lines, underground storage tanks, and significant physical features on the plat and on adjacent land that may have an influence on the development;

q. Public Land: Parcels of land, if any, proposed to be dedicated for public use;

r. Zoning: Existing zoning on proposed development proposal and on all abutting properties;

s. Abutting Property Owners: Names of abutting property owners on a list certified by the City Assessor;

t. Professional Registration: All plats shall be prepared by a registered engineer and registered land surveyor according to their area of expertise. Each engineer and land surveyor shall provide a proof of professional insurance against errors and omissions;

u. Hazardous Waste Assessment: Location of any environmental hazards on land to be deeded to the City for any purpose to determine the extent of existence of any hazardous material, past or present. If no environmental hazards exist, then a certificate to that extent must be submitted by an environmental engineer. In a case where a hazard exists, a plan for mitigation must be approved by appropriate federal, state and local agencies prior to application.

A copy of the environmental report shall be submitted as part of the application. The City shall be indemnified from any liability relating

to an environmental hazard.

2. Municipal Lien Certificates for all parcels: An application under this section shall not be deemed complete until such certificates for all lots have been filed;

3. A copy of any deed restrictions to be filed with the City Clerk's Land Evidence Records Office;

4. A statement describing the nature of proposed easements and the conditions attached thereto;

5. A statement from the Applicant describing all land to be dedicated to the city for highway or other public purposes;

6. Providence Water Supply Board or Kent County Water Supply Board approval, as applicable, for access to their water system;

7. Department of Public Works approval for access to the public sewer system. For sewer main extensions, a sewer design review and approval from the Department of Public Works in accordance with "Annex A – Design of Sewers" as referenced in Chapter 13.08 of the Cranston City Code is required.

8. Evidence that all public utility companies, the 911 system and the US Postal Service have been notified of the proposed subdivision and have been provided copies of said subdivision for their review. Where utility company approval of access, location, or design of an extension is required, evidence of said approval must also be submitted to the Administrative Officer.

9. Project Narrative: Explanation of site suitability for proposed development including identification of problem areas and specific treatments proposed to alleviate said problems. This report shall address soil qualities, drainage, erosion easements, covenants, and any additional issues raised by the Plan Commission at the preliminary approval stage.

10. Professional Registration and Proof of Same From State Board of Registration: Each engineer and land surveyor shall submit documentation from the State Board of Registration stating that the individual is authorized to practice in their respective field. Any documents submitted (such as plans, profiles, calculations, ground tests, surveys, design plans, etc.) shall be stamped and signed by the preparing individual based on their area of expertise.

11. A copy of the deeds of all subject parcels;

Submission Checklist: The Application checklist is included in the Appendix. In the event of a conflict between these Regulations and the checklist, the checklist shall control.

b. Certification: For each applicable stage of review, the Application shall be certified, in writing, complete or incomplete by the Administrative Officer within:

1. Twenty-five (25) days of the submission of an application for minor subdivision or minor land development project with a street creation or extension or a request for unified development review, so long as a completed checklist of the requirements for submission are provided as part of the submission. Such certification shall be made in accordance with the provisions of RIGL §45-23-36(c). If an applicant also submits for a modification to the Zoning Official, the running of the time period set forth herein will not begin until the decision on any modifications are made as set forth in RIGL §45-24-46.; or,

2. Fifteen (15) days of the submission of an application for minor subdivision with no street creation or extension, so long as a completed checklist of the requirements for submission are provided as part of the submission. Such certification shall be made in accordance with the provisions of RIGL §45-23-36(c).

The running of the time periods set forth in this section shall be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and shall recommence upon the resubmission of a corrected application by the Applicant. However, in no event shall the Administrative Officer be required to certify a corrected submission as complete or incomplete less than ten (10) days after its resubmission.

c. Technical Review Committee (TRC):

1. For applications where the Commission is the authorized permitting authority, the TRC may review the Application prior to the first Commission meeting and make recommendations to the Commission upon request by the Administrative Officer or the Applicant.

2. For applications where the Administrative Officer is the authorized permitting authority, the Administrative Officer may utilize the technical review committee for initial review and recommendation.

d. Public Hearing:

1. A public hearing shall be required for a minor subdivision or minor land development project where a street extension or creation is proposed or for a proposal that is being reviewed under unified development review. Public notice of the hearing shall be given in accordance with the provisions of Section VIII of these Regulations.
2. Where no street extension or creation is proposed, a public hearing and newspaper notice is not required. In such cases, notification of property owners within 200 feet of the Applicant's property shall be required by first class mail, not less than ten (10) days prior to the date of the Administrative Officer's action on the Application.

e. Criteria for Review: The required findings outlined in RIGL §45-23-60(a)(1-5) and Section III(M) of these Regulations shall be used in the review of any minor subdivision or minor land development project.

f. Decision:

1. If no street creation or extension, variance or special use permits are required, the Administrative Officer shall approve, approve with conditions, or deny an application for preliminary plan within sixty-five (65) days of certification of completeness or within any further time that is agreed to by the Applicant and the Administrative Officer, in accordance with the provisions of RIGL §45-23-60 and 45-23-63.
2. If a street extension or creation is required or if an application is reviewed under unified development review, or the application seeks waivers from design standards and/or requirements of the Subdivision and Land Development Regulations that are beyond the authority of the Administrative Officer to grant, the Commission shall hold a public hearing in accordance with the provisions of RIGL §45-23-42 and shall approve, approve with conditions, or deny an application for the preliminary plan within ninety-five (95) days of certification of completeness or within any specified time that is agreed to by the Applicant and the Commission, in accordance with the provisions of RIGL §45-23-60 and 45-23-63.

g. Failure to Act: Failure of the Commission or the Administrative Officer to act within the period prescribed shall constitute approval of the pending stage of review and a certificate of the Administrative Officer as to the failure or to act within the required time and the resulting approval shall be issued on request of the Applicant.

4. Final Plan:

a. Submission Requirements: Any Applicant requesting final approval of a proposed minor subdivision or minor land development project shall submit all materials required by the appropriate checklist to the Administrative Officer via

the online portal.. The Final Plan shall be in compliance with all conditions of the Preliminary Plan.

1. Final Plan Contents: Said plan shall encompass the entire tract of land proposed for subdivision, shall be prepared, stamped, and signed by a registered professional land surveyor as appropriate under the requirements established by the State of Rhode Island for a Class I survey, and shall include, at a minimum, the following:
    a. Name of subdivision or development, name of owner, name of registered engineer, registered land surveyor with accompanying stamp, date, north point, and scale;
    b. Boundary Lines: Boundary lines and lot lines with angles and distances marked thereon. Such boundaries shall be determined by survey in the field and shall be balanced and closed;
    c. Primary Control Points: Suitable points, approved by the City Engineer, to which all dimensions, angles, and similar data on the plat shall be referred;
    d. Permanent Monuments: Locations of all existing and proposed monuments or bounds;
    e. Lots: Lot lines, approximate dimensions, approximate area, and lot numbers;
    f. Existing and proposed streets: Location, name, and right-of-way widths for streets on entire development parcel and on abutting property;
    g. Utilities: Location and size of existing and proposed water, sewer, electrical and cable lines on the development parcel and on adjacent property;
    h. Existing and proposed easements: Location, width, and purpose;
    i. Topography: Contours at intervals no greater than five (5) feet; the Administrative Officer may require contours at intervals of two (2) feet if conditions are such as to make such detail necessary;
    j. Surface Water: The location of any lakes or ponds, water courses, and the proposed drainage pattern;
    k. Existing and proposed drainage and stormwater management. A full drainage analysis per City Engineer's specifications;
    l. An Erosion Control Plan;
    m. Wetlands: Delineation of wetland boundaries and proof of application to RI Department of Environmental Management to certify said delineation. If any portion of the proposed plat or subdivision is located within a flood hazard area as identified by the Federal

Emergency Management Agency's "Flood Insurance Rate Map" and "Flood Boundary and Floodway Map", November, 1984, as may be amended, base flood elevation data shall be provided;

n. Archaeological Significance: Identify location of existing archaeological sites in areas shown on Map 5A-1, Comprehensive Plan, February, 1992, or stipulate that none are present.

o. Subsurface conditions: Soil types, and suitability to development, as identified in the Soil Conservation Service's publication Soil Survey of Rhode Island; location and results of percolation tests, groundwater elevations, and statements of subsoil conditions as required by the City Engineer.

p. Other conditions: The location of rock outcrop, wooded areas, existing structures, embankments or retaining walls, railroads, power lines, underground storage tanks, and significant physical features on the plat and on adjacent land that may have an influence on the development;

q. Public Land: Parcels of land, if any, proposed to be dedicated for public use;

r. Zoning: Existing zoning on proposed development proposal and on all abutting properties;

s. Abutting Property Owners: Names of abutting property owners on a list certified by the City Assessor;

t. Professional Registration: All plats shall be prepared by a registered engineer and registered land surveyor according to their area of expertise. Each engineer and land surveyor shall provide a proof of professional insurance against errors and omissions;

u. Hazardous Waste Assessment: Location of any environmental hazards on land to be deeded to the City for any purpose to determine the extent of existence of any hazardous material, past or present. If no environmental hazards exist, then a certificate to that extent must be submitted by an environmental engineer. In a case where a hazard exists, a plan for mitigation must be approved by appropriate federal, state and local agencies prior to application.

A copy of the environmental report shall be submitted as part of the application. The City shall be indemnified from any liability relating to an environmental hazard.

2. Municipal Lien Certificates: A certificate from the City Treasurer that all taxes due on land described in such plat have been paid for the period of three years preceding the date of such filing and that there are no outstanding tax liens on the land. An application under this section shall

not be deemed complete until such certificates for all lots have been filed;

3. A copy of any deed restrictions to be filed with the City Clerk's Land Evidence Records Office;

4. A statement describing the nature of proposed easements and the conditions attached thereto;

5. A statement from the Applicant describing all land to be dedicated to the city for highway or other public purposes;

6. Proof of conformance with all State, Federal and local permitting procedures including, but not limited to, copies of the following authorizations where applicable:
   a. RIDOT Physical Alteration Permit;
   b. RIDEM/CRMC Coastal Alteration Permit;
   c. RIDEM/OWTS Preliminary Subdivision Suitability Report;
   d. RIDEM Wetlands Alteration Permit;
   e. U.S. Army Corps of Engineers Wetlands Alteration Permit;
   f. Conformance with Scituate Reservoir Watershed Management Plan;
   g. RIHPHC – for potential archaeological significant sites;
   h. Providence Water Supply Board or Kent County Water Supply Board approval, as applicable, for access to their water system and for design of the proposed water system;
   i. Veolia Water approval for access to their public sewer system. For sewer main extensions, a sewer design review and approval from the Department of Public Works in accordance with "Annex A – Design of Sewers", as referenced in Chapter 13.08 of the Cranston City Code, is required.

7. Evidence that all public utility companies, the 911 system and the US Postal Service have been notified of the proposed subdivision and have been provided copies of said subdivision for their review. Where utility company approval of access, location, or design of an extension is required, evidence of said approval must also be submitted to the Administrative Officer.

8. Project Narrative: Explanation of site suitability for proposed development including identification of problem areas and specific treatments proposed to alleviate said problems. This report shall address soil qualities, drainage, erosion easements, covenants, significant changes from the preliminary plan approval, and any additional issues raised by the Plan Commission at

the preliminary approval stage.

9. Professional Registration and Proof of Same From State Board of Registration: Each engineer and land surveyor shall submit documentation from the State Board of Registration stating that the individual is authorized to practice in their respective field. Any documents submitted (such as plans, profiles, calculations, ground tests, surveys, design plans, etc.) shall be stamped and signed by the preparing individual based on their area of expertise.

b. Certification: the Application shall be certified, in writing, complete or incomplete by the Administrative Officer within:

1. Twenty-five (25) days of the submission of an application for minor subdivision or minor land development project with a street creation or extension or a request for unified development review, so long as a completed checklist of the requirements for submission are provided as part of the submission. Such certification shall be made in accordance with the provisions of RIGL §45-23-36(b); or,
2. Fifteen (15) days of the submission of an application for minor subdivision or minor land development project with no street creation or extension, so long as a completed checklist of the requirements for submission are provided as part of the submission. Such certification shall be made in accordance with the provisions of RIGL §45-23-36(b).

The running of the time periods set forth in this section shall be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and shall recommence upon the resubmission of a corrected application by the Applicant. However, in no event shall the Administrative Officer be required to certify a corrected submission as complete or incomplete less than ten (10) days after its resubmission.

c. Criteria for Review: The required findings outlined in RIGL §45-23-60(a)(1-5) and Section III(M) of these Regulations shall be used in the review of any minor subdivision or minor land development project.

d. Decision: The Administrative Officer shall approve, approve with conditions, deny, or refer the application to the Commission based upon a finding that there is a major change within twenty-five (25) days of the certificate of completeness. The Administrative Officer shall report their actions, in writing to the Commission at its next regular meeting, to be made part of the record.

e. Failure to Act: Failure of the Commission or the Administrative Officer to act within the period prescribed shall constitute approval of the final plan and a certificate of the Administrative Officer as to the failure of the Commission or to

act within the required time and the resulting approval shall be issued on request of the Applicant.

5. Plan Modifications:

   a. Minor changes, as defined in Section IX(B)(2) of the Regulations, to the plans approved at any stage may be approved administratively, by the Administrative Officer. The changes may be authorized without an additional public hearing, at the discretion of the Administrative Officer. All changes shall be made a part of the permanent record of the application. The Administrative Officer may request a recommendation from either the DPRC or the Commission. Denial of the proposed change(s) shall be referred to the DPRC or Commission for review as a major change.

   b. Major changes, as defined in Section IX(B)(3) of the Regulations, to the plans approved at any stage may be approved only by the DPRC or the Commission and shall follow the same review and hearing process required for approval of preliminary plans, which shall include a public hearing if originally required as part of the application.

   c. The Administrative Officer shall notify the Applicant in writing within fourteen (14) days of submission of the written request for a change if the Administrative Officer determines the change to be a major change.

6. Appeals: Decisions under this section shall be considered an appealable decision pursuant to RIGL §45-23-71.

7. Expiration of Approval: Approvals of a minor subdivision or minor land development project expire one (1) year from the date of approval unless, within that period, a plan, in conformity with approval, and as defined in this section, is submitted for signature and recording as specified in RIGL §45-23-64. Validity may be extended for a longer period, for cause shown, if requested by the Applicant in writing prior to the expiration, and approved by the Commission.

SECTION VI – SUBMISSION, REVIEW, & APPROVAL PROCEDURES FOR MAJOR SUBDIVISIONS & MAJOR LAND DEVELOPMENT PROJECTS

A. Major Subdivisions & Major Land Development Projects

a. Application Types:

i. Applications Requesting Relief from the Zoning Ordinance:

1. Modifications: Applications which require relief which qualifies only as a modification under RIGL §45-24-46 and §17.20.130 of the Zoning Ordinance may file an application under this section to the Administrative Officer and, separately, a request for a modification to the Zoning Official. If any modifications are granted, the application shall be reviewed by the Commission pursuant to the applicable requirements of this section. If the modification is denied or an objection is received, as set forth in RIGL §45-24-46 and §17.20.130 of the Zoning Ordinance, such application shall be reviewed by the Commission under Unified Development Review in accordance with the provisions of RIGL §45-23-50.1, Chapter 17.86 – Unified Development Review of the Zoning Ordinance, and Section VII(C) of these Regulations.

2. Variance and Special-Use Permits: Applications which require relief from the Zoning Ordinance in the form of a variance and/or special-use permit, shall be reviewed by the Commission under Unified Development Review in accordance with the provisions of RIGL §45-23-50.1, Chapter 17.86 – Unified Development Review of the Zoning Ordinance, and Section VII(C) of these Regulations.

ii. Applications Not Requesting Relief from the Zoning Ordinance:

1. Major Subdivisions: The City Plan Commission shall review and approve, approve with conditions, or deny all other applications for major subdivisions.

2. Major Land Development Projects: The City Plan Commission shall review and approve, approve with conditions, or deny all other applications for major land development projects.

b. Stages of Review:

i. A major subdivision or major land development project shall consist of three (3) stages of review: Master, Preliminary, and Final, following one or more pre-application meetings if requested by the applicant.

ii. The Administrative Officer may combine review stages and, but only the Commission may waive requirements as specified in RIGL §45-23-62. Review stages may be combined only after the Administrative Officer determines that all

necessary requirements have been met by the Applicant, or the Commission has waived any submission requirements not included by the Applicant.

c. Master Plan:

i. Submission Requirements: Any Applicant requesting master plan approval of a proposed major subdivision or major land development project shall submit an application to the Administrative Officer via the online portal, provide an application consent form signed by the applicant and all owners, and submit all materials required by the appropriate checklist.

1. Master Plan Contents: Said plan shall encompass the entire tract of land proposed for subdivision, shall be prepared, stamped, and signed by a registered professional land surveyor as appropriate under the requirements established by the State of Rhode Island for a Class I survey, and shall include, at a minimum, the following:

a. Name of subdivision or development, name of owner, name of registered engineer, registered land surveyor with accompanying stamp, date, north point, and scale;

b. Boundary Lines: Boundary lines and lot lines with angles and distances marked thereon. Such boundaries shall be determined by survey in the field and shall be balanced and closed;

c. Primary Control Points: Suitable points, approved by the City Engineer, to which all dimensions, angles, and similar data on the plat shall be referred;

d. Permanent Monuments: Locations of all existing and proposed monuments or bounds;

e. Lots: Lot lines, approximate dimensions, approximate area, and lot numbers;

f. Existing and proposed streets: Location, name, and right-of-way widths for streets on entire development parcel and on abutting property;

g. Utilities: Location and size of existing and proposed water, sewer, electrical and cable lines on the development parcel and on adjacent property;

h. Existing and proposed easements: Location, width, and purpose;

i. Topography: Contours at intervals no greater than five (5) feet; the Administrative Officer may require contours at intervals of two (2) feet if conditions are such as to make such detail necessary;

j. Surface Water: The location of any lakes or ponds, water courses, and the proposed drainage pattern;

k. Existing and proposed drainage and stormwater management. A full drainage analysis per City Engineer's specifications;

l. Wetlands: Identification of wetland boundaries and proof of application to RI Department of Environmental Management to certify said delineation. If any portion of the proposed plat or subdivision is located within a flood hazard area as identified by the Federal Emergency Management Agency's "Flood Insurance Rate Map" and "Flood Boundary and Floodway Map", November, 1984, as may be amended, base flood elevation data shall be provided;

m. Archaeological Significance: Identify location of existing archaeological sites in areas shown on Map 5A-1, Comprehensive Plan, February, 1992, or stipulate that none are present.

n. Subsurface conditions: Soil types, and suitability to development, as identified in the Soil Conservation Service's publication Soil Survey of Rhode Island; location and results of percolation tests, groundwater elevations, and statements of subsoil conditions as required by the City Engineer.

o. Other conditions: The location of rock outcrop, wooded areas, existing structures, embankments or retaining walls, railroads, power lines, underground storage tanks, and significant physical features on the plat and on adjacent land that may have an influence on the development;

p. Public Land: Parcels of land, if any, proposed to be dedicated for public use;

q. Zoning: Existing zoning on proposed development proposal and on all abutting properties;

r. Abutting Property Owners: Names of abutting property owners on a list certified by the City Assessor;

s. Professional Registration: All plans shall be prepared by a registered

engineer and registered land surveyor according to their area of expertise. Each engineer and land surveyor shall provide a proof of professional insurance against errors and omissions;

2. Municipal Lien Certificates: A certificate from the City Treasurer that all taxes due on land described in such plat have been paid for the period of three years preceding the date of such filing and that there are no outstanding tax liens on the land. An application under this section shall not be deemed complete until such certificates for all lots have been filed;

3. A copy of any deed restrictions to be filed with the City Clerk's Land Evidence Records Office;

4. A statement describing the nature of proposed easements and the conditions attached thereto;

5. A statement from the Applicant describing all land to be dedicated to the city for highway or other public purposes;

6. Proof of application for all necessary State, Federal, and local permits where applicable:
   a. RIDOT Physical Alteration Permit;
   b. RIDEM/CRMC Coastal Alteration Permit;
   c. RIDEM/OWTS;
   d. RIDEM Wetlands (determination or verification of wetlands edge);
   e. U.S. Army Corps of Engineers Wetlands Alteration Permit;
   f. RIHPHC – for potential archaeological significant sites;
   g. Providence Water Supply Board or Kent County Water Supply Board approval, as applicable, for access to their water system and for design of the proposed water system.
   h. Veolia Water approval for access to their public sewer system.
   i. All public utility companies.

7. Project Narrative: Explanation of site suitability for proposed a development, including analysis of soil qualities, existing and proposed easements and covenants, a full drainage and erosion report per City Engineer's specifications, proposed construction phasing, and a general overview of the preliminary plat contents. Description and justification of any land proposed for donation to the City in lieu of the Capital Facilities Development Impact Fee.

8. Professional Registration and Proof of Same From State Board of Registration: Each engineer and land surveyor shall submit documentation from the State Board of Registration stating that the individual is authorized to practice in their respective field. Any documents submitted (such as plans, profiles, calculations, ground tests, surveys, design plans, etc.) shall be stamped and signed by the preparing individual based on their area of expertise.

9. A copy of the deeds of all subject parcels;

Submission Checklist: The Application checklist is included in the Appendix. In the event of a conflict between these Regulations and the checklist, the checklist shall control.

ii. Certification: The Application shall be certified, in writing, complete or incomplete by the Administrative Officer within:

1. Twenty-five (25) days of the submission of an application for major subdivision or major land development project, in accordance with the provisions of RIGL §45-23-36(b), so long as a completed checklist of the requirements for submission are provided as part of the submission. If an applicant also submits for a modification to the Zoning Official, the running of the time period set forth herein shall not begin until the decision on any modifications are made as set forth §45-24-46.

2. The running of the time period set forth in this section shall be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and shall recommence upon the resubmission of a corrected application by the Applicant. However, in no event shall the Administrative Officer be required to certify a corrected submission as complete or incomplete less than ten (10) days after its resubmission.

iii. Technical Review Committee (TRC): The Application shall be reviewed by the TRC prior to the first Commission meeting and the TRC shall comment and make recommendations to the Commission.

iv. Public Hearing:

1. A public hearing shall be required and held prior to the Commission's decision on a master plan. If the master plan and preliminary plan review stages are combined, a public hearing shall be held during the combined stage of review.
2. Public notice of the hearing shall be given in accordance with the provisions of Section VIII of these Regulations.

3. At the public hearing, the applicant shall present the proposed development project. The Commission shall allow oral and written comments from the general public. All public comments shall be made part of the public record of the application.

v. Criteria for Review: The required findings outlined in RIGL §45-23-60(a)(1-5) and Section III(M) of these Regulations shall be used in the review of any major subdivision or major land development project.

vi. Decision: The Commission shall approve, approve with conditions, or deny an application for the master plan within ninety (90) days of certification of completeness or within a further time that may be consented to by the applicant through the submission of a written waiver, in accordance with the provisions of RIGL §45-23-60 and 45-23-63.

vii. Failure to Act: Failure of the Commission to act within the period prescribed shall constitute approval of the master plan and a certificate of the Administrative Officer as to the failure of the Commission or to act within the required time and the resulting approval shall be issued on request of the Applicant.

viii. Vesting:

1. An approved master plan shall be vested for a period of two (2) years, with the right to extend for two (2), one-year extensions upon written request by the applicant, who must appear before the Commission for an annual review.
2. Thereafter, vesting may be extended for a longer period, for good cause shown, if requested by the applicant, in writing, and approved by the Commission.
3. A vested Master plan shall include the zoning requirements, conceptual layout, and all conditions shown on the approved master plan drawings and supporting materials.
4. The initial four 4-year vesting for an approved master plan constitutes the vested rights for the development as required in RIGL §45-24-44.

d. Preliminary Plan:

i. Submission Requirements: Any Applicant requesting preliminary approval of a proposed minor subdivision or minor land development project shall submit all materials required by the appropriate checklist to the Administrative Officer via the online portal.

1. Preliminary Plan Contents: Said plan shall encompass the entire tract of land proposed for subdivision, shall be prepared, stamped, and signed by a registered professional land surveyor as appropriate under the requirements

established by the State of Rhode Island for a Class I survey, and shall include, at a minimum, the following:

a. Name of subdivision or development, name of owner, name of registered engineer, registered land surveyor with accompanying stamp, date, north point, and scale;

b. Boundary Lines: Boundary lines and lot lines with angles and distances marked thereon. Such boundaries shall be determined by survey in the field and shall be balanced and closed;

c. Primary Control Points: Suitable points, approved by the City Engineer, to which all dimensions, angles, and similar data on the plat shall be referred;

d. Permanent Monuments: Locations of all existing and proposed monuments or bounds;

e. Lots: Lot lines, approximate dimensions, approximate area, and lot numbers;

f. Existing and proposed streets: Location, name, and right-of-way widths for streets on entire development parcel and on abutting property;

g. Utilities: Location and size of existing and proposed water, sewer, electrical and cable lines on the development parcel and on adjacent property;

h. Existing and proposed easements: Location, width, and purpose;

i. Topography: Contours at intervals no greater than five (5) feet; the Administrative Officer may require contours at intervals of two (2) feet if conditions are such as to make such detail necessary;

j. Surface Water: The location of any lakes or ponds, water courses, and the proposed drainage pattern;

k. Existing and proposed drainage and stormwater management. A full drainage analysis per City Engineer's specifications;

l. An Erosion Control Plan;

m. Wetlands: Delineation of wetland boundaries and proof of application to RI Department of Environmental Management to certify said delineation. If any portion of the proposed plat or subdivision is located within a flood hazard area as identified by the Federal Emergency Management Agency's "Flood Insurance Rate Map" and "Flood Boundary and Floodway Map", November, 1984, as may be amended, base flood elevation data shall be provided;

n. Archaeological Significance: Identify location of existing archaeological sites in areas shown on Map 5A-1, Comprehensive

Plan, February, 1992, or stipulate that none are present.

o. Subsurface conditions: Soil types, and suitability to development, as identified in the Soil Conservation Service's publication Soil Survey of Rhode Island; location and results of percolation tests, groundwater elevations, and statements of subsoil conditions as required by the City Engineer.

p. Other conditions: The location of rock outcrop, wooded areas, existing structures, embankments or retaining walls, railroads, power lines, underground storage tanks, and significant physical features on the plat and on adjacent land that may have an influence on the development;

q. Public Land: Parcels of land, if any, proposed to be dedicated for public use;

r. Zoning: Existing zoning on proposed development proposal and on all abutting properties;

s. Abutting Property Owners: Names of abutting property owners on a list certified by the City Assessor;

t. Professional Registration: All plats shall be prepared by a registered engineer and registered land surveyor according to their area of expertise. Each engineer and land surveyor shall provide a proof of professional insurance against errors and omissions;

u. Hazardous Waste Assessment: Location of any environmental hazards on land to be deeded to the City for any purpose to determine the extent of existence of any hazardous material, past or present. If no environmental hazards exist, then a certificate to that extent must be submitted by an environmental engineer. In a case where a hazard exists, a plan for mitigation must be approved by appropriate federal, state and local agencies prior to application.

A copy of the environmental report shall be submitted as part of the application. The City shall be indemnified from any liability relating to an environmental hazard.

2. Municipal Lien Certificates: A certificate from the City Treasurer that all taxes due on land described in such plat have been paid for the period of three years preceding the date of such filing and that there are no outstanding tax liens on the land. An application under this section shall not be deemed complete until such certificates for all lots have been filed;

3. A copy of any deed restrictions to be filed with the City Clerk’s Land Evidence Records Office;

4. A statement describing the nature of proposed easements and the conditions

attached thereto;

5. A statement from the Applicant describing all land to be dedicated to the city for highway or other public purposes;

6. Evidence that all public utility companies, the 911 system and the US Postal Service have been notified of the proposed subdivision and have been provided copies of said subdivision for their review. Where utility company approval of access, location, or design of an extension is required, evidence of said approval must also be submitted to the Administrative Officer.

7. Project Narrative: Explanation of site suitability for proposed development including identification of problem areas and specific treatments proposed to alleviate said problems. This report shall address soil qualities, drainage, erosion easements, covenants, and any additional issues raised by the Plan Commission at the preliminary approval stage.

8. Professional Registration and Proof of Same From State Board of Registration: Each engineer and land surveyor shall submit documentation from the State Board of Registration stating that the individual is authorized to practice in their respective field. Any documents submitted (such as plans, profiles, calculations, ground tests, surveys, design plans, etc.) shall be stamped and signed by the preparing individual based on their area of expertise.

Submission Checklist: The Application checklist is included in the Appendix. In the event of a conflict between these Regulations and the checklist, the checklist shall control.

ii. Certification: The Application shall be certified, in writing, complete or incomplete by the Administrative Officer within:

1. Twenty-five (25) days of the submission of an application for major subdivision or major land development project, so long as a completed checklist of the requirements for submission are provided as part of the submission. Such certification shall be made in accordance with the provisions of RIGL §45-23-36(b).
2. The running of the time periods set forth in this section shall be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and shall recommence upon the resubmission of a corrected application by the Applicant. However, in no event shall the Administrative Officer be required to certify a corrected submission as complete or incomplete less than ten (10) days after its resubmission.

iii. Technical Review Committee (TRC): The Application shall be reviewed by the TRC prior to the first Commission meeting and the TRC shall comment and make recommendations to the Commission.

iv. Public Notice: Prior to the first Commission meeting on the preliminary plan, public notice by first-class mail shall be sent to abutters within 200' at least fourteen (14) days prior to the public meeting. A period for public comment shall be allowed by the City Plan Commission during the public meeting.

v. Public Improvement Guarantees: Proposed arrangements for completion of the required public improvements, including construction schedule and/or financial guarantees, shall be reviewed and approved by the Commission at preliminary plan approval.

vi. Criteria for Review: The required findings outlined in RIGL §45-23-60(a)(1-5) and Section III(M) of these Regulations shall be used in the review of any major subdivision or major land development project.

vii. Decision: The Commission shall approve, approve with conditions, or deny an application for the preliminary plan within ninety (90) days of certification of completeness or within any specified time that is agreed to by the Applicant and the Commission, in accordance with the provisions of RIGL §45-23-60 and 45-23-63. Provided that, the timeframe for decision is automatically extended if evidence of state permits has not been provided or otherwise waived in accordance with these Regulations.

viii. Failure to Act: Failure of the Commission to act within the period prescribed shall constitute approval of the preliminary plan and a certificate of the Administrative Officer as to the failure of the Commission or to act within the required time and the resulting approval shall be issued on request of the Applicant.

ix. Vesting:

1. The approved preliminary plan shall be vested for a period of two (2) years with the right to extend for two (2), one-year extensions upon written request by the applicant, who shall appear before the Commission for each annual review and provide proof of valid state or federal permits as applicable.
2. Thereafter, vesting may be extended for a longer period, for good cause shown, if requested, in writing by the applicant, and approved by the Commission.
3. The vesting for the preliminary plan approval includes all general and specific conditions shown on the approved preliminary plan drawings and supporting material.

e. Final Plan:

i. Submission Requirements: Any Applicant requesting final approval of a proposed major subdivision or major land development project shall submit all materials required by the appropriate checklist to the Administrative Officer via the online portal. The Final Plan shall be compliance with all conditions of the Preliminary Plan approval.

1. Final Plan Contents: Said plan shall encompass the entire tract of land proposed for subdivision, shall be prepared, stamped, and signed by a registered professional land surveyor as appropriate under the requirements established by the State of Rhode Island for a Class I survey, and shall include, at a minimum, the following:

a. Name of subdivision or development, name of owner, name of registered engineer, registered land surveyor with accompanying stamp, date, north point, and scale;

b. Boundary Lines: Boundary lines and lot lines with angles and distances marked thereon. Such boundaries shall be determined by survey in the field and shall be balanced and closed;

c. Primary Control Points: Suitable points, approved by the City Engineer, to which all dimensions, angles, and similar data on the plat shall be referred;

d. Permanent Monuments: Locations of all existing and proposed monuments or bounds;

e. Lots: Lot lines, approximate dimensions, approximate area, and lot numbers;

f. Existing and proposed streets: Location, name, and right-of-way widths for streets on entire development parcel and on abutting property;

g. Utilities: Location and size of existing and proposed water, sewer, electrical and cable lines on the development parcel and on adjacent property;

h. Existing and proposed easements: Location, width, and purpose;

i. Topography: Contours at intervals no greater than five (5) feet; the Administrative Officer may require contours at intervals of two (2)

feet if conditions are such as to make such detail necessary;

j. Surface Water: The location of any lakes or ponds, water courses, and the proposed drainage pattern;

k. Existing and proposed drainage and stormwater management. A full drainage analysis per City Engineer's specifications;

l. An Erosion Control Plan;

m. Wetlands: Delineation of wetland boundaries and proof of application to RI Department of Environmental Management to certify said delineation. If any portion of the proposed plat or subdivision is located within a flood hazard area as identified by the Federal Emergency Management Agency's "Flood Insurance Rate Map" and "Flood Boundary and Floodway Map", November, 1984, as may be amended, base flood elevation data shall be provided;

n. Archaeological Significance: Identify location of existing archaeological sites in areas shown on Map 5A-1, Comprehensive Plan, February, 1992, or stipulate that none are present.

o. Subsurface conditions: Soil types, and suitability to development, as identified in the Soil Conservation Service's publication Soil Survey of Rhode Island; location and results of percolation tests, groundwater elevations, and statements of subsoil conditions as required by the City Engineer.

p. Other conditions: The location of rock outcrop, wooded areas, existing structures, embankments or retaining walls, railroads, power lines, underground storage tanks, and significant physical features on the plat and on adjacent land that may have an influence on the development;

q. Public Land: Parcels of land, if any, proposed to be dedicated for public use;

r. Zoning: Existing zoning on proposed development proposal and on all abutting properties;

s. Abutting Property Owners: Names of abutting property owners on a list certified by the City Assessor;

t. Professional Registration: All plats shall be prepared by a registered engineer and registered land surveyor according to their area of

expertise. Each engineer and land surveyor shall provide a proof of professional insurance against errors and omissions;

u. Hazardous Waste Assessment: Location of any environmental hazards on land to be deeded to the City for any purpose to determine the extent of existence of any hazardous material, past or present. If no environmental hazards exist, then a certificate to that extent must be submitted by an environmental engineer. In a case where a hazard exists, a plan for mitigation must be approved by appropriate federal, state and local agencies prior to application.

A copy of the environmental report shall be submitted as part of the application. The City shall be indemnified from any liability relating to an environmental hazard.

2. Arrangements for completion of the required public improvements, including construction schedule and/or financial guarantees.

3. Municipal Lien Certificates: A certificate from the City Treasurer that all taxes due on land described in such plat have been paid for the period of three years preceding the date of such filing and that there are no outstanding tax liens on the land. An application under this section shall not be deemed complete until such certificates for all lots have been filed;

4. A copy of any deed restrictions to be filed with the City Clerk's Land Evidence Records Office;

5. A statement describing the nature of proposed easements and the conditions attached thereto;

6. A statement from the Applicant describing all land to be dedicated to the city for highway or other public purposes;

7. Proof of conformance with all State, Federal and local permitting procedures including but not limited to copies of the following authorizations where applicable:

a. RIDOT Physical Alteration Permit or a letter evidencing the issuance of a RIDOT permit upon the submission of a bond and insurance;

b. RIDEM/CRMC Coastal Alteration Permit;

c. RIDEM/OWTS Preliminary Subdivision Suitability Report;

d. RIDEM Wetlands Alteration Permit;

e. U.S. Army Corps of Engineers Wetlands Alteration Permit;

f. Conformance with Scituate Reservoir Watershed Management Plan.

g. RIHPHC – for potential archaeological significant sites;

h. Providence Water Supply Board or Kent County Water Supply Board approval, as applicable, for access to their water system and for design of the proposed water system.

i. Veolia Water approval for access to the public sewer system.

8. Evidence that all public utility companies, the 911 system and the US Postal Service have been notified of the proposed subdivision and have been provided copies of said subdivision for their review. Where utility company approval of access, location, or design of an extension is required, evidence of said approval must also be submitted to the Administrative Officer.

9. Project Narrative: Explanation of site suitability for proposed development including identification of problem areas and specific treatments proposed to alleviate said problems. This report shall address soil qualities, drainage, erosion easements, covenants, and any additional issues raised by the Plan Commission at the preliminary approval stage.

10. Professional Registration and Proof of Same From State Board of Registration: Each engineer and land surveyor shall submit documentation from the State Board of Registration stating that the individual is authorized to practice in their respective field. Any documents submitted (such as plans, profiles, calculations, ground tests, surveys, design plans, etc.) shall be stamped and signed by the preparing individual based on their area of expertise.

11. For phased projects, the final plan for phases following the first phase, shall be accompanied by copies of as-built plans not previously submitted of all existing public improvements for prior phases.

12. Copies of all legal documents describing the property, proposed easements, and rights-of-way.

Submission Checklist: The Application checklist is included in the Appendix. In the event of a conflict between these Regulations and the checklist, the checklist shall control.

ii. Certification: The Application shall be certified, in writing, complete or incomplete by the Administrative Officer within:

1. Fifteen (15) days of the submission of an application for major subdivision or major land development project so long as a completed checklist of the requirements for submission are provided as part of the submission. Such certification shall be made in accordance with the provisions of RIGL §45-23-36(c).

2. This time period may be extended to twenty-five (25) days by written notice from the Administrative Officer to the Applicant where the final plans contain changes to, or elements not included in the preliminary plan approval.
3. The running of the time periods set forth in this section shall be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and shall recommence upon the resubmission of a corrected application by the Applicant. However, in no event shall the Administrative Officer be required to certify a corrected submission as complete or incomplete less than ten (10) days after its resubmission.
4. If the Administrative Officer certifies the application as complete and does not require submission to the Commission as per subsection (d) below, the final plan shall be considered approved.

iii. Criteria for Review: The required findings outlined in RIGL §45-23-60(a)(1-5) and Section III(M) of these Regulations shall be used in the review of any major subdivision or major land development project.

iv. Decision: The Administrative Officer, or, if referred to it, the City Plan Commission, shall approve, approve with conditions, or deny within forty-five (45) days of the certificate of completeness or within a further amount of time that may be consented to by the applicant. The Administrative Officer shall report their actions, in writing to the Commission at its next regular meeting, to be made part of the record.

v. Failure to Act: Failure of the Commission or the Administrative Officer to act within the period prescribed shall constitute approval of the final plan and a certificate of the Administrative Officer as to the failure of the Commission or to act within the required time and the resulting approval shall be issued on request of the Applicant.

vi. Expiration of Approval: Approvals of a major subdivision or major land development project expire two (2) years from the date of approval with the right to extend for one (1) year upon written request by the applicant, who must appear before the Commission for the annual review, unless, within that period, a plan, in conformity with approval, and as defined in this section, is submitted for signature and recording as specified in RIGL §45-23-64. Validity may be extended for a longer period, for cause shown, if requested by the Applicant in writing prior to the expiration, and approved by the Commission.

vii. Acceptance of Public Improvements: Signature and recording in accordance with the provisions of RIGL §45-23-64 constitute the acceptance by the City of any street or other public improvement or other land intended for dedication. Final

plan approval shall not impose any duty upon the City to maintain or improve those dedicated areas until the City Plan Commission accepts the completed public improvements as constructed in compliance with the final plans.

viii. Validity: The approved final plan, once recorded, remains valid as the approved plan for the site unless and until an amendment to the plan is approved in accordance with the provisions of RIGL §45-23-65, or a new plan is approved by the Commission.

f. Modifications and Changes to Approved Plans:

i. *Minor changes*, as defined in Section IX(B)(2) of these Regulations, to the plans approved at any stage may be approved administratively, by the Administrative Officer. The changes may be authorized without additional Commission meetings. All changes shall be made a part of the permanent record of the project application. The Administrative Officer may request a recommendation from either the DPRC or the Commission. Denial of the proposed change(s) shall be referred to the DPRC or Commission for review as a major change.

ii. *Major changes*, as defined in Section IX(B)(3) of these Regulations, to the plans approved at any stage may be approved only by the Commission and shall include a public hearing.

iii. The Administrative Officer shall notify the Applicant in writing within fourteen (14) days of submission of the final plan application if the Administrative Officer determines the change to be a major change.

g. Appeals: Decisions under this section shall be considered an appealable decision pursuant to RIGL §45-23-71.

SECTION VII – SPECIAL REGULATIONS

A. Planned Districts

1. Mixed Use Planned Districts (MPD):

Utilization of an MPD for development or redevelopment of a qualifying site requires a zoning district change and approval of the project's overall district plan by the City Council pursuant to Sections 17.100.030 and 17.100.040 of the Zoning Ordinance. Approval of the final overall district plan shall not hereafter supersede the City's subdivision approval process as specified in Section 13.06 of the City Charter and regulated herein pursuant to RIGL 45-23-35 through 45-23-74.

a. Permitted Uses: All uses allowed by right or by special exception at the time of application within the City, provided that the mix and orientation of developments is approved by the City Council subsequent to recommendation by the City Plan Commission.

b. Development Standards: The following shall be the minimum standards for all MPDs. Where deemed necessary, the City Council may impose stricter standards in order to serve the objectives of this Section.

1. Frontage & Setbacks: Requirements for frontage and setbacks within the site shall be determined by the City Council subsequent to City Plan Commission recommendation with the following stipulation: The front yard requirements of the underlying zone shall apply where the boundary of the proposed MPD abuts an existing public street, or any street intended to be dedicated to the City. These restrictions shall not apply to an existing public street where the developer can secure City approval to abandon said street prior to construction of the phase(s) or section(s) within which the street is located.

2. Minimum Lot Requirements: An individual lot for each structure is not required but may be provided at the developer's option. There is no minimum area requirement and lot boundaries may coincide with structure boundaries. If individual lots are provided, there shall be no requirement that the lot front on a street except as provided for above.

3. Maximum Lot Building Coverage: Maximum coverage for all MPDs shall be 60% with the following exception:

a. Areas designated on the Final Overall District Plan for single-family dwelling units shall be limited to 35% maximum lot building coverage.

b. Density shall be approved or rejected on the basis of intensity of uses expressed by floor area ratios (FAR). The relationship between uses and overall area ratio allowable shall be related to the character of the proposal and its impact on the surrounding environment and City facilities. The City Council, subsequent to City Plan Commission recommendation, shall have the right to impose density limitations. In all cases, the burden of proof shall be on the Applicant to show that existing or proposed facilities can support the requested additional impact of the proposed development.

4. Building Height: The height limitation of the underlying zone shall apply except:

   a. Where, based on the overall district plan, and the existing surrounding development, the City Council, subsequent to City Plan Commission recommendation, deems the height limitation of the underlying zone either excessively or insufficiently restrictive. In such cases, the height limitation of the underlying zone may be waived or further restricted.

5. Building Spacing: The minimum distance between buildings shall be twenty-five (25) feet except where the lot boundary coincides with the structural boundary, in which case, an approved firewall shall be provided. Single and two-family dwelling structures shall be exempt from this requirement.

6. Drainage: All MPDs shall provide for the adequate drainage of all surface waters in accordance with Chapter 31 of the City Code of the City of Cranston. Any drainage facility shall conduct water to an approved location and in a manner approved by the Director of Public Works.

7. Buffers: All applications for MPD zoning shall show, on the site plan, a 50-foot buffer strip at the perimeter of the property. Location of structures is prohibited in this area and landscaping is required with the following exceptions:

   a. Where the proposed land use is sufficiently similar to the surrounding land uses, the setback requirements set forth in Section 17.020.120 of the Zoning Ordinance shall prevail. In such case, a 50-foot buffer strip shall be provided on the site where this land use abuts another which is distinctly different.

   b. Where an existing building is located within 50 feet of the property boundary, but is specifically planned for renovation and reuse in the ODP.

   c. Where a particular part of the property is planned for development

conforming with the requirements of Section 17.020.120 of the Zoning Ordinance including existing streets or streets which are planned to be deeded to the City upon completion.

d. Where provision of a 50-foot buffer would not further the goals of creating a harmonious and integrated development, the City Council may, subsequent to City Plan Commission recommendation, reduce or waive this requirement.

8. Landscaping: Appropriate landscaping shall be provided in all MPDs. Wherever practicable preservation of the existing vegetation and such unique features as stone walls is encouraged. Additional screening for aesthetic purposes or noise reduction may also be required.

   a. Peripheral Buffer Areas: All peripheral buffer areas shall be landscaped by use of trees, shrubs, walls, berms, or any other appropriate material to:

      1. adequately screen the MPD from adjacent or nearby developments; or
      2. enhance the visual aesthetics of the overall development.

   b. Parking Lots: Off-street parking areas of 5,000 square feet or more shall be landscaped in accordance with the following minimum requirements:

      1. Trees: Shall be provided at the ends of each parking row and at 150-foot intervals within each row. The minimum caliper of each tree shall be three (3) inches with a minimum clear trunk of five feet to the first branch. All required trees shall be at least twelve (12) feet in overall height when planted. All required trees shall be Thornless Honey Locust, Pin Oak, or an approved equal of a deciduous variety. All planting areas containing trees shall be curbed and have a minimum width of four (4) feet.

   c. Guarantee: The developer shall guarantee all introduced vegetation through one (1) full winter and shall replace any and all plantings determined by the Building Official to be dead or irreversibly damaged.

9. Parking & Loading: The off-street parking and loading requirements of Sections 17.64.010 and 17.68.010 of the Zoning Ordinance shall apply with the following exception:

a. Where the Applicant can document differing parking schedules of two (2) or more closely sited land uses, the City Council, subsequent to City Plan Commission recommendation, may relax the parking requirements in the MPD to allow for shared parking facilities among those uses shown to have most of their parking need at significantly different times of the day or week. In such cases, the parking requirement during the overlap hours must be satisfied.

Parking areas shall be located within reasonable proximity to the uses they are intended to serve.

c. Administration: The granting of approval of a Mixed-Use Planned District (MPD) constitutes two (2) actions:

1. An amendment to the zoning map which must comply with all provisions for rezoning set forth in section 13.05 of the City Charter and Section 17.120.020 of the Zoning Ordinance as well as all other pertinent procedural and administrative City regulations.

2. City Council approval of the Final Overall District Plan.

d. Rezoning Procedure:

1. Pre-Application Conference: The Applicant shall request that the City Planning Department arrange a pre-application conference with representatives of the Planning Department, Building Inspections Department, and Public Works Department prior to submission of a request for rezoning to MPD. The Applicant shall submit a preliminary sketch or description of the MPD proposal at the time of the request for the preapplication conference. The City Planning Director may also notify other departments or agencies deemed appropriate of the time, date, and location of said conference. The purpose of the preapplication conference is for the Applicant and city officials to review the Preliminary Overall District Plan, plus its land use components, development phasing, unique features, public benefits, covenants, easements, and potential impacts on the surrounding neighborhood areas. This Conference shall be conducted as a work session with the main objective being refinement of the Overall District Plan. Within twenty-one (21) days after the conference, the City Planning Department shall provide the Applicant with a written summary of the meeting, including recommendations designed to inform and assist the Applicant in the preparation of the Final Overall District Plan.

2. Master Plan: The Applicant is required to present the Preliminary Overall District Plan to the City Plan Commission for conditional Master Plan approval at a recommendation on the PODP for the zoning change. General requirements of this plan are noted under (a) below. General requirements

of the final ODP plan include all items noted under (a), (b), and (c) below.

a. Site Plan: The Applicant shall provide a proposed site plan for the entire development project, whether or not intended for phased construction, showing:

1. Name of project, name of owner, name of the engineer or surveyor, date, north point, and scale. Recommended scale is 40 feet per inch. If it is more convenient to the developer, project plans may be drawn to the scales of ten (10), twenty (20), thirty (30), fifty (50), sixty (60), eighty (80) or one hundred (100) feet per inch;

2. Boundary lines;

3. Lots: Lot lines, approximate dimensions, approximate area, and lot numbers;

4. Existing & Proposed Streets: Location, name and right-of-way widths for streets on entire tract and on abutting property; point of access to the MPDs parking and loading areas; and text defining proposed ownership of streets and parking areas;

5. Utilities: Location and size of existing water and sewer lines on plat and on adjacent property; proposed utility extensions; text defining ownership and maintenance plans.

6. Existing & Proposed Easements: Location, width, and purpose;

7. Topography: Contours at intervals no greater than five (5) feet; the Planning Director may require contours at intervals of two (2) feet if conditions are such as to make such detail necessary;

8. Surface Water: The location of any lakes or ponds, water courses, or swamp areas, and the proposed drainage pattern; if any portion of the proposed development is located within a flood hazard area as identified by the Federal Emergency Management Agency's "Flood Insurance Rate Map" and "Flood Boundary and Floodway Map", November, 1984, as may be amended, base flood elevation data shall be provided;

9. Location of archaeologically significant areas;

10. Subsurface Conditions: Except on a plat to be served by a public water or public sewer system, the location and results of percolation tests, ground water elevation determinations, and statements of subsoil conditions shall be performed at the expense of the developer;

11. Other conditions: The location of rock outcrop, wooded areas, existing structures, embankments or retaining walls, railroads, power lines, and significant physical features on the plat and on adjacent land that may have an influence on the development of the plat;

12. Public Land: Parcels of land, if any, proposed to be dedicated for public use;

13. Zoning: existing zoning on proposed plat and on all abutting properties;

14. Names and addresses of property owners within 400 feet of Applicants' property boundaries;

15. Professional registration: The stamp of a registered engineer or land surveyor. All ODPs and phase plans shall be prepared by a registered engineer or land surveyor. Each engineer and land surveyor shall provide a proof of professional insurance against errors and omissions.

16. Location and orientation of all structures and their proposed uses. Said uses shall be identified in gross square footage of floor area for the following categories:

    a. Commercial retail sales;

    b. Commercial office;

    c. Other commercial services – eating and drinking establishments, hotels, motels, banks, barber shops, beauty shops, tailors, health clubs, etc.;

    d. Heavy commercial/industrial;

    e. Residential (residential uses shall be identified in gross square footage for multi-family developments and in gross acreage for single family developments.)

17. Proposed location and treatment of any public or private common areas or structures including open spaces, park, or recreation areas. The Applicant shall include a statement addressing long term maintenance of such areas.

18. The general treatment proposed for the periphery of the site, including the approximate amount, location, and type of buffering and/or landscaping and lighting proposed.

19. The boundaries of each proposed construction phase or section, if appropriate.

b. Statement of Purpose: The Applicant shall provide a statement of how the purpose and intent of this Section will be achieved by the proposed MPD possibly including additional graphics of the proposed character of the development, a description of how the MPD will relate to surrounding land uses and an analysis of the proposed development's impact on existing public facilities such as the roadway network, sewers, water facilities, school system, police and fire services.

c. Narrative Outline: The Applicant shall provide a narrative outline of the proposed MPD stating:

1. Land use allocation, by type in the following land use categories:
    a. Commercial retail sales;
    b. Commercial office;
    c. Other commercial services – eating and drinking establishments, hotels, motels, banks, barber shops, beauty shops, tailors, health clubs, etc.;
    d. Heavy commercial/industrial;
    e. Residential;
        a. Multi-family
        b. Single family

2. A statement of how necessary services will be provided and whether said services will be publicly or privately owned and operated.

3. If the MPD is proposed for phased development, a description and timing plan for individual phases.

4. The beneficial aspects of the proposed site layout, including a description of any land proposed for open spaces, park or recreation areas.

3. Rezoning: Following the Pre-Application Conference, and subsequent to receipt of the Planning Department's recommendation report on the Master Plan, the Applicant may initiate the application phase for rezoning the subject property to MPD. The Applicant shall submit the required documents for a zone change to the City Clerk accompanied by a revised Overall District Plan, complete with graphic and narrative explanation of all alterations made subsequent to the Master Plan approval. All standard procedures relative to zone change applications and hearings, as established and amended by the City Council, shall be followed.

4. City Council Action:

   a. Approval: City Council approval of the MPD application shall carry with it approval of the Final ODP. This approval shall bind the developer to construction of the development in substantial conformance with the elements of the FODP. This approval shall not hereafter supersede the City's subdivision approval process as specified in Section 13.06 of the City Charter. Whether or not the project will require a subdivision, the Applicant shall submit proper applications and documentation for approval as a Land Development Project by the City Plan Commission for every phase or section of the final ODP, as they are proposed for development.

   b. Rejection: City Council rejection of the MPD application shall be binding upon all facets of the application and ODP. All Regulations and options relevant to rejection of a typical zone change apply.

5. Alterations Following MPD Approval: Subsequent to City Council approval of the MPD, certain alterations to the FODP may be made without requiring further action by the City Council. Such alterations may be authorized by the City Plan Commission and shall be limited to those which may be defined as minor in nature. Such alterations shall result in little or no significant impact on surrounding properties or on the safe and efficient flow of traffic through nearby city roadways.

   a. Minor Alterations: For a proposed alteration to be deemed "minor" in nature, it shall meet one (1) or more of the following conditions. The proposed alteration shall:

      1. alter the land use mix of the approved ODP by a cumulative total of less than 10% in any land use category defined in Section

17.100.040(B)(1)(o) of the Zoning Ordinance.

2. decrease the overall density of the ODP.
3. allow minor reorientation of one (1) or more points of vehicular access, the internal roadway network, and/or the parking plan, made necessary due to actions taken by the City or state subsequent to the approval date of the FODP.
4. allow minor changes in location, orientation, and/or design of parking facilities, provided such changes do not decrease the total number of parking spaces.
5. allow minor changes in building location made necessary by previously unforeseen natural conditions.
6. allow changes in landscaping materials, lighting plan, and siting of pedestrian and accessory facilities as made necessary by other approved alterations.
7. allow other site design modifications which would not substantially alter the final character of the approved FODP.

b. Major Alterations: Alterations which would substantially alter the final character of the approved FODP shall be deemed "major" alterations. Any proposal exceeding the limits identified in subsection (a) above for minor alterations shall be considered a major alteration proposal. Additionally, any proposal requesting one (1) or more of the following alterations to the ODP shall be considered a major alteration proposal:

1. construction of additional structures for residential, commercial, or industrial purposes;
2. introduction of a land use type not approved in the FODP;
3. a change in land use type proposed for any structure directly adjacent to or abutting a residential structure;
4. any excavation, filling, or other alteration of the property's natural systems not previously approved in the FODP;
5. any addition or deletion of vehicular access points and parking areas or significant reorientation of the internal roadway network of the site;
6. any change in the phasing plan of the ODP, including size, boundaries and timing of construction of one or more sections of the development.

All such alterations shall be requested through the same procedure outlined herein for new projects. No major alteration shall be allowed without the approval of the City Council.

2. Residential Planned Districts (RPD):

Utilization of an RPD is allowed by-right in any residential zone district in the City, subject to the requirements of Sections 17.96.010 and Chapter 17.104 of the Zoning Ordinance. All RPD's shall be considered major subdivisions for the purposes of City Plan Commission review and approval.

a. Permitted Uses: Single-family dwellings, two-family dwellings, townhouses, residential accessory uses, uses permitted in open space and public lands, community centers, recreation facilities, and associated structures designed for the sole use of the residents of the development.

b. Development Standards:

1. Location of Structures: Where any part of a single-family dwelling or two-family dwelling is proposed to be located within 100 feet of an abutting property boundary, such building shall be located so as to comply with the minimum yard dimensions for the underlying zoning district as contained in Section 17.20.120 of the Zoning Ordinance. No townhouse in an RPD shall be located within 150 feet of an abutting property boundary. These requirements may be reduced at the City Plan Commission's discretion where:

a. the adjacent land is currently open space and likely to remain so, or

b. the City Plan Commission concludes that a substantial and lasting barrier exists which would serve as a buffer to the abutting properties. The buffer need not be buildable land as defined in these Regulations.

2. Minimum Size of Development: The tract of land proposed for an RPD shall have, in addition to the area requirements of Section 17.96.080 of the Zoning Ordinance, the minimal capacity to support six (6) dwelling units in accordance with the underlying zone district regulations.

3. Maximum Number of Dwelling Units: The maximum number of dwelling units allowed in an RPD shall not exceed the amount computed using the following formula:

a. The number of dwelling units permitted is equal to the gross area of tract minus the area of land unsuitable for development divided by the minimum lot size permitted in zoning district (Section 17.20.120).

b. The developer shall submit an alternate plan for developing the site as a conventional subdivision at the pre-application and master plan stages of the subdivision process, which shall adhere to all subdivision requirements. This plan shall be used as a comparison to the density calculation required above. Where the conventional plan and

calculation result in differing densities, that which provides the lesser number of dwelling units shall prevail.

c. In no case shall the number of dwelling units permitted in the RPD exceed the number which would be permitted in the zoning district(s) in which the tract lies if developed in the conventional manner.

4. Land Unsuitable for Development: Shall include all those identified in the definition in Section II of these Regulations.

5. Townhouse Criteria:

a. Not more than four (4) contiguous townhouses shall be built in a row with the same or approximately the same front line, and not more than eight (8) townhouses shall be contiguous.

b. Each townhouse shall have on its own lot one (1) yard containing not less than 400 square feet, reasonably secluded from view from streets or from neighboring property. Such yards shall not be used for off street parking, garages, driveways, leach fields, or for any accessory building.

c. The minimum distance between any two (2) rows of townhouse buildings, substantially parallel to each other, shall be sixty (60) feet.

d. The minimum distance between any two (2) abutting ends of townhouse buildings in the same general plane or row shall be thirty (30) feet.

e. A townhouse development shall not be permitted which by its design and/or location of structures could conflict with adjacent single-family residences.

6. Minimum Lot Requirements: For RPD developments and/or sections of RPD developments proposed for single- and two-family dwellings, the following minimum lot and frontage requirements shall supersede those set forth in Section 17.20.120 of the Zoning Ordinance:

	Single-Family Dwelling		Two-Family Dwelling	
Zoning District	**Lot Area (Min. sq. ft.)**	**Lot Frontage (Min. ft.)**	**Lot Area (Min. sq. ft.)**	**Lot Frontage (Min. ft.)**
A-80	20,000	125	60,000	150
A-20	10,000	80	15,000	100
A-12	6,000	60	9,000	80
A-8	4,000	50	6,000	60
A-6	4,000	50	Not Allowed	Not Allowed
B-1	4,000	50	6,000	60
B-2	4,000	50	6,000	60

Allowance for these minimum lot sizes shall not confer to the Applicant any right to exceed the number of lots which would be permitted in the zoning district(s) in which the tract lies if developed in a conventional

manner.

7. Open Space: No less than 25% of the total land area of an RPD shall be open space. This figure shall be computed by multiplying the Applicant's total adjacent undeveloped land acreage by a factor of 0.25, exclusive of area covered by existing water bodies and streams. This open space shall not include building lots, streets rights-of-way, as well as improvements or structures not allowed under subsection (g)(7) below:

   a. At least 50% of the total open space provided shall possess no land unsuitable for development as defined in Section II of these Regulations.

   b. Provisions shall be made to ensure that no more than 20% of the open space shall be devoted to paved areas and permitted recreation related structures.

   c. Use of Open Space shall be subject to site plan review. All physical improvements proposed for the open space area of the project shall be included in the final subdivision plans.

   d. Minor alterations may be authorized by the Planning Director after Commission approval, prior to recording of the plat. Minor alterations include:

      1. Slight changes in location of physical improvements including accessory buildings, recreation facilities and walkways.

      2. Slight changes in landscaping and lighting of common areas.

      3. All other alterations to the open space area of a final subdivision plan shall be considered major alterations and require approval of the City Plan Commission. Major alterations include:

         a. Relocation of roadways and drainage facilities.

         b. Addition of new physical facilities.

         c. Alterations to the natural features or systems.

         After conveyance of 51% of lots, major alterations may be permitted by the City Plan Commission with written concurrence of at least 2/3 of the homeowners' association membership. No structure on the open space shall be located within 50 feet of a residence.

   e. Access areas to public open space shall be clearly marked.

   f. Open space may be in one or more parcels.

   g. Open space may be used for active recreation, passive recreation,

buffers, conservation, agriculture, forestry, utilities, and drainage facilities. Where utilities and drainage facilities are to be sited in the open space area, adequate access shall be provided so that they may be serviced by City maintenance vehicles, whether or not said facilities are intended to be dedicated to the City.

h. Land which has been environmentally damaged prior to final approval shall not be accepted as common open space unless and until the land is returned to reasonable and appropriate condition, to effect the purpose of this section.

i. Impact Fee Credit: Open space dedication, as required under this Section, shall not be applied as a credit to the Capital Facilities Development Impact Fee requirement of Section III(G) of these Regulations with the following exception:

1. Where by virtue of its location and size, the City Plan Commission determines a particular parcel to possess significant public value, and the developer is willing to dedicate all or a significant portion of the open space acreage for public access and use, the City Plan Commission may at its discretion waive all or part of the Capital Facilities Development Impact Fee in return for said dedication.

8. Streets: All streets in the RPD which are intended for dedication to the City shall be improved in accordance with specifications outlined in Section X(B) of these Regulations. Private roads intended for internal circulation and access shall be designed and constructed to support the weight and allow passage of City fire and rescue vehicles. Such roads shall be maintained to control overgrowth of vegetation and periodically resurfaced to maintain a safe and uniform driving surface.

c. Administration: The granting of approval of a Residential Planned District shall take place in the same manner as conventional subdivision approval subject to the specific requirements of this section.

1. Subdivision approval: No part of the construction of an RPD shall begin until the plan of such development has been submitted to and granted final approval by the City Plan Commission. The developer shall submit an alternate plan for developing the site as a conventional subdivision at the pre-application and master plan stages of the subdivision process which shall adhere to all subdivision requirements. In addition to those outlined herein, the City Plan Commission may establish additional rules and regulations to govern RPDs.

2. Pre-application Conference: The Applicant shall request that the City Planning Department arrange a preapplication conference with the representatives of the City Planning Department, Building Inspections Department, and Public Works Department prior to submission of the master plan. This conference shall be conducted as a working session for the purpose of reviewing the options presented by the Applicant and to aid the Applicant in refining the plan. Within twenty-one (21) days after the pre-application conference, the City Planning Department shall provide the Applicant with a written summary of the meeting, including recommendations designed to inform and assist the Applicant in preparation of the preliminary subdivision.

3. Master Plan submittal: In addition to the requirements delineated elsewhere in these Regulations, the Applicant shall submit to the City Plan Commission the following:

    a. Site plan indicating the location and orientation of all structures and their proposed uses. Residential structures shall be identified by the number of dwelling units proposed for each one.

    b. Proposed location and treatment of any public or private common open areas including open spaces, recreation areas, buffers, pedestrian and automobile access and circulation ways.

    c. The general treatment proposed for the periphery of the site, including the approximate amount, location, and type of buffering and/or landscaping and lighting proposed.

    d. The boundaries of each proposed construction phase or section, if appropriate.

4. Preliminary Plan submittal: In addition to the items listed above and the general requirements of these Regulations, the Applicant shall submit the following:

    a. A statement of purpose detailing how the intent of this article will be achieved by the proposed RPD, possibly including additional graphics, descriptions, and analyses of the proposed developments impact on surrounding land uses and on existing public facilities and services.

    b. A narrative outline of proposed RPD stating the land use allocation by type including the acreage of land for single-family, two-family, and multi-family housing, total number of lots, total dwelling units, total open space, and linear footage of public and private roadway. The Applicant shall also identify how necessary services will be provided and whether said services will be publicly or privately owned and operated. The Applicant shall also submit an explanation of the

beneficial aspects of the proposed site layout.

c. A narrative explanation and description of all alterations made in the RPD plan since the preliminary submission and the reason(s) for such alterations.

5. Final Plan submittal: In addition to the items generally required in these Regulations, the Applicant shall submit the following:

   a. Homeowners' Association Bylaws;

   b. Open Space Easement;

   c. Conservation Agreement.

6. Ownership of Common Open Space: The required open space shall be owned in common by all landowners in the RPD, with the exception of any land accepted by the City Plan Commission as public open space, park, or recreational land. The deed to each lot shall include a fractional interest in the common open space in an amount proportionate to the number of lots in the RPD. The deed shall also include any covenants, restrictions, or easements attached to the RPD, each lot, or the common open space and any homeowners' association agreements pertaining thereto.

   Open space easement: Open space shall be protected against building development and environmental damage by conveying to the City an open space easement restricting all common open areas against future building and against removal of soil, trees, and other natural features, except as is consistent with conservation, recreation, agricultural uses, or uses accessory to permitted uses.

7. Homeowners' Association:

   a. The Applicant or developer shall provide for and establish a Homeowners' Association as a non-profit organization or other legal entity under the laws of Rhode Island for the use, care, and maintenance of all such lands and improvements. Membership in the association shall be mandatory for all landowners within the RPD, and each owner shall be entitled to equal representation. The association shall be formed prior to conveyance of the first lot.

   b. Such organization shall be created by covenants and restrictions running with the land and shall be responsible for the perpetuation, maintenance, and function of all common lands, uses and facilities. These covenants shall become part of the deed to each lot or parcel within the development.

   c. Such organization shall not be dissolved without the prior approval of the City Plan Commission, nor shall such organization dispose of any

common open space, by sale to otherwise, except to an organization conceived and organized to own and/or maintain the common open space and approved by the City Plan Commission.

d. In the event the association fails to maintain any common open space, recreation area, landscaping area, or other improvements, including private roadways, drainage systems and so on, the City may enter into said development and perform the necessary work and charge the costs, including attorneys' fees to the association.

B. Development Plan Review (DPR)

See Chapter 17.84 of the Zoning Ordinance.

C. Unified Development Review (UDR)

1. Authorization: In accordance with RIGL §45-24-46.4, §45-23-50.1, and Chapter 17.86 of the Zoning Ordinance, the City Plan Commission shall be authorized to approve, approve with conditions, or deny zoning relief, and to grant special-use permits.

2. Application Review: Review of projects submitted under this Section shall adhere to the procedures, timeframes, and standards of the underlying project category as listed in RIGL §45-23-36, but shall also include the following procedures:

   a. Administrative Subdivisions. Except for dimensional relief from the Zoning Ordinance granted by modification, requests for dimensional variances related to administrative subdivisions shall be submitted as part of the application materials. A public hearing on the application, including any dimensional variance that meets the requirements of subsection 5 of this section shall be held prior to consideration of the administrative subdivision by the City Plan Commission. The City Plan Commission shall approve or deny the request(s) for the variance(s) before considering the administrative subdivision. Approval of the variance shall be conditioned on approval of the administrative subdivision.

   b. Minor Subdivisions & Land Development Projects: Except for dimensional relief granted by modification as set forth in RIGL §45-23-38 and §45-24-46, requests for variances and/or for the issuance of special-use permits related to minor subdivisions and minor land development projects shall be submitted as part of the application materials for the preliminary plan stage of review or if combined, for the first stage of reviews. A public hearing on the application, including any variance and special-use permit requests that meet the requirements of subsection 5 of this section shall be held prior to consideration of the preliminary plan by the City Plan Commission. The City Plan Commission shall conditionally approve or deny the request(s) for the variance(s) and/or special-use permit(s) before considering the preliminary plan application for the minor subdivision or minor land development project. Approval of the variance(s)

and/or special-use permit(s) shall be conditioned on approval of the final plan of the minor subdivision or minor land development project.

c. Major Subdivisions & Major Land Development Projects – Master Plan: Except for dimensional relief granted by modification as set forth in RIGL §45-23-39, requests for variances for relief from the literal requirements of the Zoning Ordinance and/or for the issuance of a special-use permit related to major subdivisions and major land development projects shall be submitted as part of the application materials for the master plan stage of review, or if combined, the first stage of review. A public hearing on the application, including any variance and special-use permit requests that meets the requirements of subsection 5 of this section, shall be held prior to consideration of the master plan by the City Plan Commission. The City Plan Commission shall conditionally approve or deny the requests for the variance(s) and/or special-use permit(s) before considering the master plan application for the major subdivision or major land development project. Approval of the variance(s) and/or special-use permit(s) shall be conditioned on approval of the final plan of the major subdivision or major land development project.

d. Major Subdivisions & Major Land Development Projects – Preliminary Plan: During the preliminary plan stage of review, Applicants shall have the ability to request alteration of any variance(s) and/or special-use permit(s) granted by the City Plan Commission during the master plan stage of review, and/or to request new variance(s) and/or special-use permit(s), based on the outcomes of the more detailed planning and design necessary for the preliminary plan. If necessary, the Applicant shall submit such requests and all supporting documentation along with the preliminary plan application materials. If the Applicant requests new or additional zoning relief at this stage a public hearing on the application, that meets the requirements of subsection 5 of this section, shall be held prior to consideration of the preliminary plan by the City Plan Commission. The City Plan Commission shall conditionally approve, amend, or deny the requests for alteration(s), new variance(s) and/or new special-use permit(s), before considering the preliminary plan application for the major subdivision or major land development project. Approval of the alteration(s), new variance(s), and/or new special-use permit(s) shall be conditioned on approval of the final plan of the major subdivision or major land development project. If the City Plan Commission denies the request for alteration(s), new variance(s), and/or new special-use permit(s), the City Plan Commission shall have the option of remanding the application back to the master plan stage of review. Alternatively, if the City Plan Commission denies the request for alteration(s), new variance(s), and/or new special-use permit(s), the Applicant may consent to an extension of the decision period mandated by RIGL §45-23-41(f) so that additional information can be provided and reviewed by the City Plan Commission.

3. Criteria for Review: In addition to the required findings outlined in RIGL §45-23-60(a)(1-5) and Section III(M) of these Regulations which shall be used in the review of any projects listed under subsections (2a – 2c) above, the standards outlined in RIGL §45-24-41(d) and §45-24-41(e) shall be made. In the case that an applicant seeks relief from the dimensional

requirements as part of a proposed subdivision, the standard in §17.92.010(B)(2) of the Zoning Ordinance and RIGL § 45-24-41(d)(2) shall not apply to prohibit the granting of the relief.

4. Decision: The time periods by which the City Plan Commission shall approve or deny applications for variances and special use permits under unified development review shall be the same as the time periods by which the City Plan Commission shall make a decision on the applicable review stage of the category of project under review.

5. Public Hearing: Unless otherwise provided in this chapter, all applications under this section shall require a single public hearing. All such public hearings hearing shall meet the following requirements:
    a. Public hearing notice shall adhere to the requirements found in RIGL §45-23-42(1).
    b. The notice area for notice of the public hearing shall, at a minimum, include all property located in or within not less than four hundred feet (400') of the perimeter of the area included in the subdivision and/or land development project. Notice of the public hearing shall be sent by the Administrative Officer to the Administrative Officer of an adjacent municipality if:
        8. The notice area extends into the adjacent municipality; or
        9. The development site extends into the adjacent municipality; or
        10. There is a potential for significant negative impact on the adjacent municipality.
        11. Additional notice within watersheds shall also be sent as required in §45-23-53(b) and (c).
    c. Public notice shall indicate that dimensional variance(s), use variance(s) and/or special-use permit(s) are to be considered for the subdivision and/or land development project.
    d. The cost of all public notice is to be borne by the Applicant.

6. Failure to Act: The time periods by which the City Plan Commission shall approve, approve with conditions, or deny requests for variances and special use permits under unified development review shall be the same as the time periods by which the City Plan Commission shall make a decision on the applicable review stage of the underlying type of project under review.

7. Expiration of Approvals: The expirations period of an approval of a variance or special use permit granted under this section shall be the same as those set forth in the statute for the underlying type of project under review.

8. Appeals: Decisions under this section, including requests for the variance(s) and/or special use permits that are denied by the City Plan Commission may be appealed in accordance

with the provisions of RIGL §45-23-71.

D. Phasing of Major Subdivisions & Major Land Development Projects

1. When a Major Subdivision or Major Land Development Project is submitted for Master Plan approval, the City Plan Commission shall review the adequacy of existing and projected future public improvements, services, and facilities which may be impacted by the proposed development in its entirety. If the City Plan Commission determines that such improvements, services and facilities, including but not limited to water supply, sewerage, streets and associated drainage facilities, schools, recreational facilities, and fire and police protection will not be adequate to serve the residents of the subdivision or development at the time of recording of the plan, the City Plan Commission shall have the authority to establish a rate of development of the entire subdivision by requiring it to brought for final approval in phases. The City Plan Commission may at its discretion, limit the number of phases it will consider for approval at any one meeting.

2. When an application is submitted for Master Plan approval, the Applicant shall submit a copy of the Master Plan narrative report for review and comment to each applicable municipal, state, or private agency as provided in the Master Plan Review List for major Land Developments and Major Subdivisions. Each agency so notified by the Applicant shall be requested to provide its comments in writing to the Commission. Comments shall be received from each agency prior to the date of the informational meeting.

   If the public hearing on the master plan is combined with the preliminary plan, all comments from the reviewing agencies shall be received prior to the date of the public hearing.

3. Each department or agency to which such a request for comments is made may deliver to the Administrative Officer in addition to written comments, any supplementary material, which would address:
   a. An estimate of the impact of the subdivision on the facilities and/or services provided by the department or agency;
   b. Whether existing facilities and/or services are adequate to serve the subdivision's residents;
   c. Whether plans for the necessary improvements to existing facilities and/or services are included in the City's Capital Improvement Program or are otherwise planned; and
   d. An estimate of the cost and time frame for provision of any necessary improvements to existing facilities and/or services if carried out by the City.

4. Based on the responses received from the various departments and agencies, the

Commission may establish, at the time of master plan approval, a rate of development for the entire subdivision or development that will permit residential construction only when improvement, services and facilities will be adequate to serve the residents of the subdivision or development. As part of such a growth rate plan, the Commission may require that improvements be installed, or lots sold, in two or more phases.

5. If phasing is required, the Commission shall approve the entire master plan first. Thereafter, the Applicant shall be required to submit plans for preliminary and/or final review and/or approval indicating the development of the entire site in two or more phases as required by the Commission in Items (1) and (4) of this Section, above. In such review and approval, the Commission may, in its discretion, impose conditions for determining the physical limits of phases, for allowing progression to additional phases, for allowing two (2) or more phases to proceed in review or construction simultaneously, for interim public improvements or construction conditions, for changes to master or preliminary plans, and may include other provisions as necessitated by special conditions.

6. The master plan documents may contain information on the physical limits of the phases, the schedule and sequence of public improvement installation, improvement guarantees, and the work and completion schedules for approvals and construction of the phases.

7. **Vesting:** The master plan shall remain vested as long as it can be proved, to the satisfaction of the City Plan Commission, that work is proceeding on either the approval stages or on the construction of the development as shown in the approved master plan documents. Vesting extends to as information shown on the approved master plan documents.

E. Land Unsuitable for Development

1. When calculating the number of residential building lots or units permitted on any parcel, the minimum lot areas specified for that property in Section 17.20.120 of the Zoning Ordinance, shall be provided for each dwelling unit and be free of any of the constraints identified in Section II of these Regulations. For example: A-20 zones - each building lot shall have at least 20,000 square feet of land area unconstrained by the wetlands, flood zones, easements, or other land as described in Section II.

2. Land unsuitable for development may be incorporated into any lot of any subdivision or land development project; provided however that it shall not necessitate a waiver, modification, or variance of any dimensional requirement specified in Section 17.20.120 of the Zoning Ordinance or of any state or federal regulatory requirement.

SECTION VIII – PUBLIC HEARINGS

A. Applicability

Where a public hearing is required pursuant to these Regulations, the following requirements shall apply:

a. Notice:

1. Public notice of the hearing shall be given at least fourteen (14) days prior to the date of the public hearing in a newspaper of general circulation within the City. Newspaper ads shall be printed using a type size at least as large as the normal type size used by the newspaper in its news section and shall contain the information specified below.

2. The same notice shall be posted in the City Clerk's office and one other municipal building. The Planning Department shall make the notice accessible on the City's home page of its website at least fourteen (14) days prior to the hearing.

3. Notice shall be sent by the Applicant on forms to be provided by the City Planning Department to the Applicant and to each Owner within the notice area by first class mail of the date, time, and place of the hearing not less than ten (10) days prior to the date of the hearing. The applicant shall submit a certificate of mailing from the U.S. Post Office and a notarized affidavit to attest to such mailing.

4. Notice shall also be sent to any individual or entity holding a recorded conservation or preservation restriction on the property that is the subject of the Application at least fourteen (14) days prior to the hearing.

5. All notices required by this section shall specify:
   a. the date, time, and place of the public hearing;
   b. the assessor's plat(s) and lot(s) number(s) of the subject property;
   c. the street address of the subject property, or if no street address is available, the name of the street(s) on which or near which the subject property is located and the distance and direction from the nearest existing street intersection in tenths (⅒) of a mile;
   d. advise interested parties where and when a copy of the plans of the proposed subdivision or land development project may be examined; and,
   e. contain a statement that the proposed subdivision or land development project may be revised by the City Plan Commission as a result of further study or because of the views expressed at the public hearing.

b. Area:

1. The distance for notice of the public hearing shall be 200' from the perimeter of the parcel being subdivided or developed in all zoning districts. The Applicant shall be responsible for the mailing of notices and determining the correct names and addresses of all Owners required to be notified, and shall, at a minimum, be as accurate as the most current names and addresses listed by the Tax Assessor. Applicant shall provide a notarized affidavit attesting all notices were sent in accordance with these Regulations.

2. Watersheds. Additional notice within watersheds shall also be sent as required in RIGL §45-23-53(b) and (c).

3. Adjacent municipalities. Notice of the public hearing shall be sent by the Administrative Officer to the Administrative Officer of an adjacent municipality if:

   a. the notice area extends into the adjacent municipality, or

   b. the development site extends into the adjacent municipality, or

   c. there is a potential for significant negative impact on the adjacent municipality.

c. Cost: The cost of all notice shall be borne by the Applicant.

SECTION IX – RECORDING OF PLANS

A. Signing & Recording of Plans

1. Endorsement of Plans:

   a. All approved final plans for subdivisions and land development projects shall be signed by the Administrative Officer as an indication of final approval. All endorsements shall include the date of such endorsement.

   b. No endorsement shall be made until (a) the Administrative Officer has certified in writing that all of the required improvements have been made, or (b) the Finance Director has certified in writing that acceptable improvement guarantees have been received in accordance with the provisions of Section XII of these Regulations.

   c. Signature and recording as specified herein shall constitute the acceptance by the City of only the layout of lots and streets, other public improvement(s), or other land intended for dedication. Final plan approval and recording shall not impose any duty upon the City to maintain or improve those dedicated areas until the City accepts the completed public improvements as constructed in compliance with the final plans.

2. Recording of Plans:

   a. Upon endorsement, all plans shall be submitted to the Administrative Officer prior to recording and filing in the City Clerk's Land Evidence Records Office. The material to be recorded shall include all plat drawings and other pertinent information. A copy of the written decision of the City Plan Commission, including all conditions of approval, shall also be recorded. No plans or supporting materials shall be recorded until the Administrative Officer has certified, in writing, that all required fees have been paid.

   b. In order for a plan to be recorded with the City Clerk's Land Evidence Records Office, the following requirements shall be met:

      1. Final plan approval, with or without conditions, properly endorsed as provided in Section VI(A)(1) above.

      2. Fulfillment of substantive conditions placed upon the final plan approval to the satisfaction of the City Plan Commission and/or Administrative Officer.

      3. A performance bond or bonds or certified check or checks shall be filed as set forth in Section XII of these Regulations, or provision shall be made to ensure the completion of improvements.

      4. Deeds for conveyance to the City of all land to be dedicated for highway or

other public purpose.

5. For planned districts or other developments in which a homeowners' association will control and maintain areas or facilities held in common, such as roadway, open space, recreation facilities, buildings, water and sewerage facilities, additional documentation as required in Chapter 17.104 of the Zoning Ordinance shall be filed.

6. Payment of the Capital Facilities Development Impact Fee as required in Section III(G) of these Regulations shall be made for the entire section to be recorded.

c. Other parts of the applications record for subdivisions and land development projects, including all meeting records, approved master plan and preliminary plans, site analyses, impact analyses, environmental assessments, all legal agreements, records of the public hearing and the entire final approval set of drawings shall be kept permanently by the City departments responsible for implementation and enforcement. One (1) copy shall be kept on file by the City Planning Department.

d. Construction drawings need not be recorded. However, a complete blueline or photocopy set of construction drawings, including street plans and profiles, cross sections, grading plans, drainage plans, landscaping plans, soil erosion and sediment control plans, utility plans, and any other construction plans, details and specifications required as a condition of approval shall be filed with the Administrative Officer prior to recording of the plan. One (1) copy of all construction drawings shall be kept by the Department of Public Works.

e. The Administrative Officer shall notify the statewide "911" emergency authority and the police and fire departments servicing the new plat with the information required by each of the authorities.

3. Procedure: As specified in Sections V(A)(8) and VI(A)(6)(f) of these Regulations, the Applicant shall record the plan or section(s) approved within one (1) year after final approval has been granted unless an extension is granted. Prior to recording, the Applicant shall schedule an appointment with the Administrative Officer to review all documents and to determine that all conditions of approval have been met. All documents shall be in final approved form and notarized where necessary. The following steps shall be followed for recording a plan:

a. Appointment with Administrative Officer.

b. Post performance bond(s) or certified check(s).

c. Payment of Impact Fee.

d. Filing of documents and plan with City Clerk’s Land Evidence Records Office.

B. Changes to Recorded Plans

1. General: For all changes to the approved plans of subdivisions land development projects subject to these Regulations, an amendment of the final development plans shall be required prior to the issuance of any building permits for construction upon the subject property. Any changes approved to the final plan shall be recorded as amendments to the final plan in accordance with the procedure established for recording of plans as provided in subsection (A) above.

2. Minor Changes: Minor changes to a subdivision or land development project may be approved administratively by the Administrative Officer. The Administrative Officer may, at their discretion, authorize such changes without review and approval of the City Plan Commission and without a public hearing thereon. All such changes shall be made a part of the permanent record of the project application. This provision shall not prohibit the Administrative Officer from requesting a recommendation from the Commission. Denial of the proposed change(s) by the Administrative Officer shall be referred to the Commission for review as a major change according to the procedure provided in Section IX(B)(3) of these Regulations below. Upon written authorization of the approval of a minor change by the Administrative Officer, the Building Official may issue a building permit for any proposed construction upon the subject property.

   For the purpose of these Regulations, the term "minor changes" shall mean any change which, in the opinion of the Administrative Officer, is consistent with the intent of the original approval. Such minor changes shall include, but are not necessarily limited to the following:

   e. Amendments to utility plans which are acceptable to the DPW: Engineering Division, or to the appropriate utility company;

   f. Lot line revisions which can be reviewed and approved as an administrative subdivision according to the provisions of Section V(C)(2) of these Regulations.

   g. Amendments to grading plans or drainage plans which are acceptable to the DPW: Engineering Division and which do not require approval of any state or federal reviewing authorities;

   h. Amendments to construction plans which are required because of unforeseen physical conditions on the parcel being subdivided;

   i. Modifications to any construction plans for off-site improvements which are acceptable to the DPW: Engineering Division; or,

   j. Modifications which are required by outside permitting agencies such as, but not limited to the Rhode Island Department of Environmental Management, the Coastal Resources Management Council, and the Rhode Island Department of Transportation.

3. Major Changes: Major changes to a subdivision or land development project may be approved only by the Commission. For the purpose of these Regulations, the term

"major changes" shall mean changes which, in the opinion of the Administrative Officer, are clearly contrary to the intent of the original approval. Such major changes shall include, but are not necessarily limited to the following:

k. Changes which would have the effect of creating additional lots or dwelling units for development;

l. Changes which would be contrary to any applicable provision of the Zoning Ordinance or which require a variance or special use permit; or,

m. Changes which may have significant negative impacts on abutting property or property in the vicinity of the proposed subdivision or land development project.

4. Procedure: The procedure for approval on any such major changes shall follow the same review and public hearing process as required for preliminary approval to a major subdivision and major land development project as provided in Section VI(A)(5) of these Regulations. Following approval of major changes by the Commission, the Applicant shall submit a revised final plan for approval in accordance with procedures described in Section VI(A)(6) of these Regulations.

5. Rescission Procedure: The Commission, only upon application by all landowners of the plan to be affected, may determine that the application for plat rescission is not consistent with the Comprehensive Plan and is not in compliance with the standards and provisions of the Zoning Ordinance and/or these Regulations and shall hold a public hearing, which adheres to the requirements for notice described in Section VIII of these Regulations. The Commission shall approve, approve with conditions or modifications, or deny the application for rescission of the plan according to the requirements of Section III(B) of these Regulations. If it is necessary to abandon any street, the Commission shall submit to the City Council the documents necessary for the abandonment process. Once the required process for rescission or for rescission and abandonment has been completed, the revised plan shall be signed and recorded as specified in Section IX of these Regulations.

SECTION X – DESIGN & PUBLIC IMPROVEMENT STANDARDS

A. General

The Applicant, at their own expense, shall construct all improvements where required by the Commission in granting approval for any subdivision or land development project subject to these Regulations.

B. Street Design Standards

The following design standards shall be followed where applicable in the design and construction of any subdivision and land development project:

1. Frontage on Improved Streets:
   a. The area to be subdivided shall have frontage on an existing improved public street, or shall create new street frontage to serve all proposed lots. If an existing street has not been improved to the standards and specifications as required in these regulations, the commission may require the Applicant to make certain improvements on the part of the street abutting the property or leading to the property being subdivided where necessary for drainage, safety, traffic, or other reasons as deemed proper by the Commission.
   b. For purposes of these Regulations, streets platted but not improved or accepted for maintenance by the City, shall not be considered "existing" improved public streets. Where these streets are incorporated within the subdivision or land development project, they shall be improved by the Applicant to meet the current Regulation standards.

2. Classification:
   a. Street design within a proposed subdivision or land development project shall conform to a street hierarchy system as established herein. Requirements for right-of-way and pavement width, drainage, and other utilities, sidewalks, and other design standards shall be tailored to street function.
   b. The following categories of street classification are regulated herein: arterial, collector, local, marginal access.
   c. Except as specifically noted in these Regulations, marginal access streets shall meet local street requirements; commercial and industrial streets shall meet collector street requirements.
   d. Local streets shall be so laid out that their use by through traffic will be discouraged.
   e. Where a subdivision or land development project abuts or contains an existing or proposed arterial street, the Commission may limit the number of intersections

with the arterial street, and/or require marginal access streets, landscaped buffers, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through traffic from local traffic.

f. Notwithstanding the above provision, the City Plan Commission may limit the number of lots that may be developed in subdivisions having only one point of access.

3. Widths:

a. Right of Way. Street rights-of-way shall be not less than the widths shown below:

Street Type	Width (ft.)
Arterial	80
Collector	60
Local	50
Marginal Access	40

b. Cross-Sections: The apportioning of the street between roadway, sidewalk and landscaped strips shall be in accordance with the "Specifications for Highways Covering Residential and Industrial Plat Developments", as revised, unless specifically modified or waived by the Commission. For situations on local roads, on private roads or on cul-de-sacs with fewer than ten (10) lots, the right-of-way width may be reduced to forty (40) feet and pavement width may be reduced to twenty-four (24) feet or less.

4. Layout & Arrangement:

a. The arrangement of proposed streets shall be considered in relation to the existing street system, and arterial streets and highways shall conform to the Comprehensive Plan in effect at that time. Proposed streets shall provide for the continuation or projection of principal streets existing on the adjoining property and shall be continued with at least the same width through the subdivision or land development project. Wherever possible, streets shall be planned to conform to the surrounding topographical conditions.

b. Street arrangement of the totality of the proposed subdivision or land development project shall be submitted at the preliminary plan stage of review. Where a final plan covers only a part of the Applicant’s tract, the street system shall be so laid out as to be capable of future coordinated development with the remainder of such tract and adjoining land. In such a case, the prospective future street system of the un-submitted part shall be furnished with the submitted part of the plan.

c. Where a subdivision borders on or contains a railroad right-of-way or an existing or proposed limited access highway, the Commission may require a marginal access street approximately parallel to and on each side of such right-of-way or highway, at a distance suitable for the appropriate use of the intervening land.

5. Private Streets: Private streets shall be prohibited except in minor subdivisions in the A-80 zoning district as authorized in Section V of these Regulations and in Planned Districts.

6. Street Intersections: Street intersections shall either coincide precisely with or be offset by at least 105 feet from other intersections. Intersections shall be at 90-degree angles. Lesser angles between 75 degrees and 90 degrees may be approved by the Commission.

7. Dead-end Streets & Cul-de-sacs: Dead-end streets without a turnaround and not designed for eventual continuance shall not be approved. Streets which are designed to have one end permanently closed (cul-de-sacs) shall be provided at the closed end with a turnaround roadway having a minimum outside curb of at least thirty-five (35) feet. Such cul-de-sacs shall not exceed nine hundred (900) feet in length. In cases where unusual conditions exist, the Commission may modify the requirements for dead-end streets and cul-de-sacs.

8. Grades: The maximum grade of arterial and collector streets shall be five (5%) percent and the minimum grade shall be one (1%) percent. The maximum grade of minor streets shall be eight (8%) percent and the minimum grade shall be one (1%) percent. Where in the judgment of the Commission it is not feasible to maintain a grade of eight (8%) percent or less, the Commission may allow a steeper grade, but in no case shall the grade exceed ten (10%) percent.

9. Access to Adjoining Property: When a subdivision of land would create a land-locked adjoining parcel, the Commission shall require access to said adjoining property. The reservation of strips of land preventing such access shall be prohibited except where their control is placed in the name of the City under conditions approved by the Commission. The Commission may require provision of a temporary turnaround until such time as the adjacent tract is developed. Where agreed to, in writing, the temporary turnaround may be located on the adjoining property subject to approval by the Commission.

10. Names: An extension of an existing street shall have the same name as the existing street. The names of other proposed streets shall be substantially different from any existing street name in the City.

11. Signs: Street name and traffic signs approved by the City Engineer shall be installed by the Applicant at the Applicant's expense.

12. Lighting: In all new subdivisions where utilities are being installed underground, provisions shall be made for street lighting connections by the City Engineer.

13. Deflection of Street Centerline: When a deflection angle of ten (10) degrees or more occurs along the centerline of a street, a curve of reasonably long radius shall be

introduced.

14. Reverse Curves: A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.

15. Rounding Property Lines: Property lines at street intersections shall be rounded with a radius of not less than fifteen (15) feet.

16. Curbs:

    a. Curbs shall be required along the gutter line of all streets and shall have a minimum radius of twenty-five (25) feet at corners. Pre-cast concrete wheelchair ramp curbs meeting RI DOT Standard 43.31/43.32 or 43.34 shall be installed where required by the DPW: Engineering Division.

    b. In accordance with Section 17.64.010(F)(2) of the Zoning Ordinance, curb opening requirements for new construction shall conform to the following design standards:

Construction Type	Width (Min. ft.)	Width (Max. ft.)
Residential	10	20
Multi-Family	12	35
Commercial	12	35
Industrial	12	35

    c. Curb Openings for Corner Lots: On a corner lot, no curb opening shall be located within twenty-five (25) feet of the end of the radius curb.

17. Boundary Markers: Granite or concrete boundary markers shall be of the type specified by the City and paid for by the Applicant and placed by a Registered Land Surveyor on the street line at the beginning and end of all horizontal curves on both sides of each subdivision (public) street and shall not be more than five hundred (500) feet apart. Monuments shall be set four (4) inches above finished grade of the center of the street.

18. Sidewalks:

    a. Sidewalks shall be required to be installed on both sides of all proposed new public streets, including street extensions. Sidewalks shall be required along the frontage of all subdivisions and land development projects along existing public streets. Existing sidewalks along the frontage of a subdivision or land development project shall be brought into conformance with City standards.
    b. Sidewalks shall be installed to the latest version of the "Specifications for Highways covering Residential and Industrial Developments" of the Cranston

Department of Public Works.

1. The applicant may construct sidewalks adhering to the latest version of the Rhode Island Department of Transportation's "Standard Specifications for Road & Bridge Construction" provided written permission is granted by the Director of Public Works.

c. Sidewalks may be waived by the designated review authority where written permission is granted by the Director of Public Works and one of the following applies:

1. A subdivision or land development project that is in an area without a substantial sidewalk network to connect to;
2. A subdivision or land development where a footpath of equal or higher quality and access is dedicated for public use.
3. A subdivision or land development project that is on a dead-end street in a residential district serving ten (10) or fewer dwellings;
4. A Residential Planned District subdivision where low-impact development standards are applied throughout.

d. The City Plan Commission may grant waivers for other reasons than mentioned in Subsection X.B.18.(b) above provided none of the following circumstances apply:

1. The subdivision/development is located within one-half (½) mile of a public or private school; or
2. The subdivision / land development project is located in reasonable proximity to major public or private destinations such as places of worship, shopping areas, playgrounds, etc. where there is a reasonable likelihood that pedestrian traffic would result; or
3. The subdivision / land development project is located within an area with high vehicular traffic volumes and where there would be a likelihood of significant danger to pedestrians.

e. Where the sidewalk requirement has been waived, loam and seed shall be installed from the curb to the property line.

19. Bicycle Facilities: Bicycle paths/trails/lanes may be required in proposed subdivisions / land development projects where necessary, to extend an existing bicycle path; to intersect with proposed State bicycle facilities; to connect adjacent subdivisions where vehicular connections would be impractical; or where adjacent or nearby public or private schools, recreation areas or other similar facilities would be likely to generate significant bicycle traffic.

20. Engineering & Land Survey: Wherever it is mandated by these Regulations that certain tasks associated with subdivision plans and improvements be performed by registered professional engineers and/or registered land surveyors, all such tasks shall be performed according to existing and amended standards of the State of Rhode Island

Board of Registration for Professional Engineers and Board of Registration for Land Surveyors.

C. Parking area design standards.

1. Parking Layout.

   a. Generally parking areas shall have the minimum required widths for drive aisles as described in the table below. The design of parking areas shall generally conform to ITE's "Guide for Parking Facility Location and Design, 1990" as amended. The city's traffic engineer may require the dimensions of parking spaces and drive aisles to be adjusted if traffic and safety considerations so warrant.

Required Widths of Drive Aisles

Aisle Width	Parking Angle (in degrees) 0	Parking Angle (in degrees) 30	Parking Angle (in degrees) 45	Parking Angle (in degrees) 60	Parking Angle (in degrees) 90
One-way traffic	13'	11'	15'	18'	24'
Two-way traffic	20'	20'	21'	23'	24'

   b. Pedestrian and vehicular areas shall be designed to provide safe and efficient site circulation. Conflicts between pedestrian and vehicular traffic shall be minimized by providing physical and visual separation between pedestrian ways and drive aisles. Parking areas shall be ADA compliant.

   c. Parking aisles shall be a maximum of twenty (20) parking spaces in length which shall be separated with cross drive aisles.

   d. The placement of all directional and street level signage shall be reviewed and approved by the city's traffic engineer to ensure safe and efficient site circulation and adequate sight distances both in the public ROW and the development's parking area.

   e. No landscape materials shall be planted at curb cuts that will impair the line of sight at said cuts.

   f. A storage area shall be provided on site to accommodate snow removal from a six-inch snow storm.

   g. A six-inch curb or Cape Cod berm, designed to be compliant with the Rhode Island Stormwater Design and Installation Standards Manual, shall be installed around the perimeter of all parking to serve as wheel stops and protection. Where curbs are not installed adjacent to sidewalks, wheel stops shall be installed to prevent vehicles from encroaching into or onto said sidewalks.

2. Reduction in Construction of Off-Street Parking.

   a. A reduction in the construction of the number of off-street parking spaces required

by Chapter 17.64 of the Zoning Ordinance may be granted as a condition of approval provided that the following criteria have been met:

i. The intent of this section and Chapter 17.64 of the Zoning Ordinance shall be preserved.

ii. The amount of off-street parking to be provided shall be sufficient to serve the development.

iii. The decrease in required off-street parking shall be based on a parking study prepared by a RPE which addresses the following:

a) Size and type of uses or activities on site;

b) Composition of tenancy on site;

c) Rate of parking turnover;

d) Peak traffic and parking loads to be encountered;

e) Local parking habits;

f) Availability of public transportation.

b. Should a reduction in the amount of required off-street parking to be constructed be allowed, the authorized permitting authority shall require that a portion of the site be reserved to construct said parking should it be needed. This reserved area shall not contribute towards the minimum landscape requirements as set in Section 17.84.140(C) of the Zoning Ordinance.

3. The design and choice of paving materials used for parking areas shall consider function, climate, characteristics of users, availability, maintenance costs, glare, drainage, noise, appearance and compatibility with surroundings. Acceptable materials may include, but are not limited to concrete, brick, asphalt, asphalt pavers, cement pavers and stone.

4. Walls and fences may be erected to provide privacy, screening, separation, security, erosion control or as required by the site conditions. The design and materials used shall be compatible with a development's design. No fence or wall shall be erected so as to create a hazard to traffic or safety.

5. Street furniture, such as trash receptacles, benches and phone booths, shall be located and sized in accordance with proposed use and shall be similar in style, material and finish. Design and materials shall be compatible with a development's design.

D. Landscaping Design Standards

1. General: The Commission shall encourage that as many trees as possible be left standing when a subdivision or land development project is developed. It shall also encourage the

Applicant to plant trees in the front yard area of the proposed house lots. In Planned Districts and where deemed necessary by the Commission, a landscaping plan for the entire development shall be submitted. Landscaping plans shall take into account the proposed land uses in the development as they relate to the surrounding area. The Commission may require the Applicant to plant vegetation for the purpose of buffering adjoining land uses or aesthetic improvement of the plan. Street trees, parking lot trees, and perimeter hedges may be required by the Commission for these purposes. In residential subdivisions, the Applicant shall finish grade the lawn areas of each lot with not less than 5" of top soil.

2. Street Trees: Where natural tree growth is determined by the Commission to be insufficient, the Commission may require the subdivider to plant street trees appropriate for the terrain, soil, and climatic conditions encountered in the subdivision, and in accordance with the following standards:

   a. Location: Street trees shall be located at minimum in the sidewalk portion of each collector street right-of-way, or when this is not possible, on the portion of building lots within ten (10) feet of the street right-of-way line, if assurance can be given by the subdivider that the trees will not be disturbed by building activities. In either case, no street trees shall be located so as to interfere with overhead or underground utility lines.

      Trees shall be spaced approximately fifty (50) feet to 100 feet on center, depending on density and other contextual elements of the plan.

      In minor subdivisions/land development projects and major subdivisions/land development projects with no collector street, the Commission may require street trees be installed at a spacing appropriate to the scale of the development.

   b. Type: The species selected are to be suitable for the location per the most recent USDA Plant Hardiness Zone Map and not be listed as invasive species. Trees may include, but are not limited to the following types:

      i. Deciduous medium to large trees such as Thornless Honey Locust, London Plane, Gingko, Zelkova, and Katsura.

      ii. Small deciduous trees such as some Crab Apple (Malus species) and Cherry varieties with 15-foot ultimate height.

      iii. Conifers such as Pine, Hemlock, and Spruce may be used only within the 10-foot area on building lots outside the right-of-way.

   c. Size: Minimum sizes for species listed above are 2 to 2½ inches caliper, measured one foot from ground level in place, and six (6) to eight (8) feet of height in place.

   d. Quality: Street trees shall be balled and burlaped with good root development and branching characteristics. Bare root handling for dormant trees up to 2½ inches caliper may only be allowed during the spring season. All trees shall be of licensed nursery stock, however, native trees may be used if inspected and approved by the Tree Warden before planting.

   e. Planting: Street trees shall be planted in holes at least six (6) inches deeper and one

(1) to 1½ times as wide as the root ball. Larger excavation may be required in gravel or sand areas. Trees shall be planted at their previous depth in good quality topsoil or soil conditioned to the quality with sufficient organic matter such as peat moss and a balanced fertilizer.

Trees shall be securely double staked with sturdy stakes of a minimum size of 2" x 2" x 6'.

f. Screening: Where a proposed residential development abuts an existing or proposed commercial or industrial area, a dense evergreen buffer at least ten (10) feet in depth, shall be planted along the common boundary between the residential development and such commercial or industrial development.

g. Inspection: The Tree Warden shall determine the suitability of the street trees being proposed and certify proper planting techniques and maintenance have been followed.

3. General Landscaping:

a. Landscaping shall be addressed as part of site plan and subdivision design. If a separate landscape plan is required by the Commission, the Applicant shall be advised of this requirement at the preliminary plan stage of review of a minor subdivision or land development project, and at the master plan stage of a major subdivision or land development project. It shall integrate the various elements of site design, preserving and enhancing the particular identity of the site and creating a pleasing site character. For minor subdivisions and land development projects, landscaping treatments may be integrated into the overall site plan.

b. Landscaping may include plant materials such as trees, shrubs, ground covers, grass, flowers, etc., but may also include other materials such as rocks, wetlands, stone walls, paving materials, planters, signage, and street furniture. Areas which may be required for location of landscaping shall include but are not necessarily limited to the following:

iv. Drainage facilities, such as retention/detention basins, or drainage swales;

v. Entrance features;

vi. Open space areas;

vii. Proposed recreation facilities;

viii. Buffer areas;

ix. Lot areas which are disturbed during the construction process or where extensive grading removes a significant amount of natural vegetation;

x. Areas subject to regrading or stabilization for soil erosion and sediment control purposes.

c. Landscape Plan: A landscape plan prepared by a registered landscape architect shall be submitted to the Commission for all land development projects or when the

authorized permitting authority determines that (a) existing landscaping is not sufficient; (b) the site of the proposed subdivision or land development project has been or will be disturbed so as to require significant new vegetation; or (c) additional landscaping is necessary to protect, preserve, or enhance significant visual characteristics of the site. The plan shall identify existing and proposed treatments, proposed grading at two-foot contour intervals, and lighting specifications. The plan shall indicate the location of all proposed landscaping and shall include construction details as necessary. A planting schedule shall be included to indicate proposed planting by species, size at time of planting and maintenance requirements. Where existing plantings are to be retained, the plan shall indicate proposed methods of protecting them during construction.

4. Parking Area Landscaping Requirements:

   a. In addition to any required buffer strip, a minimum of ten (10) square feet of landscaped area shall be provided within a parking area for each parking space in said area.

   b. A minimum of twenty (20) percent of a parking area shall be shaded by deciduous trees that shall have a crown (canopy) of thirty (30) feet at maturity. Said trees shall be surrounded by at least one hundred (100) square feet of unpaved area to provide for growth and protection from vehicles.

   c. Each row of parking spaces shall be terminated by a landscaped island not less than six feet wide and twelve (12) feet long.

   d. A continuous landscaped island not less than eight feet wide shall be provided between every four rows of parking spaces.

   e. Landscaped areas shall be provided at appropriate locations in order to prevent long, uninterrupted rows of parking.

   f. Landscaped islands shall be protected from encroachment by motor vehicles by a continuous raised curb. (Vehicles shall be presumed to have an overhang of three and one-half feet.) Pedestrian paths may be incorporated within the landscaped islands provided a minimum dimension of four feet, exclusive of paved areas, is maintained.

E. Lot Design Standards

1. Size: Minimum lot areas and dimensions shall conform to the requirements of Section 17.20.120 of the Zoning Ordinance with the following exceptions:

   a. that if the proposed subdivision or land development project is not to be served by a public water system, the Commission may require larger sizes and greater frontages for lots in such area if it deems such action necessary to prevent unsanitary conditions from occurring on such lots. The requirements of the State Department of Health shall be used as a guide for determining whether an unsanitary condition may occur

and the lot sizes recommended by the State Department of Health shall be used as a guide in determining lot sizes and lot dimensions necessary to assure healthful conditions.

b. that for Planned District proposal, lot areas and dimensions shall conform to the requirements of Chapters 17.100 and 17.104 of the Zoning Ordinance, whichever is applicable.

c. that depth and width of properties laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

2. Use: The use of lots shall conform to the requirements of Chapter 17.20 of the Zoning Ordinance.

3. Frontage: All lots shall front on an existing or proposed public street, or private street in conformance with Section X(B)(2) or these Regulations, for the full length of the front lot line and shall have satisfactory access to such street. Double frontage should be avoided.

4. Minimum Frontage: Minimum street frontage or minimum lot width at the front building line shall conform to the requirements of Section 17.20.120 of the Zoning Ordinance with the following exception:

   - that for Planned District proposals, this Regulation shall be superseded by the requirements and provisions of Section 17.100.020(A) or 17.104.020(E) of the Zoning Ordinance, whichever is applicable.

   In any case where the street line shown on the plan takes the form of an arc, the minimum street frontages specified above shall at the option of the Applicant, be measured along the building line as fixed by Title 17 of the Code of the City of Cranston, entitled, "Zoning".

   When a lot fronts on a temporary cul-de-sac, the building setback line, as required in the City's Zoning Code, shall be measured at the temporary cul-de-sac line.

5. Lot Lines: Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines for their full length from front to rear with the following exception:

   a. Side lot lines may deviate from this requirement in areas where natural constraints such as watercourses, wetlands, etc., or where prudent subdivision practices necessitate special consideration. In all such cases, the burden will be on the Applicant to justify such deviations in design.

6. Corner Lots: Corner Lots for residential use shall have sufficient width and depth

appropriate building setback from both streets. Additional lot area is encouraged to permit larger and more usable rear yard areas.

F. Easements

Easements may be required by the City Plan Commission where necessary for the proper location and placement of improvements on private land as described below. The City Plan Commission may, in its own discretion, require the dedication of land to the City in lieu of easements if such dedication would provide greater control over and access to the intended use. All utility easements shall be a minimum width of twenty (20) feet except as specified below.

1. Water Courses: Where a subdivision or land development project is traversed by a water course, drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such water course and of such width as will be adequate for the purpose.

2. Sanitary Sewers: Easements across lots or centered on rear or side lot lines shall be provided for sanitary sewers where they are required. The Commission may require permanent easements of such width as recommended by the DPW: Engineering Division, plus temporary construction easements if necessary. The nominal width for a sewer easement shall be thirty (30) feet.

3. Drainage Easements: Easements to install and maintain underground drainage facilities on private land shall be dedicated to the City where required. The nominal width for such a drainage easement shall be twenty (20) feet. Where above-ground drainage flows are directed over private property which does not contain natural watercourses or wetlands, or where publicly owned and maintained drainage systems outfall on private land, a drainage easement shall be dedicated to the City over the area and at a location adequate for the intended purpose. Easements into and upon aboveground drainage facilities such as stormwater detention or retention basis shall be granted to the City wherever stormwater from City-owned streets or other improvements is intended to be directed to such basins.

4. Sight Distance Easements: Where deemed necessary by the Commission to establish or maintain adequate sight distances for vehicular traffic, the dedication of an easement to the City may be required which would prohibit the erection or maintenance of any visual obstruction such as a structure, tree, shrub, wall, earthen embankment, hill, or any other obstruction.

5. Bicycle or Pedestrian Access Easements: Bicycle and pedestrian access shall be provided where required on a separate strip of land dedicated to the City or on an easement having a minimum width of fifteen (15) feet.

6. Other Easements: All other requirement easements shall be of sufficient width and area for the intended purpose. All utility easements shall be a minimum width of twenty (20) feet and contain at least one (1) concrete bound.

7. Open Space: An easement shall be granted to the City for access to all open space areas of Planned Districts in accordance with Chapter 17.96 of the Zoning Ordinance.

G. Blocks

1. Length & Width: In residential subdivisions in districts zoned for less than 80,000 square feet per family, blocks shall not be more than one thousand (1,000) feet in length, nor less than one hundred sixty (160) feet in width, except where special conditions justify a variation from these requirements. The width of blocks shall be such as to allow two (2) rows of lots.

   In residential subdivisions in districts zoned for 80,000 square feet per family, blocks shall not be more than two thousand (2,000) feet in length.

   Industrial and commercial blocks shall be laid out in such a way as to be suited for the intended occupancy. The Commission shall require that industrial blocks be large enough to accommodate potential industries, and that commercial and industrial areas make adequate provision for future parking and delivery service.

2. Pedestrian Crosswalks: Pedestrian crosswalks, not less than ten (10) feet wide, may be required through the middle of blocks where deemed essential for pedestrian access to schools, playgrounds, shopping centers, or other community facilities.

H. Alleys

1. In Residential Areas: Alleys shall be prohibited in one and two-family residential areas.

2. In Commercial and Industrial Areas: Alleys shall be provided in commercial and industrial areas, except that the Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading and parking consistent with, and adequate for the use proposed.

3. Width: The width of an alley shall not be less than twenty (20) feet.

4. Dead-end Alleys: Dead end alleys are prohibited.

I. Utilities

1. Sanitary Sewers: Sanitary sewers shall be installed in all subdivisions and land development projects where such sewer service is required in accordance with the procedures and standards set forth in Chapter 13.08 of the Code of the City of Cranston, entitled, "Sewer Service System". Approval to connect to the City sewer system is subject to the availability of adequate capacity in the system.

2. Water Lines: When a public water system is available, water lines shall be installed and water stops shall be provided for each lot in accordance with the Rules and Regulations of the appropriate water utility company. Water lines shall be generally located on the southerly or westerly side of the street whenever possible or as required by the Commission.

3. Gas Lines: Natural gas lines may be installed in any subdivision or land development project at the discretion of the subdivider. If proposed, gas lines shall be located on the northerly or easterly side of the street wherever possible or as required by the Commission.

4. Communication Lines (Electric, Telephone and Cable TV): All electric, communication (telephone, fire alarm and cable TV) and street lighting lines shall be installed underground. In cases where underground installation is not feasible due to physical conditions of the site or other limitation, an alternative location for these utility lines shall be approved by the Commission if prior approval thereof has been obtained by the utility company involved.

5. Communication lines are not required to be placed underground for (1) administrative subdivisions; or (2) for minor subdivisions where no street creation is required; or (3) for minor subdivisions where a private street is required and the City will not be requested to accept the street for ownership and maintenance.

6. Fire Hydrants: Fire hydrants shall be installed in all subdivisions and land development projects where public water supply systems are installed. Hydrant type, location, and spacing shall meet the minimum requirements of the National Fire Protection Association or as directed by the Fire Department.

7. Water Supply for Firefighting and Prevention in areas without an adequate public hydrant system:

    a. Applicability:

        i. In subdivisions and land developments without an adequate public hydrant system, the following types of structures shall provide underground firefighting water tanks (cisterns) or residential automatic sprinkler systems as per the applicable NFPA codes:

1. Any new residential, commercial, industrial, or institutional structure, including any new accessory dwelling unit.

2. Any existing residential, commercial, industrial, or institutional structure, including any existing accessory dwelling unit, where 50% or more of the existing structure is renovated or redeveloped.

b. Submission Requirements:

i. **Preliminary Plan** – Include the number, capacity, and proposed locations of cistern(s) on the Preliminary Plan. Early coordination with the Fire Department is strongly encouraged.

ii. **Final Plan** – Submit final, signed and sealed design drawings and specifications prepared by a licensed design professional for Fire Department review and approval prior to Final Plan approval. Final plans shall show easements, access, grading, elevations, and appurtenances (drafting connection, vents, manways, frost protection).

iii. **As-Builts** – Submit as-built plans prior to Fire Department acceptance testing and prior to the issuance of the first building permit for any structure within the subdivision.

c. Designs & Installation Standards:

i. Referenced Codes and Standards

1. NFPA 1142 (current adopted edition) – Standard on Water Supplies for Suburban and Rural Firefighting (for determining needed fire flow and acceptable alternative water supplies).

2. NFPA 22 (current adopted edition) – Standard for Water Tanks for Private Fire Protection (as applicable to tank design and appurtenances).

3. NFPA 24 (current adopted edition) – Standard for the Installation of Private Fire Service Mains and Their Appurtenances (for any private fire mains, hydrants, and suction piping between the cistern and drafting connection).

4. NFPA 1 (current adopted edition per the State Fire Code) – for fire department access, fire flow, and enforcement of referenced standards.

   Where manufacturer instructions or a referenced standard conflict, the AHJ may approve alternate methods that provide an equivalent level of safety.

ii. Sizing & Performance

1. Required water volume shall be established by NFPA 1142 methodology using the needed fire flow (NFF) for the most demanding structure to be protected and the required duration determined by the AHJ. The cistern shall be sized for the most demanding structure allowed by zoning, not just those shown on current plans.

2. The usable (net) volume shall exclude any dead volume not readily draftable under expected low water and seasonal conditions.

iii. Location & Access

1. Cistern drafting connection shall be 5-10 feet from an approved, all weather fire apparatus access road, with year-round access and maintained clear zone.

2. Distance between cisterns shall be a maximum of 600 feet if multiple cisterns are required.

3. Cisterns located in vehicular areas shall have traffic rated lids and components.

4. The owner or HOA shall maintain the access road in all seasons, including snow and debris removal.

iv. Appurtenances & Details

1. Provide a Fire Department drafting connection compatible with the Fire Department standard (thread type, size, and cap), with strainer, anti-vortex provisions, and means to prevent debris ingress.

2. Provide venting, manway access, freezing protection, and anti-flotation design considering highest groundwater conditions.

3. Provide signage/markers identifying the cistern and connection in accordance with Fire Department detail.

4. The drafting connection shall be capable of supporting the Fire Department's minimum drafting flow rate as determined by the AHJ.

v. Corrosion, Materials & Lining

Tanks and piping shall be listed/approved for the intended service and installed per the manufacturer specifications and the referenced standards.

vi. Backflow/Isolation

Any interconnection with potable systems shall comply with the Plumbing Code and Fire Code to prevent cross connection; cistern systems are typically isolated, non-potable systems.

d. Acceptance Testing & Commissioning

All testing shall be performed by a qualified third-party professional acceptable to the AHJ, with written results submitted prior to scheduling the Fire Department witness test.

i. **Pre Service Testing** – Perform hydrostatic/leak testing per manufacturer/ standard and flush suction piping per NFPA 24 (current adopted edition).

ii. **Operational Draft Test** – Demonstrate by Fire Department witnessed test that the cistern can deliver the required flow for the required duration via the drafting connection without cavitation or undue turbulence.

iii. **Filling** – Prior to any building permits within the project, the cistern shall be installed, inspected, filled, and ready for use.

e. Easements

i. Record permanent easements sufficient for Fire Department access, inspection, testing, maintenance, and emergency use.

ii. The easement shall authorize the City to perform inspections/maintenance if the owner or HOA fails to do so, at the owner/HOA's expense, including the right to lien benefitted properties for cost recovery.

iii. Easement shall include access to staging areas required for drafting operations, not just the tank location.

f. Ownership, Inspection, Testing & Maintenance

i. **Owner/HOA Responsibility** – The property owner(s) or HOA shall be responsible for all filling, re-filling, repairs, testing, and maintenance; the City bears no responsibility for these activities.

ii. **Standards** – Cisterns and associated fire protection appurtenances shall be inspected, tested, and maintained in accordance with NFPA 25 (current adopted edition) and manufacturer instructions, as applicable to water storage for fire protection.

iii. Inspection Options

1. **Third party**: Contract with a qualified professional to perform annual inspection and any required maintenance, with a report submitted to the Fire Department within thirty (30) days of completion. The contract shall require immediate notice to the Fire Department upon lapse.

2. **Fire Department**: Request Fire Department inspection (when offered); all fees shall be borne by the owner/HOA at the adopted fee schedule.

3. The AHJ may require additional inspections or testing if deficiencies are found or if environmental conditions (e.g., groundwater intrusion) are believed to compromise the system.

iv. **Records** – The owner/HOA shall retain inspection, testing, and maintenance records for five (5) years and make them available to the Fire Department upon request.

g. Decommissioning or Temporary Out of Service

Cisterns shall not be taken out of service without prior written approval of the AHJ and an approved temporary water supply plan for the protected area. Any outage must include an approved temporary water supply that delivers equivalent or greater capacity and flow.

h. Penalties

Any person or entity violating this section shall be subject to fines up to $1,000 per day per violation (each day a violation exists constitutes a separate offense), in addition to any other remedies available at law or in equity. The City may withhold or revoke permits or certificates for failure to comply. Violations may also result in withholding or revocation of Certificates of Occupancy.

i. Severability

If any provision of this section is held invalid, the remainder shall not be affected and shall continue in full force and effect.

8. Any replacement of existing pavement in the public right-of-way as a result of construction activities such as installation of utilities shall require curb-to-curb repaving, unless written permission to grant an exemption is received from the Department of Public Works.

J. Erosion & Sedimentation Control

1. All major subdivisions and major land development projects shall submit a soil erosion

and sedimentation control plan as required herein. Administrative subdivisions, minor subdivisions, and minor land development projects shall not be required to submit such plans if the land disturbing activity involved in construction of subdivision improvements meets all of the following criteria:

a. Construction activity will not take place within 100 feet of any wetland or coastal feature;

b. Slopes at the site of land disturbance do not exceed ten percent (10%);

c. The total area of such activity does not exceed ten thousand (10,000) square feet;

d. Proposed grading does not exceed two (2) feet of cut or fill at any point.

e. The grading does not involve a quantity of fill greater than sixty (60) cubic yards; except where the fill is excavated from another portion of the subdivision parcel and the quantity of fill does not exceed one hundred eighty-five (185) cubic yards.

f. Has all disturbed surface areas promptly and effectively protected to prevent soil erosion and sedimentation.

2. Plan Preparation: The erosion and sedimentation control plan shall be prepared by a registered engineer, a registered landscape architect, a soil and water conservation society certified erosion and sediment control specialist, or a Certified Professional Soil Scientist.

3. Plan Contents: The erosion and sedimentation control plan shall include sufficient information about the proposed activities and land parcel(s) to form a clear basis for discussion and review and to assure compliance with all applicable requirements of these Regulations. The plan shall be consistent with the data collection, data analysis, and plan preparation guidelines in the current "Rhode Island Soil Erosion and Sediment Control Handbook," prepared by the U.S. Department of Agriculture, Soil Conservation Service, RI Department of Environmental Management, and at a minimum, shall contain:

   a. The erosion and sediment control plan shall include sufficient information about the proposed activities and land parcel(s) to form a clear basis for discussion and review and to assure compliance with all applicable requirements of these regulations. The plan shall be consistent with the data collection, data analysis, and plan preparation guidelines in the current "Rhode Island Soil Erosion and Sediment Control Handbook," prepared by the U.S. Department of Agriculture, Soil Conservation Service, RI Department of Environmental Management, and at a minimum, shall contain:

      i. A narrative describing the proposed land disturbing activity and the soil erosion and sediment control measures and stormwater management measures to be installed to control erosion that could result from the proposed activity. Supporting documentation, such as a drainage area, existing site conditions, and soil maps shall be provided as required by the Commission.

ii. Construction drawings illustrating in detail all land disturbing activity including existing and proposed contours, cuts and fills, drainage features, and vegetation; limits of clearing and grading, the location of soil erosion and sedimentation control and stormwater management measures, detail drawings of control measures; stockpiles and borrow areas; sequence and staging of land disturbing activities; and other information needed for construction.

iii. Other information or construction plans and details as deemed necessary by the Commission for thorough review of the plan prior to action being taken as prescribed in these Regulations.

4. Performance Principles: The contents of the erosion and sedimentation control plan shall clearly demonstrate how the principles, outlined below, have been met in the design and are to be accomplished by the proposed subdivision or land development project:

   a. The site selected shall show due regard for natural drainage characteristics and topography.

   b. To the extent possible, steep slopes shall be avoided.

   c. The grade of slopes created shall be minimized.

   d. Post development runoff rates shall not exceed pre-development rates, consistent with other stormwater requirements which may be in effect. Any increase in storm runoff shall be retained and recharged as close as feasible to its place of origin by means of detention ponds or basins, seepage areas, subsurface drains, porous paving, or similar techniques.

   e. Original boundaries, alignment and slope of watercourses within the project locus shall be preserved to the greatest extent feasible.

   f. In general, drainage shall be directed away from structures intended for human occupancy, municipal or utility use, or similar structures.

   g. All drainage provisions shall be of such a design and capacity so as to adequately handle storm water runoff, including runoff from tributary upstream areas which may be outside the locus of the project.

   h. Drainage facilities shall be installed as early as feasible prior to any additional site clearance or disturbance.

   i. Fill located adjacent to watercourses shall be suitably protected from erosion by means of rip-rap, gabions, retaining walls, vegetative stabilization, or similar measures.

   j. Temporary vegetation and/or mulch shall be used to protect bare areas and stockpiles from erosion during construction; the smallest areas feasible shall be exposed at any one time; disturbed areas shall be protected during the nongrowing months, November through March.

   k. Permanent vegetation shall be placed immediately following fine grading.

l. The area within the dripline shall be fenced or roped off to protect trees from construction equipment.

m. All areas damaged during construction shall be re-sodded, reseeded, or otherwise restored. Monitoring and maintenance schedules, where required, shall be predetermined.

5. Maintenance of Measures: Maintenance of all erosion-sediment control devices under this ordinance shall be the responsibility of the Applicant. The erosion-sedimentation control devices shall be maintained in good condition and working order on a continuing basis. Watercourses originating and located completely on private property shall be the responsibility of the Applicant to their point of open discharge at the property line or at a communal watercourse within the property. If proper maintenance procedures are not followed, the Commission may authorize the Administrative Officer to take the steps necessary to ensure proper maintenance by using improvement guarantee funds as provided in Section XII of these Regulations.

6. Periodic Inspection: The Director of Public Works may require inspections at such intervals as he/she may deem necessary to assure proper compliance with the approved Erosion and Sedimentation Control Plan. Copies of all inspection reports shall be made available to the subdivider upon request.

K. Drainage Design Standards

1. Stormwater Drainage Facilities: The drainage system may be comprised of natural and man-made elements. These include grass swales, retention and detention basins, curbs, catch basins, culverts, and stormwater pipes. The subdivider is encouraged to incorporate natural elements into the drainage design whenever possible. These elements (i.e., grass swales, wet basins) not only collect and transport stormwater, but also mitigate pollution, reduce sedimentation, provide visual amenities, and provide potential wildlife habitat.

   Where a drainage plan and drainage calculations are required, the plan and calculations shall be prepared by a Registered Professional Engineer. The stormwater drainage calculations, runoff rates, and system design shall be based on the application of the appropriate method as follows:

   a. The Rational Method: This method is the preferred method for small systems of three (3) acres or less, where no wetlands, ponds, or other storage depressions are present, and where drainage is toward the point of analysis.

   b. TR-55: This is the preferred method for calculating runoff volumes, peak discharge rate, and flood storage requirements for site development between one (1) acre and two thousand (2,000) acres.

   c. TR-20: This is for large complex watersheds and systems beyond the scope of TR-55.

d. The drainage plan and drainage calculations shall contain the following information:

i. An estimate of the quantity of storm water surface runoff presently flowing from the land proposed to be subdivided, and that which would be generated by the proposed subdivision or land development project, calculated on the basis of a 2, 5, 10, 25, and 100-year frequency rainfall.

ii. An estimate of the quantity of storm water surface runoff entering the subdivision naturally from upstream areas within the watershed under present conditions, calculated on the basis of a 2, 5, 10, 25, and 100-year frequency rainfall.

iii. An analysis of the capability of existing watercourses, storm sewers, culverts, and other drainage facilities within the land proposed to be subdivided to handle the runoff as calculated under (1) and (2) above, and proposals to handle such surface runoff. Design criteria for drainage improvements shall conform to the State Specifications as modified by the City of Cranston. Culvert and storm sewers shall be designed for a 25-year frequency rainfall, with a minimum pipe size of twelve (12) inches and a minimum pipe gradient of 0.8 percent.

iv. Proposals for disposal of surface runoff, downstream from the subdivision without damage to land and improvements and to the receiving water body.

v. The drainage plan shall further indicate how the following specific requirements will be met:

- That each lot will be adequately drained;
- That natural drainage patterns will be maintained whenever possible;
- That all existing watercourses will be left open, unless approval to enclose is granted by the Commission;
- That all new open watercourses will be seeded, sodded, or paved, depending on grades and soil types;
- That a continuous drainage system will be installed and connected to a natural or manmade water course or to an existing piped storm drainage system. The ultimate destination of such continuous drainage shall be a permanent natural body of water or wetland. Where the Commission determines that such ultimate destination is impractical, the Commission shall require the construction of a retention area capable of accommodating proposed storm volumes based on a 100-year frequency rainfall;
- Where any part of the drainage system is proposed for location outside the public street right-of-way, provisions for future maintenance approved by the Commission will be provided;
- That all necessary easements to off-street watercourses will be

obtained by the subdivider; and

- Where volume velocity of the surface runoff is high, the flow thereof shall be controlled by rip-rap, sediment basins, flow spreaders, or other applicable devices and/or techniques recommended in the Rhode Island Soil Erosion and Sediment Control Handbook.

vi. The proposed drainage system shall be designed to accommodate stormwater such that post construction conditions do not result in peak runoff increases in rate or volume from pre-construction conditions.

vii. The drainage plan should include an assessment of structural integrity to withstand discharge from a 2 to 200-year storm.

viii. Fenced detention ponds shall be developed in accordance with Chapter 15.28 of the Code of the City of Cranston, entitled "Soil Erosion & Sedimentation Control". Typically, they shall have bermed or sloped sides, the slopes shall be properly stabilized with grass and/or stone rip-rap, enclosed in a chain link fence of suitable height and design, and any other requirements as may be required by the Director of Public Works. The developer shall maintain these facilities in a clean functioning manner until accepted by the City. (A design guide appears in the RI Erosion and Sediment control Handbook, Soil Conservation Service, 1980 edition).

2. Subdrainage Facilities: If the original ground water elevation, as determined, or the spring ground water elevation as estimated by the Director of Public Works, whichever is higher, is determined to be closer than seven (7) feet to finished grade of the street, then subdrainage facilities adequate to lower the ground water elevation to seven (7) feet below finished street grade or restrictions on the plan providing for location of the lowest floor elevation of a building at least three (3) feet above ground water elevation or restrictions on the plan providing for construction designed to help prevent groundwater from entering the building shall be required. Restrictions shall also be required in such case providing for the location of the lowest elevation of a leaching field outlet at least three (3) feet above the ground water elevation unless the ground water elevation shall be reduced to seven (7) feet below finished street grade. All subdrainage facilities designed to discharge into the City owned storm drainage system shall be allowed to connect by permit only.

L. Off-Site Improvements

1. Purpose: This section is intended to ensure that Applicants provide off-site infrastructure improvements in order to mitigate the impacts which are directly or indirectly attributable to new development. Such improvements may be required by the Commission if the Commission finds there is a reasonable relationship between the requested improvement and the proposed new development. Off-site improvements may include, but not limited to improvements to the following:

a. sanitary sewers
b. water supply systems
c. roadways
d. sidewalks
e. bicycle paths
f. drainage systems
g. traffic signals

2. Definition & Principles: As a condition of final approval, the Commission may require an Applicant to construct reasonable and necessary improvements located off the proposed land being subdivided. "Necessary" improvements are those clearly and substantially related to the subdivision or land development project being proposed. The Commission shall provide in its resolution of final approval the basis for requiring such off-street improvements. In its resolution, the Commission must find that a significant negative impact on existing conditions will result if the off-site improvements are not made and are clearly documented in the public record. The mitigation required as a condition of approval must be related to the significance of the identified impact. All required off-site improvements must reflect the character defined for that neighborhood or district by the Comprehensive Plan.

M. Areas of Special Flood Hazard

1. The Commission shall examine each proposed subdivision and land development to ensure that:
   a. If any part of the proposed subdivision or land development project is located within an area of special flood hazard as defined in Section II of these Regulations, it is consistent with the need to minimize flood damage.
   b. It provides for adequate protection against flood damage with respect to materials, design, and methods of construction.
   c. All public utilities and facilities such as sewers, gas, electrical and water systems are elevated and constructed to minimize or eliminate damage from flooding.
   d. Adequate drainage is provided so as to reduce exposure to flood hazards.
   e. The proposal conforms to the requirements of Chapter 17.16 (Special Flood Hazard Districts) of the Zoning Ordinance.

SECTION XI – CONSTRUCTION OF PUBLIC IMPROVEMENTS

A. General

1. The Applicant, at their own expense, shall construct improvements according to the requirements set forth in the booklet entitled, "Specifications for Highways Covering Residential and Industrial Plat Developments," 1987, as revised from time to time by the Department of Public Works and which is available at the office of the Department of Public Works or the City Plan Commission.

2. Before any work is started for the grading of streets or other improvements that are later to become public, the Applicant shall submit to the DPW: Engineering Division construction drawings for all proposed improvements, drawn to the scales as specified in the booklet noted above. Elevations shall be based upon Mean High Water Datum.

3. No improvement shall be constructed without the approval of these plans by the DPW: Engineering Division. All road construction, utilities or other improvements that might at a later date be transferred to the City for maintenance must be constructed under the supervision and inspection of the DPW: Engineering Division.

4. All public works improvements within the subdivision or land development project shall conform in all respects to the approved construction documents prepared by the Applicant's engineer. Additional regulations are as follows:

   a. Temporary Cul-de-sacs: In locations where there exists a temporary cul-de-sac proposed for extension into a new subdivision, the developer of the new subdivision shall remove all curbing within the temporary cul-de-sac at his own expense so as to straighten said road and reconstruct the right-of-way to a width equal to the proposed extension, at the developer's expense.

   b. Curb Openings: In residential subdivisions, one curb opening shall be allowed per house lot except where a detailed site plan showing two or more is approved by the Department of Public Works. In such case, the developer shall be required to construct each driveway in conformance with said site plan.

   c. Monuments shall be placed at corners, angle points, points of curves in streets, and at intermediate points as shall be required by the Director of Public Works.

B. Construction Procedures

1. The following procedures shall be followed by the subdivider and by contractors under the direction of the subdivider in the construction of any subdivision, land development project, or related improvement:

   a. Pre-construction Meeting: A pre-construction meeting shall be held with the Director of Public Works and Chief Engineer at least seven (7) days prior to the

start of any subdivision or land development project improvements. The Applicant (or their duly authorized representative) and the on-site project manager shall attend this meeting.

b. Notification: No step in the construction of required improvements shall commence until the Director of Public Works has been notified at least twenty-four (24) hours in advance of the phases of construction listed in subsection (c) below.

c. Inspection of Improvements: Inspection and approval by the Director of Public Works shall be required for the following phases of subdivision or land development project improvements:

1. During and following installation of all underground drainage structures, systems, and utilities prior to backfilling;
2. During and following the preparations of the road sub-grade, shoulders, and curbing;
3. During and following the spreading and compaction of the sub-base course;
4. During and following the spreading and compaction of the base course prior to the application of the asphalt binder course;
5. Immediately prior to and during the application and compaction of the asphalt surface course on the roadway and, if required, sidewalks;
6. Following completion of all improvements and installation of bounds;
7. At periodic intervals as required to ensure compliance with the approved Erosion and Sedimentation Control Plan.
8. The Director of Public Works may require inspection at such other intervals as he may deem necessary to ensure proper construction of improvements.

d. Request for Inspection: Whenever an inspection is required, the Applicant shall request the Director of Public Works to make such inspection. The Director of Public Works or their representative shall, within forty-eight (48) hours exclusive of Saturday, Sunday, and holidays, make such an inspection, and give to the Applicant written approval or disapproval of the improvements inspected by them. No subsequent step or phase shall commence until an inspection has been made and approval granted.

e. As-Built Plans: Upon completion of construction of all required improvements, and before the performance bond is released and the maintenance bond is accepted, the Applicant shall furnish two (2) sets of transparent mylar as-built plans of required improvements to the Administrative Officer.

f. Inspection Fees: Inspection fees shall be paid in the amount established in Section III(F) of these Regulations, and shall be paid in full before construction begins of any improvements requiring inspection.

SECTION XII – GUARANTEE FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS

A. Purpose

1. Improvement guarantees shall be provided to ensure that proper installation and maintenance of required street, utility, and other physical improvements and to ensure compliance with other nonstructural conditions of final plan approval (if any). The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the Applicant.
2. To assure that all improvements designated for the development of the plan shall be faithfully completed within two (2) years of the date of recording, the Applicant shall file with the City Plan Commission a performance bond or a passbook savings account in the name of the developer responsible for construction for a sum to be designated by the City Plan Commission adequate for the completion of the improvements and facilities required.

B. General Procedures

1. Before any subdivision or land development project is endorsed by the Commission, and before the recording of any plans, the Commission shall be required to approve agreements for the completion of all required improvements. Such agreements may, at the option of the Applicant, take the form of (1) completion of actual construction of all improvements; (2) improvement guarantees, or (3) a combination thereof.

2. At the preliminary plan review stage, the Applicant shall submit either of the following: (1) a letter to the Commission indicating their intent to complete the required improvements prior to the Commission's endorsement of the final plat; or (2) a letter requesting that security sufficient to cover the cost of required improvements be established by the Commission. At the final plan review stage, the Applicant shall confirm arrangements for completion of the required public improvements, including construction schedule and/or financial guarantees.

    a. If improvements are to be constructed without a financial guarantee, all work shall be completed prior to endorsement and recording. Inspections shall be made by the Public Works Department at all required stages of construction. All construction shall be inspected and approved under the direction of the Public Works Director. Upon completion of all required improvements, the Public Works Director shall certify in writing of such completion, and a copy shall be provided to the Applicant upon request. The final plan shall be endorsed by the Administrative Officer and the plan shall be recorded, at which time the lots may be transferred or sold.

    b. If improvements are to be guaranteed, the provisions of Section (C) of this Section below, shall apply.

c. Improvements that are proposed to be privately owned and maintained, such as, but not limited to, streets, utilities, and drainage systems, may be covered by an improvement guarantee if requested by the Applicant.

C. Requirements for Performance Guarantees

1. Amount: Improvement guarantees shall be in an amount and with all necessary conditions to secure for the City the actual construction and complete installation of all of the required improvements, and the satisfactory completion of all conditions of final approval within the time periods required for completion. The amount shall be based upon cost estimates which would be required for the City to complete all improvements required as a condition of final approval. These estimates shall be initially prepared by the Director of Public Works and submitted to the Administrative Officer who shall review the estimates, if requested, with the Applicant. The amount of financial guarantee shall be subject to review if it is not posted within one (1) year after the Administrative Officer's approval of the final plan. The City Plan Commission may set the guarantee in a reasonable amount in excess of the estimated costs in order to anticipate increases in economic or construction conditions. However, the amount of such increase shall not exceed 120 percent of the estimated cost of improvements as recommended by the Department of Public Works.

2. At the expiration of the final plan approval period, if all required improvements are not complete, the Commission shall review the status of improvements and may (1) require the Applicant to extend the duration of the entire improvement guarantee; (2) reduce the amount of the improvement guarantee to cover the estimated costs of remaining improvements; or (3) authorize the Administrative Officer to take the steps necessary to ensure completion of the remaining work by using improvement guarantee funds.

3. If at any time during the guarantee period the procedures, implementation measures, methods, materials and/or schedules of construction are determined by the Commission not to be in compliance with the approved plans, the Commission may, after proper notification to the Applicant, authorize the use of improvement guarantee funds to ensure proper compliance.

4. Required Form: The security shall be in the form of a financial instrument acceptable to the Finance Director and shall enable the City to gain timely access to the secured funds, for cause. Performance and maintenance guarantees may be provided by a variety of means including, but not limited to, the following:

   a. Security Bond: The Applicant may obtain a security bond from a surety bonding company holding a certificate of authority as acceptable surety on federal bonds as published in the Federal Register.

   b. Cash: the Applicant may deposit cash in the form of a bank check, cashier's check, or certified check into an appropriate account held in the name of the City of Cranston. Interest accrued will be returned at the time(s) of reduction or release.

c. Letter of Credit: the Applicant may obtain an irrevocable letter of credit in a format acceptable to the Finance Director through a bank or other financial institution licensed to do business in the State of Rhode Island and possessing a satisfactory bond rating.

5. Releases: At or before the expiration of the final plan approval period, if all required improvements are complete to the City's satisfaction, any improvement guarantee shall be returned to the Applicant. Partial releases or reductions in the guarantee amount may also be authorized at any time prior to the expiration of final approval. For each such reduction or release, a written request shall be made to the Administrative Officer, who shall refer such request to the DPW: Engineering Division. The Applicant shall engage the services of a design engineer to perform inspections during construction of the improvements to ensure compliance with approved plans and specifications. All requests for bond reduction or bond release shall be accompanied by a certificate from the design engineer that all improvements comply with plans and specifications. Final release of the performance guarantee shall not occur until all improvements have been accepted and until all "as-built" drawings have been reviewed and accepted by the Department of Public Works.

6. Phased Projects: In the case of subdivision and land development projects which are approved and constructed in phases, the Commission shall specify improvement guarantees related to each particular phase. If any off-site improvements or other improvements or conditions which are not directly related to a particular phase are required as a condition of approval, the Commission shall, in setting the guarantee amount to each phase, clearly specify when such guarantees are to be provided.

7. Maintenance Guarantees: The Commission shall require that a maintenance guarantee be provided by the Applicant for all improvements which are being dedicated to the City for public acceptance and maintenance. The amount of the maintenance guarantee shall be ten percent (10%) of the original bond or other original guarantee amount. In the absence of such a guarantee, ten (10%) percent of the total estimated cost of all required improvements shall be required. The initial period for such maintenance guarantee shall be one (1) year. At the end of the one-year maintenance period, the Director of Public Works shall inspect all improvements subject to the guarantee and shall certify in writing to the Administrative Officer as to their condition. If found to be unacceptable, the Administrative Officer shall recommend an extension of the guarantee period to the Finance Director and the original funds shall not be returned to the Applicant. If public improvements are in good condition and have not been damaged due to the fault of the Applicant, or through faulty workmanship or design, the maintenance guarantee shall be returned.

   In cases where the Commission finds there are extenuating circumstances, the initial maintenance period may be established for a period longer than one (1) year. The reasons for establishing a longer maintenance period and the nature of the extenuating circumstances shall be made a part of the record.

8. Restrictions: The Commission shall not reduce a performance bond below 25% of the original amount until such time as the road improvements are 100% complete. Under certain conditions, and upon the recommendation of the Public Works Director, the Commission may reduce the bond below 25%, but in no case below 10% until all improvements are 100% complete.

D. Consumer Protection

The developer shall furnish to the lot buyer at the time of execution of a sales agreement, a copy of the final approved plan as recorded in the City Clerk's Land Evidence Records Office.

SECTION XIII – WAIVERS & MODIFICATIONS OF REGULATIONS

A. Waiver or Modification of Regulations

The Commission shall have the authority to waive or modify one or more of the requirements for subdivision or land development project approval contained in these Regulations if the Commission finds that:

1. the waiver or modification is reasonable and within the general purposes and intents of these Regulations; and

2. the literal enforcement of one or more provisions is impracticable and will exact undue hardship because of peculiar conditions pertaining to the land in question; or waiver/modification of the Regulation is in the best interest of good planning practice or design as evidenced by consistency with the Comprehensive Plan and the Zoning Ordinance.

B. Reinstatement of Applications

1. In the event an Applicant fails to submit proper materials for a subdivision or land development project prior to a deadline established by these Regulations, thereby rendering a previously granted approval invalid, the application may be reinstated by the Commission under the following conditions:

    a. the subdivision is consistent with the Comprehensive Plan, and with the prior approval including all conditions attached thereto;

    b. the Regulations are substantially the same as they were at the time of original approval;

    c. the zoning of the subdivision parcel is substantially the same as it was at the time of the original approval;

    d. physical conditions on the subdivision parcel are substantially the same as they were at the time of the original approval; and

    e. any applicable state or federal regulations are substantially the same as they were at the time of the original approval.

2. Where conditions "a" through "e" above can be met, or where one or more conditions are waived by the Commission, the application may be reinstated at the same point in review, thereby allowing the Applicant to move to the next stage of approval. If any of the above conditions cannot be met, the Applicant shall return to the point in review for which the expired approval was granted.

C. Decisions on Waivers & Modifications

1. Application for reinstatement of a previously approved subdivision or land development project shall be made to the Commission in writing by the Applicant. The Commission, in approving or denying the request for a reinstatement, shall make findings of fact which shall be made part of the record.

2. The City Plan Commission shall approve, approve with conditions or deny the request for either a waiver or modification as described in this section in accordance to the requirements of RIGL §45-23-63 and §III.B of these regulations.

SECTION XIV – ENFORCEMENT & PENALTIES

A. Violations

1. Any person who fails or refuses to adhere to all of the terms and conditions of any subdivision or land development project that has been approved by the Commission or the Administrative Officer shall be in violation of these Regulations.

2. Any owner, or agent of the owner, who transfers, sells, or negotiates to sell any land by reference to or exhibition of, or by other use, a plan of the subdivision or land development project before it has been approved by the Commission and recorded in the City Clerk's Land Evidence Records Office shall be in violation of these Regulations.

B. Penalties for Violations

1. The penalty for violation shall reasonably relate to the seriousness of the offence and shall not exceed $500 for each violation and each day of the existence of any violation shall be deemed to be a separate offense per RIGL 45-23-60. Any fine shall inure to the City.

2. In the event that a property owner, adjudged in violation of Section X*IV*(A) above, seeks a waiver, modification, or reinstatement of an application, all penalties incurred from the date of violation to the date of request shall be paid in full to the City, prior to placement on the Commission Agenda. This requirement shall be prohibited from the waiver provision specified in Section VIII of these Regulations.

C. Injunctive Relief

1. The City of Cranston shall have the authority to bring suit in Providence County Superior Court to restrain the violation of, or compel the compliance with the provisions of these Regulations.

2. An action for injunctive relief brought by the City of Cranston in the Superior Court may be consolidated with an action seeking penalties for violation of these Regulations.

SECTION XV – APPEALS

A. Appeals From Decision *Approving and Denying Projects*

Decisions by the Administrative Officer, Development Plan Review Committee, or City Plan Commission approving or denying projects shall proceed directly to Superior Court in accordance with the provisions of RIGL §45-23-71.

B. Appeals to The Superior Court

1. An aggrieved party may appeal a decision of the board of appeal, a decision of an Administrative Officer made pursuant to RIGL §45-23-37 (Administrative Subdivision), RIGL §45-23-38 (Minor Land Development and Minor Subdivision), RIGL §45-23-39 (Major Land Development and Major Subdivision) or RIGL §45-23-50 (Development Plan Review) where authorized to approve or deny an application, a decision of the Technical Review Committee, where authorized to approve or deny an application, or a decision of the Commission, to the Superior Court for Providence County by filing a complaint stating the reasons for the appeal within twenty (20) days after the decision has been recorded and posted in the office of the city clerk. Recommendations by any public body or officer in accordance with the provisions of RIGL Chapter 23 are not appealable under this section. The authorized permitting authority shall file the original documents acted upon by it and constituting the record of the case appealed from, or certified copies of the original documents, together with any other facts that may be pertinent, with the clerk of the court within thirty (30) days after being served with a copy of the complaint. When the complaint is filed by someone other than the original Applicant or appellant, the original Applicant or appellant and the City Plan Commission shall be made parties to the proceedings. No responsive pleading is required for an appeal filed pursuant to this section. The appeal does not stay proceedings upon the decision appealed from, but the court may, in its discretion, grant a stay on appropriate terms and make any other orders that it deems necessary for an equitable disposition of the appeal.

2. Appeals from a decision granting or denying approval of a final plan shall be limited to elements of the approval or disapproval not contained in the decision reached by the City Plan Commission at the preliminary stage; providing that, a public hearing has been held on the plan, in accordance with the provisions of RIGL Chapter 23.

3. The review shall be conducted by the superior court without a jury. The court shall consider the record of the hearing before the Commission and, if it appears to the court that additional evidence is necessary for the proper disposition of the matter, it may allow any party to the appeal to present evidence in open court, which evidence, along with the report, shall constitute the record upon which the determination of the court shall be made.

4. The court shall not substitute its judgment for that of the Commission as to the weight

of the evidence on questions of fact. The court may affirm the decision of the board of appeal or remand the case for further proceedings, or may reverse or modify the decision if substantial rights of the appellant have been prejudiced because of findings, inferences, conclusions, or decisions which are:

a. In violation of constitutional, statutory, ordinance, or Commission regulations provisions;

b. In excess of the authority granted to the Commission by statute or ordinance;

c. Made upon unlawful procedure;

d. Affected by other error of law;

e. Clearly erroneous in view of the reliable, probative, and substantial evidence of the whole record; or

f. Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

C. Appeals of Enactment or Amendment of Regulations

1. Any legal resident or landowner of Cranston, or any association of residents or landowners of Cranston may appeal an enactment or amendment of these Regulations by the Commission by filing a complaint in the Providence County Superior Court within thirty (30) days after such enactment or amendment has become effective.

2. The complaint shall set forth with specificity the area or areas in which the enactment or amendment is not consistent with:

   a. Title 45, Chapter 22.2 of the Rhode Island General Laws, known as the Comprehensive Planning and Land Use Regulation Act;

   b. Title 45, Chapter 24, Section 27 et. seq. of the Rhode Island General Laws, known as the Zoning Enabling Act of 1991;

   c. The Cranston Comprehensive Plan; or

   d. The Cranston Zoning Ordinance.

3. The appeal shall not stay the enforcement of the Regulations, as enacted or amended, but the court may, in its discretion, grant a stay on appropriate terms, which may include the filing of a bond, and make such other orders as it deems necessary for an equitable disposition of the appeal.

4. The court shall conduct the review without a jury. If the court finds that the enactment or amendment is not consistent with the statutory, ordinance, or regulatory provisions

enumerated in Section XV(C)(2) of these Regulations above, the court shall invalidate the enactment or the amendment, or those parts of such enactment or amendment that are not consistent. The court shall not revise the Regulations to be consistent, but may suggest appropriate language as part of the court decision.

5. The court may in its discretion, upon motion of the parties or on its own motion, award reasonable attorney's fees to any party to an appeal, as set forth herein, including a municipality.

SECTION XVI – ADOPTION & AMENDMENT OF REGULATIONS

A. Procedure

The Commission shall adopt and amend these Subdivision & Land Development Regulations according to the following procedure:

1. No subdivision regulation shall be adopted, repealed or amended unless a public hearing has been held upon the question before the City Plan Commission. Notice of a public hearing on any proposed adoption or amendment shall be published in a newspaper of local circulation within the City at least once each week for three (3) successive weeks prior to the date of the hearing, which may include the week in which the hearing is to be held. The newspaper notice shall be published as a display advertisement, using a type size at least as large as the normal type size used by the newspaper in its news sections. The advertisement shall:

    a. specify the date, time, and place of the public hearing;

    b. indicate that adoption, amendment, or repeal of the Cranston Subdivision and land Development Regulations is under consideration;

    c. contain a statement of the proposed amendment that may be printed once in its entirety, or may summarize or describe the matter under consideration;

    d. advise those interested where and when a copy of the matter under consideration may be obtained or examined and copied; and

    e. state that the proposed amendment may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing, provided that any such alteration or amendment must be presented for comment in the course of the public hearing.

2. The same notice shall be posted in the City Clerk's office and one other municipal building in the City and the City shall make the notice accessible on the City's home page of its website at least fourteen (14) days prior to the hearing.

3. Notice of the public hearing shall be sent to the following:

    a. The municipal planning board of any municipality where there is a public or quasi-public water source, or private water source that is used or is suitable for use as a public water source, located within two thousand (2,000) feet of the City's boundaries. Said notice shall be sent by first class mail.

    b. The governing body of any state or municipal water department or agency, special water district, or private water company that has riparian rights to a surface water

resource and/or a surface watershed that is used or is suitable for use as a public water source located within the City or within two thousand (2000) feet of Cranston's boundaries, provided that governing body of the state or municipal water department or agency, special water district, or private water company has filed with the Building Inspection Department a map survey showing the areas of surface water resources and /or watersheds and parcels of land within two thousand feet of the areas of surface water resources and/or watersheds, pursuant to RIGL §45-24-53(f).

4. No defect in the form of any notice under this section shall render any regulation invalid, unless the defect is found to be intentional or misleading.

5. The Commission shall conduct a public hearing at the date, time, and place specified in the newspaper advertisement and notices. At the hearing, opportunity shall be given to all persons interested to be heard upon the matter of the proposed Regulations.

B. Availability

Printed copies of these Regulations, including all appendices, shall be available to the general public and shall be revised to include all amendments. A reasonable fee may be charged for copies. Upon publication of any adoption of amendment, a copy shall be sent to the State Law Library.

APPENDIX

The Appendix includes the checklists for Administrative Subdivisions, Minor Subdivisions/Land Developments, and Major Subdivisions/Land Developments.

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Administrative Subdivision Checklist

Name of proposed subdivision/development: _____

Preparer: _____

Phone Number: _____

Email: _____

Date of Application: _____

Plat and Lot Number(s) of the land being subdivided/developed: _____

INSTRUCTIONS

The shaded boxes in the checklist indicate an item is **not** required at submission. If any checklist items are marked not applicable (NA) please explain in the space provided at the end of the section if needed.

A pre-application meeting with staff is optional but highly encouraged to determine exceptions to required checklist items. Conceptual design and approximate locations of checklist items at pre-application are generally acceptable.

For items required at the final stage of review, engineered design and proposed final locations of required checklist items shall be provided, with certification by registered Professional Engineer or Land Surveyor where required. The City Planning Department can provide further guidance on specific checklist items.

Lot mergers to Class IV standards may omit checklist items in Section B that are beyond the details required by a Class IV survey.

See Section IV of the Subdivision and Land Development Regulations for more details.

Review Codes are for administrative use: ***Item Confirmed – Yes (Y), No (N), Partial (P), or Not Applicable (NA)***

Check if requesting any of the following:	☐ Zoning variance (Unified Development Review) ☐ Zoning modification ☐ Waiver(s) from Subdivision Regulations

A. FORMS AND DOCUMENTS

A	AS	REQUIRED FORMS AND DOCUMENTS	REVIEW CODE
1.		1 digital copy of all application materials	
2.		Municipal Lien Certificate (MLCs) from the Tax Collector dated within 6 months showing taxes are paid and no outstanding municipal liens on the parcel.	
3.		Filing Fee (See Table D.)	
4.		If requesting zoning variance or modification: Certified Radius Package from Tax Assessor's Office (map and mailing list for abutter notices) – dated within 90 days	
5.		All relevant supporting materials as determined during Pre-Application Conference	

Checklist Item #	Applicant Comments on Required Forms/Documents:
Checklist Item #	Reviewer Comments on Required Forms/Documents:

B. Subdivision Plan(s)

B	AS	ELEMENT REQUIRED	REVIEW CODE
1.		Certification by a RI Registered Land Surveyor that a perimeter study has been performed and meets a Class I standard for property lines (Class IV accepted for lot mergers) and a Class III standard for topographic and existing conditions information	
2.		Name of the proposed subdivision project	
3.		Plat and lot number(s) of land being subdivided	
4.		Addresses, plat and lot number(s) of abutting properties and names of property owners	
5.		Address/Location of Subdivision	
6.		Name and address of the applicant(s)	
7.		Name and address of property owner(s)	
8.		Name, address, phone, and stamp(s) of the RI Registered Engineer and/or RI Registered Land Surveyor responsible for the plans	
9.		Date of plan preparation and all revision date(s), if any	
10.		True north arrow and graphic scale	
11.		Site plan legend (all items displayed on site plans shall be symbolized in a legend)	
12.		Relevant references to deeds and recorded plans	
13.		List of sheets contained within the plan set	
14.		Notation of any permits and/or agreements obtained from or made with State and Federal agencies, including permit number if applicable	
15.		FEMA Flood Plain Map and Base flood elevation data; use the North American Vertical Datum of 1988 (NAVD 88)	
16.		District Dimensional Regulations of the subject parcel	
17.		Zoning district(s) of the land being subdivided, with zoning boundary lines shown if there is more than one district	
18.		Zoning district(s) of abutting parcels, if different from subject parcels	
19.		Notes on relevant previous zoning relief including conditions of approval	

B	AS	ELEMENT REQUIRED	REVIEW CODE
20.		Dimensions (incl. straight lines, angles, radii, arcs & angles of curves) & area of subject parcel(s), and location and dimensions of existing property lines, type of easements and rights-of-way within or adjacent to the subject parcel	
21.		Locations of primary control points	
22.		Locations of existing and proposed permanent monuments (at least 2 must be set or recovered for residential surveys less than 1 acre); (not less than 3 must be set or recovered for residential surveys more than 1 acre and all non-residential projects)	
23.		Location of wetlands, watercourses or coastal features within and adjacent to the parcel(s), including buffer areas as defined by RIDEM for wetlands OR notation that no wetlands, watercourses, or coastal features are present	
24.		Notation of existing ground cover with approximate location of wooded areas and areas of active agricultural use	
25.		Location of known easements and rights-of-way within or adjacent to the subject parcel(s), including streets, driveways, farm roads, and/or trails that have been in public use	
26.		Location, width, classification, and names of existing public, private, and paper streets within and adjacent to the subdivision parcel(s)	
27.		Provision of street index of all existing streets within or adjacent to the subdivision parcel(s)	
28.		Location, size, and use/type of all existing buildings or significant above-ground structures, including stone walls, on the subdivision parcel(s) or on immediately adjacent parcels	
29.		Location of unique and/or historic features within or adjacent to the subdivision parcel(s), including stone walls, historic cemeteries and access, or, if none, a notation indicating such	
30.		Determination if the proposed subdivision lies within any area designated by the town or state for purposes of environmental, natural or cultural resource protection, such as: a. Natural Heritage Areas, as defined by RIDEM b. 200' Coastal Buffer / Special Area Management Plan (SAMP) of RI CRMC c. A Groundwater Protection Overlay District d. Wellhead Protection Area e. Groundwater Recharge Area f. Areas within a TMDL watershed, as identified by RIDEM g. An OWTS Critical Resource Area, as defined by RIDEM h. A Drinking Water Supply Watershed, as defined by RIDEM i. National Register of Historic Places and Cranston Historic Districts	
31.		Proposed lots with dimensions and areas indicated, include all interior lot lines, building setback lines and street lines with dimensions indicated and drawn so as to distinguish them from existing lot line	
32.		Boundaries and total area of any land classified as "unsuitable for development" of proposed parcels	
33.		Any proposed on- and off-site improvements including streets, access drives, loading areas, parking areas, sidewalks, and bicycle paths, include profiles and typical cross-sections	
34.		For lots with multiple frontages, identification primary frontage	

Checklist Item #	Applicant Comments on Required Items:
Checklist Item #	Reviewer Comments on Required Items:

C. SUPPORTING MATERIALS (determined during Pre-Application Conference with staff)

C	AS	ELEMENT REQUIRED	REVIEW CODE
1.		Copies of a narrative report or written statement which includes: a. A description of the existing physical environment and existing use(s) of the property; b. A general description of proposed subdivision; c. Additional materials as needed that illustrate the approach utilized in designing the proposed subdivision, including consideration of existing conditions and significant site features; d. Proposed waiver(s) from Subdivision Regulations; e. Proposed zoning relief citing relevant sections of the Zoning Ordinance AND provide evidence towards each of the required findings.	
2.		Copies of all legal documents; legal description of property, draft deeds, proposed easement and rights-of-way, dedications, restrictions or other required legal documents	
3.		Written confirmation or permits from any required federal, state or local agencies (such as RIDOT Physical Alteration Permit)	

Checklist Item #	Applicant Comments on Required Items:
Checklist Item #	Reviewer Comments on Required Items:

D. FEES

Payment only via checks made out to "City of Cranston"

D	AS		*Received?*
1.		Filing Fee: - Administrative Review: $150 - City Plan Commission Review (UDR): $250	
2.		400' Radius Package**:** $150 (only required when zoning relief is requested)	
3.		*For public hearings:* Beacon Communications advertising fee (determined after advertising, paid directly to Beacon Communications)	
Fees Submitted AFTER approval			
4.		Final Decision Recording Fee ($49 for each decision + $1 per additional page) – submitted AFTER Final Plan approval	
5.		Final Plan Recording Fee ($49 for plat map + $1 per additional page) – submitted AFTER Final Plan approval	
Other City fees that may be charged for Building Permit (paid on OpenGov)			
6.		Sewer Connection Fee (*Cranston Code CH.* 13.08, Art. III, Sec.13.08.100, E)	

E. <u>Materials to be submitted prior to recording</u>

E	ELEMENT REQUIRED	REVIEW CODE
1.	2 paper copies (24”x36”) of the record plan	
2.	1 mylar (24”x36”) of the record plan for recording	
3.	Decision and Record Plan Recording Fee (see Table D)[1]	
4.	AutoCAD .DWG files compatible with ArcGIS Pro and located in the RI state plane coordinate system that, at a minimum, include parcel lines, zoning lines and dimension annotation	

[1] Final Decision is valid up to 90 days after recording. Vesting becomes permanent once the Record Plan is recorded.

Signature of Applicant or Applicant Representative: _____

Signature of Reviewer: _____

Date of Review: _____

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Minor Subdivisions & Land Developments Checklist

Name of proposed subdivision/development: _____

Preparer: _____

Phone Number: _____

Email: _____

Date of Application: _____

Plat and Lot Number(s) of the land being subdivided/developed: _____

INSTRUCTIONS

The shaded boxes in the checklist indicate an item is **not** required at a particular stage of review. If any checklist items are marked "not applicable (NA)" please note why in the space provided at the end of each section if needed.

Items listed at the pre-application stage of review are recommendations. Required checklist items for pre-application shall be determined by the Administrative Officer. Conceptual design and approximate locations of required checklist items are acceptable for pre-application plans.

For items required at the preliminary and final stage of review, engineered design and proposed final locations of required checklist items shall be provided, with certification by registered Professional Engineer or Land Surveyor where required. The City Planning Department can provide further guidance on specific checklist items. See Section V of the Subdivision Regulations for more details.

Review Codes are for administrative use: ***Item Confirmed – Yes (Y), No (N), Partial (P), or Not Applicable (NA)***

Please check the applicable stage of review for the submission:

Project Type: ☐ Minor Subdivision ☐ Minor Land Development	Stage of Review: ☐ Pre-Application with City Plan Commission (PA) ☐ Preliminary Plan (PR) ☐ Final Plan (F)
Check if requesting zoning relief or waivers for this stage of review:	☐ Zoning variance (Unified Development Review) ☐ Waiver(s) required
Check if proposing the following:	☐ Oversized Lot Subdivision ☐ Street Extension/Creation

A. FORMS AND DOCUMENTS

A	PA	PR	F	REQUIRED FORMS AND DOCUMENTS	REVIEW CODE
1.				1 digital copy of all plans and application materials	
2.				2 paper copies of the plan set (24"x 36")	
3.				Application Consent Form	
4.				Relevant Filing Fee (See Table G.)	
5.				Certified Radius Package from Tax Assessor's Office (map and mailing list for abutter notices) – dated within 90 days	
6.				Names and addresses of adjoining communities or agencies requiring notification	
7.				Municipal Lien Certificate (MLCs) from the Tax Collector dated within 6 months showing taxes are paid	
6.				All relevant supporting materials as determined during Pre-Application Conference	
7.				All relevant supporting materials as conditioned by Preliminary Plan Approval	
Checklist Item #				Applicant Comments on Required Forms/Documents:	
Checklist Item #				Reviewer Comments on Required Forms/Documents:	

B. GENERAL INFORMATION (to be provided on plan sheets)

B	PA	PR	F	ELEMENT REQUIRED	REVIEW CODE
1.				Name of the proposed subdivision project	
2.				Plat and lot number(s) of land being subdivided/developed	
3.				Addresses, plat and lot number(s) of abutting properties and property owners	
4.				Address/Location of Subdivision	
5.				Name and address of the applicant(s)	
6.				Name and address of property owner(s)	
7.				Name, address, phone, and stamp(s) of the RI Registered Engineer and/or RI Registered Land Surveyor responsible for the plans	
8.				Date of plan preparation and all revision date(s), if any	
9.				True north arrow and graphic scale	
10.				Site plan legend (all items displayed on site plans shall be symbolized in a legend)	
11.				List of sheets contained within the plan set	
12.				Notation of any permits and/or agreements obtained from or made with State and Federal agencies, including permit number if applicable	
13.				Name, address, phone, and stamp(s) of the RI Registered Engineer and/or RI Registered Land Surveyor responsible for the plans	

C. EXISTING CONDITIONS PLAN(S)

C	PA	PR	F	ELEMENT REQUIRED	REVIEW CODE
1.				Locus Map: A general location map showing the relationship of the parcel to the area within a half-mile radius(*may be provided on separate sheet*)	
2.				Certification by a RI Registered Land Surveyor that a perimeter study of the land being developed has been performed and meets a Class I standard for property lines and a Class III standard for topographic and existing conditions information	
3.				Relevant references to deeds and recorded plans	
4.				Boundary lines and lot lines with angles and distances marked thereon	
5.				Primary Control Points	
6.				Existing permanent monumentation	
7.				District Dimensional Regulations of the subject parcel	
8.				Zoning district(s) of the subject parcel(s), with zoning boundary lines shown if there is more than one district	
9.				Notes referencing any relevant previous zoning relief including conditions of approval	
10.				Boundaries and total area of any land classified as “unsuitable for development”	
11.				Dimensions & area of subject parcel, and location and dimensions of existing property lines, type of easements and rights-of-way within or adjacent to the subject parcel	
12.				Existing contours at intervals at intervals of ten (10) feet	
13.				Existing contours at intervals at a minimum of two (2) feet	
14.				FEMA Flood Map and Base flood elevation; use the North American Vertical Datum of 1988 (NAVD 88)	
15.				Boundaries and notation of soil classifications for the entire project area including identification of soils designated by NRCS as “prime agricultural land”	
16.				Location of RIDEM and/or EPA regulated facilities such as brownfields, storage tanks, and CERCLIS sites. Include a notation of any associated permits and land use restrictions.	
17.				Location of Phase III Remediation Plan area, if required by RIDEM	
18.				Location of wetlands, watercourses or coastal features within and adjacent to the parcel(s), including buffer areas as defined by RIDEM for wetlands OR notation that none are present	
19.				Notation of existing ground cover with approximate location of wooded areas and areas of active agricultural use. Identify prime agricultural soils as determined by NRCS.	
20.				Location of known easements and rights-of-way within or adjacent to the subject parcel(s), including streets, driveways, farm roads, and/or trails that have been in public use	
21.				Location, width, classification, and names of existing public, private, and paper streets within and adjacent to the subject parcel(s)	
22.				Location, size, and use/type of all existing buildings or significant above-ground structures, including stone walls, in and immediately adjacent to the subject parcel(s)	
23.				Location, size, and type of all known, existing above and below ground utilities, including sewer, OWTS, wells, water, gas, electric, stormwater drainage and communications or telecommunications infrastructure, as may be present on the site or within the right of way along the property frontage	
24.				Location of any unique and/or historic features within or adjacent to the subject parcel(s), including stone walls, historic cemeteries and access, or, if none, a notation indicating such	
25.				Accurate location of any unique natural features present on the site, including but not limited to significant specimen trees, or if none, a notation indicating such	

C	PA	PR	F	ELEMENT REQUIRED	REVIEW CODE
26.				Determination if the proposed development or subdivision lies within any area designated by the town or state for purposes of environmental, natural or cultural resource protection, such as: a. Natural Heritage Areas, as defined by RIDEM b. 200' Coastal Buffer / Special Area Management Plan (SAMP) of RI CRMC c. A Groundwater Protection Overlay District d. Wellhead Protection Area e. Groundwater Recharge Area f. Areas within a TMDL watershed, as identified by RIDEM g. An OWTS Critical Resource Area, as defined by RIDEM h. A Drinking Water Supply Watershed, as defined by RIDEM i. National Register of Historic Places j. Cranston Historic District	

Checklist Item #	Applicant Comments on Required Items:
Checklist Item #	Reviewer Comments on Required Items:

D. <u>PROPOSED CONDITIONS PLAN(S)</u>

D	PA	PR	F	ELEMENT REQUIRED	REVIEW CODE
1.				Location, size, and use/type of proposed buildings, and structures. Include all accessory structures, building setbacks, and total lot coverage	
2.				Proposed permanent monumentation	
3.				Proposed lots with dimensions and areas indicated, include all interior lot lines, building setback lines and street lines with dimensions indicated and drawn so as to distinguish them from existing lot line	
4.				For lots with multiple frontages, identification of primary frontage	
5.				Proposed zoning relief - Unified Development Review	
6.				Proposed waivers	
7.				Notation of zoning relief and approved waivers	
8.				Boundaries and total area of any land classified as "unsuitable for development" (see definition in Subdivision Regulations)	
9.				Concept measures to minimize impacts to the natural topography of the site using the Low Impact Development (LID) Site Planning & Design Guidance Manual	
10.				Any proposed on- and /or off-site improvements including streets, access drives, loading areas, parking areas, sidewalks, and bicycle paths, include profiles and typical cross-sections	
11.				Designated trash collection area(s) and dumpster location	
12.				<u>Utilities Plan</u>: Proposed location, size, and type of all above ground and underground utilities servicing the property, including wastewater, water, gas, electric, stormwater drainage and communications or telecommunications infrastructure, as may be required for site development. Include proposed utility easements. (stamped by a Registered Professional Engineer for final plans if needed)	

D	PA	PR	F	ELEMENT REQUIRED	REVIEW CODE
13.				For subdivisions **without** public water service: locations of underground water tank(s)/cistern(s) including details of materials and installation. Fire Department approval required at Final Plan stage.	
14.				If future development is to be serviced by an On-Site Wastewater Treatment System(s), soil evaluations in the relative location where each system is proposed, which have been performed by a licensed RI soil evaluator and witnessed by RIDEM	
15.				Location and dimensions of proposed easements and rights-of-way within the development parcel(s), or those to be acquired adjacent to the development parcel(s) as maybe necessary	
16.				Location, dimension, monumentation, and proposed use of any area(s) proposed to be set aside as open space, if any	
17.				Proposed phasing, including depiction of which structures and on- and off-site improvements are to be installed in which phase, if applicable	
18.				Limits of disturbance/work relative to on-and off-site improvements and infrastructure installation	
19.				Soil and Sedimentation Control Plan, unless exempted by Section X(J) of the Subdivision Regulations. Exempt projects shall show contours at sufficient detail (2-foot intervals) for all on and off-site street construction	
20.				Stormwater management plan(s): show accurate designs and details of proposed stormwater management infrastructure, including type, location, drainage calculations, extension of existing lines, configuration, and proposed easements, prepared by a RI-Registered Professional Engineer. Certification required at Final Plan stage.	
21.				Landscape plan(s): maintenance plan and tree preservation plan, to show all significant proposed clearing of land, removal of existing vegetation, re-vegetation, landscaping on street rights-of-way, and within common areas, and landscape installation details and related notations, signed by a RI licensed Landscape Architect for final plans (see Section X.D of the Subdivision Regulations for applicability)	
22.				Lighting Plan: Location, type, intensity & direction of illumination of outdoor lighting fixtures.	
23.				Signage Plan: Location, size, design and illumination of all signage	
24.				Any revisions to the proposed conditions required by the Preliminary Plan approval	
25.				Notation of any special conditions/documents received as required by the Preliminary Plan approval	
Checklist Item #				Applicant Comments on Required Items:	
Checklist Item #				Reviewer Comments on Required Items:	

E. PROJECTS WITH STREET CREATION/EXTENSIONS

If your project proposes to extend or create a street, please complete this section. If your project does not propose to extend or create a roadway, you may skip this section.

E	PA	PR	F	ELEMENT REQUIRED	REVIEW CODE
Required Elements in the Plans					
1.				Notation whether the street extension or creation is to be private or public	
2.				Roadway design plan(s) and profile(s), including existing and proposed elevations and locations of proposed utility infrastructure, and proposed street names	
3.				Final roadway design plan(s) and profile(s), including existing and proposed elevations and typical cross-sections and paved (impervious) areas delineated on the appropriate plans, including all pedestrian facilities	
Required Supporting Materials					
1.				City Engineer memo of approval and performance guarantee amount	
2.				Draft Roadway deed	
3.				Draft public improvement guarantee	

Checklist Item #	Applicant Comments on Required Items:
Checklist Item #	Reviewer Comments on Required Items:

F. SUPPORTING MATERIALS

F	PA	PR	F	ELEMENT REQUIRED	REVIEW CODE
1.				Renderings, elevations or photographs to illustrate the visual impact of the proposal for subdivision/development (on request)	
2.				Copies of a narrative report or written statement including: a. A general description of the existing physical environment and existing use(s) of the property; b. A general description of the location, use(s), type(s), and density; c. A general statement and supporting maps and/or graphics that illustrates the approach utilized in designing the proposed subdivision/development, including consideration of existing conditions and significant site features; d. Proposed waiver(s) from Subdivision Regulations; e. Proposed zoning relief citing relevant sections of the Zoning Ordinance AND provide evidence towards each of the required findings in RIGL §45-24-41.(d) & (e); f. A general analysis of soil types and suitability for the subdivision/development proposed; g. A description of proposed phasing, if any.	
3.				If proposing an Oversized Lot Subdivision: Compilation Plan stamped by a professional Land Surveyor demonstrating that the lots can be subdivided using the standards listed in RIGL 45-23-32. The compilation plan shall include the following: a. All checklist items for preliminary plans as listed in Section B above	

F	PA	PR	F	ELEMENT REQUIRED	REVIEW CODE
				b. All lots with lot numbers and lot areas (in sq. ft.) within a 200 ft radius of the subject lot(s) c. All lots within the 200 ft radius excluded from the calculation marked visually d. An analysis demonstrating that the lot qualifies for an oversized lot subdivision (may be provided on a separate sheet)	
4.				If proposing a Neighborhood character-based modification (NCBM): Compilation Plan stamped by a professional Land Surveyor. The compilation plan shall include the following: a. All lots with lot numbers and lot areas (in sq. ft.) within a 200 ft radius of the subject lot(s) including their zoning district designations b. All lots within the 200 ft radius excluded from the calculation marked visually as to be distinct from included lots c. An analysis demonstrating that the lot qualifies for the NCBM (may be provided on a separate sheet) *Water and sewer availability letters are required for approval of an NCBM.*	
5.				Copy of the Deed/Title to the subject parcel	
6.				Draft or final Copies of all legal documents; existing and proposed legal description of property, proposed easement and rights-of-way, dedications, restrictions or other required legal documents including but not limited to covenants or Homeowners Association, Stormwater Management Plan, Landscaping Maintenance Plan, a deed conveying open space or offer of street dedication	
7.				Copies of any RIDEM stormwater or other general construction permits that are required, or an affidavit, signed by a qualified professional, stating that no RIDEM stormwater or construction permits are required	
8.				Copies of drainage calculations, associated explanatory narrative, and all supporting documentation, including an Operations and Maintenance manual for the stormwater system (submission for Final Plan stage only upon significant changes to calculations or documents)	
9.				Soil Erosion Sediment Control Plan (submission for Final Plan stage only upon significant changes to plan)	
10.				Relevant documentation of RIDEM and/or EPA regulated facilities located on subject site and associated land use restrictions	
11.				Environmental Site Assessments, if any (on request)	
12.				RIDEM Approved Environmental Site Assessment Phase III (Remediation Plan) if required	
13.				Approval letter from RI Coastal Resources Management Council if subject lot(s) is within 200' of a coastal shoreline	
14.				For lots containing or impacting freshwater wetlands or tidal waters and their tributaries, copies of either: a. A RIDEM wetlands permit, if required pursuant to RIDEM rules and regulations; or b. A letter of non-jurisdiction from RIDEM	
15.				If proposing service by public water, copy of a water availability letter	
16.				If proposing service by public water, copies of a written statement from the applicable water service provider that the proposed plan, with plan revision date indicated, has been reviewed and which provides: a. Approval of connection to the existing water main as depicted on the plan; and, b. If extension is proposed, approval from the company or district of the extension of the water main as depicted on the plan	

F	PA	PR	F	ELEMENT REQUIRED	REVIEW CODE
17.				If proposing service by public sewer, copy of sewer service availability letter from the Department of Public Works	
18.				If proposing service by public sewer, copies of a written statement from the Department of Public Works and applicable sewer operator that the proposed plan, with plan revision date indicated, has been reviewed and which provides: a. Approval of connection to the existing sewer main as depicted on the plan; b. If a sewer main extension is proposed, approval of extension by the Department of Public Works as depicted on the plan.	
19.				If proposing septic and on-site wastewater treatment systems, copies of a RIDEM OWTS permit must be provided.	
20.				Draft copies of the metes and bounds description(s) and warranty deed(s) for all proposed public roadways and/or lands proposed to be dedicated to the City for open space purposes, if any, in a form acceptable to the Administrative Officer and reflective of any conditions of the Preliminary Plan approval	
21.				If proposing new physical access or alteration to access to a State right-of-way a letter evidencing the issuance of a RIDOT – Physical Alteration Permit	
22.				Written confirmation and/or permits from any additional required federal, state or local agencies as needed	
23.				Traffic study performed by a RI Licensed Engineer (if requested)	
24.				Building elevations showing exterior building design, materials, colors & height (Optional)	

Checklist Item #	Applicant Comments on Required Items:
Checklist Item #	Reviewer Comments on Required Items:

G. FEES

Payment only via checks made out to "City of Cranston"

G	PA	PR	F		*Received?*
1.				**Pre-Application Concept Review** with CPC/TRC: $125 + 25 per unit*	
2.				**Preliminary Plan** Filing Fee: - Administrative Review: $250 + $45 per unit* - CPC Review (UDR & Street Ext.): $450 + $45 per unit*	
3.				**Final Plan** Filing Fee: $250 + 45 per unit*	
4.				**Radius Package** (collected at the City Assessor's Office, 1st floor City Hall, 869 Park Ave. Cranston RI 02910): 200' Radius Package: $75.00 400' Radius Package (**UDR only**): $150	
5.				*For public hearings:* Beacon Communications advertising fee (determined after advertising, paid directly to Beacon Communications)	
Fees Submitted AFTER approval of Final Plan					
6.				Capital Facilities Development Impact Fee: (Residential only) Eastern Cranston: $593.46 / dwelling unit Western Cranston: $1,389.50 / dwelling unit	

7.				Final Decision Recording Fee ($49 for each decision + $1 per additional page)	
8.				Final Plan Recording Fee ($49 for plat map + $1 per additional page)	
Other City fees that may be charged for Building Permit (paid on OpenGov)					
9.				Sewer Connection Fee (*Cranston Code CH.* 13.08, Art. III, Sec.13.08.100, E)	
10.				Water Impact Fee (*Cranston Code CH. 15.04.020, Sec. 1408.0 B.*)	

*For residential developments the unit fee is per residential unit. For commercial/industrial developments, and non-residential elements of Mixed Used Planned Districts, unit fees are assessed per developed acre or per 1,000 square feet of gross floor area, whichever is greater.

H. <u>Materials to be submitted prior to recording of Final Plan</u>

H	ELEMENT REQUIRED	REVIEW CODE
1.	2 paper copies (24”x36”) of the record plan if different from Final Plan set (applicant may supply additional copies for applicant’s use)	
2.	2 paper copies (24”x36”) of the Final Plan set	
3.	1 mylar (24”x36”) of the record plan for recording	
4.	Recording Fees (see Table G)*	
5.	*For street creation/extension*: submission of improvement guarantee and 2% inspection fee	
6.	AutoCAD .DWG files compatible with ArcGIS Pro and located in the RI state plane coordinate system that, at a minimum, include parcel lines, zoning lines and dimension annotation (*Land Developments where no lot lines are created, moved, or removed are exempt*)	

* The Final Decision is valid up to 1 year after recording. Vesting becomes permanent once the Record Plan is recorded.

Signature of Applicant or Applicant Representative: _____

Signature of reviewer: _____

Date of Review: _____

Incorporated 1910

Major Subdivision & Land Development Checklist

Name of proposed subdivision/development: _____

Preparer: _____

Phone Number: _____

Email: _____

Date of Application: _____

Plat and Lot Number(s) of the land being subdivided/developed: _____

INSTRUCTIONS

The shaded boxes within the checklist indicate an item is **not** required at a particular stage of review. If any checklist items are marked as "not applicable (NA)", please note why in the space provided at the end of each section if needed.

Items listed at the pre-application stage of review are recommendations. Required checklist items for pre-application shall be determined by the Administrative Officer. Conceptual design and approximate locations of required checklist items are acceptable for pre-application plans.

The City Planning Department can provide further guidance on specific checklist items. See Section VI of the Subdivision Regulations for more details.

Review Codes are for administrative use only: ***Item Confirmed – Yes (Y), No (N), Partial (P), or Not Applicable (NA)***

Please check the applicable stage of review for the submission:

Project Type:	☐ Major Subdivision ☐ Major Land Development	Stage of Review:	☐ Pre-Application with City Plan Commission (PA) ☐ Master Plan (M) ☐ Preliminary Plan (PR) ☐ Final Plan (F)
Check if requesting zoning relief or waivers for this stage of review:		☐ Zoning Variance (Unified Development Review) ☐ Waiver(s) required	
Check if proposing street extension/creation		☐ Street Extension/Creation	

A. FORMS AND DOCUMENTS

A	PA	M	PR	F	REQUIRED FORMS AND DOCUMENTS	REVIEW CODE
1.					1 digital copy of all plans and application materials	
2.					2 paper copies of the plan set (24"x 36")	
3.					Application Consent Form	
4.					Relevant Filing Fee (See G.)	
5.					Certified Radius package from the Tax Assessor Office (map and mailing list for abutter notices) dated within 90 days	
6.					Names and addresses of adjoining communities or agencies requiring notification under these regulations	
7.					Municipal Lien Certificate (MLCs) from the Tax Collector dated within 6 months showing taxes are paid	
6.					All relevant supporting materials as determined during Pre-Application with Staff and/or City Plan Commission or as conditioned by an approval	
7.					All relevant supporting materials as conditioned by Master/Preliminary Plan Approval	

Checklist Item #	Applicant Comments on Required Forms/Documents:
Checklist Item #	Reviewer Comments on Required Forms/Documents:

B. GENERAL INFORMATION (to be provided on plan sheets)

B	PA	M	PR	F	ELEMENT REQUIRED	REVIEW CODE
1.					Name of the proposed subdivision/land development project	
2.					Plat and lot number(s) of land being subdivided/developed	
3.					Addresses, plat and lot number(s) of abutting properties and property owners	
4.					Address/Location of Subdivision or Development	
5.					Name and address of the applicant(s)	
6.					Name and address of property owner(s)	
7.					Name, address, phone, and stamp(s) of the RI Registered Engineer and/or RI Registered Land Surveyor responsible for the plans	
8.					Date of plan preparation and all revision date(s), if any	
9.					True north arrow and graphic scale	
10.					*Site plan legend (all items displayed on site plans shall be symbolized in a legend)	
11.					List of sheets contained within the plan set	
12.					Notation of any permits and/or agreements obtained from or made with State and Federal agencies, including permit number if applicable	
13.					Name, address, phone, and stamp(s) [as needed] of the RI Registered Engineer and/or RI Registered Land Surveyor responsible for the plans	

C. EXISTING CONDITIONS PLAN(S)

C	PA	M	PR	F	ELEMENT REQUIRED	REVIEW CODE
1.					Locus Map: A general location map showing the relationship of the subject parcel(s) of the area within a half-mile radius (*may be provided on separate sheet*)	
2.					Certification by a RI Registered Land Surveyor that a perimeter study of the land being developed has been performed and meets a Class I standard for property lines and a Class III standard for topographic and existing conditions information	
3.					Relevant references to deeds and recorded plans	
4.					Boundary lines and lot lines with angles and distances marked thereon	
5.					Primary Control Points	
6.					Existing permanent monumentation	
7.					District Dimensional Regulations of the subject parcel(s)	
8.					Zoning district(s) of the land being subdivided/developed, with zoning boundary lines shown if there is more than one district	
9.					Notes referencing relevant previous zoning relief including conditions of approval	
10.					Boundaries and total area of any land classified as “unsuitable for development”	
11.					Dimensions and total area of the subject parcel(s), and location and dimensions of existing property lines, type of easements and rights-of-way within or adjacent to the subject parcel(s)	
12.					Existing contours at intervals at a minimum of five (5) feet	
13.					Existing contours at intervals at a minimum of two (2) feet	
14.					FEMA Flood Map and Base flood elevation; use the North American Vertical Datum of 1988 (NAVD 88)	
15.					Boundaries and notation of the soil classifications	
16.					Location of RIDEM and/or EPA regulated facilities such as brownfields, storage tanks, and CERCLIS sites. Include a notation of any associated permits and land use restrictions.	
17.					Location of Phase III Remediation Plan area, if required by RIDEM	
18.					Location of wetlands, watercourses or coastal features within and adjacent to the parcel(s), including buffer areas as defined by RIDEM for wetlands or notation that none are present.	
19.					Notation of existing ground cover with approximate location of wooded areas and areas of active agricultural use. Identify prime agricultural soils as determined by NRCS.	
20.					Identification of any geologic formations on the proposed parcel(s), including rock outcroppings, cliffs, coastal features, etc.	
21.					Location, size, and use/type of all existing buildings or significant above-ground structures, including stone walls, in and immediately adjacent to subject parcel	
22.					Location of any existing street, driveways, farm roads, woods roads, and/or trails that have been in public use (pedestrian, equestrian, bicycle, etc.) within and adjacent to the subject parcel(s)	
23.					Location, size, and type of all known, existing above and below ground utilities, including sewer, water, gas, electric, stormwater drainage and communications or telecommunications infrastructure, as may be present on the site or within the right of way along the property frontage	
24.					Location of existing easements and rights-of-way within or adjacent to the subject parcel(s)	

C	PA	M	PR	F	ELEMENT REQUIRED	REVIEW CODE
25.					Location of any unique and/or historic features within or adjacent to the subject parcel(s), including stone walls, historic cemeteries and access, or, if none, a notation indicating such	
26.					Location of any unique natural features, including but not limited to significant specimen trees, rare species & natural communities, or if none, a notation indicating such	
27.					Notation indicating that the subject parcel(s) (or existing structures) are located or not located within the following areas of special concern: a. Natural Heritage Areas, as defined by RIDEM b. 200' Coastal Buffer / Special Area Management Plan (SAMP) of RI CRMC c. A Groundwater Protection Overlay District d. A Wellhead Protection Area e. Groundwater Recharge Area f. Areas within a TMDL watershed, as identified by RIDEM g. OWTS Critical Resource Area, as defined by RIDEM h. A Drinking Water Supply Watershed, as defined by RIDEM i. National Register of Historic Places j. Cranston Historic District	

Checklist Item #	Applicant Comments on Required Items:
Checklist Item #	Reviewer Comments on Required Items:

D. <u>PROPOSED CONDITIONS PLAN(S)</u>

D	PA	M	PR	F	ELEMENT REQUIRED	REVIEW CODE
1.					Boundaries and total area of any land classified as "unsuitable for development" (see definition in Subdivision Regulations)	
2.					Notation of total proposed number of buildable lots	
3.					Proposed easements and rights-of-way within the subdivision parcel(s)	
4.					Proposed lot lines, with accurate dimensions and lot areas, drawn so as to distinguish them from existing property lines	
5.					Proposed permanent monumentation	
6.					Location, size, and use/type of proposed buildings, and structures. Include building setbacks, height, total lot coverage, and other dimensional descriptions for zoning and planning purposes	
7.					Any proposed on- and/or off-site improvements including streets, access drives, loading areas, parking areas, sidewalks, pedestrian areas, and bicycle parking and/or paths	
8.					Location and dimensions of proposed access easements and rights-of-way within the subject parcel(s), or those to be acquired adjacent to the subject parcel(s) as maybe necessary	
9.					<u>Rough traffic plan</u>: include locations of proposed access, parking areas, number of parking spaces, and possible off-site traffic improvements	

D	PA	M	PR	F	ELEMENT REQUIRED	REVIEW CODE
10.					Preliminary traffic plan: include proposed access sites showing the general dimensions and location of roads, driveways, curb cuts, radii, parking, EMS access, as well as other off-site traffic improvements. Commercial/Industrial sites must demonstrate delivery vehicle turning movements and access to loading areas	
11.					Final traffic plan: include vehicular access sites showing detailed dimensions and location of roads, driveways, curb cuts, radii, parking as well as other off-site traffic improvements	
12.					Notation as to whether the proposed street extension or creation is to be private or public, if proposed	
13.					Designated trash collection area(s)	
14.					Notation of proposed type of utility services and associated permits. Include estimated location of proposed utility easements and significant above ground utility structures such as transformers, substations, etc. on proposed plans	
15.					Utilities Plan: Proposed location, size, and type of all utilities servicing the property, including wastewater, water, gas, electric, stormwater drainage and communications or telecommunications infrastructure, as may be required for site development. Include proposed utility easements. (stamped by a Registered Professional Engineer for final plans)	
16.					For subdivisions *without* public water service: locations of underground water tank(s)/cistern(s) including details of materials and installation. Fire Department approval required at Final Plan stage.	
17.					If proposing service by an OWTS, soil evaluations in the relative location where each system is proposed, which have been performed by a licensed RI soil evaluator and witnessed by RIDEM	
18.					Conceptual locations of stormwater management areas	
19.					Proposed phasing, including depiction of which structures and on- and off-site improvements are to be installed in which phase, if applicable (phasing plan details should be appropriately scaled to application stage)	
20.					Location, dimensions, types, and area of any land proposed to be set aside as open space or to be conveyed to the City for public purposes	
21.					Locations and types of proposed survey and open space monumentation, if any	
22.					Limits of disturbance/work relative to on-and off-site improvements and infrastructure installation	
23.					Soil and Sedimentation Control Plan (see Section X(J) of the Subdivision Regulations for plan content requirements)	
24.					Stormwater management plan(s): show accurate designs and details of proposed stormwater management infrastructure, including type, location, drainage calculations, extension of existing lines, configuration, and proposed easements, prepared by a RI-Registered Professional Engineer. Certification required at Final Plan stage.	
25.					Landscape Plan [*see Section X.D of the Subdivision Regulations for applicability*]: show all significant proposed clearing of land, removal of existing vegetation, re-vegetation, landscaping on street rights-of-way, and within common areas, and landscape installation details and related notations (stamped by a RI licensed Landscape Architect for final plans)	
26.					Lighting Plan: Location, type, intensity & direction of illumination of outdoor lighting fixtures.	

D	PA	M	PR	F	ELEMENT REQUIRED	REVIEW CODE
27.					Signage Plan: Location, size, design and illumination of all signage	
28.					Proposed measures to minimize impacts to the natural topography of the site using the Low Impact subdivision (LID) Site Planning & Design Guidance Manual	
29.					Final construction plans including plans and any additional improvements as required as a condition of preliminary plan	
30.					Proposed zoning relief – Unified Development Review	
31.					Proposed waivers	
32.					Notation of approved zoning relief and approved waivers	
33.					For phased projects, as-built drawings for the previous phase	
Checklist Item #					Applicant Comments on Required Items:	
Checklist Item #					Reviewer Comments on Required Items:	

E. PROJECTS WITH STREET CREATION/EXTENSIONS

If your project proposes to extend or create a street, please complete this section. If your project does not propose to extend or create a roadway, you may skip this section.

E	PA	M	PR	F	ELEMENT REQUIRED	REVIEW CODE
Required Elements in the Plans						
1.					Notation as to whether the proposed street extension or creation is to be private or public	
2.					Roadway design plan(s) and profile(s), including existing and proposed elevations and locations of proposed utility infrastructure, and proposed street names	
3.					Final roadway design plan(s) and profile(s), including existing and proposed elevations and typical cross-sections and paved (impervious) areas delineated on the appropriate plans, including all pedestrian facilities	
Required Supporting Materials						
1.					City Engineer memo of approval and performance guarantee amount	
2.					Draft Roadway deed (Final for recording submitted at Final Plan)	
3.					Draft public improvement guarantee	
					If all improvements are completed prior to Final Plan approval, As-Built Plans	
Checklist Item #					Applicant Comments on Required Items:	
Checklist Item #					Reviewer Comments on Required Items:	

F. SUPPORTING MATERIALS (determined during Pre-Application Conference with staff)

F	PA	M	PR	F	ELEMENT REQUIRED	REVIEW CODE
1.					Renderings, elevations or photographs as may be needed to illustrate the visual impact of a proposed multi-family, commercial or industrial subdivision/development	
2.					Copy of the Deed/Title to the subject parcel	
3.					A narrative report or written statement including: a. A general description of the existing physical environment and existing use(s) of the property; b. A general description of the use(s), type(s), and density; c. A general statement and supporting maps and/or graphics that illustrates the approach utilized in designing the proposed subdivision/ development, including consideration of existing conditions and significant site features; d. Proposed waiver(s) from Subdivision Regulations e. Proposed zoning relief citing relevant sections of the Zoning Ordinance AND provide evidence towards each of the required findings in RIGL §45-24-41.(d) & (e); f. A general analysis of soil types and suitability for the development proposed; g. A description of proposed phasing, if any.	
4.					If proposing a Neighborhood character-based modification (NCBM): Compilation Plan stamped by a professional Land Surveyor. The compilation plan shall include the following: a. All lots with lot numbers and lot areas (in sq. ft.) within a 200 ft radius of the subject lot(s) including their zoning district designations b. All lots within the 200 ft radius excluded from the calculation marked visually as to be distinct from included lots c. An analysis demonstrating that the lot qualifies for the NCBM (may be provided on a separate sheet) ***NOTE**: Water and sewer availability letters are required for approval of an NCBM.*	
5.					A traffic study prepared by a traffic engineer regarding the impact of the proposed subdivision/development on neighboring properties and roads (on request)	
6.					For lots containing or impacting freshwater wetlands or tidal waters and their tributaries, copies of either: a. A RIDEM wetlands permit, if required b. A letter of non-jurisdiction from RIDEM	
7.					A Preliminary Determination, including coastal feature verification, from the Coastal Resources Management Council if subject lot(s) is within 200' of a coastal shoreline	
8.					Approval letter from RI Coastal Resources Management Council if subject lot(s) is within 200' of a coastal shoreline	
9.					If proposing service by public water, copy of a **water availability letter** from the applicable water service provider	
10.					If proposing service by public water, copy of a written statement from the applicable water service provider that the proposed plan, with plan revision date indicated, has been reviewed and which provides: a. Approval of connection to the existing water main as depicted on plan; b. If water main extension is proposed, approval from the company or district of the extension of the water main as depicted on the plan.	

F	PA	M	PR	F	ELEMENT REQUIRED	REVIEW CODE
11.					If proposing service by public sewer, copy of **sewer service availability letter** from the Department of Public Works	
12.					If proposing service by public sewer, copies of a written statement from the Department of Public Works that the proposed plan, with plan revision date indicated, has been reviewed and which provides: a. Approval of connection to the existing sewer main as depicted on the plan; and b. If an extension of the sewer main is proposed, approval of extension from DPW as depicted on the plan.	
13.					If proposing septic and on-site wastewater treatment systems, copies of a RIDEM OWTS permit must be provided.	
14.					Copies of drainage calculations, associated explanatory narrative, and all supporting documentation, including an Operations and Maintenance manual for the system (submission for Final Plan stage only upon significant changes to calculations or documents)	
15.					Soil Erosion Sediment Control Plan (submission for Final Plan stage only upon significant changes to plan)	
16.					Copies of any RIDEM stormwater or other general construction permits that are required, or an affidavit, signed by a qualified professional, stating that no RIDEM stormwater or construction permits are required	
17.					If proposing new physical access or alteration to access to a State right-of-way, a letter evidencing the issuance of a RIDOT Physical Alteration Permit or a letter evidencing the issuance of a RIDOT permit upon the submission of a bond and insurance	
18.					Written confirmation and/or permits from any additional required federal, state, or local agencies	
19.					Relevant documentation of RIDEM and/or EPA regulated facilities located on subject site and associated land use restrictions	
20.					Environmental Site Assessments (on request)	
21.					RIDEM Approved Environmental Site Assessment Phase III (Remediation Plan) if required	
22.					Draft or final copies of all legal documents; legal description of property, proposed easement and rights-of-way, dedications, restrictions or other required legal documents including but not limited to covenants or Homeowners Association, Stormwater Management Plan, Landscaping Maintenance Plan, a deed conveying open space or offer of street dedication	

Checklist Item #	Applicant Comments on Required Items:
Checklist Item #	Reviewer Comments on Required Items:

G. FEES

Payment only via checks made out to "City of Cranston"

G	PA	M	PR	F		Received?
1.					**Pre-Application Concept Review** with CPC: $125 + 25 /unit*	
2.					**Master Plan** Review Fee: $625 + $95 per unit*	
3.					**Preliminary Plan** Review Fee: $625 + $95 per unit*	
4.					**Final Plan** Review Fee: $375 + $95 per unit*	
5.					**Radius Package** (collected at the City Assessor's Office, 1st floor City Hall, 869 Park Ave. Cranston RI 02910): 200' radius package: $75 400' radius package (UDR only): $150	
6.					*For public hearings:* Beacon Communications advertising fee (determined after advertising, paid directly to Beacon Communications)	
Submitted AFTER Final Plan approval and prior to recording						
7.					Capital Facilities Development Impact Fee: (residential only) Eastern Cranston: $593.46 / dwelling unit Western Cranston: $1,389.50 / dwelling unit	
8.					Final Decision Recording Fee ($49 for each decision + $1 per additional page)	
9.					Final Plan Recording Fee ($49 for plat map + $1 per additional page)	
Other City fees that may be charged for Building Permit (paid on OpenGov)						
10.					Sewer Connection Fee (*Cranston Code CH. 13.08, Article III, Sec.13.08100, E*)	
11.					Water Impact Fee (*Cranston Code CH. 15.04.020, Sec. 1408.0 B.*)	

*For residential developments the unit fee is per residential unit. For commercial/industrial developments, and non-residential elements of Mixed Used Planned Districts, unit fees are assessed per developed acre or per 1,000 square feet of gross floor area, whichever is greater.

H. Materials to be submitted prior to recording of Final Plan

H	ELEMENT REQUIRED	REVIEW CODE
1.	2 paper copies (24"x36") of the record plan (applicant may supply additional copies for Administrative Officer approval)	
2.	2 paper copies (24"x36") of the Final Plan set	
3.	1 mylar (24"x36") of the record plan for recording	
4.	Recording Fees (see Table G)*	
5.	*For street creation/extension*: submission of improvement guarantee and 2% inspection fee (checks only)	
6.	AutoCAD .DWG files compatible with ArcGIS Pro and located in the RI state plane coordinate system that, at a minimum, include parcel lines, zoning lines and dimension annotation (*Land Developments where no lot lines are created, moved, or removed are exempt*)	

* The Final Decision is valid up to 2 years after recording. Vesting becomes permanent once the Record Plan is recorded.

Signature of Applicant or Applicant Representative: _____

Signature of reviewer: _____

Date of Review: _____