

Pawtucket City Planning Commission

Land Development and Subdivision Regulations

Adopted March 22, 1994

Revised January 17, 2012

Revised January 16, 2024

City of Pawtucket
Land Development and Subdivision Regulations

SECTION I GENERAL

Article A. State Enabling Authority

In accordance with the Rhode Island Land Development and Subdivision Review Enabling Act of 1992, the City of Pawtucket is required to adopt land development and subdivision review regulations in conformity to the requirements of the Act.

Article B. City Council Authority

The City Council has empowered by Ordinance, Chapter 2318 on August 12, 1993, the City Planning Commission to adopt, modify and amend regulations and rules governing land development and subdivision projects within the municipality and to control land development and subdivision projects pursuant to those rules and regulations. The City Council further empowered the City Planning Commission to include development plan review and unified development regulations by Ordinance, Chapter 3287 on December 20, 2023. The City Planning Commission approved these regulations on March 22, 1994. Amendments to these regulations have been approved on January 17, 2012, and January 16, 2024.

Article C. Statement of Purpose and Consistency

The Land Development and Subdivision Review Regulations of the City of Pawtucket have been written to address the following purposes:

- (1) Providing for the orderly, thorough and expeditious review and approval of land developments and subdivisions;
- (2) Promoting high quality and appropriate design and construction of land developments and subdivisions;
- (3) Promoting the protection of the existing natural and built environment and the mitigation of all significant negative impacts of any proposed development on the existing environment;
- (4) Promoting design of land developments and subdivision which are well-integrated with the surrounding neighborhoods with regard to natural and built features, and which concentrate development in areas which can best support intensive use by reason of natural characteristics and existing infrastructure;
- (5) Encouraging local design and improvements standards to reflect the intent of the comprehensive plan and zoning ordinance with regard to the physical character of the various neighborhoods and districts of the city;
- (6) Promoting thorough technical review of all proposed land developments and subdivision by appropriate local officials;
- (7) Encouraging the establishment and consistent application of procedures for local record-keeping on all matters of land development and subdivision review, approval and construction.

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Article D. Applicability

Subdivisions and development classified as a land development project or subject to development plan review pursuant to the Pawtucket Zoning Ordinance shall submit and receive approval as evidenced by endorsed recording with the City Clerk in accordance with these regulations prior to the transfer of title, in the case of subdivision, or the commencement of construction, in the case of development.

- (1) These regulations shall not apply to lawful preexisting lots or developments. Nothing in these regulations shall impact the continuation of lawful preexisting development or use of land which are nonconforming in standards of design or required improvements to the land.

Article E. Administrative Officer

The director or agent of the Director of the Department of Planning and Redevelopment shall serve as Administrative Officer. Local administration of these regulations shall be under the direction of the Administrative Officer, who shall report to the City Planning Commission. The Administrative Officer shall be responsible for the following:

- (1) Overseeing and coordinating the review, approval, recording and enforcement provisions of these regulations.
- (2) Coordinating reviews of proposed land development projects and subdivisions with adjacent municipalities, as is necessary to be consistent with applicable federal, state and local laws and as directed by the City Planning Commission.
- (3) Approval of various stages of land development projects, subdivisions, and development plan review in accordance with these regulations.
- (4) Enforcement of these regulations, including coordinating the enforcement efforts of the Building Official, Planning Department staff, the City Engineer, the Office of the City Clerk, Department of Public Works, and other local officials responsible for the enforcement or carrying out of discrete elements of these regulations.

Article F. Technical Review Committees

- (1) Pursuant with its designation as a technical review committee subject to the requirements of these regulations, the Riverfront Commission shall bylaws for the conduct of its meetings submit to the City Planning Commission for its approval. Additionally, the Administrative Officer shall sit as the chair of the Riverfront Commission.
- (2) A technical review committee of not fewer than three (3) members may be appointed by the City Planning Commission for the purposes of reviewing, commenting and making recommendations to the City Planning Commission on land development and subdivision.

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The Administrative Officer shall serve as an ex-officio member and the chair of the CPC Technical Review Committee. Membership may include, but shall not be limited to, members of the City Planning Commission, Department of Planning and Redevelopment staff, and other municipal departments with responsibility for review or enforcement of the regulations. In no case, shall the opinions of the committee be binding upon the City Planning Commission in its activities, except as specified in these regulations.

The CPC Technical Review Committee shall adopt written procedures establishing the committee's responsibilities for approval by the City Planning Commission. Reports of the committee shall be in writing and be kept up as a part of the permanent documentation on all projects.

Article G. The Board of Appeal

- (1) The Pawtucket Zoning Board of Review shall act as the Board of Appeals to hear appeals of decisions of the Administrative Officer pursuant to Section XVII Article K.
- (2) The Board of Appeal shall only hear appeals of the actions of the Administrative Officer at a meeting called especially for the purpose of hearing such appeals, and which has been so advertised. The hearing, which may be held on the same date and at the same place as a regularly scheduled meeting of the Zoning Board of Review, must be held as a separate meeting from any such regularly scheduled Zoning Board of Review meeting. Separate minutes and records of votes shall be maintained by the Board of Appeal.
- (3) The Board of Appeal shall keep complete records of all proceedings, including a record of all votes taken, and shall put all decisions on appeals in writing. The Board of Appeal shall include the reasons for each decision in the written record.
- (4) When reviewing a decision of the Administrative Officer on matters subject to these regulations, the Board of Appeal shall not substitute its own judgment for that of the Administrative Officer, but must consider the issue upon the findings and record of the Administrative Officer. The Zoning Board shall not reverse a decision of the Administrative Officer except on a finding of prejudicial procedural error, clear error, or lack of support by the weight of the evidence in the record.
- (5) The concurring vote of three of the five members of the Board of Appeal sitting at a hearing shall be necessary to reverse any decision of the Administrative Officer.
- (6) Where the Board of Appeal overturns a decision of the Administrative Officer, the proposed project application shall be remanded to the Administrative Officer at the stage of processing from which the appeal was taken, for further proceedings before the Administrative Officer and/or for the final disposition, which shall be consistent with the decision of the Board of Appeal.

Article H. Special Provisions - Phasing of Projects

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The City Planning Commission may provide for preliminary and final review stages and for the construction of major land developments and subdivisions to be divided into reasonable phases.

SECTION II ADOPTION AND AMENDMENT

Article A. General Provisions

Land development and subdivision regulations adopted by the Pawtucket City Planning Commission on March 22, 1994, set forth in text and may incorporate other necessary technical and graphic material necessary for the proper use of the regulations.

Article B. Public Notice - Adoption Process

The City Planning Commission shall hold a public hearing prior to the adoption, repeal, or amendment of any land or development regulations. At the hearing, all interested persons shall be given an opportunity to be heard upon the matter of the proposed regulations. Copies of the proposed regulations or amendment shall be available prior to the public hearing. Any amendment to these regulations shall be consistent with all provisions of Land Development and Subdivision Review Enabling Act of 1992, and with the Comprehensive Plan and the zoning ordinance. The City Planning Commission shall give notice of a public hearing by publication in a newspaper of local circulation; a notice at least once a week for three (3) successive weeks prior to the date of the hearing, which may include the week in which the hearing is held. The same notice shall be posted in the City Clerk's office and one other municipal building in Pawtucket and the City must make the notice accessible on the home page of its website at least fourteen (14) days prior to the hearing. The newspaper notice shall include the following:

- (1) The date, time and place of the hearing;
- (2) A statement that amendment of the land development and subdivision regulations is under consideration;
- (3) A statement of the proposed amendment in its entirety, or a summary of the matter under consideration;
- (4) The location where and the times when a copy of the proposed amendment may be obtained or examined and copied; and
- (5) A statement that the proposed amendment may be altered or further 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; and that any such alteration or amendment must be presented for comment in the course of the public hearing.

SECTION III PRE-APPLICATION MEETINGS AND CONCEPT REVIEW

Article A. Pre-application Meetings

One or more pre-application meetings shall be held for all major land development project or subdivision applications. Pre-application meetings may be held for administrative and minor applications or Development Plan Review, upon request of either the municipality or the applicant.

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Pursuant to Section XVII Article D(2), a pre-application meeting is required for all property located in the Historic District submitting an application subject to these regulations. Pre-application meetings shall 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 approval process, the pertinent local plans, ordinances, regulations, rules and procedures and standards which may bear upon the proposed development project.

Article B. Concept Plan Review

At the pre-application stage, the applicant may request the City Planning Commission or a technical review committee conduct an informal concept plan review for a development. The purpose of the concept plan review is also to provide City Planning Commission or technical review committee input in the formative stages of subdivision and land development concept design.

Article C. Submission of Materials

Applicants seeking a pre-application meeting or an informal concept review shall submit materials in advance of the meeting(s) as requested by the Administrative Officer.

Article D. Purpose

Pre-application meetings shall aim to encourage information sharing and discussion of project concepts among the participants. Pre-application discussions are intended for the guidance of the applicant and shall not be considered approval of a project or its elements.

SECTION IV GENERAL PROVISIONS - APPLICATION AND COMPLETENESS

Article A. Classification

Any applicant intending to undertake a project in the City of Pawtucket subject to these regulations shall file an appropriate application with the Administrative Officer. The Administrative Officer shall advise the applicant as to which category of approval is required for a project and the submission requirements and review procedures according to the classification of the application. One project shall not be required to undergo review for both a land development project and development plan review. The following categories of applications may be filed:

- (1) Administrative development plan review
- (2) Formal development plan review
- (3) Administrative subdivision
- (4) Minor land development project and/or subdivision
- (5) Major land development project and/or subdivision

Article B. Certification of a Complete Application

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An application shall be complete for purposes of commencing the applicable time period for review and decision when certified by the Administrative Officer. Every certification of completeness required by these regulations shall be in writing. In the event certification of the application is not made within the time specified in these regulations, or the Commission's adopted rules for the type of plan, the application shall be deemed complete for purposes of commencing the review period unless the application lacks information required for such applications as specified in these regulations and the Administrative Officer has notified the applicant, in writing, of the deficiencies in the application. The granting of a certification of complete for any application does not presume compliance with local, state or federal requirements or imply approval of the application.

Article C. Permitting Authority Actions

Notwithstanding articles A and B above, the permitting authority may subsequently require correction of any information found to be in error and submission of additional information specified in the regulations but not required by the Administrative Officer prior to certification, as is necessary to make an informal decision.

Article D. Postponement with Consent

Where the review is postponed with the consent of the applicant, pending further information or revision of information, the time period for review shall be stayed and shall resume when the permitting authority determines that the required application information is complete.

SECTION V DEVELOPMENT PLAN REVIEW

Article A. Application

Any applicant requesting development plan review shall pay the required fee and submit to the Administrative Officer the application cover sheet (Appendix A) and the completed checklist and its required submission materials according to the necessary level of review (Appendix B).

Article B. Preliminary Formal Development Plan Review

A public hearing shall be held prior to the permitting authority decision on the preliminary plan for formal development plan review. Notice for the public hearing shall be sent by first class mail, of the time and place of the hearing not less than ten (10) days prior to the date of the hearing to the applicant and as specified in Section XI Article C. Notice shall be provided to abutters within the notice area only. The cost of notice shall be borne by the applicant.

Article C. Final Action

Following application in accordance with Article A of this section and certification of completeness in accordance with § 410-15.1(F) of the Zoning Ordinance, the permitting authority, as assigned in the Zoning Ordinance, shall review the application, consider any requested waivers and/or modifications in accordance with Section XVII Article E, approve proposed agreements with the

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developer for the completion of all required improvements specified in Section XIV, and approve of the plan as submitted, approve with changes and/or conditions, or deny the application within the timeframes stated in § 410-15.1(G) of the Zoning Ordinance. Such final action shall be one of the following:

- (1) A written statement of approval indicating that the permitting authority has determined that the weight of the record has demonstrated or proved to the satisfaction of the permitting authority that each of the applicable criteria listed in the appropriate section of the Zoning Ordinance have been met.
- (2) A written statement of conditional approval, subject to such conditions, modifications and restrictions as the permitting authority deems necessary so that the proposed activities meet each of the applicable criteria listed in the appropriate section of the Zoning Ordinance.
- (3) A written statement of a denial of an application indicating that the permitting authority has determined that the weight of the record has failed to provide sufficient evidence that the application has demonstrated or proved to the satisfaction of the permitting authority that each of the applicable criteria listed in listed in the appropriate section of the Zoning Ordinance have been met.

The permitting authority shall issue written findings of fact, and, where applicable, conclusions of law, explaining the reason why any standard or standards have or have not been met and setting forth the basis for the decision.

Article D. Changes to Plans

Minor changes must meet the following criteria:

- (1) There is no increase in the number of lots or dwelling units.
- (2) There is no change to any dimension of the previously approved plan, including building envelopes beyond what may be incidental to site-specific construction conditions. Additions or movement of built features not shown on the development plans shall be considered a major change.
- (3) Streets or driveways are not changed in a manner that alters circulation on the site or adjacent to the site from what was shown on the approved development plan.
- (4) There is no change required to any public infrastructure.

Changes that do not meet the above criteria will be considered major and shall be resubmitted for the review process.

SECTION VI ADMINISTRATIVE SUBDIVISIONS

Article A. Submission of Material

Any applicant requesting preliminary approval of a proposed administrative subdivision, as defined in this chapter, shall pay the required fee and submit to the Administrative Officer the subdivision

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application cover sheet (Appendix C) and the completed checklist for administrative subdivision approval and its required submission material (Appendix D).

Article B. Certification Process

The application shall be certified as complete or incomplete by the Administrative Officer within a fifteen (15) day period from the date of its submission according to the provisions of Section IV Article B.

Article C. Review Process

- (1) Within fifteen (15) days of certification of completeness, the Administrative Officer, or a technical review committee, shall review the application, consider any requested waivers and/or modifications in accordance with Section XVII Article E, and approve, deny, or refer it to the City Planning Commission with recommendations. The officer or committee shall report their actions to the City Planning Commission at its next regular meeting, to be made part of the record.
- (2) If no action is taken by the Administrative Officer or a technical review committee within the fifteen (15) days, the application shall be placed on the agenda of the next regular City Planning Commission meeting.

Article D. City Planning Commission Actions

If referred to the City Planning Commission, the commission shall consider the application and the recommendations of the Administrative Officer and/or a technical review committee and shall either approve, approve with conditions, or deny the application within sixty-five (65) days of the date of certification of completeness.

Failure of the City Planning Commission to act within the period prescribed shall constitute approval of the administrative subdivision plan and a certificate of the Administrative Officer as to the failure of the City Planning Commission to act within the required time and the resulting approval shall be issued on request of the applicant.

Article E. Denial of the Application

Denial of an application by the Administrative Officer and/or the Technical Review Committee shall not be appealable and shall require the plan to be submitted as a minor subdivision application.

Article F. Approval Expiration

Approval of an administrative subdivision shall expire ninety (90) days from the date of approval unless within such period a final plat in conformity with such approval is submitted for signature and recording as specified in Section XVII Article H.

SECTION VII MINOR LAND DEVELOPMENTS OR MINOR SUBDIVISIONS

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Article A. Review Stages

Minor plan review shall consist of two stages, preliminary and final; provided that, if a street creation or extension is involved, or a request for variances and /or special use permits are submitted pursuant to a unified development review application, a public hearing is required. The Administrative Officer may combine the approval stages, providing requirements for both stages have been met by the applicant to the satisfaction of the Administrative Officer.

Article B. Preliminary Plan Submission Requirements

Any applicant requesting approval of a proposed minor subdivision or minor land development, as defined in this chapter, shall pay the required fee and submit to the Administrative Officer the application cover sheet (Appendix A for land development projects or Appendix C for subdivisions) and the completed checklist for preliminary minor approval and its required submission material (Appendix B for land development projects or Appendix D for subdivisions).

Article C. Certification

An application for any stage of minor land development project or subdivision shall be certified complete or incomplete by the Administrative Officer within twenty five (25) days from the date of its submission, according to the provisions of Section IV Article B so long as a completed checklist of the requirements for submission (Appendix B for land development projects or Appendix D for subdivisions) is provided as part of the submission. If no street creation or extension is required, and/or unified development review is not requested, and a completed checklist of the requirements for submission are provided as part of the submission, such application shall be certified, in writing, complete or incomplete by the Administrative Officer within fifteen (15) days. The running of the time period set forth in this article 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.

Article D. Preliminary Plan Review Procedure

- (1) Applications requesting relief from the zoning ordinance.
 - (a) Applications under this article which require relief which qualifies only as a modification shall proceed by filing an application under this article and a request for a modification to the Zoning Enforcement Officer. If such modification is granted, the application shall then proceed to be reviewed by the Administrative Officer pursuant to the applicable requirements of this article. If the modification is denied or an objection is received, such application shall proceed under unified development review.

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- (b) Applications under this article which require relief from the literal provisions of the zoning ordinance in the form of a variance or special use permit, shall be reviewed by the City Planning Commission under unified development review, and a request for review shall accompany the preliminary plan application.
- (2) Any application involving a street creation or extension shall be reviewed by the City Planning Commission and require a public hearing.
- (3) Other applications. The Administrative Officer shall review and grant, grant with conditions or deny all other applications under this section. The Administrative Officer may utilize a technical review committee for initial review and recommendation.

Article E. Re-assignment to Major Review

The permitting authority may re-assign a proposed minor project to major review only when the permitting authority is unable to make the positive findings required.

Article F. Preliminary Plan Decision

If no street creation or extension or unified development review is required, the Administrative Officer shall review the application, consider any requested waivers and/or modifications in accordance with Section XVII Article E, and approve, deny, or approve with conditions, the preliminary plan within sixty-five (65) days of certification of completeness, or within such further time as is agreed to by the applicant and the Administrative Officer.

If a street extension or creation is required and/or the application is reviewed under unified development review, the City Planning Commission shall hold a public hearing pursuant to Section XI prior to approval. The Commission shall review the application, consider any requested waivers and/or modifications in accordance with Section XVII Article E, and approve, deny, or approve with conditions the preliminary plan within ninety-five (95) days of certification of completeness, or within such further time as is agreed to by the applicant and the Commission.

Article G. Failure to Act

Failure of the permitting authority 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 permitting authority to act within the required time and the resulting approval shall be issued on request of the applicant.

Article H. Final Plan Submission Requirements

Following the decision of the permitting authority on the preliminary plan application, the applicant shall pay the required fee and submit to the Administrative Officer the completed checklist for final

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minor approval and its required submission material (Appendix B for land development projects or Appendix D for subdivisions).

Article I. Final Plan Decision

- (1) The Administrative Officer shall review the application, consider any requested waivers and/or modifications in accordance with Section XVII Article E, approve agreements with the developer for the completion of all required improvements specified in Section XIV, and approve, approve with conditions, deny, or refer the application to the City Planning Commission based upon a finding there is a major change pursuant to Section XVII Article J (4) for final plan as submitted within 25 days of certification of completeness.
- (2) Failure of 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 Administrative Officer to act within the required time, and the resulting approval, shall be issued on request of the applicant.
- (3) The Administrative Officer shall report their actions to the City Planning Commission at its next regular meeting, to be made part of the record.

Article J. Vesting

Approval of a minor land development or subdivision plan, either at the preliminary or final stage, shall expire one (1) year from the date of approval unless within such period either a final plan is submitted for review and approval by the permitting authority, or a final plat or approved land development plan, in conformity with such approval, is submitted for signature and recording as specified in Section XVII Article I. Validity may be extended for a longer period, for cause shown, if requested by the applicant in writing, and approved by the City Planning Commission.

**SECTION VIII MAJOR LAND DEVELOPMENT OR MAJOR SUBDIVISION
REVIEW STAGES**

Article A. Required Review

Major plan review shall be required of all applications for land development and subdivision approval subject to these regulations, unless classified as an administrative subdivision or as a minor land development or a minor subdivision.

Article B. Stages of Major Plan Review

Major plan review shall consist of three stages of review: master plan, preliminary plan, and final plan, following the pre-application meeting(s) specified in Section III Article A. Also required is a public hearing at the master plan stage of review, or if combined, at the first stage of review.

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Article C. City Planning Commission Actions

The Administrative Officer may combine review stages, but only the City Planning Commission may waive requirements as specified in Section XVII Article E. Review stages may be combined only after the Administrative Officer determines that all necessary requirements have been met by the applicant or the City Planning Commission has waived any submission requirements not included by the applicant pursuant to Section XVII Article E.

**SECTION IX MAJOR LAND DEVELOPMENT AND MAJOR SUBDIVISION -
MASTER PLAN**

Article A. Submission Requirements

- (1) Any applicant requesting approval of a proposed major land development project or major subdivision shall pay the required fee and submit to the Administrative Officer the application cover sheet (Appendix A for land development projects or Appendix C for subdivisions) and the completed checklist for master plan major approval and its required submission material (Appendix B for land development projects or Appendix D for subdivisions).

Article B. Review Procedure

Applications requesting relief from the zoning ordinance:

- (1) Applications under this article which require relief which qualifies only as a modification shall proceed by filing a master plan application under this article and a request for a modification to the Zoning Enforcement Officer. If such modification is granted, the application shall then proceed to be reviewed by the City Planning Commission pursuant to the applicable requirements of this article. If the modification is denied or an objection is received, such application shall proceed under unified development review as detailed in Subarticle (2) below.
- (2) Applications under this article which require relief from the literal provisions of the zoning ordinance in the form of a variance or special use permit, shall be reviewed by the City Planning Commission under unified development review, and a request for review shall accompany the master plan application.

Article C. Certification

The application shall be certified complete or incomplete by the Administrative Officer according to the provisions of Section IV Article B within twenty-five (25) days, so long as a completed checklist of requirements are provided with the submission. The running of the time period set forth herein will be deemed stopped upon the issuance of a certificate of incompleteness of the application by the

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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.

Article D. Public Official Comments

Initial comments shall be solicited from, a) local agencies including, but not limited to, the Planning Department, the Department of Public Works, Public Safety Department, the Law Department, Parks and Recreation commissions; b) adjacent communities; c) state agencies, as appropriate, including the Departments of Environmental Management and Transportation, and the Coastal Resources Management Council; and d) federal agencies, as appropriate. The Administrative Officer shall coordinate review and comments by local officials, adjacent communities, and state and federal agencies.

Article E. Technical Review Committee

A Technical Review Committee shall review the application and shall comment and make recommendations to the City Planning Commission.

Article F. Public Hearing

A public hearing shall be held prior to the City Planning Commission decision on the master plan, unless the master plan and preliminary plan approvals are being combined, in which case the public hearing shall be held during the combined stage of review.

- (1) Notice for the public hearing is required in accordance with Section XI.
- (2) At the public hearing, the applicant shall present the proposed development project. The City Planning Commission shall allow oral and written comments from the general public. All public comments shall be made part of the public record of the project application.

Article G. Decision by the City Planning Commission

The City Planning Commission shall review the application, consider any requested waivers and/or modifications in accordance with Section XVII Article E, and approve of the master plan as submitted, approve with changes and/or conditions, or deny the application within ninety (90) days of certification of completeness, or within a further amount of time that may be consented to by the applicant through the submission of a written waiver.

Article H. Failure to Act

Failure of the City Planning 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 City

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Planning Commission to act within the required time and the resulting approval shall be issued on request of the applicant.

Article I. Vesting

The approved master plan shall be vested for a period of two years, with the right to extend for two one-year extensions upon written request by the applicant, who must appear before the City Planning Commission for the annual review. Thereafter, vesting may be extended for a longer period, for good cause shown, if requested by the applicant in writing, and approved by the City Planning Commission. Master plan vesting shall include the zoning requirements, conceptual layout and all conditions shown on the approved master plan drawings and supporting materials.

**SECTION X MAJOR LAND DEVELOPMENT OR MAJOR SUBDIVISION -
PRELIMINARY PLAN**

Article A. Submission Requirements

Following the decision of the City Planning Commission on the master plan application, the applicant shall pay the required fee for preliminary plan approval and submit to the Administrative Officer the completed checklist for preliminary major approval and its required submission material (Appendix A for land development projects or Appendix B for subdivisions).

Article B. Certification

The application shall be certified as complete or incomplete by the Administrative Officer according to the provisions of Section IV Article B within twenty-five (25) days so long as a completed checklist of requirements are provided with the submission. The running of the time period set forth herein 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 shall the Administrative Officer be required to certify a corrected submission as complete or incomplete less than ten (10) days after its resubmission.

Article C. Technical Review Committee

A Technical Review Committee shall review the application prior to the first City Planning Commission meeting and shall comment and make recommendations to the City Planning Commission.

Article D. Public Official Comments

Final written comments and/or approvals of the department of public works, the engineering division, the city solicitor, other local government departments, commissions, or authorities as appropriate will be solicited by the Administrative Officer and provided to the applicant prior to the first City Planning Commission meeting.

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Article E. Abutter Notice

Prior to first City Planning Commission decision on the preliminary plan, notice shall be sent to abutters only at least fourteen (14) days before the hearing.

Article F. Decision by the City Planning Commission

The City Planning Commission shall review the application, consider any requested waivers and/or modifications in accordance with Section XVII Article E, approve proposed agreements with the developer for the completion of all required improvements specified in Section XIV, and approve of the preliminary plan as submitted, approve with changes and/or conditions, or deny the application within ninety (90) days of the date when it is certified complete or within a further amount of time that may be consented to by the applicant through the submission of a written waiver. Provided that, the timeframe for design is automatically extended if evidence of state permits has not been provided, or otherwise waived.

Article G. Failure to Act

Failure of the City Planning 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 City Planning Commission to act within the required time and the resulting approval shall be issued on request of the applicant.

Article H. Vesting of Preliminary Plan

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

SECTION XI APPLICATION PUBLIC HEARING

Article A. Public Hearing Required

A public hearing shall be required for a major land development project or a major subdivision, or where a street extension or creation requires a public hearing for a minor land development project or minor subdivision.

Article B. Notice Requirements

Public notice of the hearing shall be given using a legal advertisement at least fourteen (14) days prior to the date of the hearing in a newspaper of local circulation within Pawtucket. The same notice

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shall be posted in the Pawtucket City Clerk's office and one other municipal building in Pawtucket and the notice must be accessible on the home page of the City of Pawtucket website at least fourteen (14) days prior to the hearing. Notice shall be sent to the applicant and to each owner within the notice area as detailed in Article C of this section, by first class mail of the time and place of the hearing not less than ten (10) days prior to the date of the hearing. Said notice shall also include the street address of the subject property, or if no street address is available, the distance from the nearest existing intersection in tenths (1/10s) of a mile. 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.

Article C. Notice Area

- (1) The distance(s) for notice of the public hearing shall be 200 linear feet from the property boundary. At a minimum, all abutting property owners to the proposed development's property boundary shall receive notice.
- (2) Watersheds. Additional notice within watersheds shall also be sent as required in R.I.G.L. § 45-23-53 (b), (c), and (d).
- (3) Adjacent municipalities. Notice of the public hearing shall be sent by the Administrative Officer to the Administrative Officer of an adjacent municipality if 1) the notice area extends into the adjacent municipality, or 2) the development site extends into the adjacent municipality, or 3) there is a potential for significant negative impact on the adjacent municipality.

Article D. Cost of Public Notice

The cost of all such notices shall be borne by the applicant.

SECTION XII MAJOR LAND DEVELOPMENT OR MAJOR SUBDIVISION - FINAL PLAN

Article A. Submission Requirements

Following the decision of the City Planning Commission on the preliminary plan application, the applicant shall pay the required fee for final plan approval and submit to the Administrative Officer the completed checklist for final major approval and its required submission material (Appendix B for land development projects or Appendix D subdivisions).

Article B. Certification

The application for final plan approval shall be certified complete or incomplete by the Administrative Officer according to the provisions of Section IV Article B in writing, within 15 days, so long as a completed checklist of requirements are provided with the submission. This time period may be extended to twenty-five (25) days by written notice from the Administrative Officer

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to the applicant where the final plans contain changes to or elements not included in the preliminary plan approval. The running of the time period set forth herein 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. . If the Administrative Officer certifies the application as complete and does not require submission to the City Planning Commission as per Article C below, the final plan shall be considered approved.

Article C. Review

The Administrative Officer, or if referred to it, the City Planning Commission shall review the application, consider any requested waivers and/or modifications in accordance with Section XVII Article E and grant or deny final plan approval. A decision shall be issued within forty-five (45) days after the certification of completeness, or within a further amount of time that may be consented to by the applicant.

Article D. Failure to Act

Failure of the City Planning Commission 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 City Planning Commission to act within the required time and the resulting approval shall be issued on request of the applicant.

Article E. Vesting

The final approval of a major subdivision or land development project shall expire one year from the date of approval with the right to extend for one year upon written request of the applicant, who must appear before the City Planning Commission for the annual review, unless, within that period, the final plat or approved land development project plan shall have been submitted for signature and recorded by the City Clerk of the City of Pawtucket. Thereafter, the City Planning Commission may, for good cause shown, extend the period for recording for an additional period.

**SECTION XIII POST APPLICATION APPROVAL
DOCUMENTATION AND NOTICE**

Article A. Construction Plans

One complete set of all construction plans, profiles, cross-sections, or other working drawings of alterations to rights-of-way or utility easements shall be submitted to and approved by the Engineering Department and the Chief Engineer of the Pawtucket Water Supply Board prior to any construction start.

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Article B. Notification of City Officials

- (1) No phase or step in the construction of improvements within a right-of-way or utility easement shall commence until the Engineering Department or their authorized representative has been notified at least twenty-four (24) hours prior thereto.
- (2) The Engineering Department or their authorized representative, upon proper notification of commencement of a phase or stage of construction shall not impede such construction by delaying inspection and approval without just cause.

Article C. As-built Drawings

On the completion of construction and installation of all improvements to the land, the subdivider/developer shall furnish three (3) complete sets of as-built drawings of such improvements to the City, two (2) shall be delivered to the City Engineer and one (1) shall be delivered to the Administrative Officer.

SECTION XIV APPROVAL REQUIREMENTS

Article A. Required Improvements

As a condition of approval, the permitting authority shall require that the subdivider/developer, at their own expense, construct improvements to the land in accordance with the specifications of these regulations, any rules and regulations adopted by the City Planning Commission,, or otherwise designated city officials. Required improvements are as follows:

- (1) Street rights-of-way shall be cleared, cleared and graded for their entire width in accordance with the specifications in the rules and regulations.
- (2) Streets shall be graded, graveled and paved in accordance with the Rhode Island Department of Transportation Standard Specifications for Road and Bridge Construction.
- (3) Street signs shall be installed immediately after grading and preparation of sub base. Street signs shall be of the size, type and number specified by the Director of Public Works.
- (4) Curbs. Unless waived by the permitting authority, all streets in new developments shall have granite curbing. Under no circumstances will asphalt or concrete curbing be allowed to be substituted for granite curbing. The specifications and installation of granite curbs shall be in accordance with the Rhode Island Department of Transportation Standard Specifications for Road and Bridge Construction
- (5) Sidewalks. Sidewalks shall be installed, unless waived by the permitting authority, in accordance with the Rhode Island Department of Transportation Standard Specifications for Road and Bridge Construction.
- (6) Surface and subsurface storm drainage structures and facilities shall be installed in accordance with Best Management Practices and the approval of the City Engineer.

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- (7) The subdivider/developer shall file, at the Pawtucket Water Supply Board (PWSB) Engineering Office, an application for all proposed water main and water service installations in accordance with the current "PWSB Rules and Regulations". All PWSB approvals are granted via this application process.
- (8) Sanitary sewers shall be installed in accordance with the specifications recommended by the City Engineer.
- (9) Street trees. Unless waived by the permitting authority, shall be planted in accordance with City of Pawtucket Ordinance, Chapter 29, Trees and shrubs, § 29-29.
- (10) The subdivider/developer may be required to install oversized improvements by the City Engineer in which case the subdivider/developer may negotiate with the City for the reimbursement of the expense incurred over and above the cost of a normal size improvement.

Article B. Construction and/or Improvement Guarantees

- (1) The permitting authority shall approve all agreements that concern the required improvement in the following form: 1) completion of actual construction of all improvements, 2) improvement guarantees, or 3) a combination thereof.
- (2) Construction before final approval. Where improvements are constructed without a financial guarantee, the work is to be completed prior to final approval. All construction shall be inspected and approved under the direction of the Administrative Officer.
- (3) Surety Improvement Guarantees. Surety 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 required improvements within the period specified by the permitting authority.
- (4) Maintenance Guarantees. The permitting authority shall also require maintenance guarantees to be provided for a one (1) year period subsequent to completion, inspection, and acceptance of the improvement.

Article C. Requirements for Dedication of Public Land

(Reserved)

Article D. Acceptance of Public Improvements

Signature and recording as specified in Section XVII Article I shall constitute the acceptance by the City of Pawtucket of any street or other public improvement or other land intended for dedication. Final plan approval shall not impose any duty upon the City of Pawtucket to maintain or improve those dedicated areas until the Pawtucket City Council accepts the completed public improvements as constructed in compliance with the final plans.

SECTION XV DESIGN STANDARDS

Article A. Landscaping Standards

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These standards are in addition to the minimum landscaping requirements listed in § 410-78 of the City of Pawtucket Zoning Ordinance.

(1) Purpose

- (a) To improve the physical environment through the provision of open space, street trees and vegetation;
- (b) To provide a transition between land uses through the use of well designed landscaping and/or buffers;
- (c) To reduce noise, dust pollution and glare.
- (d) To reduce impacts from impervious surfaces including heat island effect and disruption to the hydrologic cycle;
- (e) To improve air quality;
- (f) To provide shade for pedestrians and automobiles, and pavement;
- (g) To provide privacy in residential settings;
- (h) Provide for soil conservation, erosion control, flood control and pollutant mitigation; and
- (i) To eliminate or reduce the need for irrigation by providing landscapes that are developed in accordance with best practices and are well-suited to the regional environment and climate.

(2) General Standards

- (a) In residential developments, applicants shall provide plantings or landscaping elements throughout the development to promote the purposes of these regulations in addition to any screening and/or street trees required;
- (b) In non-residential developments, all areas of the site not occupied by buildings and required improvements shall be retained in their natural state as part of the site design process or landscaped in accordance with these regulations. If the property was cleared in the past and the current state of the property does not serve as an adequate buffer or natural area, a planting plan shall be submitted for this area of the site;
- (c) Plant varieties shall be selected for long term resistance to drought, moisture, salt, urban conditions, or insects and other pests depending on the location of landscaping and the specific stressors anticipated for different areas of the site. Plants should be selected so that landscaping can be maintained with minimal care and the need for watering, pesticides, or fertilizers is minimized or eliminated;
- (d) Landscape professionals are encouraged to reference *Sustainable Trees and Shrubs, 3rd ed.*, 1999, URI Cooperative Extension- Landscape Horticulture, Exhibit A in the *Subdivisions and Land Development Regulations* as well as other current standards for nursery stock/species when selecting plan varieties for landscaping;
- (e) Under no circumstances shall any plant be selected that appears on the most recent listing of invasive species as published by the Rhode Island Invasive Species Council.

(3) Landscape Plan Required. A Landscape Plan prepared by a Rhode Island Registered Landscape Architect shall be submitted for all projects requiring Development Plan

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Review, Subdivision, or Land Development approval as specified in the Land Development and Subdivision Regulations. In addition to the requirements listed in any checklist attached to these regulations, a Landscape Plan shall contain the elements listed below.

- (a) Proposed grading at two-foot contour intervals. The Director or Planning Commission may waive this requirement if the proposal will clearly not alter on site drainage patterns in a manner that affects adjacent properties or may compromise the performance of on-site stormwater or wastewater infrastructure;
 - (b) Proposed location of retained vegetation;
 - (c) Methods of protection for retained vegetation during the construction phase;
 - (d) List of proposed plantings and general locations;
 - (e) Identification of any landscaped areas that will be used for stormwater management including details and specifications for vegetated practices such as swales, constructed wetlands, rain gardens, etc;
 - (f) Specifications for cultivation, loaming, seeding, and fertilization that demonstrate compliance with Subarticles (3) and (4) as applicable.
- (4) Site protection. Protection of the site shall be in accordance with the following:
- (a) Sediment and erosion control shall be addressed as part of the Landscaping Plan unless a separate soil and erosion control plan is prepared;
 - (b) Topsoil suitable for landscaping shall be retained on site in an amount as determined as part of the required landscape plan. To the maximum extent practicable, the developer shall minimize the areas of the site to be regraded or disturbed. Topsoil exposed during construction shall be protected through stabilization measures consistent with the *Rhode Island Sediment Control Handbook* and approved by the Director of Planning and Development or the Planning Commission as applicable;
 - (c) All organic material, rubbish, potentially harmful materials or debris shall be removed from the site in a timely fashion. Disposal of cleared, grubbed and stripped materials shall be the responsibility of the developer. All roots, stumps, brush, foliage and other vegetation that have been cleared or excavated shall be removed and disposed of by the developer off the project site.
 - (d) No filling, excavation, or material storage shall occur within four (4) feet of any shrub or the dripline of any tree that will be retained. Protective barriers shall be installed to protect this area surrounding retained vegetation and shall be a minimum of three (3) feet high and constructed of durable material. Snow fences and silt fences are examples of acceptable barriers;
 - (e) Parking of construction vehicles, offices/trailers, stockpiling of equipment/materials, etc. shall take place in areas designated for permanent structures or other impervious surfaces;
 - (g) Landscaping of all cut and fill areas and/or terraces shall be sufficient to prevent erosion, and all roadway side slopes greater than 1:3 shall be planted with vegetated ground cover appropriate for the purpose of erosion control and for the soil conditions

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and environment. The use of erosion control fabric or mats shall be utilized when appropriate;

- (h) Disturbed areas intended for natural re-growth should be, at a minimum, graded, loamed, and seeded with wildflowers, perennial rye grass, a meadow or “conservation” native grass mix or similar varieties.

(5) Plant Specifications

- (a) Caliper measurements and root ball specifications for all trees and shrubs shall conform to the American Standard for Nursery Stock ANSI Z60.12004 as amended.
- (b) Shade or canopy trees shall not be less than twelve (12) feet in planted height above grade;
- (c) Small or minor shade trees shall not be less than ten (10) feet in planted height above grade;
- (d) Ornamental or flowering fruit trees shall not be less than ten (10) feet in planted height above grade;
- (e) Evergreen trees used for screening shall not be less than six (6) feet in planted height above grade;
- (f) Lawn seed mixes shall be drought resistant. To achieve a high level of drought tolerance, lawn mixes may include, but shall not be limited to, a predominance of fine fescues.

(6) Planting and Cultivation

(a) Soil Restoration and Protection

- (i) In all areas where landscaping is to be provided and topsoil is to be removed for the purposes of site development and/or grading, or where existing conditions require the restoration of topsoil, topsoil shall be restored and shall contain a minimum of 5% organic matter for turf areas and 10% for trees and shrubs. The minimum depth of any restored topsoil shall be six (6) inches;
- (ii) Where pre-existing topsoil will be used for landscaping, such soil shall be cultivated to a depth of six (6) inches;
- (iii) Cultivated areas shall be covered with not less than a two (2) inch deep layer of mulch after planting where weed control is required. Mulch should be natural, unpainted, unstained, and designed to retain moisture where applied. Mulching around plantings shall not cover the base of plants or the root zone in a manner that encourages damage from excessive moisture. Wood chip mulch shall not be allowed.

(b) Lawn and Turf

- (i) Lawn area for ornamental purposes in commercial or industrial development shall be limited to yards with frontage and ornamental turf shall be limited to areas

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within the front yard setback. The use of turf in yards without frontage shall be limited to areas reserved for utilities, grass swales, or alternative parking surfaces.

- (ii) Lawn or turf areas shall not be planted in strips that are less than three (3) feet in width.

(c) Trees

- (i) Deciduous shade trees along streets are required as part of all development activity in accordance with the Zoning Ordinance.
- (ii) Trees shall be spaced approximately 30 to 40 feet on center along streets, but shall not be located within 30 feet of intersecting right of way lines.
- (iii) Pit cultivation for all trees shall be 2.5 times the diameter of the root ball and a depth equal to the same. Holes for trees shall be prepared in a manner that facilitates grow-in of new trees through the use of best practices.
- (iv) Trees and other landscaping shall be staked as necessary and provisions shall be made by the developer for adequate watering and maintenance until the plantings are established.
- (v) No street trees shall be located in a manner that interferes with overhead or underground utility lines.
- (vi) When planted closer than seven (7) feet from the edge of any pavement, vertical barriers shall be installed to discourage the growth of tree roots into and immediately under the pavement area. Alternative tree planting methods such as the use of “CU-structural soil TM” to prevent damage to pavements and enhance tree growth are encouraged.

(7) Parking and Loading Area Landscaping

Parking lot and loading area landscaping shall be provided, in addition to any required buffer, to minimize direct views of parked vehicles from streets and public sidewalks, provide the parking area with a reasonable measure of shade and avoid spillover light, glare, noise or exhaust onto adjacent properties. The Planning Commission and Director of Planning and Redevelopment may modify any of the minimum standards associated with parking lot landscaping where deviating from these standards would facilitate an effective use of landscaping to manage stormwater runoff or where a waiver is requested. The following minimum standards shall apply:

- (i) The minimum required amount of interior landscaping shall be 10% of the parking area, which includes driveways, borders, sidewalks, parking stalls and travel lanes. Parking lots with 20 or fewer spaces may not require interior landscaping if the Planning Commission or Director of Planning and Redevelopment determines that there is adequate perimeter landscaping and that the objectives of these regulations have been met.
- (ii) Each double row of parking spaces shall be terminated by landscaped islands which measure not less than ten (10) feet in width. For islands with a tapered

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- design, the width shall be measured at the island's widest point. The island shall be designed to border the entire length of the adjacent parking stall.
- (iii) The interior of parking lots shall have, at a minimum, landscaped center islands at every other double row. Pedestrian paths may be incorporated within center islands provided a minimum width of four feet is maintained for vegetated areas.
 - (iv) Interior islands and divider medians shall be appropriately lit to protect them from encroachment of motor vehicles in a manner approved by the Planning Commission or Director of Planning and Redevelopment.
 - (v) The interior of parking areas and all internal circulation areas to the site shall be shaded by deciduous trees. At maturity, each tree shall provide a canopy with a radius of at least 15 feet. There shall be a sufficient tree canopy to cover 30 percent of the parking area. (iv) Shade trees shall be located so that they are surrounded by at least 25 square feet of evenly distributed unpaved area, which may be counted towards calculating the required landscaped area. Trees located in sidewalks shall be located in a protected enclosure level with the sidewalk capable of allowing the trunk to grow to maturity.

Article B. Design Standards for the Commercial Downtown District

For the Commercial Downtown District (CD), the following design standards and guidelines are provided to maintain the CD District as a vibrant, pedestrian-friendly, mixed use neighborhood. The standards and guidelines recognize the importance of consistency in building materials, massing, scale and articulation, design elements and motifs that represent Pawtucket's architectural heritage while allowing the downtown to continue to evolve from a design perspective. It is not the intent of these standards and guidelines to create a homogenous district in which all buildings closely resemble one another in a unified design concept. Rather, these standards and guidelines provide a framework for development that will ensure a high quality of design that is consistent with the most appealing aspects of Pawtucket's community character and best practices in site design and architecture. Figures used to illustrate many of the design standards provided below are provided in Appendix E.

(1) Applicability

These standards and guidelines shall apply to any development proposal that requires Development Plan Review or Land Development approval within the CD District. Where Development Plan Review is triggered exclusively in relation to a proposed building addition or the construction of an accessory structure, compliance with these standards shall be limited to those standards that apply to the proposed activity.

(2) Site Design (Appendix E, Figure 1)

- (a) The location of buildings, parking areas, walkways, outdoor gathering places, landscaping, utilities, loading areas, dumpsters, automobile access, travel lanes, and signs shall reflect a thoughtful approach that focuses primarily on providing optimal access and mobility for pedestrians on and between sites;

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- (b) Parking areas shall allow for easy access between lots for automobiles and pedestrians. Where existing structures or topography do not preclude the possibility, parking lots shall be connected by a travel lane within the rear yard to provide an opportunity for pedestrians and motorists to pass from one site to another without using established rights of way;
 - (c) Within the front yard setback, clear pedestrian pathways shall be provided between buildings and across automobile travel lanes in the form of raised or distinct surfaces such as stamped concrete or grid pavers, arcades, colonnades or other similar features;
 - (d) In complexes with multiple principal buildings, landscaped areas with walkways, courtyards or other similar features shall be used in conjunction with compact site design to bring buildings closer together and enhance connectivity between them for residents and customers.
- (3) Building Placement
- (a) Building setbacks shall comply with the applicable provisions in Zoning Ordinance and shall design any proposed space within the front yard setback for pedestrian activity (Appendix E, Figure 2).
 - (b) On sites with multiple principal buildings, site design shall be compact and the need to have pedestrians cross parking areas to move from one building to another shall be minimized.
- (4) Loading, Accessory Buildings, and Driveways (Appendix E, Figures 1 and 2)
- (a) Loading docks, service areas and trash disposal facilities shall not face a public gathering space or a public street.
 - (b) Garages and other accessory buildings shall be subordinate in size, height and location to the overall building and shall be located with entrances behind the principal building(s);
 - (c) Common or shared driveways and parking lots are encouraged to reduce curb cuts and enhance pedestrian circulation.
- (5) Building Size, Height & Scale (Appendix E, Figures 3 and 4)
- (a) In order to modulate their scale, multi-story buildings shall clearly articulate the base, middle and top of the building through the use of cornices, borders of distinct material, or other articulating features.
 - (b) Larger buildings with long façades shall articulate the façade with varied rooflines, distinct signage for multiple tenants, awnings, columns, recessed spaces and/or entrances and any other features that serve to add texture to these longer façades. Unbroken façades in excess of thirty (30) horizontal feet shall not be allowed.
 - (c) Large, flat, unadorned, blank walls shall be avoided for any side or rear walls of buildings. Where windows are not feasible, raised or recessed vertical surfaces may be used in conjunction with awnings, windowshaped depressions and decorative

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lighting to make these surfaces more attractive. Where a side wall is located on an adjacent property line, these walls may be flat to allow for future development along the same property line.

- (d) Awnings shall be made of canvas and/or weather-coated materials or glass. Each awning should be distinct from its neighbor and continuous awnings over distinct storefront façades are discouraged.
- (6) Entranceways (Appendix E, Figure 3)
- (a) All buildings shall have a principal façade and entry (with operable doors) facing a street or other area dedicated to pedestrian circulation. Buildings may have more than one principal façade and/or entry. Secondary entrances not facing a street shall open onto sidewalks or other pedestrian features at least ten (10) feet in width.
 - (b) Primary entrances shall incorporate architectural features that draw attention to the entrance. These features may include, but shall not be limited to, covered porches, recessed doorways and awnings.
 - (c) Street level frontage shall be primarily devoted to entrances, shop windows or other displays.
- (7) Fenestration (Appendix E, Figures 3 and 5)
- (a) Windows on the ground floor shall begin no lower than one (1) foot from street level and shall extend at a minimum height of seven (7) feet from street level.
 - (b) Where traditional architectural patterns are selected, mullion pattern and thickness shall be consistent with traditional treatments broad decorative surfaces between windows. For these traditional applications, any mullion finishes that are highly reflective or industrial in nature shall not be used.
 - (c) Clear, non-reflective glass with minimal tinting shall be used at street level to allow maximum visual interaction between pedestrians and the interior of the building.
 - (d) Street level façades shall have a transparency of at least sixty (60) percent.
 - (e) All windows (with the possible exception of storefront windows) shall be operable.
- (8) Dormers (Applicable to traditional architectural styles in new development)
- (a) On pitched rooflines, dormers shall be used to break up roof surfaces and shall be provided at a minimum frequency of one per thirty (30) feet or fraction thereof.
 - (b) Dormer styles may include doghouse, eyebrow or shed dormers.
 - (c) Windows shall fill the face wall of the dormer and match the windows in the rest of the building (Appendix E, Figure 5).
- (9) Roofline Articulation (Appendix E, Figure 3)
- (a) The roof design shall provide a variety of building heights and varied roofline articulation. Where traditional New England architecture is used, applicable models include gables, gambrels, flat roofs, mansards and any jointed configuration of these

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styles. Decorative spires or towers may also be used to articulate rooflines and to provide focal points within a complex of principal buildings;

- (b) Industrial style metal roofing visible from the street shall not be permitted.
- (c) Metal roofing that uses decorative finishes and textures may be allowed.
- (d) Where proposed, flat roofs shall have decorative cornices or parapets that shield all views of any mechanical systems located on the roof from the street or from windows at a lower elevation in adjacent buildings.
- (e) Downspouts shall match gutters in material and finish.
- (f) Utilities and protuberances through or on the front of roofs are shall not be used in new development and should generally be shielded from view.

(10) Building Materials

- (a) Materials and building treatments shall be used that reduce the visibility of buildings from distant vantage points and shall be consistent and compatible with traditional New England design.
- (b) Where more than one material is used, traditionally heavier materials (stone, brick, concrete with stucco, etc.) shall be located below lighter materials (wood, fiber cement board, siding, etc). For traditional architectural applications, the change in material shall occur along a horizontal line, preferably at the floor level.
- (c) Natural materials, such as brick, stone, finished concrete, glass, high quality metal or porcelain enamel panels, wood/concrete clapboards and shingles, and slate shall be used as visible exterior finish. Materials such as unfinished concrete, sheet metal, asphalt shingles, exterior insulation finish system (EIFS), vinyl and plastic synthetic siding and windows, and insulated steel doors shall not be used as visible exterior finish.

(11) Lighting (Appendix E, Figure 6)

- (a) Light standards shall not exceed fifteen (15) feet in height; and
- (b) Light posts and fixtures shall be designed in a manner that is complementary to adjacent streetscapes or to the architectural context provided by surrounding buildings. Standard industrial-finish poles or shades selected exclusively for their ability to provide adequate illumination, without regard for the aesthetic context of the site and/or neighborhood, are prohibited.

(12) Signage (Appendix E, Figure 7)

- (a) Wall mounted or projected signs should typically be located above the ground floor storefront and just below the second floor windows. Signs should not obscure architectural features or windows and should be integrated with the design of the building.
- (b) Sign colors should be selected to enhance sign legibility for both day and nighttime viewing. Contrasting colors can be used effectively to increase clarity. Sign colors and finishes should be compatible with the color of the building or development.

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- (c) Sign materials should be of high quality and compatible with the design of the building and façade on which they are placed.
- (d) Externally illuminated signs should have downward-directed, wall mounted lights with fully-shielded decorative lamps that do not obscure the graphics of the sign.
- (e) Internally illuminated plastic or fiberglass cabinet (can) signs are not allowed. Where internal illumination or back-lighting is proposed, solid letters (reverse channel) are a preferred alternative.
- (f) Signage on awnings is permitted only on the apron portion of the awning for business identification or to advertise particular goods and/or services.
- (g) Free-standing single pole (lollipop) signs are not allowed. Free-standing monument or structured signs are preferred. Free-standing signs should incorporate design details, materials and colors of the associated buildings. The base or support elements of freestanding signs should be integrated into the overall site design through the use of lighting, decorative surfaces or landscaped treatment.

SECTION XVI UNIFIED DEVELOPMENT REVIEW

Article A. Unified development review process

All unified development review, including the required singular public hearing, is completed by the City Planning Commission. Review of projects submitted under this article shall adhere to the procedures, timeframes and standards of the underlying category of the project as listed in Section IV Article A, but shall also include the following procedures:

- (1) Minor subdivisions and land development projects. Except for dimensional relief granted by modification, requests for variances and/or for the issuance of special use permits related to minor subdivisions and 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 meets the requirements of Section XI, shall be held prior to consideration of the preliminary plan by the City Planning Commission. The City Planning 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 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 land development project.
- (2) Development plan review. Except for dimensional relief granted by modification, requests for relief from the literal requirements of the zoning ordinance and/or for the issuance of special use permits related to development plan review projects shall be submitted as part of the application materials for the first stage of review. A public hearing on the application, including any variance and special use permit requests that meets the requirements of Section XI shall be held prior to consideration of the preliminary plan by the City Planning Commission. The City Planning Commission shall conditionally approve or deny the request(s) for the variance(s) and/or special use

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permit(s) before considering the preliminary plan application for the development plan review project. Approval of the variance(s) and/or special use permit(s) shall be conditioned on approval of the final stage of review of the development plan review project.

- (3) Major subdivisions and land development projects.
- (a) Master plan. Except for dimensional relief granted by modification, 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 land development projects shall be submitted as part of the application materials for the master plan stage of review, or if combined with other stage(s), the first stage of review. A public hearing on the application, including any variance and special use permit requests that meets the requirements Section XI, shall be held prior to consideration of the master plan by the City Planning Commission. The City Planning 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 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 land development project.
- (b) 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 Planning 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 Section XI, shall be held prior to consideration of the preliminary plan by the City Planning Commission. The City Planning 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 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 land development project. If the City Planning Commission denies the request for alteration(s), new variance(s), and/or new special use permit(s), the City Planning Commission shall have the option of remanding the application back to the master plan stage of review. Alternatively, if the City Planning 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 Section X Article F so that additional information can be provided and reviewed by the City Planning Commission.

Article B. Public hearing

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Unless otherwise provided in these regulations all under this section shall require a single public hearing. The public hearing must meet the following requirements:

- (1) Public hearing notice shall adhere to the requirements found in Section XI.
- (2) 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.
- (3) The cost of all public notice is to be borne by the applicant.

Article C. Time Periods for Review

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

Article D. Vesting

The expirations period of an approval of a variance or special use permit granted under this article shall be the same as those set forth in these regulations for the underlying type of project under review.

Article E. Appeals

Decisions under this article, including requests for the variance(s) and/or special use permits that are decided by the City Planning Commission may be appealed pursuant to Section XVII Article K.

SECTION XVII ADMINISTRATION

Article A. Administrative Fees

Reasonable administrative fees may be established in an amount not to exceed actual costs incurred to be paid by the applicant. Costs shall be based upon review and hearing of applications, issuance of permits and the recording of the decisions.

Article B. Violations and Penalties

- (1) Any owner or agent of the owner, who:
 - (a) Transfers, sells, or negotiates to sell any land by reference to or exhibition of, or by other use, a plat of the subdivision before the plat has been approved and recorded with the City Clerk in accordance with these regulations;
 - (b) Makes improvements that constitute a land development project as defined in the Pawtucket Zoning Ordinance before the plan thereof has been recorded with the City Clerk in accordance with these regulations; or

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- (c) Fails to adhere to an approved land development project plan / final plat or the recorded conditions thereof
shall be subject to a fine of five hundred (\$500.00) dollars for each violation and each day of existence of any violation shall be deemed to be a separate offense. Any such fine shall be the property of the City of Pawtucket.
- (2) Any subdivision of land in violation of these regulations shall be void.
- (3) The City of Pawtucket may also cause suit to be brought in the housing court or municipal court in the name of the City to restrain the violations of, or to compel compliance with, the provisions of these regulations.

Article C. Required Findings

The permitting authority shall address each of the general purposes stated in Section I Article C and make positive findings on the below provisions as a part of a subdivision and/or land development project's record prior to approval. Except for administrative subdivisions, findings of fact must be supported by legally competent evidence on the record which discloses the nature and character of the observations upon which the fact finders acted.

- (1) The proposed development is consistent with the Comprehensive Plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
- (2) The proposed development is in compliance with the standards of the City of Pawtucket Zoning Ordinance;
- (3) There will be no significant negative environmental impacts from the proposed development as shown by the final plan, with all required conditions for approval;
- (4) The subdivision, as proposed, will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impractical. Lots with 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; and
- (5) All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered compliance with this requirement.

Article D. Precedence of Approvals between the City Planning Commission and Other Local Authorities

- (1) City Council. Where an applicant requires both City Planning Commission approval and City Council approval or a Zoning Ordinance or Zoning Map change, the applicant shall first obtain an advisory recommendation on the zoning change from the City Planning Commission, as well as conditional permitting authority approval for the first approval stage for the proposed project, which may be simultaneous, then obtain a conditional

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zoning change from the City Council, and then return to the permitting authority for subsequent required approvals.

- (2) Historic District Commission. Where an application is located within the City's Historic District, the applicant shall complete a pre-application meeting with the Historic District Commission. Upon submitting an application under these regulations, the applicant shall obtain conditional approval of the first approval stage from the permitting authority, then obtain approval of any changes to the exterior of the building by the Historic District Commission, and finally return to the permitting authority for subsequent required approvals.

Article E. Waivers and Modifications of Requirements

An applicant may request a waiver and/or modification of a requirement of these regulations by written request to the Administrative Officer as part of the application and in no instance more than ten (10) days prior to the expected issuance of a certificate of completeness. If at a later date, the permitting authority finds a requirement of these regulations is not met, the applicant shall amend their application or apply for the necessary waiver and/or modification pursuant to this section prior to recording.

- (1) The permitting authority may waive requirements for Development Plan Review where there is a change in use or occupancy and no extensive construction or improvements are sought. The application for a waiver of Development Plan Review shall include documentation on the prior use of the site, the proposed use, and its impact. The waiver may be granted only by a finding by the permitting authority that the proposed or expanded use will not affect drainage, circulation, relationships of buildings to each other, landscaping buffering, lighting, and other considerations of development plan approval, and that the existing facilities do not require upgraded or additional site improvements.
- (2) The City Planning Commission, after a public hearing on the matter, shall have the power to grant such waivers and/or modifications from the requirements for land development and subdivision approval as may be reasonable and within the general purposes and intents of these regulations. Such relief shall be considered prior to the certification of a complete application by the Administrative Officer. Notice of the public hearing shall be provided in accordance with Section XI. The only grounds for such waivers and/or modifications shall be where the literal enforcement of one (1) or more provisions of the regulations is impracticable and will exact undue hardship because of peculiar conditions pertaining to the land in question or where such waiver and/or modification is in the best interest of good planning practice and/or design as evidenced by consistency with the municipality's Comprehensive Plan and Zoning Ordinance.
- (3) In addition to the above criteria, the permitting authority may modify required improvements and design standards, as contained in Sections XIV and XV, respectively, of these regulations, due to special conditions of the land or other features of the development or subdivision, following consultation with the Director of Public Works and a determination by the permitting authority that such failure to grant such

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modification would provide significant hardship and preclude implementation due to any of the following conditions:

- (a) Constraints resulting from unique parcel shape, geometry, or topography make compliance with a particular standard impracticable;
 - (b) Constraints that result from the location or orientation of existing structures make compliance with a particular standard impracticable;
 - (c) The imposition of a particular standard(s) would result in the loss of a significant historic or cultural feature within the CD District; or
 - (d) The imposition of a particular standard(s) would result in a threat to public safety, health or welfare.
- (4) The reviewing body shall approve, approve with conditions, or deny the request for either a waiver or modification as described in the subarticles above. When the action is taken by the City Planning Commission, it shall be according to Article G of this section. When the action is taken by a technical review committee, it shall be in accordance with their bylaws as approved by the City Planning Commission.

Article F. Reinstatement

- (1) When an applicant has exceeded a deadline established by these regulations for submission of material at any stage of review for a land development or subdivision project, or for signature and recording of plans and plats following final approval under the provisions of Article I below, thereby rendering an application or any previous approval invalid, the application may be reinstated by the permitting authority under the following conditions:
- (a) The content of these regulations, and of all other local, state or federal regulations or guidelines applicable to the project, are substantially the same as at the time of the previous approval;
 - (b) The zoning designation of the proposed development parcel has remained the same;
 - (c) The physical conditions of the proposed development parcel are substantially the same as at the time of the previous approval; and
 - (d) The proposed development is consistent with the Comprehensive Plan, including all amendments thereto.
- (2) Any applicant seeking reinstatement of a previously approved development application for which the approval has expired, shall make such a request in writing to the permitting authority within one (1) year of expiration of approval and pay the required fee for the most recently approved stage of review.

Article G. Meeting, Votes, Decisions of the City Planning Commission

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- (1) All records of City Planning Commission proceedings and decisions shall be written and kept permanently available for public review.
- (2) Participation in a City Planning Commission meeting or other proceedings by any other party shall not be a 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.
- (3) All final written comments to the City Planning Commission from the Administrative Officer, municipal departments, a technical review committee, state and federal agencies, and local commissions shall be part of the permanent record of the development application.
- (4) All votes of the City Planning Commission shall be made part of the permanent record and shall show the members present their votes. A decision by the City Planning Commission to approve any land development project, development plan review, or subdivision application shall require a vote for approval by a majority of the City Planning Commission members present.

Article H. Recording of Decisions

All decisions of the permitting authority made under these regulations shall be written and signed by the Administrative Officer. The decision shall be recorded within forty (40) days of the date of the decision by the permitting authority provided that all outstanding application, notice, and review fees have been paid. Following recording, copies of the decision shall be mailed first class to the applicant and any party who has requested notice of the decision.

Article I. Signing and Recording of Plats and Plans

- (1) Before the final plat / approved land development project plan / approved development plan review plan is recorded, all specific changes, conditions, or other requirements of the permitting authority's approval shall be met. Endorsement will be withheld until said changes or conditions are made or satisfied. Where certain conditions are to become a restriction on any feature or lot of the development or subdivision, this restriction shall be printed upon the copies of the final plat / approved land development project plan / approved development plan review plan.
- (2) The applicant shall provide the Administrative Officer with three full size (no larger than 11" x 17" unless otherwise approved by the Administrative Officer) copies of the final plat / approved land development project plan / approved development plan review plan, one of which shall be on Mylar. All approved final plans and plats for land development and subdivision projects shall be signed by the appropriate City Planning Commission official attesting to the approval, with the date of approval, prior to submission to the City Clerk for recording. Approved land development project plans and final plats for major land development projects and subdivisions, respectively, shall be signed by the City Planning Commission Chairperson or the Secretary of the City Planning Commission. All final plats for minor subdivisions and administrative subdivisions, approved land development project plans for minor land development projects, and approved development plan review plans shall be signed by the Administrative Officer.

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- (3) Upon signature, copies shall be submitted distributed as follows:
 - (a) The Mylar copy shall be recorded in the office of the City Clerk. The material to be recorded for all plans and plats shall include all pertinent plans with notes thereon concerning all the essential aspects of the approved project design, the implementation schedule, special conditions placed on the development by the municipality, permits and agreements with state and federal reviewing agencies, and other information as required by the permitting authority.
 - (b) One copy of the entire final approved set of drawings, as well as 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, all legal agreements, records of the public hearing and the entire final approval set of drawings shall be kept permanently by the municipal departments responsible for implementation and enforcement.
 - (c) One copy shall be returned to the applicant.
- (4) No permit for the construction or development of any structure or facility on any lot or parcel within subject to land development project approval, development plan review, or a subdivision shall be issued by the Building Official until the plan or plat of said development or subdivision has been approved by the permitting authority and recorded with the City Clerk in accordance with this article.
- (5) The Administrative Officer shall notify the statewide "911" emergency authority and the local police and fire authorities servicing the new development with the information required by each of the authorities.
- (6) The approved land development project plan / final plat / approved development plan review plan, once recorded, shall remain valid as the approved plan for the site unless and until an amendment to the plan is approved under the procedure set forth in Article J of this section or a new plan is approved by the permitting authority

Article J. Changes to Approved Plans

- (1) An applicant may request a change to an approved plan by submitting to the Administrative Officer a letter detailing the requested change and pay any required fee.
- (2) For all changes to the recorded plat / approved land development project plan / approved development review plan, an amendment of the final plat / approved land development project plan / approved development review plan is required prior to the issuance of any building permits for construction on the subject property. Any changes approved in the plat / approved land development project plan / approved development review plan shall be recorded as amendments to the plat / approved land development project plan / approved development review plan in accordance with the procedure established for recording of plats in Article H of this section.
- (3) Minor changes to a land development project, development plan review, or subdivision plan may be approved administratively, in writing by the Administrative Officer. The changes may be authorized without additional public meetings, at the discretion of the Administrative Officer. All such changes shall be made part of the permanent record of the project application. This provision shall not prohibit the Administrative Officer from requesting a recommendation from either the Technical Review Committee or the City

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Planning Commission. Denial of the proposed change(s) shall be referred to the City Planning Commission for review as a major change. For the purposes of these regulations, a minor change shall be limited to the following:

- (a) Amendments to grading plans or drainage plans which are acceptable to the Director of the Department of Public Works and which do not require approval of any state or federal agency;
 - (b) Amendments to utility plans which are acceptable to the Director of the Department of Public Works, or to the appropriate utility company;
 - (c) Changes which are required by a state permitting agency, such as the Department of Environmental Management, the Coastal Resources Management Council, the Department of Transportation, or any other outside agency having jurisdiction over the project, provided said change does not qualify as a major change per Subarticle 4 below; or
 - (d) Amendments to construction plans which are required because of unforeseen physical conditions on the parcel being subdivided or otherwise developed, which are acceptable to the Director of Public Works, Administrative Officer and the Fire Chief, and which are not a major change as described per Subarticle 4 below.
- (4) Major changes to a land development project, development plan review, or subdivision approved at any stage may be approved only by the permitting authority and must follow the same review and public hearing process required for approval of a preliminary plan, which shall include a public hearing in accordance with Section XI. For the purposes of these regulations, a major change shall include, but not necessarily be limited to the following:
- (a) Changes in lot boundaries and areas;
 - (b) Changes which would result in the creation of additional lots or dwelling units in a development;
 - (c) Changes in the dimensions or configuration of a proposed street or street system;
 - (d) Changes which would involve the installation of utilities, water lines, sewers and/or drainage systems to service a larger area;
 - (e) Changes which would require the issuance of a variance or special use permit;
 - (f) Changes which may have significant negative impacts on abutting property or property in the vicinity of the proposed subdivision or land development project; or
 - (g) Any change not listed as a minor change.

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- (5) The Administrative Officer shall notify the applicant in writing within 14 days of submission of request to change an approved plan if the Administrative Officer determines the change to be a major change.

Article K. Appeals

Any party aggrieved by a decision of the City Planning Commission or of the Administrative Officer, on matters of review and approval of land development and subdivision projects, may appeal such decision.

- (1) Decisions by the Administrative Officer approving or denying projects under Section V, VII, VIII, IX, X, or XII shall not be subject to this subarticle and shall proceed directly to Superior Court as set forth in subarticle (2) below. An appeal to the Board of Appeal from a decision or action of the City Planning Commission or the Administrative Officer may be taken by an aggrieved party. The appeal must be taken within 20 days after the decision has been recorded and posted with the City Clerk.
- (a) The appeal shall be in writing and shall state clearly and unambiguously the issue or decision which is being appealed, the reason for the appeal, and the relief sought. The appeal shall either be sent by certified mail, with a return receipt requested, or shall be hand delivered to the Board of Appeal.
- (b) Upon receipt of an appeal under these regulations, the Board of Appeal shall require the Administrative Officer to transmit forthwith to the Board of Appeal, all papers, documents and plans, or a certified copy thereof, constituting the record of the action which is being appealed.
- (c) An appeal under this subarticle shall stay all proceedings in furtherance of the action being appealed.
- (d) Public hearing. The Board of Appeal shall hold a public hearing on the appeal within 45 days of the receipt of the appeal, giving public notice thereof, as well as due notice to the parties of interest. At the public hearing, any party may appear in person or may be represented by an agent or attorney. The Board of Appeal shall render a decision within 10 days of the close of the public hearing. The cost of any notice required for the hearing shall be borne by the appellant.
- (2) An aggrieved party may appeal a decision of the Board of Appeal, a decision of the Administrative Officer approving or denying a stage of review under Section V, VII, VIII, IX, X, or XII, a decision of the Technical Review Committee, where authorized to approve or deny an application, or a decision of the City Planning Commission to the Superior Court by filing a complaint setting forth the reasons of appeal within 20 days after the decision has been recorded and posted in the office of the City Clerk. Recommendations by any public body or officer under this chapter are not appealable.

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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 thereof, together with such other facts as may be pertinent, with the Clerk of the court within 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, such applicant or appellant and the City Planning Commission shall be made parties to the proceedings. No responsive pleading is required for an appeal filed pursuant to this subarticle. The appeal shall not stay proceedings upon the decision appealed from, but the Court may, in its discretion, grant a stay on appropriate terms and make such other orders as it deems necessary for an equitable disposition of the appeal.

- (3) An appeal of an amendment of these regulations may be taken to the Superior Court by filing a complaint within 30 days after such amendment has become effective. The appeal may be taken by any legal resident or landowner of the City of Pawtucket, or by any association of residents or landowners of the City. The appeal shall not stay the enforcement of these regulations as 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. The complaint shall set forth with specificity the area or areas in which the amendment is not consistent with the Comprehensive Planning Act, Title 45 Chapter 22.2 of the General Laws of Rhode Island; the Zoning Enabling Act of 1991, Title 45 Chapter 45 of the General Laws of Rhode Island; the Comprehensive Plan; or the Zoning Ordinance.

Article L. Vesting

Any application considered in accordance with these regulations shall be reviewed according to the regulations in force at the time the application was submitted all required documents for its first certificate of completeness and subsequently received the certificate of completeness without any intervening certificate of incompleteness. If an application is so vested, action shall be taken by the applicant or owner within timeframes established in these regulations and diligently pursued until recording. Any proposed development or subdivision which has vested under the terms of this article, and which has exceeded the timeframes for vesting under these regulations, including recording, shall require the submission of a new application in accordance with Article F of this section.

Article M. Availability

An electronic copy of these regulations shall be available on the City Planning Commission webpage and printed copies of these regulations shall be available to the general public. These copies shall be revised to include all amendments. A reasonable charge may be made for printed copies.

SECTION XVIII DEFINITIONS

For the purposes of these regulations, the following words and phrases shall have the meanings respectively ascribed to them by this section. Where words or phrases used in these regulations are

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defined in the definitions section of either the "Rhode Island Comprehensive Planning and Land Use Regulation Act", §45-22.2-4, or the "Zoning Enabling Act of 1991", §45-24-31, they shall have the meanings stated therein. Definitions included in § 410-132 of the Pawtucket Zoning Ordinance are controlling unless enumerated below. In addition, the following words and phrases shall have the following meanings.

- (1) Approved Development Plan Review Plan. The final drawing(s) of all or a portion of a development plan review application to be recorded after approval and any accompanying material as required.
- (2) Approved Land Development Project Plan. The final drawing(s) of all or a portion of a land development project to be recorded after approval and any accompanying material as required.
- (3) Board of Appeal. The City of Pawtucket Board of Review shall be the Pawtucket Zoning Board of Review constituted as the Pawtucket Board of Appeal. See Section I Article G.
- (4) Bond. See improvement guarantee.
- (5) Buildable Lot. A lot where construction for the use(s) permitted on the site under the Pawtucket Zoning Ordinance is considered practicable by the City Planning Commission, considering the physical constraints to development of the site as well as the requirements of the pertinent federal, state, and local requirements.
- (6) Certificate of Completeness. A notice issued by the Administrative Officer informing an applicant that the application is complete and meets the requirements of the City of Pawtucket's regulations, and that the applicant may proceed with the approval process.
- (7) Concept Plan. A drawing with accompanying information showing the basic elements of a proposed land development plan or subdivision as used for pre-application meetings and early discussions, and classification of the project within the approval process.
- (8) Division of Land. A "subdivision."
- (9) 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."
- (10) Final Plan. The final stage of land development and subdivision review.
- (11) Final Plat. The final drawing(s) of all or a portion of a subdivision to be recorded after approval and any accompanying material as required.
- (12) Improvement. Any natural or built item which becomes part of, is placed upon, or is affixed to, real estate.
- (13) Improvement Guarantee. A security instrument accepted by the City of Pawtucket to ensure that all improvements, facilities, or work required by the land development and subdivision regulations, or required by the City of Pawtucket as a condition of approval, will be completed in compliance with the approved plans and specifications of a development.
- (14) Maintenance Guarantees. Any security instrument which may be required and accepted by the City of Pawtucket to ensure that necessary improvements will function as required for a specific period of time.

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- (15) Master Plan. An overall plan for a proposed project site outlining general, rather than detailed, development intentions. It describes the basic parameters of a major development proposal, rather than giving full engineering details. A master plan is required in major land development or major subdivision review.
- (16) Modification of Requirements. See Section XVII Article E.
- (17) 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.
- (18) 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.
- (19) 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 also “environmental constraints.”
- (32) Plat. A drawing or drawings of a land development or subdivision plan showing the location, boundaries, and lot lines of individual properties, as well as other necessary information as specified in these regulations.
- (33) Pre-application Conference. An initial meeting between developers and City of Pawtucket representatives which affords developers the opportunity to present their proposals informally and to receive comments and directions from the City of Pawtucket officials and others.
- (34) Preliminary Plan. A required stage of land development and subdivision which generally requires engineered drawings.
- (35) 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 of Pawtucket or other governmental entity either is presently responsible, or will ultimately assume the responsibility for maintenance and operation upon municipal acceptance.
- (36) Subdivider. Any person who 1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who 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 who 3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision or any interest, lot, parcel, site, unit, or plat in a subdivision.
- (37) 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.
- (38) Waiver of Requirements. See Section XVII Article E.

SECTION XIX SEVERABILITY

If any provision of these regulations or of any rule, regulation, or determination made thereunder, or the application thereof to any person, agency, or circumstances, is held invalid by a court of competent jurisdiction, the remainder of the regulations, rule, regulation, or determination and the application of such provisions to other, persons, agencies, or circumstances shall not be affected

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thereby. The invalidity of any provision or provisions of these regulations shall not affect the validity of the remainder of these regulations.

SECTION XX EFFECTIVE DATE

These regulations shall be effective upon approval by the Pawtucket City Planning Commission following a public hearing on the date of approval, originally on March 22, 1994. Subsequent amendments shall be effective on their date of City Planning Commission approval following the required public hearing, or such later date set by the City Planning Commission during the course of its consideration of the amendment.

APPENDIX A.

**DEVELOPMENT PLAN REVIEW OR LAND DEVELOPMENT PROJECT
APPLICATION**

City of Pawtucket Development Plan Review or Land Development Project Application

Incomplete applications will not be accepted.

If you have any questions, please call the Department of Planning and Redevelopment at (401) 724-5200 ext 430.

Application Instructions:

- All applications must be certified as complete by the Department of Planning and Redevelopment.
- Applicants will not be considered complete unless they include all required information listed in the checklist.
- Applications requiring Planning Commission review must be submitted no later than the 10th of the month prior to the scheduled Planning Commission meeting (e.g.. the 10th of January for the February meeting). Applications certified as complete less than 21 days prior to the next scheduled meeting will be scheduled for the subsequent Planning Commission meeting.
- Applicants may schedule a pre-application conference to review their proposal and for assistance in determining the type of review and applicable fee.
- All necessary utility, infrastructure, roadway, sidewalk, walkway and parking area improvements will be provided for the development by the applicant at their own expense.
- All improvements will be required to meet all applicable city requirements and standards.
- The applicant is required to pay all costs associated with the required advertising and mailing for any required public hearings and will be billed for all associated costs. Applications with outstanding application, notice, or review fees will not be considered. No decision will be recorded prior to the payment of outstanding advertising and mailing costs.
- Applications are subject to the following fees:

Development Plan Review	Land Development Project
Administrative: <ul style="list-style-type: none"> ● 1-2 residential units \$50 ● New commercial/industrial construction up to 10,000 s.f.: \$50 ● Additions between 500-999 s.f.: \$50 ● Accessory structures over 1,000 s.f.: \$50 ● 3-6 residential units: \$300 ● 7-9 residential units: \$500 	Minor: \$200
Formal: <ul style="list-style-type: none"> ● ● 10+ residential units: \$1,000 ● Commercial additions over 1,000 s.f.: \$300 ● New commercial development 10,000-20,000 square feet: \$500 ● New commercial development 20,000 square feet or more: \$1,000 	Major: \$200

City of Pawtucket Development Plan Review or Land Development Project Application

Provide the following information:

Applicant's Name: _____

Address: _____

Telephone: __ (____) _____ - _____

Email: _____

Owner's Name (if different): _____

Owner's Signature authorizing development restriction and certifying application contents as correct:

Address: _____

Telephone: __ (____) _____ - _____

Email: _____

Applicants requesting that their correspondence be through a representative must provide contact information below:

Representative's Name: _____

Address: _____

Telephone: __ (____) _____ - _____

Email: _____

Location of Premises: _____

(number) (street name)

Assessor's Plat: _____ Lot: _____

Please submit an additional copy of this form for each additional lot.

Please provide a name for your proposed development: _____

Is the property located in a Historic District? ___Yes ___No

Current Use of Premises: _____

Proposed use of premises (include size of building or addition & number of units): _____

This box for City Staff use only:

Application Type ___ Administrative ___ Formal ___ Minor ___ Major

Dates Received: _____ By: _____

Dates Certified Complete: _____ By: _____

Master Plan CPC: _____ Action: ___ Approve ___ Deny ___ Other

TRC Meetings: _____ Recommendation: ___ Approve ___ Deny ___ Other

Preliminary: _____ Action: ___ Approve ___ Deny ___ Other

Final: _____ Action: ___ Approve ___ Deny ___ Other

Approved Development Plan Recording Date: _____

APPENDIX B.

**DEVELOPMENT PLAN REVIEW OR LAND DEVELOPMENT PROJECT
CHECKLIST**

City of Pawtucket Development Plan Review or Land Development Project Application Checklist

Instructions:

The shaded boxes within the checklist indicate an item is not required at a particular stage of review. Split cells vary by application type, per the key at the bottom of each page. Complete the unshaded boxes on the left side of the table for your applicable review stage(s) with an affirmation (Y, X, or ✓) or an indication that the requirement is not applicable to your application (N/A). If you cannot meet a checklist requirement, you must apply for and receive a waiver prior to the application being considered complete pursuant to Section XVII Article E of the Land Development and Subdivision Regulations. Please complete a separate copy of this document for each review stage. One copy may be submitted for combined review stages. Application materials shall be submitted in electronic .pdf format and shall legibly print at tabloid (11"x17") size unless otherwise indicated. Each page of submitted material shall have the date created and the name of the proposed development. Each stage of review shall include one full size paper copy to be kept by the Administrative Officer for public viewing. For the *Location* column, provide the electronic file name and page number. This checklist pertains to the following development application review stages:

1. **Administrative Development Plan Review (AD)**
2. **Master Plan Review of a Major Land Development Project (MD)**
3. **Preliminary Formal Development Plan Review or Preliminary Plan Review of a Major or Minor Land Development Project (PD)**
4. **Final Formal Development Plan Review or Final Plan Review of a Major or Minor Land Development Project (FD)**
5. **Approved Land Development Project or Approved Development Plan Review Plan (AP)**

1. AD	2. MD	3. PD	4. FD	5. AP	Description of Required Submission Material	Location
		1*			1. Completed application form	
					2. Completed Checklist	
			2*		3. Ten (10) full size paper copies of all submission materials within ten (10) days of issuance of the certificate of completeness	
					3. All application materials consistent with the Planning Board Design Standards, Section XV, and Required Improvements, Section XIV, of the Land Development and Subdivision Regulations	
					4. Pawtucket Tax Collector account statement showing a zero balance	
					5. If connections to existing utilities are proposed, documentation from existing utility agencies providing consent to connect to existing utilities. Said documentation may not be required at the time of application, however, approval may be conditioned upon providing said documentation to the City. If connections to existing utilities are not proposed, a utility service plan may be required.	
					6. If a special use permit or variance is requested, all application materials for such required by the City of Pawtucket. An application with an outstanding modification request will not be certified complete.	

1* - only for minor land development projects and formal development plan review

2* - only for major land development projects

3* - only for formal development plan review

Date: _____ Name of Proposed Development: _____

City of Pawtucket Development Plan Review or Land Development Project Application Checklist

1. AD	2. MD	3. PD	4. FD	5. AP	Description of Required Submission Material	Location
		1*			7. A letter certified as true and correct identifying: A. Changes made since pre-application B. Any required zoning approvals C. Any requested waivers or modification of requirements as written in Section XVII Article E of the Land Development and Subdivision Regulations D. Any proposed public improvements or dedications E. Use allocation by total square footage of each proposed use, according to § 410-12 of the City of Pawtucket Code of Ordinances	
			2*		8. A letter certified as true and correct requesting this stage of approval and identifying any changes made to the application since the previous stage of approval	
		1*			9. A written narrative containing: A. Information on the natural and built features of the surrounding neighborhood B. Existing natural and man-made conditions of the tract, including topographic, freshwater wetland, and coastal features, the floodplains, proposed improvements and dedications, tentative construction phasing; C. Potential neighborhood impacts; D. Description of the application's consistency with the Pawtucket Comprehensive Plan; E. 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 and the design's compatibility with the existing character of Pawtucket; and F. For major land development projects only: If the proposed development is proposed for phased construction, a description and timing for individual phases.	
					10. All permits required by state or federal agencies for construction, including freshwater wetlands, the coastal zone, floodplains, preliminary suitability for individual septic disposal systems, and connections to state roads.	
					11. All updated permits required by local, state or federal agencies for construction of improvements, including freshwater wetlands, the coastal zone, floodplains, land disturbance, preliminary suitability for individual septic disposal systems, public water systems, zoning approvals, and connections to streets.	

1* - only for minor land development projects and formal development plan review

2* - only for major land development projects

3* - only for formal development plan review

Date: _____ Name of Proposed Development: _____

City of Pawtucket Development Plan Review or Land Development Project Application Checklist

1. AD	2. MD	3. PD	4. FD	5. AP	Description of Required Submission Material	Location
					12. Public Dedication Form if any public dedications are proposed	
					13. Proposed arrangements for the completion of any improvements, including construction schedule / improvement guarantees	
					14. Proposed terms of any improvement guarantees for improvements required by Section XIV of the Land Development and Subdivision Regulations, and cost estimates to complete the required improvements	
				2*	15. For phased developments, as-built drawings of all public improvements approved in prior phases and already constructed.	
			2*	1*	16. If additional impervious surface is proposed, and/or 40% or more of the site will be impervious, a stormwater management plan consistent with the Rhode Island Stormwater Maintenance, Design and Installation Manual; the Rhode Island Soil Erosion and Sediment Control Handbook; and in accordance with any applicable provisions of the Code of Ordinances	
				2*	17. An updated Stormwater Management Plan, if any changes are necessitated by changes made to the application since the previous approval stage	
		1*			18. Three (3) daytime photographs of the site showing access and the location of the proposed development submitted as .jpg digital image files to the Administrative Officer	
					19. Preliminary drawings at no larger than 11"x17" showing items B1, B3 - B4, B9 - B18, C1, C3 - C7, and D at the bottom of the table.	
			3*		20. A locus map of the subject property highlighting all properties within 200' of the subject property with a radial line identifying Assessor's plat and lot. Include a list of names and addresses of all abutting property owners within 200 feet of property lines, submitted with mailing labels	
					21. A sketch at no larger than 11" x 17" depicting the items listed under A at the bottom of the table.	
					22. Preliminary drawings at no larger than 11"x17" showing items B2 - B19 ,C2 - C7, and E at the bottom of the table.	
					23. Final drawings at no larger than 11"x17" showing items B2 - B19 ,C2 - C7, and E at the bottom of the table.	

1* - only for minor land development projects and formal development plan review

2* - only for major land development projects

3* - only for formal development plan review

City of Pawtucket Development Plan Review or Land Development Project Application Checklist

1. AD	2. MD	3. PD	4. FD	5. AP	Description of Required Submission Material	Location
					24. Final plans in conformity with the previous stage of approval in digital (.pdf) format and generated on mylar able to be recorded by the Office of Land Evidence Records no larger than 11”X 17” at a scale of ¼” to 1’, or other scale as the Administrative Officer may require, and containing the following information: A. All the essential aspects of the approved design; B. The implementation schedule; C. Special conditions placed by the City; D. Permits and agreements with state and federal reviewing agencies; E. Other information required by the permitting authority; and F. Three lines, three inches long and one inch apart in the lower left-hand corner of each drawing for approval signatures. The first line states “City of Pawtucket.” The second line shall state “Approved Development Plan.” The third line shall be blank.	
			2*		25. Additional items deemed necessary by the permitting authority during the previous review stage	

1* - only for minor land development projects and formal development plan review

2* - only for major land development projects

3* - only for formal development plan review

Drawing Submission Requirements:

A. Master Plan Sketch.

1. Name of proposed development, name of owner, name of the architect, engineers, landscape designer, and other consultants involved in the preparation of the plan, date, north point;
2. Lots, including lot lines, approximate dimensions, approximate area and Assessor’s lot numbers;
3. Existing and proposed streets, approximate parking areas;
4. Concept for collecting and discharging stormwater;
5. Concept for grading, including limits of disturbance;
6. Names of abutting property owners and property owners immediately across any streets adjacent to the subject parcel;
7. Location and approximate size of existing buildings or significant aboveground structures on the subject parcel;
8. Location of wetlands, watercourses or coastal features within and immediately adjacent to the subject parcel;
9. Location of wooded areas and areas of agricultural use;
10. Location of any unique or historic features, including historic cemeteries; within or immediately adjacent to the subject lot(s);
11. Existing zoning on the site and on all abutting properties;
12. Availability of utilities;
13. Proposed buildings;
14. Proposed number of building lots;
15. Proposed number of dwellings;
16. Concept for collecting and discharging stormwater; and

Date: _____ Name of Proposed Development: _____

City of Pawtucket Development Plan Review or Land Development Project Application Checklist

17. Concept for grading, including limits of disturbance
- B. Site Plan. The applicant shall provide a proposed site plan for all areas of lots containing the entire tract, whether or not intended for development showing:
 1. Name of proposed development, name of owner, name of the architectural designer, engineers(s) (if applicable), landscape designer, and other consultants involved in the preparation of the plan, date, north point and scale;
 2. Name of proposed development, name of owner, name of the architect, engineers, landscape designer, and other consultants involved in the preparation of the plan, date, north point and scale;
 3. Lots, including lot lines, approximate dimensions, approximate area and Assessor's lot numbers;
 4. Existing and proposed streets, drives, parking areas (including arrangement and dimensions of parking spaces and drive aisles as well as points of ingress/egress), loading areas, and walks, including location, name and right-of-way widths on entire tract and on abutting property, as well as point(s) of access to the site;
 5. Utilities, indicating pipe sizes, grades, and manholes, proposed utility extensions, and text defining ownership and maintenance plans (water utilities to be verified by the Pawtucket Water Supply Board and sewer utilities to be verified by the Department of Public Works and Narragansett Bay Commission);
 6. Topography, including contours at suitable intervals;
 7. Location of areas of active agricultural use or containing prime agricultural soils and farmland soils of statewide importance;
 8. Identification of the following areas of special concern:
 - a) Natural Heritage Areas, as defined by the Rhode Island Department of Environmental Management (RIDEM)
 - b) The area(s) under the jurisdiction of any Special Area Management Plan (SAMP) of Rhode Island Coastal Resources Management Council (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) Onsite Wastewater Treatment System Critical Resource Area, as defined by RIDEM
 - h) A Drinking Water Supply Watershed, as defined by RIDEM
 - i) National Register of Historic Places
 9. Coastal features, verified freshwater wetlands and the proposed drainage system;
 10. Portions of the site located within a flood hazard area as identified by the Federal Emergency Management Agency's (FEMA's) "Flood Insurance Rate Map" and "Flood Boundary and Floodway Map" as may be amended;
 11. Portions of the site located within the Rhode Island Coastal Resources Management Council (RI CRMC) three-foot (3') sea level rise map as being inundated during a one-hundred-year storm as may be amended;
 12. Other conditions, including the location of rock outcrop, wooded areas, existing structures, embankments or retaining walls, railroads, power lines and significant physical features on the site and on adjacent land that may have an influence on the development of the site;
 13. Public access areas, including parcels of land proposed to be dedicated for public use;
 14. Solid waste collection areas;
 15. Existing zoning on the site and on all abutting properties;

Date: _____ Name of Proposed Development: _____

City of Pawtucket Development Plan Review or Land Development Project Application Checklist

16. Zoning setback lines, accounting for abutting buildings pursuant to § 410-44(A) of the City of Pawtucket Code of Ordinances;
 17. Location and orientation of all structures and their proposed uses identifying gross square footage of floor area according to § 410-15.1 of the City of Pawtucket Code of Ordinances;
 18. Proposed location and treatment of any public or private common areas or structures including open spaces, green roofs, plazas, parks or recreation areas. Applicant shall include a statement addressing long term maintenance of such areas;
 19. Proposed renewable energy facilities and electric vehicle charging locations; and
 20. The stamp of a RI licensed professional architect and/or engineer.
- C. Building Floor Plans and Structure Elevations. The applicant shall provide proposed structures elevations and floor plans for all buildings showing:
1. Name of proposed development, name of owner, name of the architectural designer and other consultants involved in the preparation of the drawings, date, north point and scale;
 2. Name of proposed development, name of owner, name of the architect and other consultants involved in the preparation of the drawings, date, north point and scale;
 3. Base flood elevation data, if any portion of the proposed development is located within a flood hazard area as identified by the Federal Emergency Management Agency (FEMA)'s "Flood Insurance Rate Map" and "Flood Boundary and Floodway Map" or Rhode Island Coastal Management Council (RI CRMC)'s three-foot (3') sea level rise map as being inundated during a one-hundred-year storm, as may be amended;
 4. General division of leasable units within structures and associated square footages, according to § 410-15.1 of the City of Pawtucket Code of Ordinances, including identification of affordable and market-rate housing units;
 5. Location of all building entrances and identification of which entrances shall be primary entrances, ADA accessible, exit only, and/or access-controlled;
 6. Areas of glazing and identification of operable windows; and
 7. Identification of façade materials.
- D. Landscape Plan. A landscape plan that indicates the general treatment proposed for the site, including the approximate amount, location and type of buffering, landscaping, hardscape and lighting proposed, as well as location and dimensions of pedestrian entrances, exits, and walkways.
- E. Landscape Plan. A landscape plan, prepared by a licensed landscape architect that indicates the general treatment proposed for the site, including the approximate amount, location and type of buffering, landscaping, hardscape and lighting proposed, as well as location and dimensions of pedestrian entrances, exits, and walkways.

Please note that complete applications may be referred for review and comment by adjacent communities, state and federal agencies, and Pawtucket's Technical Review Committees, Fire Department, and Public Works Department, as appropriate, prior to the first public meeting on the application for the present stage of review and comments therefrom shall be provided to the Administrative Officer. Comments may also be solicited from peer professionals at direct cost to the applicant. The Administrative Officer will provide any comments received to the applicant prior to the meeting. Additional comments may be solicited by the Administrative Officer at future review stages.

APPENDIX C.

SUBDIVISION APPLICATION

City of Pawtucket
Subdivision Application
Incomplete applications will not be accepted

If you have any questions, please call the Department of Planning and Redevelopment at (401) 724-5200 ext 430

Application Instructions:

- All applications must be certified as complete by the Department of Planning and Redevelopment.
- Applicants will not be considered complete unless they include all required information listed in the checklist.
- Applications requiring Planning Commission review must be submitted no later than the 10th of the month prior to the scheduled Planning Commission meeting (e.g.. the 10th of January for the February meeting).
Applications certified as complete less than 21 days prior to the next scheduled meeting will be scheduled for the subsequent Planning Commission meeting.
- Applicants may schedule a pre-application conference to review their proposal and for assistance in determining the type of review and applicable fee.
- All necessary utility, infrastructure, roadway, sidewalk, walkway and parking area improvements will be provided for the development by the applicant at their own expense.
- All improvements will be required to meet all applicable city requirements and standards.
- The applicant is required to pay all costs associated with the required advertising and mailing for any required public hearings and will be billed for all associated costs. Applications with outstanding application, notice, or review fees will not be considered. No decision will be recorded prior to the payment of outstanding advertising and mailing costs.
- Subdivision applications are classified into the following categories subject to the following fees: Administrative (no new lots for development) - \$50; Minor (nine or fewer lots) - \$200; Major (ten or more lots)- \$500.
Applications will not be processed until payment is received. Please submit payment to the Department of Planning and Redevelopment.

**City of Pawtucket
Subdivision Application**

Provide the following information:

Applicant's Name: _____

Address: _____

Telephone: __ (____) _____ - _____

Email: _____

Owner's Name (if different): _____

Owner's Signature authorizing subdivision and certifying application contents as correct:

Address: _____

Telephone: __ (____) _____ - _____

Email: _____

Applicants requesting that their correspondence be through a representative must provide contact information below:

Representative's Name: _____

Address: _____

Telephone: __ (____) _____ - _____

Email: _____

Lot Address: _____
(number) (street name)

Assessor's Plat: _____ Lot: _____

Please submit an additional copy of this form for each additional existing lot.

Please provide a name for your proposed subdivision: _____

Is the property located in a Historic District? __Yes __No

Present use of land: _____

Proposed use of land: _____

This box for City Staff use only	
Application Type __ Administrative __ Minor __ Major	
Dates received: _____	By: _____
Dates Certified Complete: _____	By: _____
Master Plan CPC Meeting: _____	Action: __ Approve __ Deny
TRC Meetings: _____	Recommendation: __ Approve __ Deny __ Other
Preliminary: _____	Action: __ Approve __ Deny
Final: _____	Action: __ Approve __ Deny
Final Plat Recording Date: _____	

APPENDIX D.

SUBDIVISION CHECKLIST

City of Pawtucket Subdivision Application Checklist

Instructions:

The shaded boxes within the checklist indicate an item is not required at a particular stage of review. Split cells vary by application type, per the key at the bottom of each page. Complete the unshaded boxes on the left side of the table for your applicable review stage(s) with an affirmation (Y, X, or ✓) or an indication that the requirement is not applicable to your application (N/A). If you cannot meet a checklist requirement, you must apply for and receive a waiver prior to the application being considered complete pursuant to Section XVII Article E of the Land Development and Subdivision Regulations. Please complete a separate copy of this document for each review stage. One copy may be submitted for combined review stages. Application materials shall be submitted in electronic .pdf format and shall legibly print at tabloid (11"x17") size unless otherwise indicated. Each page of submitted material shall have the date created and the name of the proposed subdivision. Each stage of review shall include one full size paper copy to be kept by the Administrative Officer for paper viewing. For the *Location* column, provide the electronic file name and page number. This checklist pertains to the following subdivision application review stages:

1. **Administrative Subdivision (AS)**
2. **Master Plan Review of a Major Subdivision (MS)**
3. **Preliminary Plan Review of a Major or Minor Subdivision (PS)**
4. **Final Plan Review of a Major or Minor Subdivision (FS)**
5. **Final Plat for recording (FP)**

1. AS	2. MS	3. PS	4. FS	5. FP	<i>Description of Required Submission Material</i>	<i>Location</i>
		1*			1. Completed application form	
					2. Completed checklist	
					3. Seven (7) full size paper copies of all submission materials within ten (10) days of issuance of the certificate of completeness	
					4. All application materials consistent with the Planning Board Design Standards, Section XV, and Required Improvements, Section XIV, of the Land Development and Subdivision Regulations	
					5. Drafts of all legal documents describing the proposed lots, proposed easements, and rights-of-way, including protective covenants, if any, in digital rich text (i.e. .doc) format.	
					6. If any changes have been made, drafts of all legal documents describing the proposed lots, proposed easements, and rights-of-way, including protective covenants, if any, in digital rich text (i.e. .doc) format.	
					7. Final versions of all legal documents describing the proposed lots, proposed easements, and rights-of-way, including protective covenants, if any, in digital rich text (i.e. .doc) format.	
					8. Pawtucket Tax Collector account statement showing a zero balance.	

1* - only for minor subdivisions

2* - only for major subdivisions

3* - only for minor subdivisions with a public hearing

Date: _____ Name of Proposed Subdivision: _____

City of Pawtucket Subdivision Application Checklist

1. AS	2. MS	3. PS	4. FS	5. FP	<i>Description of Required Submission Material</i>	<i>Location</i>
		1*			9. A letter certified as true and correct identifying: A. Changes made since pre-application B. Any required zoning approvals C. Any requested waivers or modification of requirements as written in Section XVII Article E of the Land Development and Subdivision Regulations	
			2*		10. A letter certified as true and correct requesting this stage of approval and identifying any changes made to the application since the previous stage of approval	
					11. If a special use permit or variance is requested, all application materials for such required by the City of Pawtucket. An application with an outstanding modification request will not be certified complete.	
		1*			12. A written narrative containing: A. Information on the natural and built features of the surrounding neighborhood B. Existing natural and man-made conditions of the tract, including topographic, freshwater wetland, and coastal features, the floodplains, proposed improvements and dedications, tentative construction phasing; C. Potential neighborhood impacts; D. Description of the application's consistency with the Pawtucket Comprehensive Plan; E. 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 and the design's compatibility with the existing character of Pawtucket; and F. For major subdivisions only: If the proposed development is proposed for phased construction, a description and timing for individual phases.	
					13. If connections to existing utilities are proposed, documentation from existing utility agencies providing consent to connect to existing utilities. Said documentation may not be required at the time of application, however, approval may be conditioned upon providing said documentation to the City. If connections to existing utilities are not proposed, a utility service plan may be required.	
					14. Proposed arrangements for the completion of any improvements, including construction schedule / improvement guarantees	

1* - only for minor subdivisions

2* - only for major subdivisions

3* - only for minor subdivisions with a public hearing

Date: _____ Name of Proposed Subdivision: _____

City of Pawtucket Subdivision Application Checklist

1. AS	2. MS	3. PS	4. FS	5. FP	<i>Description of Required Submission Material</i>	<i>Location</i>
					15. Proposed terms of any improvement guarantees for improvements and cost estimates to complete the required improvements	
					16. All permits required by local, state or federal agencies for construction of required improvements, including freshwater wetlands, the coastal zone, floodplains, land disturbance, preliminary suitability for individual septic disposal systems, public water systems, zoning approvals, and excavations and connections to streets, and evidence of completion of any necessary amendments to the Official Streets Map maintained by the City Council.	
					17. All permits required by state or federal agencies for construction, including freshwater wetlands, the coastal zone, floodplains, preliminary suitability for individual septic disposal systems, and connections to state roads.	
					18. All updated permits required by local, state or federal agencies for construction of required improvements, including freshwater wetlands, the coastal zone, floodplains, land disturbance, preliminary suitability for individual septic disposal systems, public water systems, zoning approvals, and excavations and connections to streets, and evidence of completion of any necessary amendments to the Official Streets Map maintained by the City Council.	
					19. Public Dedication Form if any public dedications are proposed	
				2*	20. For phased developments, as-built drawings of all public improvements approved in prior phases and already constructed.	
		2*	1*		21. A stormwater management plan consistent with the Rhode Island Stormwater Maintenance, Design and Installation Manual; the Rhode Island Soil Erosion and Sediment Control Handbook; and in accordance with any applicable provisions of the Code of Ordinances	
				2*	22. (All applications except administrative subdivisions) an updated Stormwater Management Plan, if any changes are necessitated by changes made to the application since the previous stage of approval	
					23. Profiles of any proposed streets with adequate ties to existing streets	
					24. An updated profile of any proposed streets with adequate ties to existing streets, if any changes are necessitated by changes made to the application since Preliminary Plan submission	

1* - only for minor subdivisions

2* - only for major subdivisions

3* - only for minor subdivisions with a public hearing

Date: _____ Name of Proposed Subdivision: _____

City of Pawtucket Subdivision Application Checklist

1. AS	2. MS	3. PS	4. FS	5. FP	Description of Required Submission Material	Location
					25. A preliminary plat at no larger than 11"x17" depicting items a - i, o - r, t - u, and x - aa at the bottom of the table.	
					26. A sketch at no larger than 11" x 17" depicting items a - c, e - r and t - v at the bottom of the table.	
		3*			27. A locus map of the subject property highlighting all properties within 200' of the subject property with a radial line identifying Assessor's plat and lot. Include a tabulated list of properties within the notice area identifying owner on file with the Pawtucket Tax Assessor, mailing address, and assessor's plat and lot.	
					28. A preliminary plat, no larger than 11"x17" depicting items a - v at the bottom of the table.	
					29. A sketch of any remaining part of the entire tract shall accompany the plat, showing the location, names and present widths of adjacent existing streets and the proposed general layout of streets in the entire tract	
					30. A drawn plan of the new lots in digital (.pdf) format no larger than 11"X 17" at a scale of 1" to 50', or other scale as the Administrative Officer may require, and depicting items a - i and k - cc at the bottom of the table.	
					31. A Final Plat of the Assessor's lot(s) in conformity with the previous stage of approval in digital (.pdf) format and generated on mylar able to be recorded by the Office of Land Evidence Records no larger than 11"X 17" at a scale of 1" to 50', or other scale as the Administrative Officer may require, plus two additional full size paper copies, and containing the following information: A. All the essential aspects of the approved subdivision design; B. The implementation schedule for improvement guarantees, if any; C. Special conditions placed by the City; D. Permits and agreements with state and federal reviewing agencies; E. Other information required by the permitting authority; and F. Three lines, three inches long and one inch apart in the lower left-hand corner of each drawing for approval signatures. The first line states "City of Pawtucket." The second line shall state "Approved Subdivision." The third line shall be blank.	
			2*		32. Additional items deemed necessary by the permitting authority during the previous review stage	

1* - only for minor subdivisions

2* - only for major subdivisions

3* - only for minor subdivisions with a public hearing

Date: _____ Name of Proposed Subdivision: _____

City of Pawtucket Subdivision Application Checklist

Subdivision Survey Requirements:

- a. Subdivision name;
- b. Name and address of record owner, subdivider and subdivision designer;
- c. Date prepared, north arrow, acreage and number of lots;
- d. Graphic scale;
- e. Names and addresses of all abutters and property owners directly across any rights-of-way, as determined from the most recent official tax list;
- f. Assessor's Plat and Lot Number(s) of the lot(s) being subdivided;
- g. Size(s) of the new lot(s) in square feet;
- h. Zoning district and any overlay zones of the lot(s) being subdivided, with zoning boundary lines if applicable;
- i. Zoning setback lines, accounting for abutting buildings pursuant to § 410-44(A) of the City of Pawtucket Code of Ordinances, and analysis of lot building coverage, surface parking areas, and other impervious surfaces;
- j. Sufficient data to determine the location, bearing, size, and shape of every lot, boundary, and setback line;
- k. Existing and proposed topography with two-foot contour intervals, elevations based on the most recent Rhode Island digital elevation model, as determined by the Administrative Officer;
- l. Location of wooded areas and areas of active agricultural use;
- m. Identification of areas containing prime agricultural soils and farmland soils of statewide importance;
- n. Identification of the following areas of special concern:
 - i. Natural Heritage Areas, as defined by the Rhode Island Department of Environmental Management (RIDEM)
 - ii. The area(s) under the jurisdiction of any Special Area Management Plan (SAMP) of RI Coastal Resources Management Council (CRMC)
 - iii. A Groundwater Protection Overlay District
 - iv. A Wellhead Protection Area
 - v. Groundwater Recharge Area
 - vi. Areas within a TMDL watershed, as identified by RIDEM
 - vii. Onsite Wastewater Treatment System Critical Resource Area, as defined by RIDEM
 - viii. A Drinking Water Supply Watershed, as defined by RIDEM
 - ix. National Register of Historic Places
- o. Existing and any proposed utilities indicating pipe sizes, grades, and manholes, including water, fuel, electric, drainage and communications (water utilities to be verified by the Pawtucket Water Supply Board and sewer utilities to be verified by the Department of Public Works);
- p. Existing and any proposed lines of streets, ways, and easements, with widths labeled;
- q. Indication of purpose of easements, if any;
- r. Names of existing streets;
- s. Proposed names of any proposed streets;
- t. The location of all existing structures, fences, paved areas, verified freshwater wetlands, coastal features, and trees of more than twelve (12") inches diameter;
- u. The location of historic areas, cemeteries, walls, foundations, etc. (if none, state on plan);

City of Pawtucket Subdivision Application Checklist

- v. Boundaries and total area of any land classified as “unsuitable for development (e.g. wetlands, wetland buffers, area devoted to infrastructure necessary for development, and easements or rights of way of record)”;
- w. Any landscape buffering, landscaping, hardscape and lighting proposed; and
- x. The location of existing and proposed monuments.
- y. Certification (stamp) of the land surveyor indicating that a Class I and Class III survey have been performed or are otherwise correct;
- z. Any new Assessor’s Lot numbers, as provided by the Administrative Officer in consultation with the Tax Assessor;
- aa. Sufficient data to determine the location, bearing, size, and shape of every lot, boundary, and setback line, and to reproduce the same upon the ground. All metes shall contain X/Y coordinates referencing the most recent State Plane Feet Datum. All bounds shall indicate the direction and measure;
- bb. Portions of the site located within a flood hazard area as identified by the Federal Emergency Management Agency’s (FEMA’s) “Flood Insurance Rate Map” and “Flood Boundary and Floodway Map” as may be amended; and
- cc. Portions of the site located within the Rhode Island Coastal Resources Management Council (RI CRMC) three-foot (3’) sea level rise map as being inundated during a one-hundred-year storm as may be amended.

Please note that complete applications may be referred for review and comment by adjacent communities, state and federal agencies, and Pawtucket’s Technical Review Committees, Fire Department, and Public Works Department, as appropriate, prior to the first public meeting on the application for the present stage of review and comments therefrom shall be provided to the Administrative Officer. Comments may also be solicited from peer professionals at direct cost to the applicant. The Administrative Officer will provide any comments received to the applicant prior to the meeting. Additional comments may be solicited by the Administrative Officer at future review stages.

APPENDIX E.

FIGURES FOR DOWNTOWN DESIGN STANDARDS

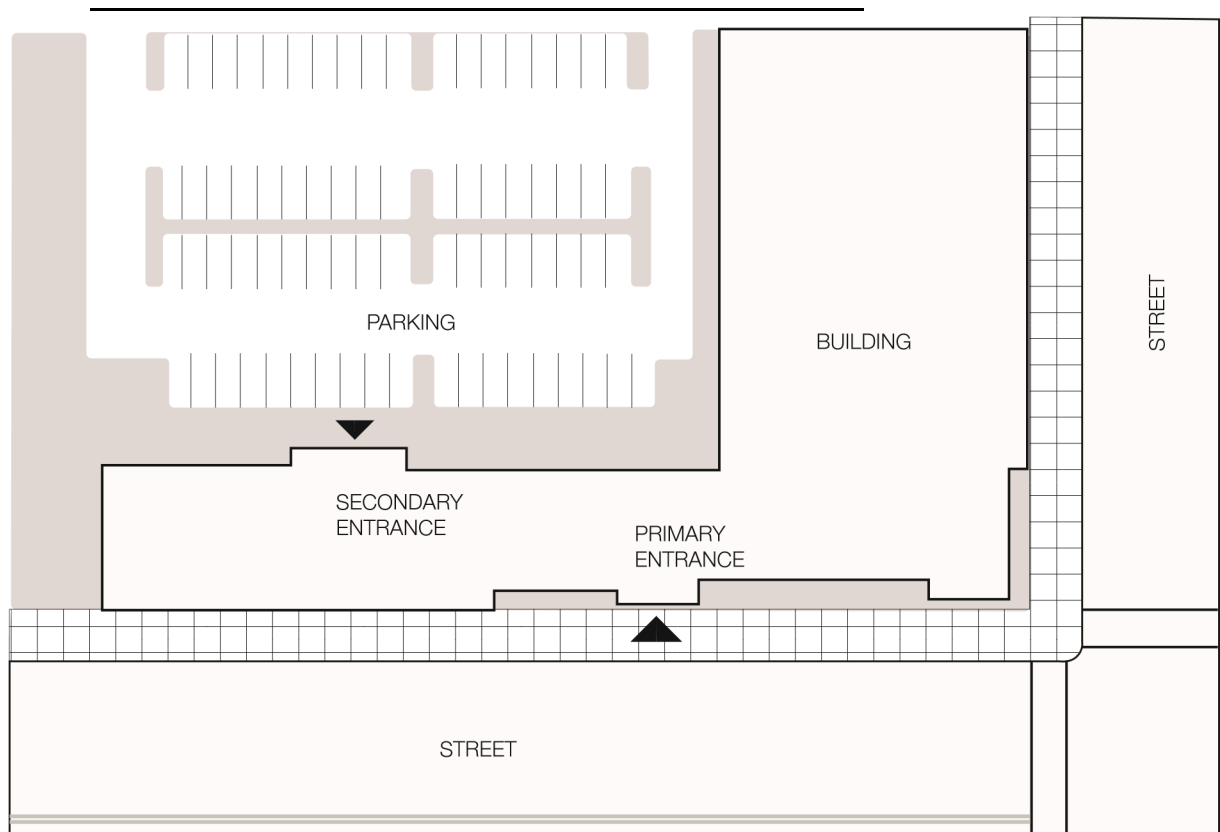


FIGURE 1: This image shows how parking is located in the inner part of the block to allow buildings to create a continuous sidewalk and street edge. Primary entrances are on the public sidewalk with alternative entrances adjacent to the parking.

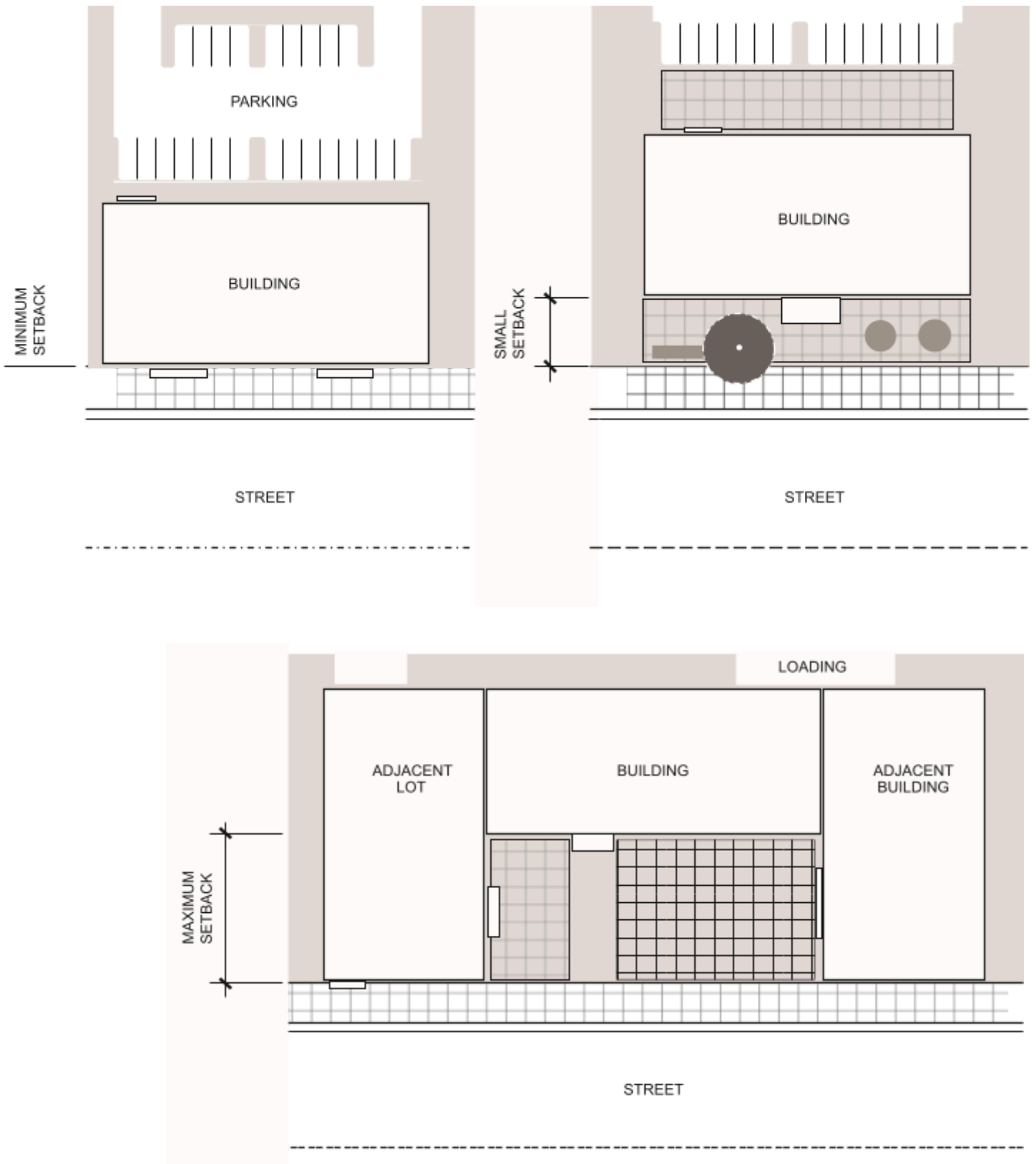


FIGURE 2: This image shows how three different setbacks can work between a minimum of zero to a maximum of 40 feet. Minimum setbacks support a continuous street edge along the public sidewalk. A small setback can offer pedestrian amenities including benches, trees, tables and seating. The maximum setback can be used to create plaza space defined by adjacent structures for activities, seating or outdoor program.



FIGURE 3: This image shows how different types of architectural languages can articulate the same goals. The overall goal is to avoid large unbroken facades or street level facades that disconnect pedestrian visual access into buildings.

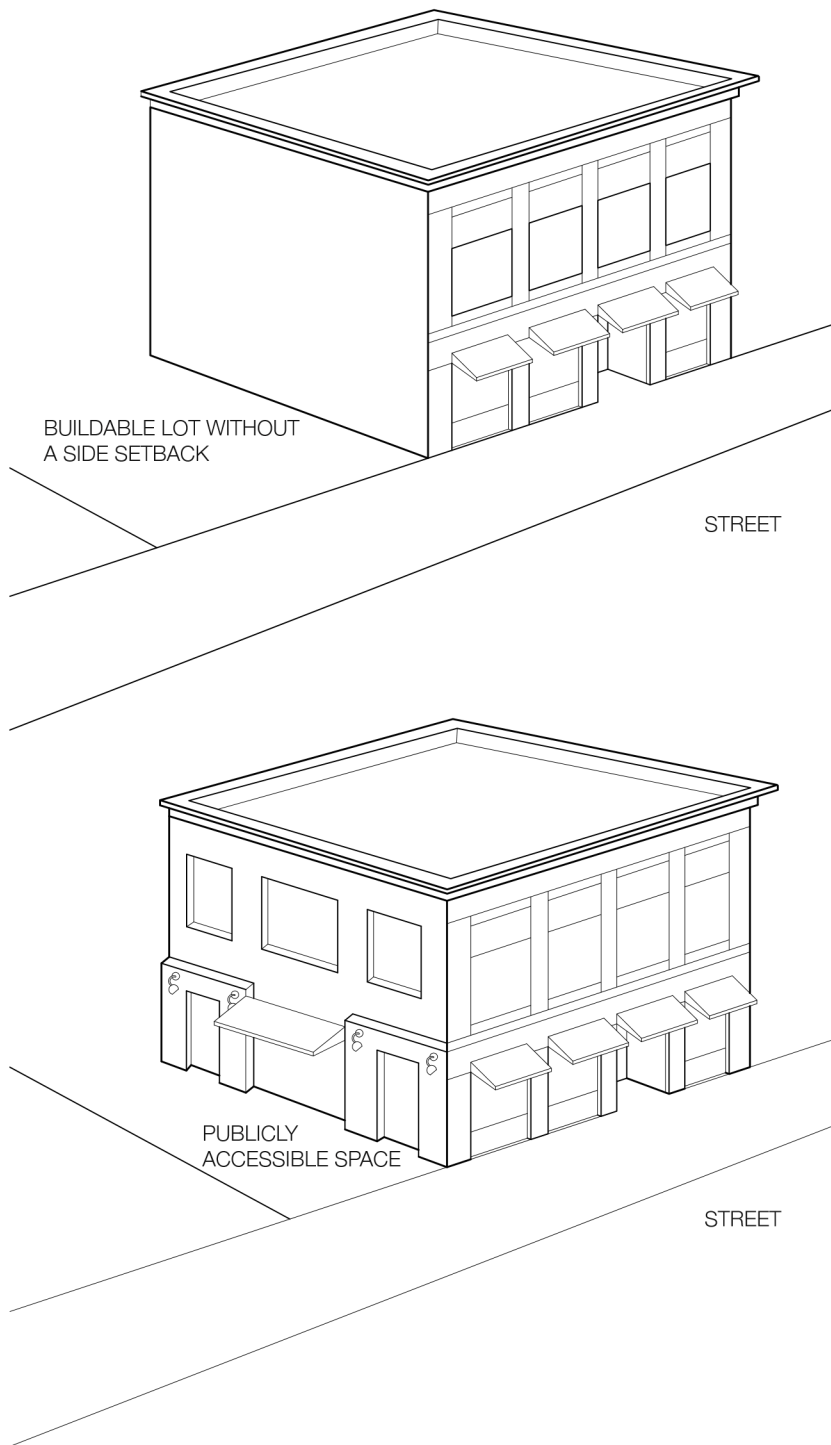
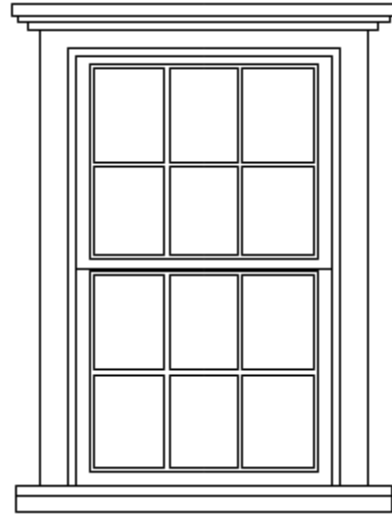
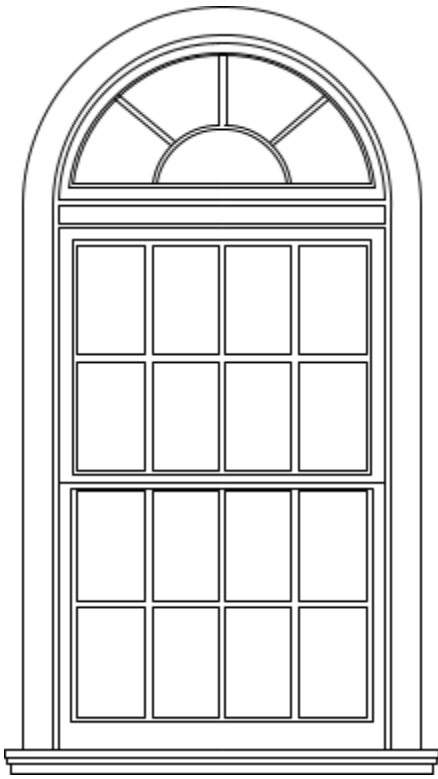
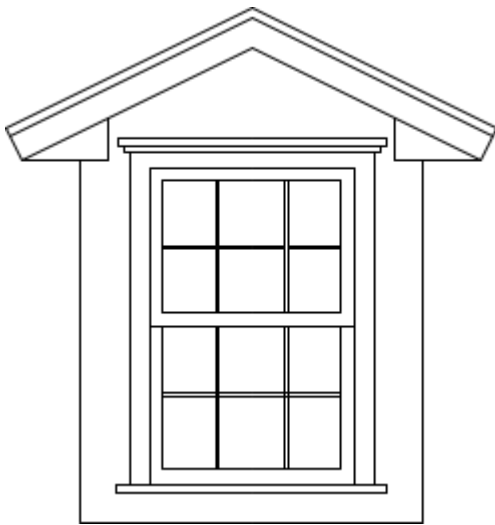


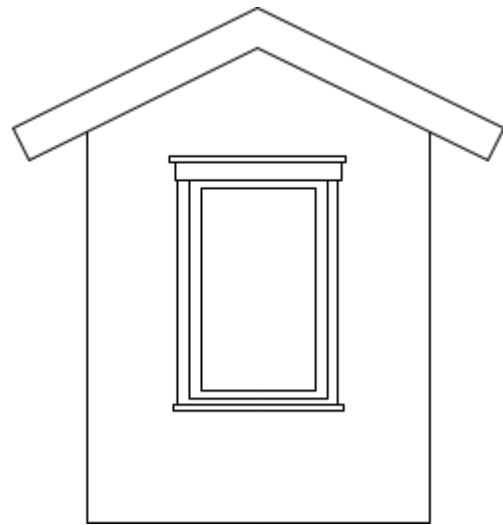
FIGURE 4: This image shows how building side walls should be treated depending on lot conditions. Buildings that have side walls that are adjacent to publicly accessible space should add detail, glazing or entrances to the side wall to avoid large blank surfaces. Buildings that are adjacent to buildable lots with no side setback may have blank walls in anticipation of future site development.



These windows illustrate potential styles that meet the dimensional, material and functional recommendations. Mullions or muntins should divide large areas of glass, especially for windows above the ground floor.



DESIRABLE



UNDESIRABLE

These images illustrate how windows faces should be sized appropriately to the face of dormers.

FIGURE 5: These images illustrate how traditional windows should use details to provide attractive features.

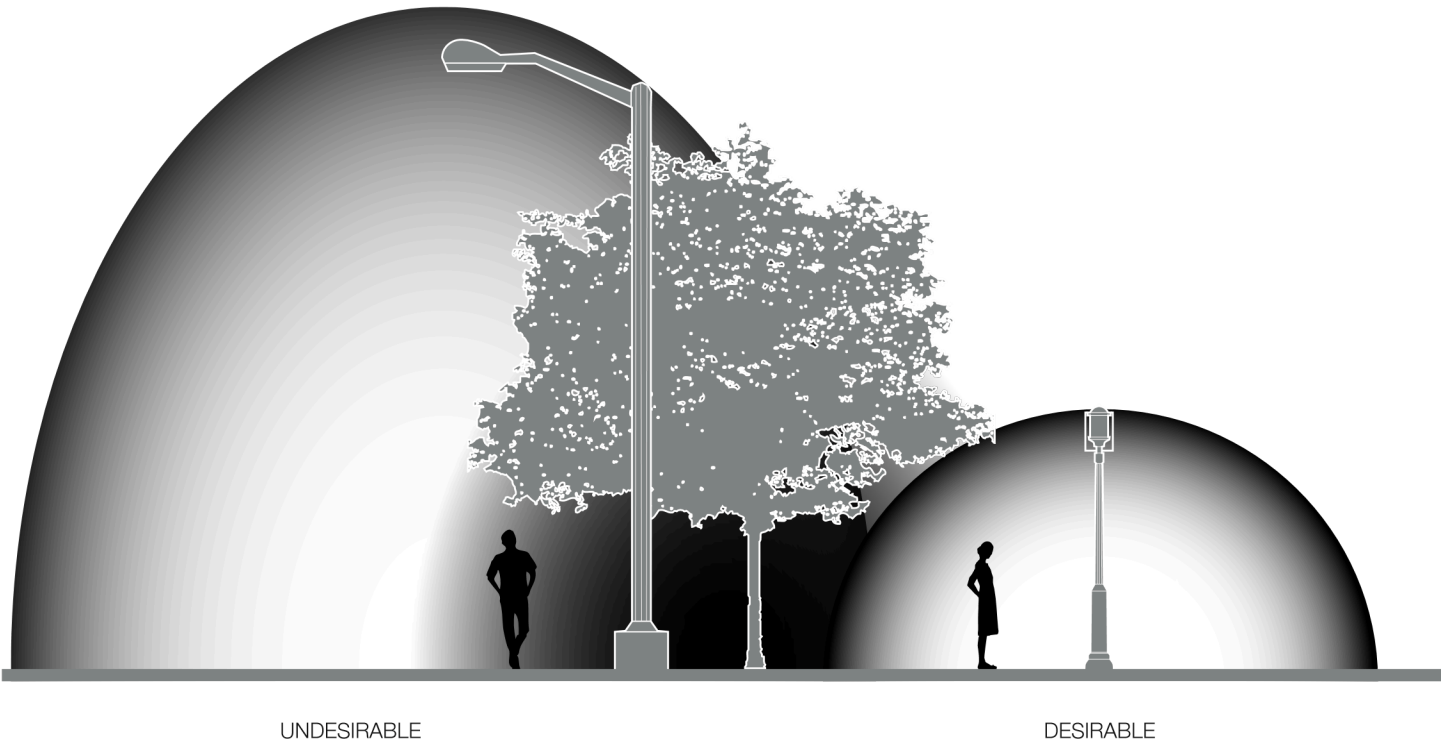
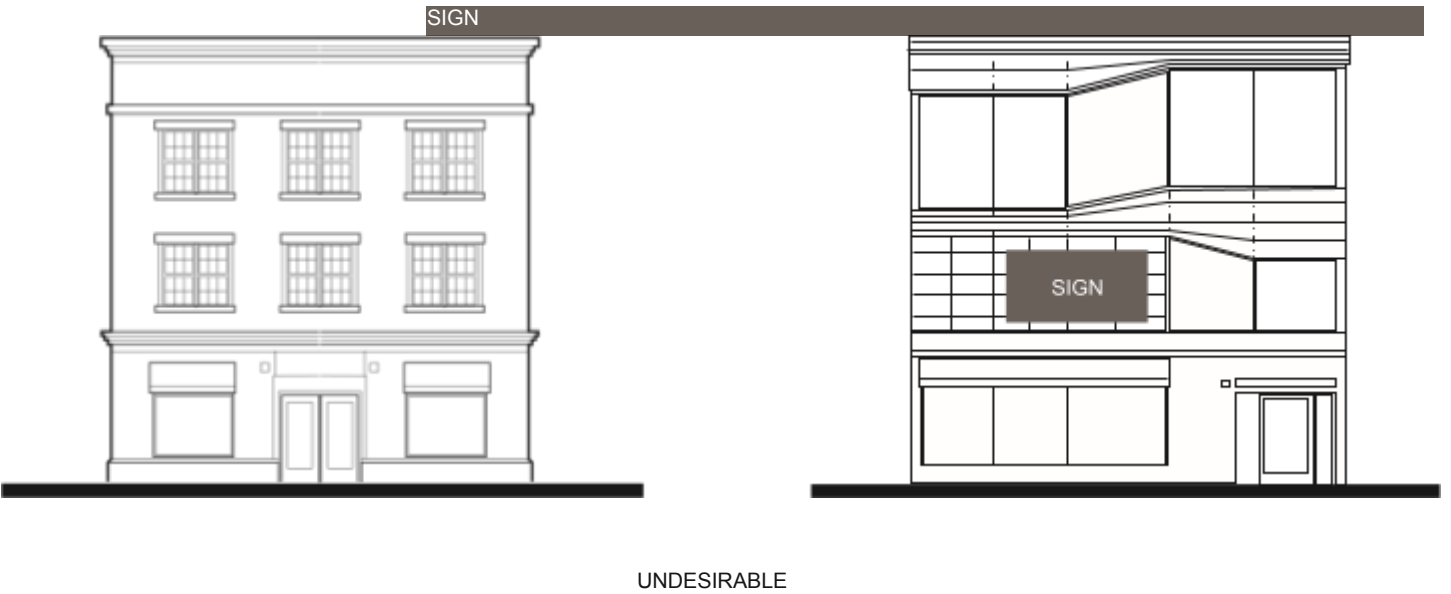
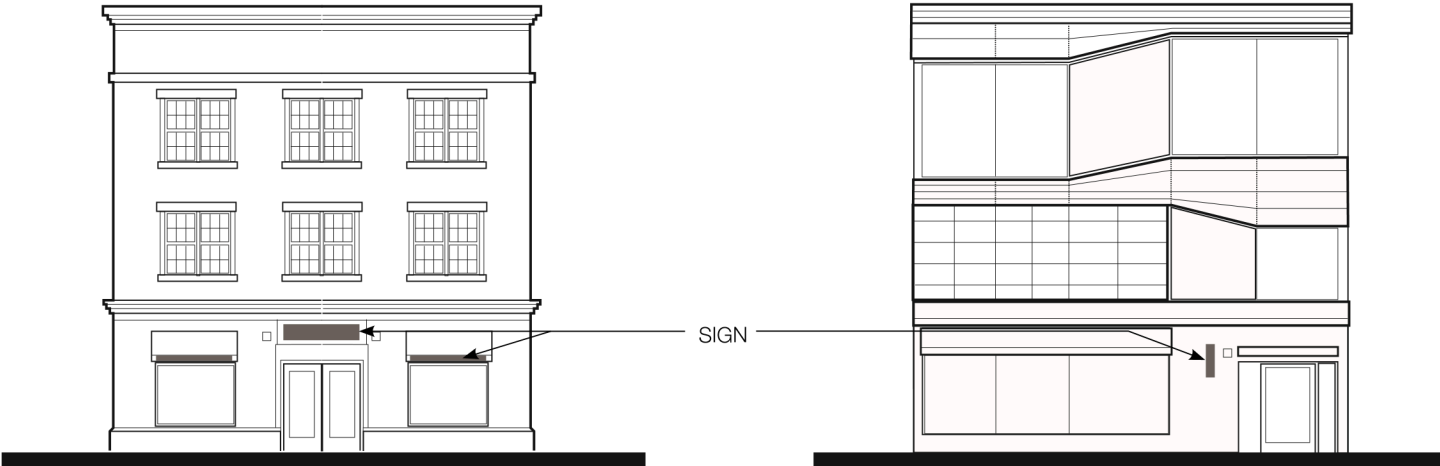


FIGURE 6: These images illustrate how human-scale decorative lighting creates a more inviting environment for pedestrians.



The poor placement of signs in this illustration shows how signage can detract from the architectural appeal of well designed buildings.



DESIRABLE

The same buildings shown above are provided here with better signage scale and placement.

FIGURE 7: These images show more desirable signage locations and scales.