

# Pawtucket City Planning Commission

## Land Development and Subdivision Regulations**s**

Adopted March 22, 1994

Revised January 17, 2012

Land Development and Subdivision  
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**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 Planning Commission approved these regulations on March 22, 1994.

**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 community 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**

These regulations require that all persons intending the subdivision of land in the City of Pawtucket shall file with the City Planning Commission the preliminary and final plans and other related information to be reviewed and approved by the City Planning Commission or its agents. No subdivision plat, or portion thereof, shall be filed or recorded in the office of the City Clerk unless the following conditions are met:

- (1) Certificate of approval by the City Planning Commission.
- (2) Certificate that all taxes due on the land described in the plat have been paid for the two (2) years preceding the date of filing and that there are no outstanding municipal tax liens thereon.

Regulations developed by the City of Pawtucket shall be applicable in the following instances:

- (1) In all cases of subdivision of land, including re-subdivision;
- (2) In all cases of Land Development projects where such project is specifically defined in the local zoning ordinance;
- (3) In all cases of Development Plan Review where such a process is provided for in the local Zoning Ordinance.

**SECTION II ADOPTION AND AMENDMENT OF LOCAL REGULATIONS**

**Article A. Authority**

The Pawtucket City Council shall empower by ordinance the Pawtucket City Planning Commission to adopt, administer, and amend regulations and rules governing land development and subdivision projects within the corporate boundary of the city.

**Article B. 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 C. Public Notice - Adoption Process**

The City Planning Commission shall hold a public hearing prior to the adoption, repeal, or amendment of any land regulations. The City Planning Commission shall give notice of a public hearing by publication in a newspaper of general circulation; a notice at least once a week for three (3) successive weeks prior to the date of the hearing. 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.

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**Article D. Availability**

Once adopted, printed copies of the local regulations shall be available to the general public and shall be revised to include all amendments. A reasonable charge may be made for copies.

**Article E. Administration**

The director of the Department of Planning and Redevelopment shall be appointed as Administrative Officer/Secretary by the City Planning Commission. The powers and duties of the Administrative Officer shall be consistent with the Land Development and Subdivision Review Enabling Act of 1992.

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.

The Administrative Officer shall serve as the chair of the 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.

The technical review committee shall adopt written procedures establishing the committee's responsibilities. Reports of the committee shall be in writing and be kept up as a part of the permanent documentation on all projects.

The City of Pawtucket may adopt reasonable fees, in an amount not to exceed actual costs, to be paid by the applicant for the review and hearing or applications, issuance of permits, and recording of decisions.

**SECTION III GENERAL PROVISIONS - PRE-APPLICATION MEETINGS AND  
CONCEPT REVIEW**

**Article A. Pre-application Meetings**

One or more pre-application meetings shall be held for all major 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. 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 the technical review committee for 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 major subdivision and land development concept design.

### **Article C. Concept Plan Review - 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. Concept Plan Review - 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 FOR DEVELOPMENT AND CERTIFICATION OF COMPLETENESS**

### **Article A. Classification**

The Administrative Officer shall advise the applicant as to which approvals are required and the appropriate procedure for hearing an application for a Development Plan Review, and subdivision project. The following types of applications, as defined in the regulations may be filed:

- (1) Development Plan Review
- (2) Administrative Subdivision
- (3) Minor subdivision
- (4) Major subdivision

### **Article B. Certification of a Complete Application**

An application shall be complete for purposes of commencing the applicable time period for review and decision when certified by the Administrative Officer. 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 the local 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.

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**Article C. City Planning Commission Actions**

Notwithstanding articles A and B above, the City Planning Commission 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 City Planning Commission determines that the required application information is complete.

**SECTION V GENERAL PROVISIONS – DEVELOPMENT PLAN REVIEW**

**Article A. Submission of Material**

- (1) Submittal and certification: An application for Development Plan Review shall be submitted to the Administrative Officer and 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.
- (2) Applications that require review before the City Planning Commission: Within 30 days of the receipt of a complete development plan application, the City Planning Commission shall hold a public hearing upon the plan. Owners of real property in or within 200 feet of the perimeter of the proposed project shall be notified by certified mail of the hearing.
- (3) Applications that require review by the Staff of the Department of Planning and Redevelopment: Within 30 days of the receipt of a complete development plan application, staff of the Department of Planning and Redevelopment will meet and comment on the application.

**Article B. Contents of Application**

Applications for Development Plan Review shall include the information listed in Appendix A

**Article C. Final Action**

Department of Planning and Redevelopment staff or the City Planning Commission shall take final action within 60 days of the receipt of a complete application. Such final action shall be one of the following:

- (1) A written statement of approval indicating that the staff or the Commission has determined that the applicant has demonstrated or proved to the satisfaction of

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staff or the Commission that each of the applicable standards of Development Plan Review have been met.

- (2) A written statement of conditional approval, subject to such conditions, modifications and restrictions as staff or the Commission may deem necessary so that the proposed activities meet each of the applicable standards of Development Plan Review.
- (3) A written statement of a denial of an application.

In the event of a denial of an application or an approval where conditions, modifications or restrictions have been imposed, staff or the Commission shall issue written findings of fact, and, where applicable, conclusions of law, explaining the reason why any standard or standards have not been met and setting forth the basis for either the denial of the application or the imposition of any condition, modification, or restriction.

**Article D. Revisions to the Plan**

All construction, alteration or expansion shall be carried out only in conformity with any conditions, modifications and restrictions set by staff or the Commission, and only in conformity with the application and development plan on which the decision was based. Minor changes to the development plan must be approved by the Building Official in consultation with Department of Planning and Redevelopment staff. Minor changes are defined as changes that do not substantially alter the basic design and layout of the project, conditions required by the reviewing authority for development plan approval and that do not substantially impact neighboring properties. 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
- (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. Any work carried out in violation of this provision shall be ordered halted and fully removed. The Building Official shall enforce the fulfillment of any conditions or revisions which staff or the Commission may impose.

**Article E. Time Limit on Approval**

The approval of a development plan or modification or amendment thereof shall remain effective for a period of one year only from the date of such approval, unless, prior to the expiration of such one-year period, the applicant makes substantial efforts to build in accordance with the approved development plan, or unless staff or the Commission approves an extension for a period not to exceed one additional year. The initial period of one year

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shall not begin to run until the applicant has received all approvals from local, state, and federal agencies for the construction of the project envisioned by the approved site plan, provided the applicant demonstrates to staff or the Commission that due diligence is being exercised in obtaining such approvals. The applicant shall provide letters of status to staff or the Commission at intervals of no more than six months, commencing at the date of Development Plan Review approval. In the event of any appeal from development plan approval, the applicable time limit on approval shall commence only after all appellate rights are exhausted and a final determination is made to grant approval.

## **SECTION VI GENERAL PROVISIONS - ADMINISTRATIVE SUBDIVISIONS**

### **Article A. Submission of Material**

Any applicant requesting approval of a proposed administrative subdivision, as defined in this chapter, shall submit to the Administrative Officer the items required by the local regulations.

### **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. Applications and checklists are included in Appendix B.

### **Article C. Review Process**

- (1) Within fifteen (15) days of certification of completeness, the Administrative Officer, or the technical review committee, shall review the application and approve, deny, or refer it to the City Planning Commission with recommendations. The officer or committee shall report its actions to the City Planning Commission at its next regular meeting, to be made part of the records.
- (2) If no action is taken by the Administrative Officer or the 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 the 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 or Technical Review Committee to act within the required time and the resulting approval shall be issued on request of the applicant.



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**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 plat in conformity with such approval is submitted for signature and recording as specified in Section VI, Article H.

**SECTION VII GENERAL PROVISIONS - MINOR LAND DEVELOPMENT AND  
MINOR SUBDIVISION REVIEW**

**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, a public hearing is required. The City Planning Commission 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. Submission Requirements**

Any applicant requesting approval of a proposed minor subdivision or minor land development, as defined in this chapter, shall submit to the Administrative Officer the items required by the local regulations (See Appendix B).

**Article C. Certification**

The application shall be certified complete or incomplete by the Administrative Officer within twenty five (25) days, according to the provisions of Section IV, Article B.

**Article D. Technical Review Committee Action**

The Technical Review Committee shall review the application and shall comment and make recommendations to the City Planning Commission. The application shall be referred to the City Planning Commission as a whole if there is no Technical Review Committee. When reviewed by a Technical Review Committee:

- (1) If the land development or subdivision plan is approved by a majority of the Technical Review Committee members, the application shall be forwarded to the City Planning Commission with a recommendation for preliminary plan approval without further review.

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- (2) If the plan is not approved by a majority vote of the Technical Review Committee members, the minor land development and subdivision application shall be referred to the City Planning Commission.

**Article E. Re-assignment to Major Review**

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

**Article F. Decisions by City Planning Commission**

If no street creation or extension is required, the City Planning Commission shall 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 commission.

If a street extension or creation is required, the City Planning Commission shall hold a public hearing prior to approval. The commission shall 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 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. Final Plan**

The City Planning Commission may delegate final plan review and approval to either the Administrative Officer or the technical review committee. The officer or committee shall report its actions to the City Planning Commission at its next regular meeting, to be made part of the record.

**Article I. Vesting**

Approval of a minor land development or subdivision plan shall expire ninety (90) days from the date of approval unless within such period a plat or plan, in conformity with such approval, and as defined in this act, is submitted for signature and recording as specified in these regulations. 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 GENERAL PROVISIONS - MAJOR LAND DEVELOPMENT AND  
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 111, Article A. Also required is a public information meeting and a public hearing.

**Article C. City Planning Commission Actions**

The City Planning Commission may vote to combine review stages and to modify and/or waive requirements as specified in Section VII. Review stages may be combined only after the City Planning Commission determines that all necessary requirements have been met by the applicant.

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

**Article A. Submission Requirements**

- (1) The applicant shall first submit to the Administrative Officer the items required by the local regulations for master plans. See Appendix B.
- (2) Requirements for the master plan and supporting material for this phase of review shall include, but not be limited to, information on the natural and built features of the surrounding neighborhood, existing natural and man-made conditions of the development site, including topographic features, the freshwater wetland and coastal zone boundaries, the floodplains, as well as the proposed design concept, proposed public improvements and dedications, tentative construction phasing, and potential neighborhood impacts.
- (3) 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.

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**Article B. Certification**

The application shall be certified complete or incomplete by the Administrative Officer within ninety (90) days, according to the provisions of Section IV, Article B.

**Article C. Technical Review Committee**

The Technical Review Committee, if established, shall review the application and shall comment and made recommendations to the City Planning Commission.

**Article D. Informational Meetings**

A public information meeting 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 informational meeting shall be optional, based upon City Planning Commission determination.

- (1) Public notice for the informational meeting is required and shall be given at least seven (7) days prior to the date of the meeting in a newspaper of general circulation within the municipality. Postcard notice shall be mailed to the applicant and to all property owners within the notice area, 100 linear feet from the boundary of the subdivision.
- (2) At the public information meeting 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 E. Decisions by the City Planning Commission**

The City Planning Commission shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve of the master plan as submitted, approve with changes and/or conditions, or deny the application, according to the procedural rules of these regulations.

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

**Article G. Vesting**

- (1) The approved master plan shall be vested for a period of one year, with a one year extension upon written request by the applicant, who must appear before the City

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Planning Commission for the annual review. 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.

- (2) The initial two year vesting for the approved master plan shall constitute the vested rights for the development as required in R.I.G.L. Section 45-24-44.

**SECTION X GENERAL PROVISIONS - MAJOR LAND DEVELOPMENT AND MAJOR SUBDIVISION - PRELIMINARY PLANS**

**Article A. Submission Requirements**

- (1) The applicant shall first submit to the Administrative Officer the items required by the local regulations for preliminary plans.
- (2) Requirements for the preliminary plan and supporting materials for this phase of the review shall include, but not be limited to, engineering plans depicting the existing site conditions, engineering plans depicting the proposed development project, a perimeter survey, all permits required by state or federal agencies prior to commencement of construction, including permits related to freshwater wetlands, the coastal zone, floodplains, public water systems, and connections to state roads. The subdivider shall provide the name and address of property owners within a one hundred foot radius of the property.
- (3) Final written comments and/or approvals of the department of public works, the city or town engineer, the city or town solicitor, other local government departments, commissions, or authorities as appropriate.
- (4) Prior to approval of the preliminary plan, copies of all legal documents describing the property, proposed easements and rights-of-way.

**Article B. Certification**

The application shall be certified as complete or incomplete by the Administrative Officer within sixty (60) days, according to the provisions of Section IV, Article B.

**Article C. Technical Review Committee**

The Technical Review Committee, if established, shall review the application and shall comment and make recommendations to the City Planning Commission.

**Article D. Public Hearing**

Prior to City Planning Commission decision on the preliminary plan, a public hearing, which adheres to the requirements for notice described in Section XI, must be held.

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**Article E. Public Improvement Guarantees**

Proposed arrangements for completion of the required public improvements, including construction schedules and/or financial guarantees shall be reviewed and approved by the city Planning Commission at the preliminary plan approval stage.

**Article F. Decisions by the City Planning Commission**

A complete application for a major subdivision or development plan shall be approved, approved with conditions or denied within one hundred twenty (120) days of the date when it is certified complete or within such further time as may be consented to by the developer.

**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 one (1) year and 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 GENERAL PROVISIONS - MAJOR LAND DEVELOPMENT AND MAJOR SUBDIVISION - PUBLIC HEARING AND NOTICES**

**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 days prior to the date of the hearing in a newspaper of general circulation within the municipality. Notice shall be sent to the applicant and to each owner within the notice area, by certified mail, return receipt requested, of the time and place of the hearing not less than ten 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.

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**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. Section 45-23-53 (B) and (C).
- (3) Adjacent municipalities. Notice of the public hearing shall be sent by the Administrative Officer to the Administrative Officer of an adjacent municipality if 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.

**Article E. Minor Subdivision**

No public hearing shall be required for a minor land development project or a minor subdivision (unless a street extension or creation is required). However, applicants shall submit an abutter's list s including all property owners within 200 feet, which will be used to send out abutter notices, via regular mail.

**SECTION XII GENERAL PROVISIONS - MAJOR LAND DEVELOPMENT AND  
MAJOR SUBDIVISION - FINAL PLAN**

**Article A. Submission Requirements**

- (1) The applicant shall submit to the Administrative Officer the items required by the local regulations for final plan, as well as all material required by the City Planning Commission when the application was given preliminary approval.
- (2) Arrangements for completion of the required public improvements, including construction schedule and/or financial guarantees.
- (3) Certification by the Finance Department that all property taxes are current.
- (4) For phased projects, the final plan for phases following the first phase, shall be accompanied by copies of as-built drawings not previously submitted of all existing public improvements for prior phases.

**Article B. Certification**

The application for final plan approval shall be certified complete or incomplete by the Administrative Officer within forty-five (45) days, according to the provisions of Section IV, Article B. If the Administrative Officer certifies the application as complete and does not

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require submission to the City Planning Commission as per Section C below, the final plan shall be considered approved.

**Article C. Referral to the City Planning Commission**

If the Administrative Officer determines that an application for final approval does not meet the requirements set by local regulations or by the City Planning Commission at preliminary approval, the Administrative Officer shall refer the final plan to the City Planning Commission for review. The City Planning Commission shall, within forty-five (45) days after the certification of completeness, or within such further time as may be consented by the applicant, approve or deny the final plan as submitted.

**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. Recording**

The final approval of a major subdivision or land development project shall expire one year from the date of approval unless, within that period, the plat or plan shall have been submitted for signature and recorded by the City Clerk of the City of Pawtucket. The City Planning Commission may, for good cause shown, extend the period for recording for an additional period.

**Article F. Acceptance of Public Improvements**

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

**Article G. Validity of Recorded Plans**

The approved final 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 Section XVII, Article E (6) or a new plan is approved by the City Planning Commission.



**SECTION XIII GENERAL PROVISIONS - POST APPLICATION APPROVAL  
DOCUMENTATION AND NOTICE**

**Article A. Construction Plans**

- (1) One complete set of all construction plans, profiles, cross-sections, or other working drawings of required improvements to the land shall be submitted to and approved by the City Engineer and the Chief Engineer of the Pawtucket Water Supply Board prior to any construction start.
- (2) All lots shall be numbered to correspond with the tax assessor's plat and lot numbers.

**Article B. Notification of City Officials**

- (1) No phase or step in the construction of required improvements shall commence until the City Engineer or their authorized representative has been notified at least twenty-four (24) hours prior thereto.
- (2) The City Engineer 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 required improvements to the land, the subdivider shall furnish two (2) complete sets of as-built drawings of such improvements to the City Engineer and one (1) complete set to the City Planning Commission.

**SECTION XIV IMPROVEMENTS TO THE LAND**

**Article A. Required Improvements**

The subdivider shall, at their own expense, construct improvements to the land in accordance with the specifications of the subdivision and land development regulations, any rules and regulations adopted by the City Planning Commission, the Technical Review Committee, 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 specifications in the rules and regulations.
- (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 shall be installed in conformance with the specifications in the rules and regulations.

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- (5) Sidewalks where required to serve the subdivision shall be installed in accordance with the specifications in the rules and regulations.
- (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.
- (7) The subdivider 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 may be required, and if desired, shall be planted in accordance with City of Pawtucket Ordinance, Chapter 29, Trees and shrubs, Section 29-29.
- (10) The subdivider may be required to install oversized improvement by the City Engineer in which case the subdivider 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) City Planning Commission responsibility. The City Planning Commission shall approve all agreements that concern the required public 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 City Planning Commission in consultation with the City Solicitor's office.
- (4) Maintenance Guarantees. The City Planning Commission may 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**

- (1) General provisions - to be left open for future completion.

**Article D. Special Provisions - Phasing of Projects**

- (1) 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 XV DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

### Article A. Landscaping Standards

These standards are in addition to the minimum landscaping requirements listed in Section 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, 3<sup>rd</sup> ed.*, 1999, URI Cooperative Extension- Landscape Horticulture, Exhibit A in the *Subdivisions and Land Development*

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*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 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 Subsections (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.

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- (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 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 Z60.1-2004 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;

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- (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 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

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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 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 Guidelines 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

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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 C.

(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. The Planning Commission may grant a waiver from any of these standards and guidelines if they find that an alternative proposal is consistent with the Comprehensive Plan, the Pawtucket Downtown Design Plan, and does not result in a zoning violation. The Planning Commission may also grant a waiver from any of these standards if they find that the imposition of a particular standard(s) 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.

(2) Site Design (Appendix C, 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;
- (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,



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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 C, 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 C, 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 C, 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, window-shaped depressions and decorative 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.

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- (6) Entranceways (Appendix C, 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 C, 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 be 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 C, Figure 5).
- (9) Roofline Articulation (Appendix C, 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 styles. Decorative spires or towers may also be used to articulate rooflines and to provide focal points within a complex of principal buildings;

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- (b) Industrial style metal roofing visible from the street shall not be permitted. Metal roofing that uses decorative finishes and textures may be allowed.
- (c) 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.
- (d) Downspouts shall match gutters in material and finish.
- (e) 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 C, 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 C, 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 SPECIAL PROVISIONS-LAND DEVELOPMENT PROJECTS**

- (1) To be left open for future completion

**SECTION XVII ADMINISTRATION**

**Article A. The Board of Review**

The Pawtucket Board of Review shall act as the Board of Appeals to hear appeals of decisions of the City Planning Commission or the Administrative Officer on matters of review and approval of land development and subdivision projects.

**Article B. 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 C. Violations and Penalties**

Any owner or agent of the owner, who transfers, sells, or negotiates to sell any land by reference to or exhibition of, or by other use, a plat of the subdivision before the plat has been approved by the City Planning Commission and recorded in the municipal land evidence records shall be subject to a fine of three hundred (\$300.00) 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.

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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 the local regulations.

**Article D. Procedures - Required Findings**

The City Planning Commission and the technical review board shall make positive findings on the following provisions as a part of the project's record prior to approval:

**(1) Development Plan Review**

- (a) The design of the proposed development will be consistent with the goals of the City Comprehensive Plan and will implement the purposes of development plan review;
- (b) Erosion will be adequately controlled during and after construction and will not adversely affect adjacent or neighboring property or public facilities and services;
- (c) Provisions have been made for storm water and drainage facilities, and that increased runoff due to development on site will not be incurious to any nearby property owners or cause hazardous conditions on any streets;
- (d) The movement of vehicular and pedestrian traffic within the site and in relation to access streets will be safe and convenient and adequate provision has been made for snow removal;
- (e) All necessary utility, infrastructure, street, roadway, sidewalk, walkway and parking area improvements will be provided for the development by the applicant and will meet all applicable City requirements and standards;
- (f) The location, arrangement, appearance, and sufficiency of off-street parking and loading comply in all respects with the Zoning Ordinance and are adequate to serve the development.

**(2) Subdivision**

- (a) The proposed development is consistent with the comprehensive plan and/or satisfactorily addresses the issues where there may be inconsistencies.
- (b) The proposed development is in compliance with the standards of the City of Pawtucket Zoning Ordinance or has received an appropriate dimensional variance from the Board of Review.
- (c) There will be no significant negative environmental impacts from the proposed development as shown by the final plan, with all required conditions for approval.
- (d) The subdivision, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impractical. Lots with such physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved recorded plans.
- (e) All proposed land developments and all subdivision lots shall have adequate 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 E. Precedence of Approvals between the City Planning Commission and Other Local Permitting Authorities**

- (1) Zoning Board of Review. Where an applicant requires both a variance from the local Zoning Ordinance and City Planning Commission approval, the applicant shall first obtain an advisory recommendation from the City Planning Commission, as well as conditional City Planning Commission approval for the first approval stage for the proposed project, which may be simultaneous, then obtain conditional zoning board relief, and then return to the City Planning Commission for subsequent required approval(s).

Where an applicant requires both a special-use permit under the local Zoning Ordinance and City Planning Commission approval, the applicant shall first obtain an advisory recommendation from the City Planning Commission, as well as conditional City Planning Commission approval for the first approval stage for the proposed project, which may be simultaneous, then obtain a conditional special-use permit from the zoning board, and then return to the City Planning Commission for subsequent required approval(s).

- (2) City Council Action. 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 City Planning Commission approval for the first approval stage for the proposed project, which may be simultaneous, then obtain a conditional zoning change from the City Council, and then return to the City Planning Commission for subsequent required approvals.
- (3) Riverfront Commission. Where an application is located within one of the Riverfront Development Districts, the applicant shall first obtain approval of the proposed design of the building from the Riverfront Commission. The Riverfront Commission may also make an advisory recommendation to the Planning Commission regarding the site development.

**Article F. Waivers - Modifications and Reinstatement of Development Plans**

- (1) A City Planning Commission 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 waiver may be granted only by a finding by the City Planning Commission 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.

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- (2) 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.
- (3) The City Planning Commission 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 the provisions for local regulations. 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.
- (4) The administrative guidelines of the City Planning Commission shall include provisions for reinstatement of development applications in the case of missed deadlines and approved agreements are not met.
- (5) The City Planning Commission shall approve, approve with conditions, or deny the request for either a waiver or modification according to the procedural practices of the Commission.

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

- (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, the 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 or subdivision application shall require a vote for approval by a majority of the current City Planning Commission membership.

**Article H. Signing and Recording of Plats and Plans**

- (1) All approved final plans and plats for land development and subdivision projects shall be signed by the appropriate City Planning Commission official with the

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date of approval, prior to submission to the City Clerk for recording. Plans and plats for major land developments and subdivisions shall be signed by the City Planning Commission Chairperson or the Secretary of the City Planning Commission attesting to the approval by the City Planning Commission. All minor land development or subdivision plans and plats and administrative plats shall be signed by the City Planning Commission Chairperson or Secretary or the Commission's designated agent.

- (2) Upon signature, all plans and plats shall be submitted to the Administrative Officer prior to recording and filing in the appropriate municipal departments. 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 City Planning Commission.
- (3) 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.
- (4) The Administrative Officer shall notify the statewide "911" emergency authority and the local police and fire authorities servicing the new plat with the information required by each of the authorities.

**Article I. Changes to Recorded Plats and Plans**

- (1) For all changes to the approved plans of land development projects or subdivisions subject to this act, an amendment of the final development plans is required prior to the issuance of any building permits. Any changes approved in the final plan shall be recorded as amendments to the final plan in accordance with the procedure established for recording of plats in Section XV, Article E, (5), (a) and (b).
- (2) Minor changes, as defined in the local regulations, to a land development or subdivision plan may be approved administratively, by the Administrative Officer, whereupon a permit may be issued. Such changes may be authorized without additional public hearings, 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 Planning Commission. Denial of the proposed change(s) shall be referred to the City Planning Commission for review as a major change.
- (3) Major changes, as defined in the local regulations, to a land development or subdivision plan may be approved, only by the City Planning Commission and



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must follow the same review and public hearing process required for approval of preliminary plans.

**Article J. Right of Appeal**

- (1) An appeal from a decision of the City Planning Commission; Administrative Officer changed with the enforcement of any provisions may be taken to the Board of Review by an aggrieved party. Such an appeal must be made within twenty (20) days of the decision being recorded.
- (2) An appeal from a decision of the Board of Review may be taken by an aggrieved party to the Rhode Island Superior Court.

**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 defined in the definitions section of either the "Rhode Island Comprehensive Planning and Land Use Regulation Act", section 45-22.2-4, or the "Zoning Enabling Act of 1991", section 45-24-31, they shall have the meanings stated therein. In addition, the following words and phrases shall have the following meanings.

- (1) Administrative Officer. The Director of the Department of Planning and Redevelopment shall be designated to administer the land development and subdivision regulations and to coordinate with local boards and commissions, Department of Planning and Redevelopment staff and state agencies.
- (2) Administrative Subdivision. Resubdivision of existing lots which yields no additional lots for development, and involves no creation or extension of streets. Such re-subdivision shall only involve divisions, mergers and division, or adjustments of boundaries of existing lots.
- (3) Board of Appeal. The City of Pawtucket Board of Review shall be the local zoning board of review constituted as the Board of Appeal. See Section R.I.G.L. 45-23-57.
- (4) Bond. See improvement guarantee.
- (5) Buildable Lot. A lot where construction for the use(s) permitted on the site under the local 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.

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- (8) Consistency with the Comprehensive Plan. A requirement of all local land use regulations which means that all such regulations and subsequent actions shall be in accordance with the public policies arrived at through detailed study and analysis and adopted by the City of Pawtucket as the Comprehensive Community Plan.
- (9) Dedication, Fee-in-lieu of. Payments of cash which are authorized in the local regulations when requirements for mandatory dedication of land are not met because of physical conditions of the site or other reasons. The conditions under which such payments will be allowed and all formulas for calculating the amount shall be specified in advance in the local regulations.
- (10) Development Regulation. Zoning, subdivision, land development plan, development plan review, historic district, official map, flood plain regulation, soil erosion control or any other governmental regulation of the use and development of land.
- (11) Division of Land. A subdivision.
- (12) 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.
- (13) Final Plan. The final stage of land development and subdivision review.
- (14) Final Plat. The final drawing(s) of all or a portion of a subdivision to be recorded after approval by the City Planning Commission and any accompanying material as described in the community's regulations and/or required by the City Planning Commission.
- (15) Floor Area, Gross. See R. I. State Building Code.
- (16) Governing Body. The City Council of the City of Pawtucket, having the power to adopt Ordinances, accept public dedications, release public improvement guarantees, and collect fees.
- (17) Improvement. Any natural or built item which becomes part of, is placed upon, or is affixed to, real estate.
- (18) 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.
- (19) Local Regulations. The land development and subdivision review regulations adopted under the provisions of this act. For purposes of clarification, throughout this act, where reference is made to local regulations, it shall be understood as the land development and subdivision review regulations and all related ordinances and rules properly adopted pursuant to this act.
- (20) 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.
- (21) Major Land Development Plan. Any land development plan not classified as a minor land development plan.

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- (22) Major Subdivision. Any subdivision not classified as either an administrative subdivision or a minor subdivision.
- (23) 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.
- (24) Minor Land Development Plan. A development plan for a residential project as defined in these regulations, provided that such development does not require waivers or modifications as specified in this act. All nonresidential land development projects shall be considered as major land development plans.
- (25) Minor Subdivision. A plan for a residential subdivision of land consisting of five (5) or fewer units or lots, provided that such subdivision does not require waivers or modifications as specified in this act. All nonresidential subdivisions shall be considered as major subdivisions.
- (26) Modification of Requirements. See Section 45-23-62.
- (27) 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.
- (28) Permitting Authority. The Commission or Board specifically empowered by State enabling law and local Ordinance to hear and decide on specific matters pertaining to local land use.
- (29) 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.
- (30) 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.
- (31) City Planning Commission. The City Planning Commission of the City of Pawtucket, whether designated as the Plan Commission, Planning Commission, Plan Board, or as otherwise known.
- (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. The required stage of land development and subdivision review which shall require detailed engineered drawings and all required state and federal permits.
- (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.

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- (36) Public Informational Meeting. A meeting of the City Planning Commission preceded by a notice, open to the public and at which the public shall be heard.
- (37) Re-subdivision. Any change of an approved or recorded subdivision plat or in a lot recorded in the City of Pawtucket land evidence records, or that affects the lot lines of any areas reserved for public use, or that affects any map or plan legally recorded prior to the adoption of the local land development and subdivision regulations. For the purposes of this act, any such action shall constitute a subdivision.
- (38) Storm Water Detention. A provision for storage of storm water runoff and the controlled release of such runoff during and after a flood or storm.
- (39) Storm Water Retention. A provision for storage of storm water runoff.
- (40) Street. A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles. Streets are further classified by the functions they perform.
- (41) Street, Access to. An adequate and permanent way of entering a lot. All lots of record shall have access to a public street for all vehicles normally associated with the uses permitted for that lot.
- (42) Street, Alley. A public or private thoroughfare primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.
- (43) Street, Cul-de-sac. A local street with only one outlet and having an appropriate vehicular turnaround, either temporary or permanent, at the closed end.
- (44) Street, Limited Access Highway. A freeway or expressway providing for through traffic. Owners or occupants of abutting property on lands and other persons have no legal right to access, except at such points and in such manner as may be determined by the public authority having jurisdiction over the highway.
- (45) Street, Private. A thoroughfare established as a separate tract for the benefit of multiple, adjacent properties and meeting specific, municipal improvement standards. This definition shall not apply to driveways.
- (46) Street, Public. Public property reserved or dedicated for street traffic.
- (47) Street, Stub. A portion of a street reserved to provide access to future development, which may provide for utility connections.
- (48) Street classification. A method of roadway organization which identifies a street hierarchy according to function within a road system, that is, types of vehicles served and anticipated volumes, for the purposes of promoting safety, efficient land use and the design character of neighborhoods and district. Local classifications shall use the following as major categories:
  - (a) Arterial. A major street that serves as an avenue for the circulation of traffic into, out of, or around the City of Pawtucket and carries high volumes of traffic.
  - (b) Collector. A street whose principal function is to carry traffic between local streets and arterial streets but that may also provide direct access to abutting properties.
  - (c) Local. Streets whose primary function is to provide access to abutting properties.

Land Development and Subdivision  
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- (49) 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.
- (50) Subdivision. The division or redivision, of a lot, tract or parcel of land into two or more lots, tracts, or parcels. Any adjustment to existing lot lines of a recorded lot by any means shall be considered a subdivision. All re-subdivision activity shall be considered a subdivision. The division of property for purposes of financing constitutes a subdivision.
- (51) Technical Review Committee. A committee appointed by the City Planning Commission for the purpose of reviewing, commenting, and making recommendations to the City Planning Commission with respect to approval of land development and subdivision applications.
- (52) 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.
- (53) Vested Rights. The right to initiate or continue the development of an approved project for a specified period of time, under the regulations that were in effect at the time of approval, even if, after the approval, the regulations change prior to the completion of the project.

## **SECTION XIX SEVERABILITY**

If any provision of this chapter 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 chapter, rule, regulation, or determination and the application of such provisions to other, persons, agencies, or circumstances shall not be affected thereby. The invalidity of any section or sections of this chapter shall not affect the validity of the remainder of the chapter.

## **SECTION XX EFFECTIVE DATE**

The Ordinance will be effective following a public hearing on the date of approval on March 22, 1994 by the Pawtucket City Planning Commission.

**APPENDIX A.**

**DEVELOPMENT PLAN REVIEW CHECKLIST AND APPLICATION**

**City of Pawtucket**  
**Development Plan Review**  
**Application Number: \_\_\_\_\_**

(Incomplete applications will not be accepted.  
Please attach the Certificate of Zoning Compliance)

Date: \_\_\_\_\_

**ADMINISTRATIVE REVIEW**

\_\_\_\_\_ One/Two Family Structure  
\_\_\_\_\_ Commercial/Industrial (less than 10,000 sq. ft. lot)

**CITY PLANNING COMMISSION REVIEW**

\_\_\_\_\_ 3+ Units Residential  
\_\_\_\_\_ Commercial/Industrial (10,000 sq. ft. + lot)

Applicant's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Owner's Name: \_\_\_\_\_  
Owner's Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Applicants requesting that their correspondence be copied to an attorney should provide contact information below:

Attorney's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

1. Location of Premises: \_\_\_\_\_  
(street number) (street name)

2. Assessor's Plat: \_\_\_\_\_ Lot: \_\_\_\_\_ 3. Zoning District: \_\_\_\_\_

4. Dimensions of Lot: \_\_\_\_\_  
(frontage) (depth) (square footage)

5. Does this application require review before the Zoning Board of Review, Historic District Commission or Riverfront Commission \_\_\_ Yes \_\_\_ No

6. Current Use of Premises and Amount of Impervious Area: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Proposed use of premise (include size of building or addition) and Amount of Impervious Area: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Staff use only**

Date Received: _____	By: _____
Date Certified Complete: _____	By: _____
Technical Review Committee Meeting: _____	Action: _____ Approve _____ Deny _____ Other _____
CPC Meeting: _____	Action: _____ Approve _____ Deny _____ Other _____
Zoning Board Meeting: _____	Action: _____ Approve _____ Deny _____ Other _____
Recording Date: _____	







PAWTUCKET CITY PLANNING COMMISSION

175 Main Street  
Pawtucket, Rhode Island 02860

Michael Davolio, Secretary  
Carl I. Freedman, Chair  
David M. Chmielewski, Vice Chair  
Monique T. Renaud  
Antero Martins  
Joseph Asermely

**DEVELOPMENT PLAN REVIEW CHECKLIST**

**Thresholds/Fees**

**Administrative Review: \$50.00 filing fee due at time of submission.**

One or two-family structure, new commercial/industrial construction up to 10,000 square feet, additions that are 500-999 sf, or accessory structures over 1,000 sf.

**City Planning Commission Review:**

**Residential:** 3 to 6 units - \$300.00; 6 to 10 units - \$500.00; 10+ units - \$1,000.00.

**Commercial:** Additions over 1,000 sf - \$300.00; New development 10,000-20,000 sf - \$500.00;  
New development over 20,000 sf - \$1,000.00.

**Application Requirements**

All applications must be certified as complete by the Department of Planning and Redevelopment. Applicants will not be considered complete unless they include the information listed below. Applications requiring Planning Commission review must be certified as complete at least 21 days prior to the next scheduled meeting. Submission of an application 21 days prior to the meeting DOES NOT GUARANTEE that the application will be placed on the agenda of the next meeting, if the Department of Planning and Redevelopment determines that additional information is necessary for the application to be certified as complete. Applicants may schedule a pre-application conference to review their proposal.

All necessary utility, infrastructure, roadway, sidewalk, walkway and parking area improvements will be provided for the development by the applicant at his/her 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 certified mailing and will be billed for all associated costs once the review process is complete.

**ALL applications must include the following:**

- Application form complete, including owner's signature. If the owner's signature is not on the application, a letter stating the owner's consent for the filing of the application is required.
- A legal description of the property, as it appears on the deed, and a full and complete disclosure of direct or indirect ownership. In the case of a land trust, all beneficiaries shall be disclosed and an affidavit of ownership is required.
- Statements and conditions of easements, deed restrictions, or covenants existing or proposed on the subject land.
- Certificate of Zoning compliance (obtainable from the Zoning Department in City Hall)
- Certificate of Good Standing signed by the Tax Collector
- Site Plan to include:
  - Name of Development;



## PAWTUCKET CITY PLANNING COMMISSION

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Antero Martins  
Joseph Asermely

- Date of plan and revisions (if any);
  - Graphic scale, north arrow,
  - Locus map at 1" = 2000';
  - Property owner's name and address;
  - Zoning District(s);
  - All building setbacks required by zoning ordinance;
  - Location and width of all existing rights of way,
  - Easements and reservations within and adjacent to property;
  - All boundary lines of the property including their total acreage;
  - Certification and signature of Rhode island registered Land Surveyor that plan is correct; name, address and telephone number of any designers associated with the development of the plans;
  - Proposed building square footage,
  - Parking location;
  - Sign location and size;
  - Lighting;
  - Site access and circulation;
  - Fencing, Dumpsters;
  - Landscaping;
  - Utility connections;
  - Location of all floodways and all V and A flood zones;
  - Accurate location of significant natural, cultural and/or landscape features (including all wetlands and waterways).
- Elevation drawing for front, side and rear of proposed building or addition

### **City Planning Commission Review applications must also include the following:**

- Ten (10) copies of the plans on 24 x 36 inch sheets drawn to scale, not smaller than 1" = 100' by a registered architect, landscape architect, engineer or land surveyor.
- Location and dimensions of existing buildings, streets and sidewalks, driveways and parking areas within 200 feet of property.
- Names and addresses of all abutting property owners within 200 feet of the property lines.
- A complete landscape plan showing location and type of plantings and a complete stormwater management plan. Preliminary plans and information will be accepted for a complete application. HOWEVER, a landscape plan stamped and signed by a landscape architect registered in Rhode Island and a stormwater management plan, approved by the City, are required before final approval will be given.
- 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.
- Further supporting information that is determined necessary to review the project including, but not limited to traffic impact studies, or parking lot lighting plans. Note that assessments, analyses and plans required as part of state or federal permits should also be submitted.

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

**APPENDIX B.**

**SUBDIVISION CHECKLIST AND APPLICATION**

**SUBDIVISION REVIEW REQUIREMENTS  
CITY OF PAWTUCKET, RI  
EFFECTIVE 12/14/08**

Subdivision applications will not be considered complete unless the following items are included in your application:

**NOTE:** Any division of land on commercially or industrially zoned land is considered major and will have to submit all items listed for a major subdivision.

**For ALL subdivisions (administrative, minor, major)**

- Application form complete, including owner's signature. If the owner's signature is not on the application, a letter stating the owner's consent for the filing of the application is required.
- A legal description of the property, as it appears on the deed, and a full and complete disclosure of direct or indirect ownership. In the case of a land trust, all beneficiaries shall be disclosed. In addition, a current title and affidavit of ownership is required.
- Class I Survey
- Signed Certificate of Good Standing
- Fee (Administrative - \$50; Minor - \$200; Major - \$500)

**In addition, for major and minor subdivisions**

- List of abutters' names and address within 200' of proposed division.
- 7 copies of entire application
- **A public hearing is required for all major subdivisions.** The applicant is required to pay all costs associated with the required advertising and certified mailing. No fee will be collected upon application submission. Applicant will be billed for all associated costs once the review process is complete.

**For all Subdivisions:** Once final approval is granted the following must be submitted to the Department of Planning and Redevelopment for recording:

- Two Mylar copies of the approved subdivision map stamped and signed by a Registered Land Surveyor (maximum size 20"x30", minimum size 11"x17"). **This survey plan MUST show references and field controls found and used in the details.**
- Legal descriptions for all new lots
- Recording fee
- Copy of the subdivision plan in digital format, AutoCAD Release 14 or better

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



**APPENDIX C.**

**FIGURES FOR DOWNTOWN DESIGN STANDARDS**

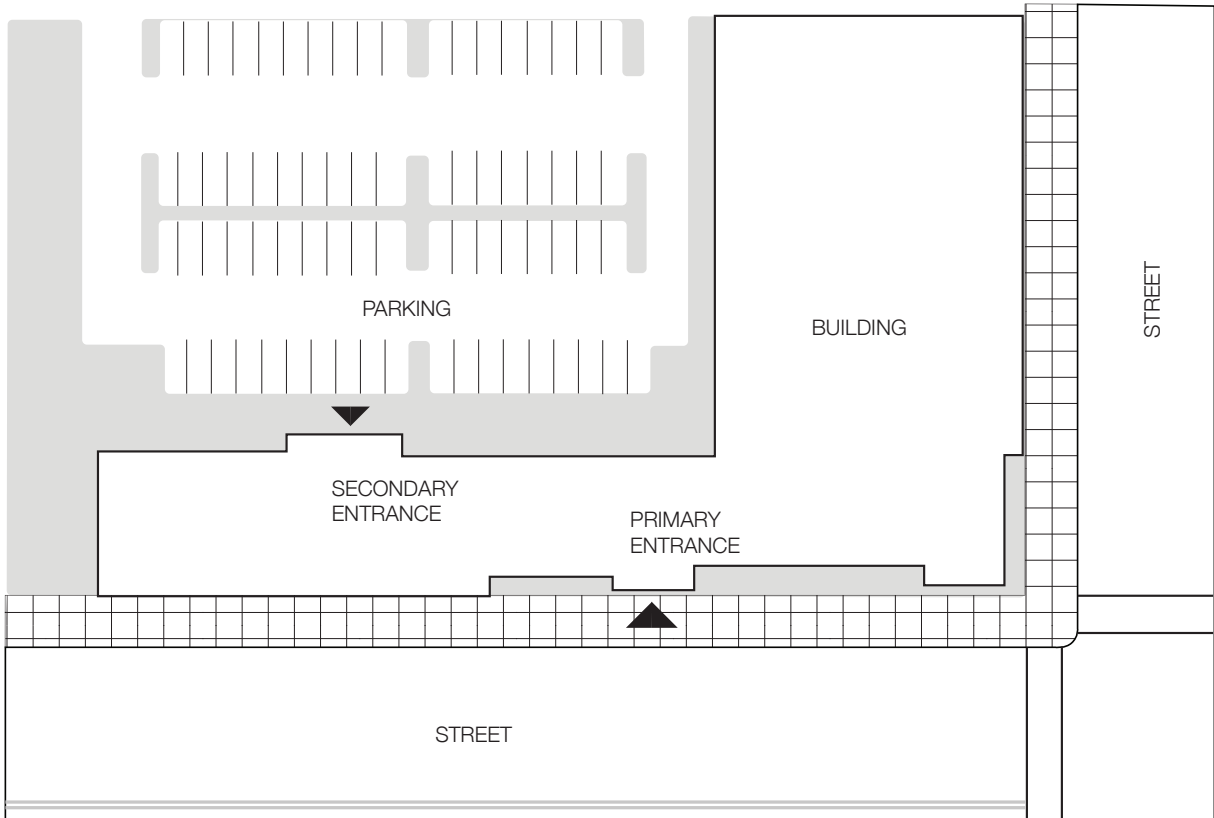


FIGURE 1: This image shows how parking is located in the inner part of the block to allow buildings to create a continuous sidewalk and street edge. Primary entrances are on the public sidewalk with alternative entrances adjacent to the parking.

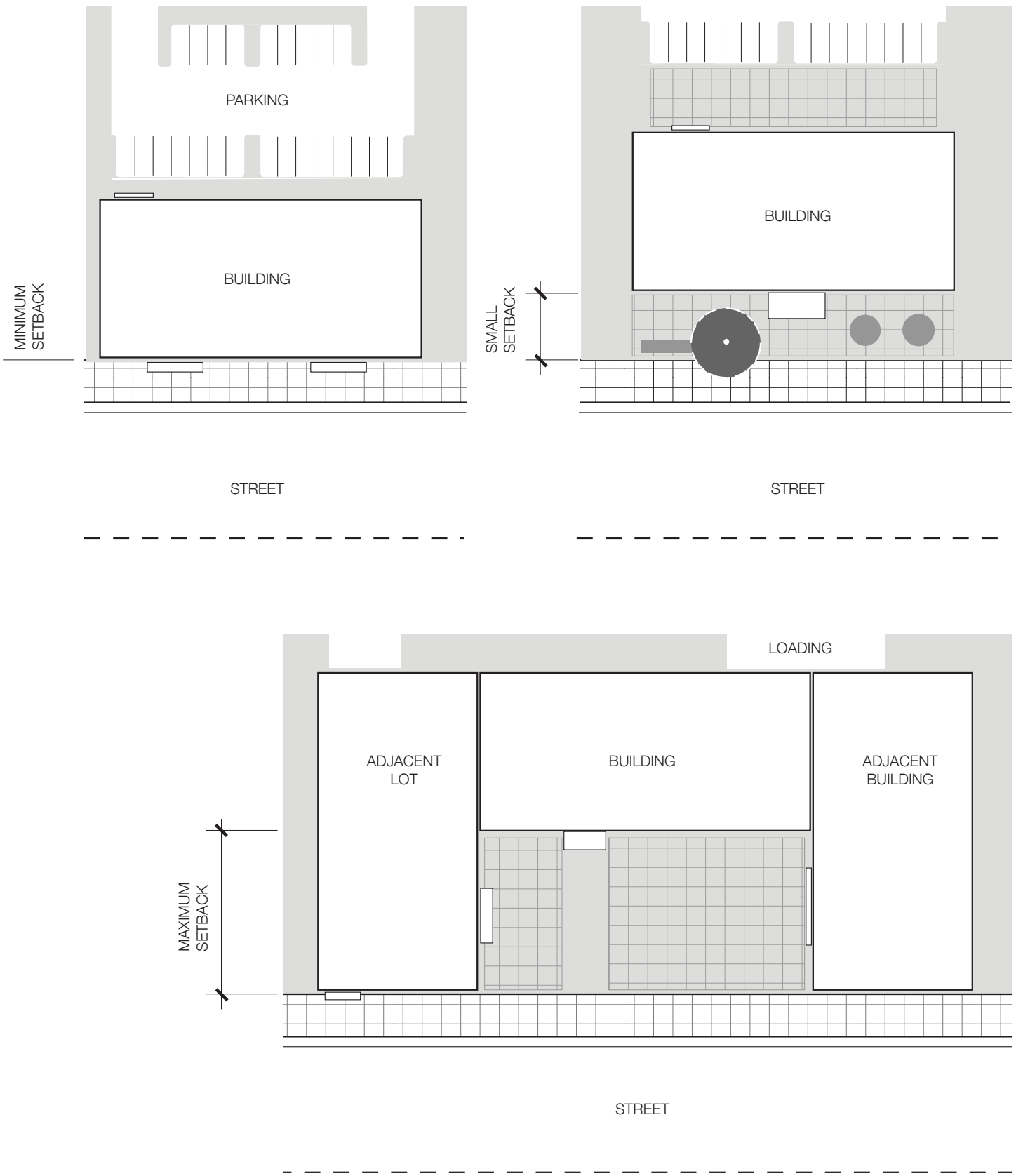


FIGURE 2: This image shows how three different setbacks can work between a minimum of zero to a maximum of 40 feet. Minimum setbacks support a continuous street edge along the public sidewalk. A small setback can offer pedestrian amenities including benches, trees, tables and seating. The maximum setback 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.

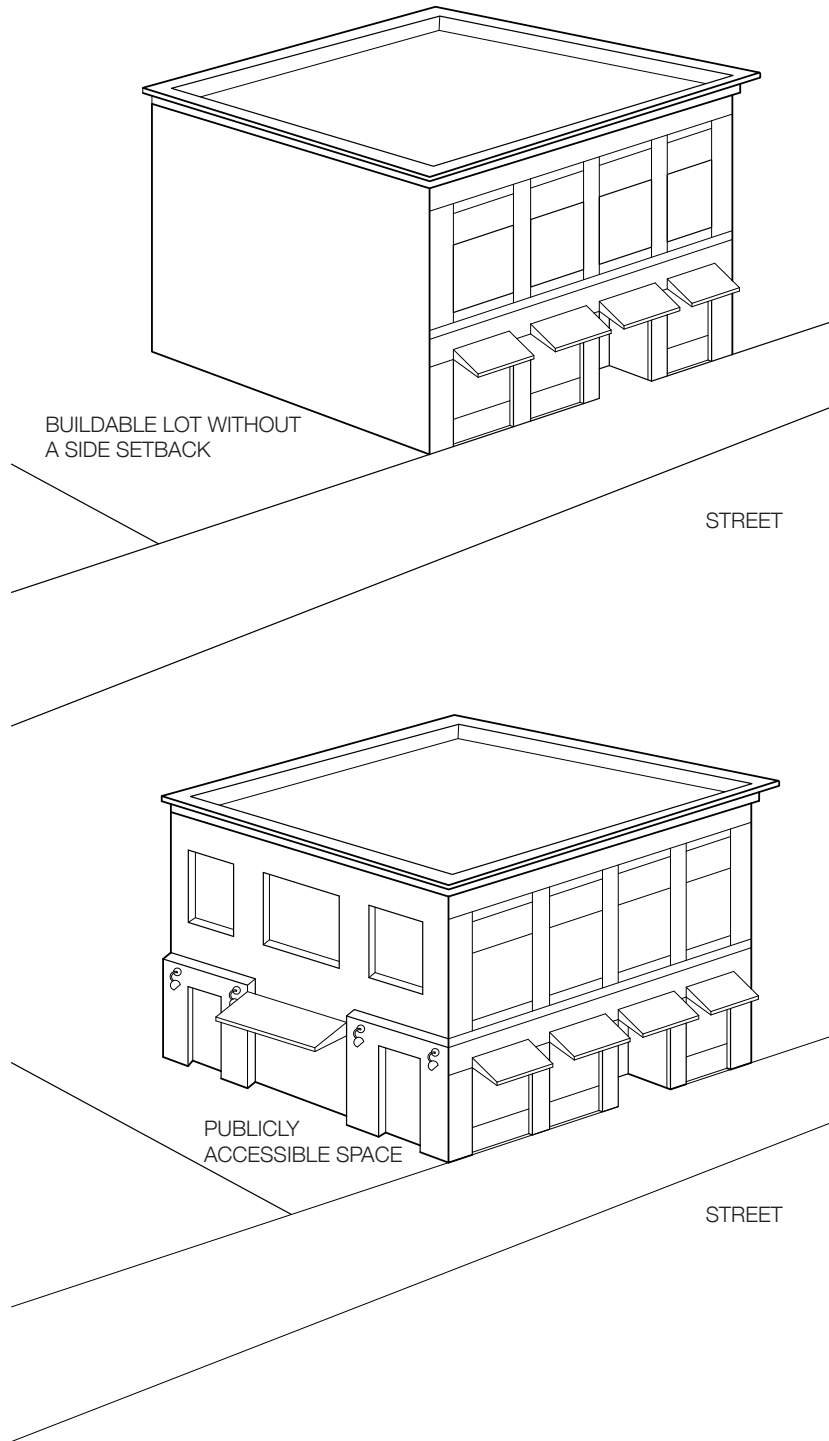
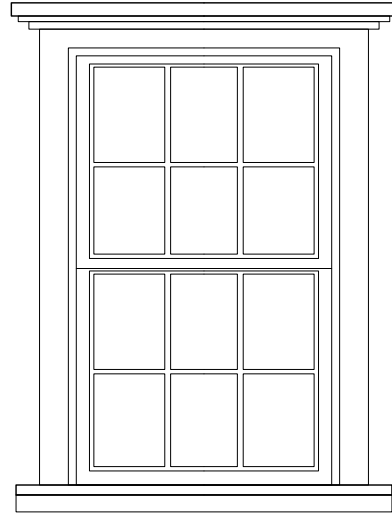
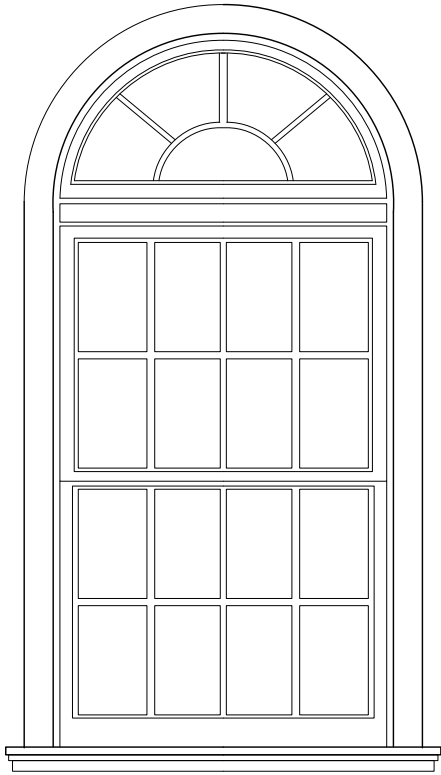
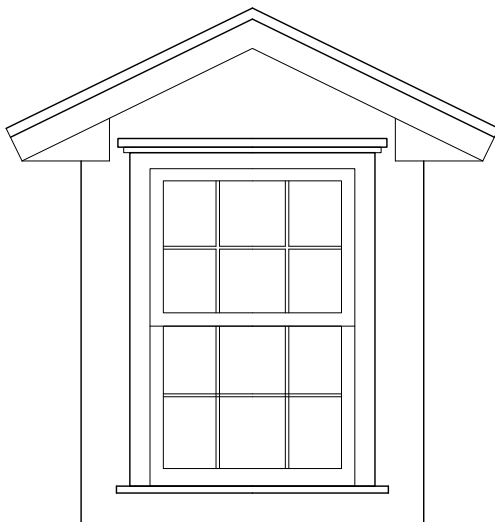


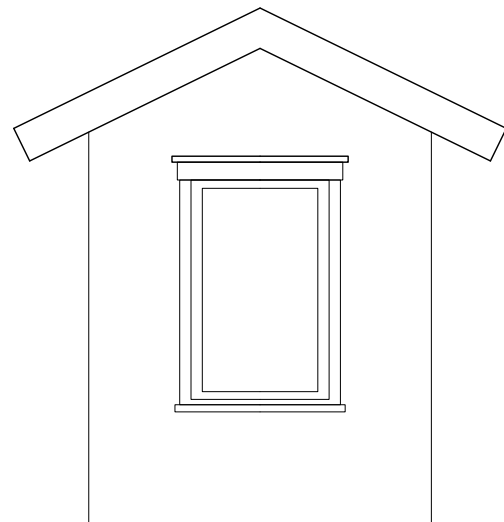
FIGURE 4: This image shows how building side walls should be treated depending on lot conditions. Buildings that have side walls that are adjacent to publicly accessible space should add detail, glazing or entrances to the side wall to avoid large blank surfaces. Buildings that are adjacent to buildable 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.

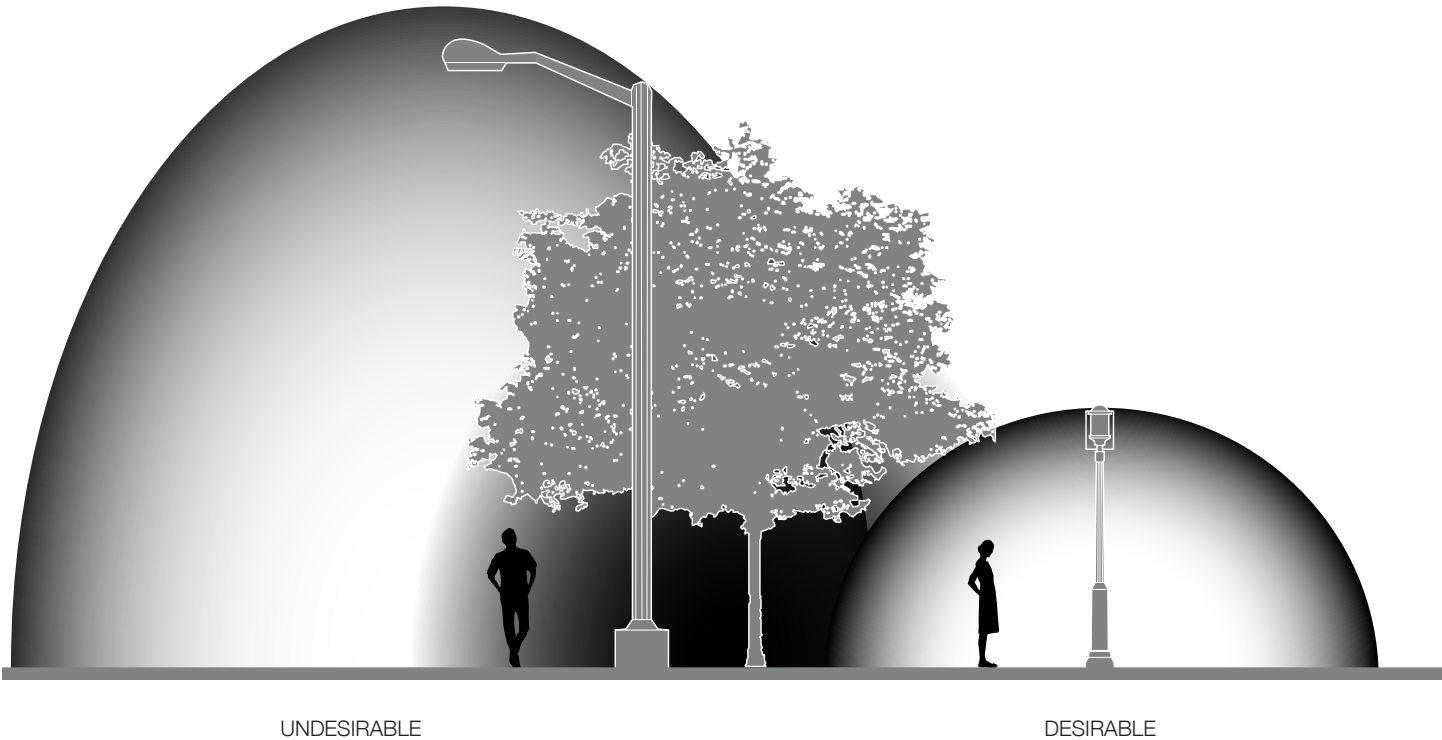


FIGURE 6: These images illustrate how human-scale decorative lighting creates a more inviting environment for pedestrians.



UNDESIRABLE

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.