

flexibility in the design and dimensional characteristics of lots, roads, infrastructure and open space within the context of the development parcel's zoning designation. These regulations also permit the Planning Board to grant certain density incentives where a development preserves open space beyond the minimum requirements, incorporates "low-impact" dwelling units into the project design or preserves existing dwelling units on the project site.

Residential Compound: A residential compound is a parcel of land containing lots for single-household dwellings and having an average density of no greater than one dwelling unit per two hundred thousand square feet of land area. A private road typically services these developments.

Subdivision and Land Development Regulations: The regulations that establish the procedural and substantive provisions for the subdivision and development of land in a manner that is consistent with the Comprehensive Community Plan and the Zoning Ordinance.

Zoning Ordinance: The Zoning Ordinance provides the regulatory framework for the allowed use(s) of land within the various zoning districts of the Town and also governs dimensional requirements for lots or parcels within each district.

A Disclaimer: The above common terms and their descriptions are meant to illustrate common aspects of the subdivision and land development process. It is not a comprehensive listing nor is it intended to be. These terms should not be construed as legal definitions of any of the above; they are included in this brochure to educate and familiarize citizens about the general process of considering land developments and subdivisions. For more information or to research the legal definitions of these terms and ordinances/regulations citizens are encouraged to visit the South Kingstown Planning Department at Town Hall, 180 High Street, Wakefield, Rhode Island 02879, Phone (401) 789-9331 Ext. 1244 or visit the Town's Website at www.southkingstownri.com. The Zoning Ordinance and Subdivision and Land Development Regulations are available for borrowing or purchase in the Planning Department. They are also available at the Town's three libraries.

FREQUENTLY ASKED QUESTIONS

Q: How can I find out more about development proposals in the Town or my neighborhood?

A: Contact the South Kingstown Planning Department, Town Hall, 180 High Street, Wakefield, RI 02879,

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(401-789-9331 Ext. 1244)

Q: Can I obtain copies of development plans?

A: Yes, reduced copies of development plans (11"x 17") can be obtained through the Planning Department.

Q: Is there someone to whom I can speak about my concerns or questions regarding a particular development application?

A: Yes, such questions or concerns should be referred to the Planning Department. You may also voice your question or concern to the Planning Board when the item is part of its agenda or you can transmit your ideas or questions in writing to the Planning Board or Planning Department.

Q: Will I be notified automatically?

A: Yes, if you are a property owner within the notice radius applicable to the project. If you are outside the radius and wish to be notified as a courtesy, please contact the Planning Department and we will provide such notice.

Q: What if I am not within the notice radius? Will I be notified?

A: No. You will not receive any written notice. If you know that a development is being proposed and you want to be notified of future meetings, call the Planning Department. You should also watch for any newspaper advertisements in the *South County Independent*. You may also see a sign posted on the land prior to any public meeting at which a vote will be taken.

Q: If I am unable to attend a meeting of the Planning Board, can I still make my feelings known?

A: Yes, you may convey your feelings in writing to the Planning Department and staff will provide copies of your correspondence to the members of the Planning Board. All letters must be presented before the close of the public hearing or they will not be considered as part of the record.

Q: What are those orange signs I see on land being developed?

A: The Town of South Kingstown requires the owner of land being proposed for development to place a sign on the land at least 10 days prior to any public hearing or public informational meeting. This sign provides information about upcoming meetings and how you can get more information.



TOWN OF SOUTH KINGSTOWN PLANNING BOARD

Subdivision and Land Development Projects: A Citizens Guide

As a landowner in the vicinity of a proposed subdivision or land development project, you may receive notice of a pending project application before the Planning Board of the Town of South Kingstown.

This brochure is intended as an aid to South Kingstown citizens and other interested parties in understanding this legal procedure and to inform you of how you can participate in this public process before the South Kingstown Planning Board.

State Law: RIGL Title 45, Chapter 23, "The Land Development and Subdivision Review Enabling Act of 1992."

This act defines the required procedure for Rhode Island cities and towns in considering application for the subdivision of land and land development projects. All local regulations must be in accord with these requirements. The South Kingstown Subdivision and Land Development Regulations were revised to be consistent with the Enabling Act. The act specifically defines the stages of review that all land development projects and subdivisions must undergo and establishes required time frames for making a decision on the application at the local level.

Planning Board: The Planning Board is the official planning agency of the Town of South Kingstown as established in the Town Charter. The Board is comprised of seven (7) residents who are appointed by the Town

Council to 3-year terms. The Board's regular meeting is held on the fourth Tuesday of each month at 7:00 p.m. The Board also conducts a work session each month where long-term planning issues are discussed. This work session is typically conducted on the second Tuesday of each month beginning at 7:00 p.m. These meetings are held at the Town Hall, 180 High Street and are open to all interested parties; public participation at the meetings is encouraged. The agendas for these meetings are posted in the Town Hall lobby, at the Peace Dale Library, 1057 Kingstown Road and on the Town's website at www.southkingstownri.com.

Procedure Before the Board: Any application to subdivide land that will create new lots for development requires Planning Board approval by majority vote of the Board at a public meeting.

Minor Land Development Projects and Minor Subdivisions:

Any minor subdivision, (five or fewer lots) that will create a street, public or private, requires a public hearing on the Preliminary Plan to be held. A newspaper ad is placed in the *South County Independent* and notice to property owners within the notice radius is sent by certified mail. This process consists of two stages, Preliminary Review/Public Hearing and Final Review. Once an application is certified as complete the Planning Board will conduct a Public Hearing on the Preliminary Plan. State law requires that the Board render a decision on the Preliminary application within 95 days of it being certified as complete. The Preliminary Plan may be approved, approved with modifications, or denied by the Planning Board. Detailed plans and supporting materials are submitted at Preliminary stage and these are available for public review in the Planning Department during Town Hall business hours (8:30 to 4:30 Monday-Friday). The Administrative Officer (Director of Planning) conducts Final Review administratively. No public hearings are held at the Final stage of review. Once Final approval is granted, construction is clear to begin. This entire process can take several months to complete depending on the complexity of the project.

Major Land Development Projects and Major Subdivisions: Any major land development or major subdivision (six or more residential lots or any commercial or industrial subdivision) follows a four-stage procedure consisting of the following:

1. Pre-application meeting(s);
2. Conceptual Master Plan;
3. Preliminary Plan; and
4. Final Plan.

1. The Pre-application stage is a relatively informal review procedure before Town staff and the Planning Board whereby the applicant seeks input into the project design or design alternatives while the project is in its formative stages. No formal action on the part of the Planning Board is taken at this stage of review. No public notice is made of this meeting.

2. Conceptual Master Plan review is an important stage for subdivision and land development applications in that the general design and scope of the project is defined at this stage. The Conceptual Master Plan, once approved, forms the basis of the project.

Once the Conceptual Master Plan application is certified as complete the Planning Board will conduct a public informational meeting on the project. This meeting is advertised in the *South County Independent* with additional notice sent by postcard and regular mail to property owners within the notice radius. State law requires that the Planning Board render a decision on the Conceptual Master Plan within 90 days of the application being certified as complete.

Once the Planning Board approves a Master Plan for any development, it is vested. Vesting means the developer has the right to proceed with a project in accordance with the zoning requirements, conceptual layout and all conditions shown on the approved Master Plan drawings and supporting material. For this reason, public input at this stage of review is very important.

3. Preliminary Plan review is the most detailed review stage for a major land development or major subdivision application. At this stage the plans and supporting materials for the development that were granted Master Plan approval in the previous stage are re-submitted with a greater degree of detail. The plans are fully engineered, all State of Rhode Island permits are in place and all required legal documents are submitted. The Planning Board conducts a second public hearing on the Preliminary Plan once the Preliminary application is certified as complete. This hearing is advertised in the *South County Independent* with additional notice by certified mail to property owners within the notice radius. State law requires that the Planning Board render

a decision on the Preliminary Plan within 90 days of the application being certified as complete.

4. Final Plan review is conducted administratively by the Administrative Officer (Director of Planning). No public hearings are held at the Final stage of review. Once Final approval is granted, construction is clear to begin.

Please note that any application before the Planning Board is available for public review at the Planning Department during Town Hall business hours.

The above process summary is intended to provide a layman's overview of the land development and subdivision review procedure. Detailed descriptions of this procedure are contained within the Town of South Kingstown Subdivision and Land Development Regulations. These regulations are available through the South Kingstown Planning Department and are on the Town's website at www.southkingstownri.com.

Discussion of Common Terms (selected listing):

Subdivision: The division or re-division of a lot, tract or parcel of land into two or more lots, tracts or parcels. (Note: any subdivision of land that creates new parcels for development requires Planning Board approval).

Minor Subdivision: A plan for a residential subdivision of land consisting of five (5) or fewer units or lots.

Major Subdivision: A plan for a residential subdivision of land consisting of more than five (5) units or lots.

Land Development Project: A special project as defined in the Town's Zoning Ordinance and Subdivision and Land Development Regulations including apartment complexes, elderly housing developments, mixed-use developments such as the Route 1 Special Management District and institutional expansion proposals such as South County Hospital.

Notice Radius: This refers to the distance from land proposed for development within which all property owners are notified of certain developments pending before the Planning Board. This distance varies between 200 and 500 feet.

Flexible Design Residential Project (FDRP): This type of development utilizes the site analysis and design approach advocated in the "South Kingstown Residential Design Manual" developed in January 1999. The FDRP process requires that the developer base the project design on a detailed evaluation of the site and its context in advance of developing site plans. The FDRP regulations allow the developer and the Planning Board considerable