**The following guidance is related to the definition section of the development regulations. The current definition in the local regulation must be deleted and replaced with those provided below. The language in red is directly from state law and must be inserted into the Regulations as written.**

**DELETE CURRENT DEFINITION OF ADMINISTRATIVE OFFICER**

**REPLACE WITH:**

Administrative officer.**[[1]](#footnote-1)** The municipal official(s) designated by the local regulations to administer the land development and subdivision regulations and to review and approve qualified applications and/or coordinate with local boards and commissions, municipal staff and state agencies as set forth herein. The administrative officer may be a member of, or the chair, of the planning board, an employee of the municipal planning or zoning departments, or an appointed official of the municipality (see § 45-23-55).

**DELETE CURRENT DEFINITION OF ADMINISTRATIVE SUBDIVISION**

**REPLACE WITH:**

Administrative subdivision. Subdivision of existing lots which yields no additional lots for development and involves no creation or extension of streets. This subdivision only involves division, mergers, mergers and division, or adjustments of boundaries of existing lots.

**DELETE CURRENT DEFINITION OF BOARD OF APPEAL**

**REPLACE WITH:**

Board of appeal. The local review authority for appeals of actions of the administrative officer, which shall be the local zoning board of review constituted as the board of appeal (see § 45-23-57*).*

**DELETE CURRENT DEFINITION OF CERTIFICATE OF COMPLETENESS**

**REPLACE WITH:**

Certificate of completeness. A notice issued by the administrative officer informing an applicant that the application is complete and meets the requirements of the municipality’s regulations, and that the applicant may proceed with the review process.

**DELETE THE CURRENT DEFINITION OF DEVELOPMENT PLAN REVIEW**

**ADD OR REPLACE WITH: [[2]](#footnote-2)**

Development plan review. Design or site plan review of a development of a permitted use. A municipality may utilize development plan review under limited circumstances to encourage development to comply with design and/or performance standards of the community under specific and objective guidelines, for developments including, but not limited to:

(i) A change in use at the property where no extensive construction of improvements is sought;

(ii) An adaptive reuse project located in a commercial zone where no extensive exterior construction of improvements is sought;

(iii) An adaptive reuse project located in a residential zone which results in less than nine (9) residential units;

(iv) Development in a designated urban or growth center;

(v) Institutional development design review for educational or hospital facilities; or

(vi) Development in a historic district.

**INSERT THE NEW DEFINITION FOR LAND DEVELOPMENT PROJECT:**

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

**DELETE CURRENT DEFINITION OF MAJOR LAND DEVELOPMENT PLAN**

**REPLACE WITH:**

Major land development project. A land development project which exceeds the thresholds for a minor land development project as set forth in this section and [INSERT LOCAL SECTION REFERENCE].

**DELETE THE CURRENT DEFINITION OF MAJOR SUBDIVISION**

**REPLACE WITH:**

Major subdivision. A subdivision creating ten (10) or more buildable lots.

**DELETE CURRENT DEFINITION OF MASTER PLAN**

**REPLACE WITH:**

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. Required in major land development or major subdivision review only. It is the first formal review step of the major land development or major subdivision process and the step in the process in which the public hearing is held (see §45-23-39).

**DELETE THE CURRENT DEFINITION OF MINOR LAND DEVELOPMENT PLAN**

**REPLACE WITH:**

Minor land development project.**[[3]](#footnote-3)** A land development project involving any one of the following:

* Seven thousand five hundred (7,500) gross square feet of floor area of new commercial, manufacturing or industrial development; or less, or
* An expansion of up to fifty percent (50%) of existing floor area or up to ten thousand (10,000) square feet for commercial, manufacturing, or industrial structures; or
* Mixed-use development consisting of up to six (6) dwelling units and two thousand five hundred (2,500) gross square feet of commercial space or less.
* Multi-family residential or residential condominium development of nine (9) units or less.
* Change in use at the property where no extensive construction of improvements are sought.
* An adaptive reuse project of up to twenty-five thousand (25,000) square feet of gross floor area located in a commercial zone where no extensive exterior construction of improvements is sought.
* An adaptive reuse project located in a residential zone which results in less than nine (9) residential units.

**DELETE THE CURRENT DEFINITION OF MINOR SUBDIVISION**

**REPLACE WITH:**

Minor subdivision. A subdivision of land creating nine (9) or fewer buildable lots.

**DELETE CURRENT DEFINITION OF PERMITTING AUTHORITY**

**REPLACE WITH:**

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

**DELETE CURRENT DEFINITION OF PRELIMINARY PLAN**

**REPLACE WITH:**

Preliminary plan. A required stage of land development and subdivision which generally requires engineered drawings.

**DELETE CURRENT DEFINITION OF PUBLIC INFORMATIONAL MEETING [[4]](#footnote-4)**

No replacement language

**DELETE CURRENT DEFINITION OF RE SUBDIVISION [[5]](#footnote-5)**

No replacement language

**DELETE CURRENT DEFINITION OF SUBDIVISION**

**REPLACE WITH:**

Subdivision. The division of a lot, tract or parcel of land into two or more lots, tracts, or parcels or any adjustment to existing lot lines is considered a subdivision.

1. RIGL 45-23-32(1) [↑](#footnote-ref-1)
2. RIGL §45-23-32(10) defines development plan review as provided here. Municipalities are able to add additional types of development applications for review and approval through the development plan review process. If a municipality opts to add to the provided list of eligible application types, they must be listed in the definition of the regulations. [↑](#footnote-ref-2)
3. A municipality can increase, but not decrease the thresholds for minor land development projects per RIGL §45-23-32(20). [↑](#footnote-ref-3)
4. The public informational meeting format no longer exists in the enabling legislation. It has been replaced by a required public hearing at the master plan stage of review. [↑](#footnote-ref-4)
5. The term re subdivision was struck from the enabling legislation [↑](#footnote-ref-5)