

Pawtucket City Council
Notice of Public Hearing
Zoning Ordinance Amendments

The Pawtucket City Council will hold a public hearing on the following proposed amendments to Pawtucket Zoning Ordinance on **Wednesday, December 6, 2023, at 7:00 p.m.** at the Pawtucket City Hall, City Hall Council Chambers, Third Floor, 137 Roosevelt Avenue, Pawtucket, RI, entitled:

AN ORDINANCE IN AMENDMENT OF CHAPTERS 410 OF THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET 1996, ENTITLED "ZONING". (Updates to Incorporate Required Changes due to Enacted Land Use Laws)

This Public Hearing is being held to discuss certain changes to the zoning ordinance to comply with revised state law.

The following is a brief summary of the proposed changes to the Pawtucket Zoning Ordinance:

§410-12 Table of Use Regulations; Key

Add: J. Adaptive Reuse Projects for the conversion of an existing structure to a new use.

Recategorize uses

§410-13.2 Riverfront Development Districts – Authority of Commission
Eliminate Subsection C. regarding Design Review Committee

§410-13.5 Riverfront Development Districts – Organization and Staff
Eliminate Subsection B. regarding Design Review Committee

§410-14.3 Riverfront Development Districts – Uses Permitted by Right; Uses Requiring Relief; Zoning Ordinance Amendment Changes that Development within the Riverfront District classified as a Land Development Project shall not be subject to development plan review.

§410-15.1 Development Plan Review Process

Amends the application processes and the two review processes; Administrative and Formal

§410-43.2 Mill Building Reuse District (MBRD) Permitted Uses

Change some permitted uses to conditionally permitted uses

§410-43.4 Riverfront Commons District Permitted Uses

Change some permitted uses to conditionally permitted uses

§410-43.6 Commercial Mixed Use (CMU) Permitted Uses

Remove: A(1)(a) Table of Additional Permitted Uses

§410-43.7 Conant Thread District (CT) Definitions

Delete the definition of Adaptive Reuse

§410-43.11 Conant Thread District (CT) Permit Review Criteria

Add additional criteria

§410-44 Dimensional Regulations - Enumeration

Remove minimum lot size of existing lots

§410-60 Special Use Permit Requirements for Specific Uses

Revise and add specific and objective criteria for conditional uses

§410-71 Land Nonconforming by Area

Add: B (4) & C regarding substandard lots of record not required to seek any zoning relief based solely on failure to meet minimum lot size requirements of the district

§410-97.1 Modifications

Expand modifications to all dimensional regulations

§410-106 Zoning Board of Review – Powers and Duties

Amend: A. Sets a 65-day deadline for filing an appeal

Add: H. Zoning Board Members are required to participate in continuing education.

§410-107 Zoning Board of Review – Voting

Clarifies quorum and majority.

§410-111 Variances and Special Use Permits – Application

Clarifies the application process.

§410-112 Variances and Special Use Permits – Variance Hearing and Notice

Clarifies publication and notice requirements for Variance applications

Adds: 410-112.1 Special Use Permit Hearing and Notice

§410-113 Variances and Special Use Permits – Standards for Relief

Amend: A(1)(a) - Permitting state defined disabilities as a reason for a variance

Amend: A(1)(b) - Eliminate requirement that variance does not result primarily from the desire of the applicant to realize greater financial gain

Eliminate: A(1)(d) - The relief to be granted is the least relief necessary

Amend: B(c) – Eliminate standard that granting of a special use permit will not alter the general character of surrounding area or impair the intent or purpose of the Zoning Ordinance or Comprehensive Plan

Add: §410-114.1 Unified Development Review

Creates a Unified Development Review process

§410-123 Adoption and Amendment – Notice and Hearing Requirements

Amend: A & B. Clarifies publication, posting and notice requirements

Add: New C. regarding changes to the ordinance which would cause a conforming lot to become nonconforming.

Amend former section C, now D. Adds language to notify any entity holding a recorded conservation or preservation restriction

Add: G. Establishing a public notice registry

§410-132 Miscellaneous Provisions; Definitions

Add or Amend the following Definitions

Accessory Family Dwelling Unit (ADU); Adaptive Reuse; Administrative Officer; Applicant; Building Height; Cluster; Coastal Features; Commission; Community Residence; Consistency with the Comprehensive Plan; Development Plan Review; Development Regulation; Family Member; Floodplains or Flood Hazard Area; Governing body; Groundwater; Hotel and Motel, Incentive Zoning; Joint Planning Commission; Land; Land Development Project; Land Development and Subdivision Regulations; Lot Line; Lot Size, Minimum; Modification; Open Space; Parcel; Parking Area or Lot; Permitting Authority; City Planning Commission; Slope of Land; Storm Water Detention; Storm Water Retention; Street; Street, Access To; Street, Alley; Street, Cul-de-Sac; Street, Limited Access Highway; Street, Private; Street, Public; Street, Stub; Street Classification; Structure; Subdivision; Technical Review Committee; Variance; Vested Rights; Waters; Wetland, Coastal; Wetland, Freshwater; Zoning; Zoning Ordinance; and Zoning Use District.

Other changes:

- Changes jurisdiction for permitting Appeals from the Pawtucket Zoning Board to Providence County Superior Court
- Adds City Planning Commission and Joint Planning Commission as the permitting authority for variances and special use permits under unified development review
- Other general changes to comply with State Law.

The proposed ordinance may be examined and copied at cost at the Office of the City Clerk, Pawtucket City Hall, 3rd Floor, 137 Roosevelt Avenue, Monday through Wednesday from 8:00 a.m. to 4:30 p.m.; Thursday from 8:00 a.m. to 6:00 p.m., and Friday from 8:00 a.m. to 12:30 p.m. The proposed ordinance may be modified or amended prior to the close of the public hearing without further advertising, as a result of further study or because of views expressed at the public hearing. Any modification or amendment will be presented for comment in the course of the hearing.

Any persons interested in the above are respectfully requested to be present at the time and place to be heard thereon. Facilities are accessible to people with disabilities. If you are in need of interpreter services for the deaf or hard of hearing, please contact the City Clerk's office at 728-0500, ext. 225 not less than 48 hours in advance of the hearing date. Also, TDD telephone (401) 722-8239.

Persons may also be heard via tele/video conference via Zoom:

DIAL: **1-888-475-4499** OR Join Online at www.Zoom.us - Click Join a Meeting

ENTER MEETING ID: **891 3433 4748**

PASSWORD: **12623PCC**

Per order of the City Council.

Richard J. Goldstein, MMC, City Clerk