

Town of Richmond, R.I. Planning Board



A Citizens' Guide to the Land Development Process

If you own property near land that is proposed for development, you might want to know what rules apply to that development and whether you can have a say in how the land is developed. This guide is designed to help you understand the development process and your role in it.

State law says every community must have a Comprehensive Community Plan, a general policy document that guides development decisions.

State law says every community must use the same basic procedure to approve subdivisions and land development projects. The Richmond Land Development and Subdivision Regulations explain that procedure, and also contain specific requirements such as preservation of open space and standards for construction of new streets.

Every city and town also must have a zoning ordinance that divides a town into districts where certain uses are permitted or prohibited, establishes minimum lot sizes and other dimensional regulations, contains rules for particular types of uses, and empowers a zoning board of review to grant relief from the terms of the ordinance, using specific criteria in the ordinance.

Who makes land use decisions?

The Town Council's role

The Richmond Town Council—five citizens elected by the voters—enacts and amends the Comprehensive Community Plan and the Richmond Zoning Ordinance and Map.

The Comprehensive Community Plan is an inventory of existing resources and a general guide for future growth. The zoning ordinance, the land development and subdivision regulations, and other local land use laws must be consistent with the Comprehensive Plan.



By enacting the zoning ordinance map, the Town Council decides which land is for residential use, agricultural use, business use, or industrial use. The map also shows which land is owned by the Town or the State and which land is protected from development by deed restrictions or conservation easements.

The Planning Board's role

The Richmond Planning Board—seven volunteers appointed by the Town Council to serve three-year terms— enacts land development and subdivision regulations, reviews site plans for permitted uses, and approves applications for subdivisions and land development projects.

The Planning Board also prepares updates to the Comprehensive Community Plan, and initiates or reviews proposed amendments to the Zoning Ordinance. The Board sends its recommendations to the Town Council. After a public hearing, the Town Council can enact what the Planning Board has recommended, or it can make changes to what has been recommended.



The Zoning Board of Review's role

The Richmond Zoning Board of Review— seven volunteers appointed by the Town Council to five-year terms—grants relief from the requirements of the zoning ordinance when a property owner cannot comply with the ordinance because of the physical characteristics of the property. The zoning board also approves special use permits, and hears appeals from decisions by the zoning enforcement officer. The zoning board does not enforce the zoning ordinance or send violation notices.

Who is on the Planning Board?

Most Planning Board members are not planning professionals. They bring a variety of skills and experience to their duties. They work with the assistance of the Town Planner, who determines whether applications are complete, meets with developers, reviews plans in detail, and prepares draft decisions.

The Planning Board meets on the second and fourth Tuesday of each month at 7:00 p.m., usually in the Town Council chamber at Richmond Town Hall. All of the board's meetings are public. Review of development applications and public hearings usually take place at the first meeting of the month; at the second meeting, the board usually discusses ordinance or regulation revisions and other policy issues.

TYPES of DEVELOPMENT

- **Conservation developments** are residential subdivisions designed with the physical characteristics of the land in mind, to conserve resources and preserve natural and historical features. Lot size is reduced to create contiguous open space. They can be major or minor.
- **Residential compounds** are rural residential subdivisions of no more than seven lots. They have fewer infrastructure improvements and less development density than conventional subdivisions.
- **Land development projects** have multiple buildings on one site or have both residential and non-residential uses.



STAGES of REVIEW and APPROVAL

Subdivisions are classified as major or minor. The classification determines the approval procedure.

- **Major subdivisions** consist of six or more lots. Major subdivisions and major land development projects are approved in the following stages:

Pre-application conference – The applicant meets informally with the Planning Board to exchange ideas.

Master Plan – The Planning Board approves a general, conceptual plan for development. No engineering details are required. Review includes an informational meeting for nearby residents.

Preliminary Plan – The applicant submits an engineered plan that has received all required state permits. The plan undergoes a detailed review, including a public hearing. The Planning Board may require changes to the plan submitted or place conditions on the approval.

Final Plan – The Town Planner grants final approval after making sure all the conditions in the preliminary plan approval have been satisfied.

- **Minor subdivisions** consist of five or fewer lots. A pre-application conference takes place, and the plan receives preliminary approval and final approval.

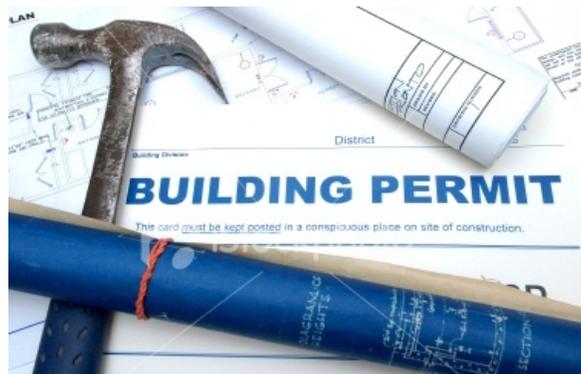
HOW DOES THE PLANNING BOARD DECIDE WHAT TO APPROVE?

Approval of a development application is based on whether the plans comply with the regulations—not on someone's opinion about whether the town needs more development or if a particular site is a good place for development. If an applicant's land is zoned for the proposed use, and the plans meet all the requirements for development in the Land Development and Subdivision Regulations, the Planning Board has no legal authority to deny the application.

Frequently Asked Questions

Q. If someone is seeking approval to develop land near my house, will I know about it?

A. If you're an owner of property within 500 feet of the property proposed for development, you will receive written notice. If the application is for a major subdivision or development, or a minor subdivision creating a new street, you will receive a certified letter notifying you of the date and time of the public hearing on the Preliminary Plan. For a major subdivision or land development project, you also will receive a postcard notifying you of the date and time of the informational meeting on the Master Plan.



Q. If I get one of those notices, how can I find out more information before the hearing?

A. You can visit the Richmond Planning Department, on the second floor of the Town Hall, on weekdays (except holidays) between 9 a.m. and 4 p.m., or you can call the Planning Board clerk at 539-9000 ext. 3. You can get a reduced copy of the plans, and obtain any other information that is available.

Q. What if I don't own property within 500 feet of the development?

A. If you want to receive a notice of the informational meeting or public hearing, you can call the Planning Board clerk at the number above and ask to receive a notice. If you want to know whether the Planning Board will be discussing that development at an upcoming meeting, you can see the meeting agenda on the Town website: <http://www.richmondri.com/AgendaCenter>. Also, informational meetings are advertised in the Westerly Sun at least 7 days in advance, and public hearings are advertised at least 14 days in advance.

Q. Will I be allowed to speak at the informational meeting or at the public hearing?

A. Yes. You may ask questions or make comments at the informational meeting and at the public hearing. Usually the applicant makes a presentation, and then the Planning Board members ask questions. You will know when you are allowed to speak because the Chair will ask for public questions or comments.

Q. Can I put my comments to the Planning Board in writing?

A. Yes. You can send written comments to the Planning Board at 5 Richmond Townhouse Road, Wyoming, RI 02898, or you can bring a prepared statement to the meeting or hearing. The statement will be made a part of the record whether or not you are present as long as it reaches the Planning Board before the meeting or hearing is closed.

Q. How can I get a copy of the land development and subdivision regulations, the zoning ordinance, or the Comprehensive Plan?

A. You can see all of those documents on the Town's website. The address is <http://clerkshq.com/de-fault.ashx?clientsite=richmond-ri>.

If you'd like to be notified of changes to the land development and subdivision regulations or the zoning ordinance, you can have your name put on the public notice registry by calling the Planning Board clerk at 539-9000 ext. 3.

DISCLAIMER: The statements in this guide are for information purposes only, and are not intended to substitute for the information and advice you would receive from your own lawyer.