

City of Woonsocket, Rhode Island

ZONING ORDINANCE OF THE CITY OF WOONSOCKET

§ 2.1-6 Overlay Districts.

§ 2.1-6.1 Design Review Overlay District. Established to regulate the design of new and existing commercial or mixed-use buildings, structures, improvements, and facilities with regard to assessing the impacts of predominantly commercial development on the surrounding community with regard to issues of health and safety, visual and architectural quality and long-term planning strategies.

§ 2.1-6.2 Planned Residential Development Overlay District. Established to permit the flexible development of large tracts of residentially zoned land in order to encourage harmonious, efficient and convenient living environments and communities; to increase housing opportunities by increasing the variety of residential types, density and design; to facilitate the economical and efficient provision of necessary community services, recreation and open space; to preserve features and sites of natural, ecological and historical interest; to encourage innovative residential designs; and to promote the health, safety and welfare of the residents of Woonsocket.

§ 2.1-6.3 River Corridor Overlay District. Established to regulate the development and use of land, buildings, structures, improvements and facilities in proximity to the Blackstone River, with regard to assessing the impacts of development on the river environment with regard to issues of health and safety, environmental protection, public access, visual and architectural quality and long-term planning strategies.

§ 12.1. Design Review Overlay District.

The Design Review Overlay District is hereby established to regulate the design of new and existing commercial or mixed-use buildings, structures, improvements and facilities with regard to assessing the impacts of predominantly commercial development on the surrounding community with regard to issues of health and safety, visual and architectural quality and long-term planning strategies.

All nonresidential buildings, structures, improvements and facilities within zoning districts C-1, C-2, MU-1 and MU-2, excluding all buildings, structures, improvements, and facilities within any area under the authority of the Redevelopment Agency of Woonsocket, shall be regulated by both the requirements of the district in which they are located and the requirements of this overlay district. This district shall furthermore overlay all lots, or portions thereof, where any building, structure, improvement or facility is associated with a use otherwise permitted only in a C-1, C-2, MU-1 and/or MU-2 district, that has been granted by variance or special use permit by the zoning board of review.

(Ch. No. 6154, Sec. 1(J), 10-16-95; Ch. No. 6400, Sec. 1(M), 9-2-97)

§ 12.1-1 *Design Review Commission.* The design review commission is hereby established as the agency authorized to administer that portion of the Design Review Overlay Zone in which any proposed project includes the construction of a new commercial or mixed-use building, or any proposed project that includes the substantial exterior renovation of an existing commercial or mixed-use building. Substantial renovations shall mean to be those renovations, where 50% or more of the total existing exterior materials, are to be replaced, or 70% of the exterior facade materials are to be replaced. The members of the design review commission shall be the members of the planning board.

Design Review Officer. The design review officer is hereby established as the agent authorized to administer all other portions of the Design Review Overlay Zone which are not administered by the design review commission as defined above. The design review officer shall be appointed by the Mayor and serve until his/her successor is named. All decisions made by the design review officer may be appealed to the design review commission in writing.

(Ch. No. 6400, Sec. 1(N), 9-2-97)

§ 12.1-2 *Design Guidelines.* The design review commission shall prepare and adopt design guidelines for development within this overlay district within six (6) months of the enactment of this ordinance. Said guidelines shall guide applicants in the development of proposals.

§ 12.1-3 *Submission of Plans and Proposals.* A proposal for development within this overlay district may be made by any applicant by filing with the city planner an application describing the proposal and supporting materials.

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Applications and supporting materials shall be submitted for review under this subsection prior to the submittal of plans for a building permit. Supporting materials shall include three (3) sets of each of the following:

§ 12.1-3.1 Site Plan. A site plan is required which shall be prepared by a registered land surveyor or by a registered professional engineer. As appropriate under the requirements established by the State of Rhode Island for each class, and which shall include without limitation the following:

- (1) Location of all existing and proposed buildings and structures, including signs;
- (2) Location of all existing and proposed site improvements, including utilities;
- (3) Location of all existing and proposed points of vehicular and pedestrian access;
- (4) Location of all existing and proposed interior access corridors and parking spaces; and
- (5) Existing and proposed contour data for the site, at two-foot intervals.

§ 12.1-3.2 Architectural Submittals. Architectural submittals are required which shall include without limitation the following:

- (1) Elevations for all sides of any proposed building or structure, including signs;
- (2) Exterior lighting plans;
- (3) Floor plans for all proposed buildings; and
- (4) Samples and/or descriptions of all materials for proposed exterior treatment.

§ 12.1-3.3 Landscape Plans. Landscape plans are required which shall include without limitation the following:

- (1) Proposed plantings and other landscape material, shown by type, size and number; and
- (2) Provisions for pedestrian circulation; and

(3) Site furnishings.

§ 12.1-4 Pre-Development Conference. Developers shall be encouraged, but are not required, to discuss proposals at the outset with the city planner and the division engineer for suggestions and general guidance.

§ 12.1-5 Evaluation of Proposals. Proposals for development within this overlay district shall be reviewed with respect to the following:

- (1) Architectural design;
- (2) Landscape design in accordance with the green space requirements set forth below;
- (3) Impacts on available utilities and the planning of future improvements;
- (4) Off-site traffic impacts;
- (5) On-site traffic circulation;
- (6) Overall visual quality;
- (7) Relationship to surrounding buildings and sites;
- (8) Sign design and placement; and
- (9) Site layout.

§ 12.1-6 Green Space Requirement. All developments within this overlay district shall include a minimum of fifty (50) square feet of on-site green space for every parking space required under this ordinance, except that in the case of parcels with unreasonable constraints, the design review commission may alter, reduce or waive the green space requirement. Said green space shall consist of areas that contain grass, ground cover, shrubs, trees, flower beds, or any combination of the above.

§ 12.1-6.1 Parking Areas. A minimum of five (5) percent of the green space shall be applied within parking and vehicular circulation areas in the form of landscaped strips or islands that divide parking areas and limit cross-traffic, and shall be evenly dispersed throughout said parking areas to the greatest extent possible.

§12.1-6.2 Perimeter Buffers. Landscaped buffer areas shall be established along the perimeter of all development sites as follows:

(1) Where any portion of a site is adjacent to any residential use property, a minimum landscaped buffer of ten (10) feet in width shall be established along the lot line which adjoins such residential use property, and said landscaped buffer shall contain plant materials and/or fencing to create a six (6) foot high screen between the properties.

(2) Where any portion of a site is adjacent to any nonresidential use property, a minimum landscaped buffer of five (5) feet in width shall be established along the lot line which adjoins such nonresidential use property, and said landscaped buffer shall contain landscape treatment which is determined by the design review commission to be of an appropriate nature.

(3) Where any portion of a site is adjacent to any street or public right-of-way, a minimum landscaped buffer of four (4) feet in width shall be established along the lot line which adjoins such street or right-of-way and trees of an appropriate size and type shall be located approximately every fifty (50) feet, with exact tree locations to be determined on a site-by-site basis to avoid interfering with underground utilities and/or curb cuts. In the case of any development located along Diamond Hill Road, the type of tree shall be green ash, and tree locations shall be approximately every seventy (70) feet.

§ 12.1-7 Penalties. All plans and designs approved by the design review commission shall be executed as such. Failure to comply with approved plans shall be deemed a violation of this ordinance and of the building permit issued for such development, and shall cause the building official to issue a stop-work order until such time that the violation has been satisfactorily remedied.

12.2. Planned Residential Development Overlay District.

The Planned Residential Development Overlay District is hereby established to permit the flexible development of large tracts of residentially zoned land in order to encourage harmonious, efficient and convenient living environments and communities; to increase housing opportunities by increasing the variety of residential types, density and design; to facilitate the economical and efficient provision of necessary community services, recreation and open space;

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to preserve features and sites of natural, ecological and historical interest; to encourage innovative residential designs; and to promote the health, safety and welfare of the residents of Woonsocket. This overlay district shall include all undeveloped parcels of land which are equal to or greater than ten (10) acres in size and which are located within the R-1 and/or R-2 districts. For the purposes of subdivision and/or development, all land within the Planned Residential Development Overlay District may be regulated by either the requirements of the district in which they are located or the requirements of this overlay district.

§ 12.2-1 *Eligibility.* Proposals may be eligible for consideration as planned residential developments only upon demonstration that such development will be in the best interests of the residents of Woonsocket. Said demonstration shall be made by the planning board upon consideration of the following factors:

- (1) Compliance with the comprehensive plan;
- (2) Estimated amount of taxes to be provided to the city;
 - (2.1) Extent of services and facilities to be required by the development, and capacity of the city to provide the same;
 - (2.2) Preservation of open space and features of unique natural, ecological, or historical interest;
- (3) Quality of residential design features;
- (4) Diversification of housing choices; and
- (5) Benefits to the surrounding neighborhood.

§ 12.2-2 *Land Unsuited for Development.* In order to calculate the maximum density permitted in a residential planned development, the following land shall be determined by the planning board to be unsuitable for development:

- (1) Any wetlands, as defined in 2-1-14 and 2-1-20 of the General Laws of Rhode Island and in any rules or regulations adopted pursuant thereto, but excluding land encompassed by any setback requirements as set forth therein;
- (2) Any land located within the Flood Hazard Zones "A" and "B" shown on those maps entitled, "Flood Insurance Rate Map City of Woonsocket,

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Rhode Island, Providence County, Community Panel Number 445411 00013, map revised January 6, 1982, Federal Emergency Management Agency" as amended;

- (3) Any stream areas and/or bodies of water;
- (4) Any areas with slopes in excess of fifteen (15) percent; and
- (5) Any unusual or undevelopable land formations.

§ 12.2-3 Density Requirements. Single-family attached and/or single-family detached residential development may be permitted at an increased density on a portion of a parcel within this overlay district only if a sufficient amount of open space is set aside within the same parcel so that the average residential density of the parcel as a whole does not exceed that permitted by the regulations of the zoning district or districts in which the planned residential development is located. The maximum number of dwelling units in a planned residential development shall not exceed the number computed in accordance with the following procedure:

- (1) All acreage which is unsuitable for development, as hereinabove defined, shall first be deducted from the tract proposed for development.
- (2) Twenty (20) percent of the tract's gross area, or in the alternative, the actual area of any street right-of-way designed for the development in accordance with planning board approval, shall be subtracted as an allowance for streets.
- (3) The remaining acreage shall be divided by the minimum lot size permitted by the regulations pertaining to the zoning district in which the parcel is located.
- (4) The resulting figure shall be rounded down to the nearest whole number.

§ 12.2-4 Homeowners' Association. The developer of a planned residential development shall create a homeowners' association which shall include as its members all owners of dwelling units within the planned residential development. Said homeowners' association shall be established in accordance with all applicable local, state and federal laws, and shall have, by virtue of its rules or bylaws, the power to assess dues and/or fees sufficient to cover the

cost of maintenance of the common open space, and of any improvements thereon, in accordance with all applicable local, state and federal laws.

§ 12.2-5 Perimeter Buffer. There shall be a buffer of open space around the entire perimeter of the planned residential development. Said buffer shall be at least two (2) times as wide as the minimum required rear yard setback for single-family dwellings in the zoning district in which the adjoining land is located. If the planned residential development adjoins a commercial or industrial district, the perimeter buffer shall be a minimum of one hundred (100) feet. The perimeter buffer may include land which has been determined by the planning board to be unsuitable for development. No buildings or structures, or portions thereof, shall be built within the perimeter buffer, except that fencing may be permitted upon the approval of the planning board. The perimeter buffer may be reduced or waived, in whole or in part, by the planning board only where the adjacent land is a publicly or privately owned park or conservation area.

§ 12.2-6 Common Open Space. A substantial portion of the land involved in any planned residential development must consist of common open space, the use of which shall be limited to conservation, preservation, reforestation, agriculture, non-commercial recreation, and any structures and uses accessory to the aforementioned which may be approved by the planning board. All common open space shall be reserved for the use of the present and future owners, lessees, sublessees and residents of the planned residential development, and their nonpaying guests, except that in cases where both the developer and the planning board agree, access shall be provided for the public.

§ 12.2-6.1 Specific Requirements. Common open space shall be provided as set forth below, and according to such additional restrictions as may be imposed by the planning board and city council in a particular residential planned development.

- (1) In addition to the open space required for the perimeter buffer, at least twenty (20) percent of the gross area of the land involved in any planned residential development shall be set aside as contiguous common open space.

(2) A minimum of fifty (50) percent of required common open space may be composed of land determined by the planning board to be unsuitable for development.

(3) A maximum of twenty (20) percent of required common open space may be devoted to structures or impervious surfaces, and no structure or impervious surface shall be located within the required common open space unless directly related to a permitted use as hereinabove defined.

(4) Access to the required common open space shall be made available through the provision of a sufficient number of clearly marked access corridors, each with a minimum width of fifteen (15) feet, and composed of appropriate materials approved by the planning board.

(5) Strips of common land between residential buildings, streets, or drives shall not be counted toward the minimum percentage of common open space, but may be used as access corridors to said common open space.

§ 12.2-6.2 Ownership of Common Open Space. Common open space shall be owned jointly by the owners of all dwelling units within the planned residential development, in conformance with all applicable local, state and federal laws, such that the ownership interest in any dwelling unit shall be inseparable from the ownership interest in the common open space. In addition, common open space shall be protected against future development and environmental damage by conveying to the city an easement over such common open space, restricting any development or use of the common open space, except as provided hereinabove.

§ 12.2-6.3 Management of Common Open Space. The management and maintenance of all common open space shall be the full responsibility of the homeowners' association for the planned residential development. The homeowners' association shall enter into a professional maintenance contract for the maintenance of all common open space and facilities with a professional maintenance contractor who shall be regularly engaged in the maintenance business. In the event of a failure or neglect of the homeowners' association to comply with any city code or ordinance, the city may enforce such code or ordinance as authorized. In no event does this ordinance obligate the City of Woonsocket to become involved with the maintenance of common open space.

§ 12.2-7 Private Drives. The planning board and city council may allow the use of private drives to service a planned residential development in combination with, or in place of, public streets. The construction of said private drives shall be subject to the inspection and approval of the division engineer. No maintenance or trash removal services shall be provided by the city on any private drive.

§ 12.2-8 Setback Requirements. Single-family attached or detached dwelling units may be sited in arrangements that allow for lesser setbacks than required under the regulations of the zoning district or districts in which the planned residential development is located. However, all structures in planned residential developments shall have minimum front setbacks from public roads and/or private drives as set forth below. All structures located on corner or through lots shall maintain required setbacks from each road and/or drive.

- (1) Twenty-five (25) feet from the right-of-way line of any subdivision road or private drive;
- (2) Thirty-five (35) feet from the right-of-way line of any collector road;
- (3) Fifty (50) feet from the right-of-way line of any arterial road; and
- (4) Two hundred (200) feet from the right-of-way line of any limited access or divided highway.

12.2-9 Criteria for Attached Dwelling Units. The following criteria shall apply to the placement and arrangement of attached dwelling units:

- (1) No more than eight (8) dwelling units shall be located in any one building;
- (2) No more than four (4) contiguous dwelling units in any building shall have the same or approximately the same front building line;
- (3) The minimum distance between any two (2) buildings which are substantially parallel to each other shall be one hundred (100) feet.
- (4) The minimum distance between any two (2) abutting ends of buildings in the same general plane shall be fifty (50) feet, unless the walls of both abutting ends contain no windows to serve habitable rooms, in which case the minimum distance shall be thirty (30) feet.

§ 12.2-10 *Obstructions to Visibility*. No wall, fence or other structure shall be erected and no hedge, tree, shrub or other growth shall be maintained in such a location as to obstruct the view from a vehicle traveling on any road or drive.

§ 12.2-11 *Preliminary Plat Submittal Requirements*. A preliminary plat shall be filed with the department of planning and development for consideration by the planning board and city council. Said plat shall contain the following:

§ 12.2-11.1 *Plat*. A plat of a scale not smaller than forty (40) feet to the inch, shall be included as part of the preliminary plat submission, which shall be prepared by a registered land surveyor or by a registered professional engineer, as appropriate under the requirements established by the State of Rhode Island for each class, and which shall include without limitation the following:

- (1) The title under which the proposed plat is to be recorded, with the name and stamp of the registered land surveyor under whose supervision the plat was prepared;
- (2) The present zoning classification of all parcels contained in said plat;
- (3) The location of all existing property lines, streets, alleys, buildings, watercourses, railroads, utilities, and public spaces;
- (4) The location and names of all adjacent subdivisions, streets, alleys, watercourses, railroads, utilities and public spaces on immediately adjoining properties;
- (5) The location and dimensions, by metes and bounds, of all proposed streets, alleys, easements and lot lines;
- (6) Existing and proposed contour data for the entire parcel, at two-foot intervals;
- (7) The existing drainage pattern, including swampland, state designated wetlands, low wetlands, and natural water channels;
- (8) The proposed drainage pattern, including all storm drainage, sanitary sewer and water connections with the city's system and designation as to the responsibility for future maintenance of such connections. Such designation shall be incorporated into the records of land evidence of the City of Woonsocket;

(9) The location and demarcation of all proposed open space to be designated in common ownership:

(10) The location and demarcation of all parcels of land proposed to be dedicated to public use, if any, and the conditions of such dedication;

(11) A statement acknowledging that the plat, which the city council and planning board approve, shall not be materially altered in a size or scope and that if, such material alterations are proposed, city council and planning board approval shall be necessary to proceed with the plan; and

(12) The date upon which the plat is submitted.

§ 12.2-11.2 *Locus Map*. A map drawn of suitable scale, showing the location of the plat in relation to its surrounding area shall be included as part of the preliminary plat submission. This map should include enough information to permit the ready and convenient location of the plat.

§ 12.2-11.3 *List of Abutters*. A list of the names and post office addresses of the owners of all parcels contained in the plat, and of all abutting owners, shall be included as part of the preliminary plat submission.

§ 12.2-11.4 *Site Plan*. A site plan of a scale not smaller than forty (40) feet to the inch, shall be included as part of the preliminary plat submission, which shall be prepared by a registered land surveyor or by a registered professional engineer, as appropriate under the requirements established by the State of Rhode Island for each class, and which shall include without limitation the following:

(1) The outline and location of all proposed dwelling units with an indication of the number of bedrooms per unit;

(2) A statement of the total number of dwelling units;

(3) The outline and location of all accessory buildings, including garages and utility sheds;

(4) The outline and location of all recreational and leisure facilities; and

(5) The date upon which the site plan is submitted.

§ 12.2-11.5 Exterior Elevations. Exterior elevations of the proposed dwelling units and all common facilities, developed and stamped by a registered Rhode Island architect, shall be included as part of the preliminary plat submission.

§ 12.2-11.6 Comprehensive Development Plan. A comprehensive development plan shall be included as part of the preliminary plat submission. Said plan shall include detailed information on the scope and timing of all phases. There shall be no more than three (3) workable phases in the total plan. Each workable phase shall include the construction of a similar proportion of dwelling units and common facilities. A workable phase shall consist of an entire residential planned development which meets the density and open space requirements of this ordinance. The division of any residential planned development into workable phases shall be approved by the city council during the preliminary approval stage.

§ 12.2-11.7 Traffic Plan. A traffic circulation plan and traffic impact analysis prepared by a registered engineer experienced in traffic engineering shall be included as part of the preliminary plat submission for projects having a total development potential of twenty-five (25) units or more. Such plan and analysis shall cite the local street network capacity, project the increased traffic generated from the proposed development, and provide alternative methods of accommodating such traffic when necessary.

§ 12.2-11.8 Conventional Subdivision Plan. The developer may also present a conventional subdivision plan to the planning board in accordance with the ordinance of Real Estate Subdivision, City of Woonsocket, Rhode Island, for consideration in the event that the planned residential development proposal does not receive approval.

§ 12.2-12 Consideration of Preliminary Plat. A joint public hearing shall be held by the planning board and city council to consider a complete preliminary plat submission rendered in proper form in accordance with the provisions of this ordinance. Within thirty (30) days of such public hearing, the planning board shall render a decision on said preliminary plat, if approved by the planning board, said preliminary plat shall require concurring approval by the city council.

§ 12.2-13 Duration of Preliminary Plat Approval. If a preliminary plat has been given approval by both the planning board and city council, such approval shall become null and void after the expiration of one (1) year following the date

of approval by the city council, unless a complete final plat plan rendered in proper form in accordance with the provisions of this ordinance has been filed with, and accepted by, the planning board before the expiration of the one-year period or unless an extension of time has been applied for and granted by the city council.

§ 12.2-14 Final Plat Requirements. No construction of a planned residential development shall begin, including any type of earth moving or vegetative removal, until the final plat for such development has been given approval by both the planning board and city council, and recorded in the office of the city clerk, except that construction necessary for the completion of required public improvements as a prerequisite to final plat approval may be undertaken following the approval and recording of the preliminary plat for the planned residential development in the office of the city clerk. A final plat shall be filed with the department of planning and development for consideration by the planning board and city council. Said plat shall conform to the requirements of the City of Woonsocket's Real Estate Subdivision Ordinance, and shall contain updated and/or revised versions of each of the items specified above as preliminary plat requirements, as well as the following:

§ 12.2-14.1 Architectural Plans and Specifications. A full set of architectural plans and definitive specifications, developed and stamped by a registered Rhode Island architect, shall be included as part of the final plat submission.

§ 12.2-14.2 Guaranty of Performance. To assure that all proposed improvements designated for future public use shall be satisfactorily completed, a cash guaranty shall be provided to the City of Woonsocket to be placed in an escrow account. The total amount of the cash guaranty shall be set by the planning board based upon the estimated cost of completion of said improvements. The planning board shall have the authority to grant release of funds from the escrow account upon the completion of portions of said improvements, and shall obtain verification of completed improvements from the director of public works, whenever a reduction or release of the escrow account is requested. In no case, however, shall the planning board allow the reduction of the account below twenty-five (25) percent of the original amount until such time as the specified improvements are one hundred (100) percent complete as approved by the director of public works. As an alternative to providing the above cash guaranty, the developer may complete and have accepted for public use by the city council, all proposed improvements prior to granting of final plat approval.

§ 12.2-14.3 Easements. Deeds to any and all easements in favor of the city concerning common open space included as part of the final plat submission.

§ 12.2-14.4 Rules, Regulations and Bylaws. Rules, regulations and bylaws which establish a homeowners' association, its powers, rights and duties, and the details of the ownership structure shall be included as part of the final plat submission. Such rules and bylaws shall be reviewed by the city solicitor for conformance to applicable local, state and federal law. The homeowners association shall be organized and function in accordance with rules or bylaws which shall be satisfactory in form and substance to the planning board and which shall be recorded in the records of land evidence in the office of the city clerk with the other documents pertaining to the development.

§ 12.2-15 Consideration of Final Plat. A joint public hearing shall be held by the planning board and city council to consider a complete final plat submission rendered in proper form in accordance with the provisions of this ordinance. Within thirty (30) days of such public hearing, the planning board shall render a decision on said final plat. If approved by the planning board, said final plat shall require concurring approval by the city council.

§12.2-16 Duration of Final Plat Approval. If a final plat has been given approval by both the planning board and city council, such approval shall become null and void after the expiration of thirty (30) days following the date of approval by the city council, unless said plat has been recorded with the records of land evidence in the office of the city clerk, the planning board before the expiration of the one-year period or unless an extension of time has been applied for and granted by the city council.

§ 12.2-17 Failure to Begin Development. The developer must begin and substantially complete the planned residential development within two (2) years from the time of final plat approval by the city council. If the planned residential development is to be constructed in two (2) or more phases, the developer must begin and substantially complete the development of the first phase within eighteen (18) months of said final approval, and must begin and substantially complete the development of each subsequent phase within eighteen (18) months of completion of each preceding phase. The planning board, upon showing of good cause by the developer, may extend for periods of six (6) months the time for completion of any phase. For purposes of this

subsection, "substantially completed" means the completion of at least eighty (80) percent of the full development.

§ 12.2-18 Appeals. Appeals to the city council, acting as the subdivision board of review, may be taken by an applicant whose preliminary or final plat has been rejected by the planning board by filing a statement of appeal within thirty (30) days after the final action on such plat by the planning board.

§ 12.2-19 Amendment Procedure. The planning board chairman shall notify the full city council within twenty-four (24) hours of the receipt of any request for amendment of a preliminary or final plat approval. Unless an objection is received from any council member within three (3) days, formal city council ratification of said amendment by resolution shall not be required in making a determination on whether or not a change in a planned residential development constitutes a material alteration.

12.3. River Corridor Overlay District.

The River Corridor Overlay District is hereby established to regulate the development and use of land, buildings, structures, improvements and facilities in proximity to the Blackstone River, with regard to assessing the impacts of development on the river environment with regard to issues of health and safety, environmental protection, public access, visual and architectural quality and long-term planning strategies. All land, buildings, structures, improvements and facilities within the River Corridor Overlay District shall be regulated by both the requirements of the district in which they are located and the requirements of this overlay district.

§12.3-1 River Corridor Review Commission. The river corridor review commission is hereby established as the agency authorized with the administration of the River Corridor Overlay District. The members of the river corridor review commission shall be the members of the planning board. For those areas under the authority of the redevelopment agency, which are also within the River Corridor Overlay District, the members of the redevelopment agency shall also serve as members of the river corridor review commission.

§ 12.3-1.1 Delegation of Authority. The river corridor review commission may delegate limited review authority to the city planner. As so authorized by the river corridor review commission, the city planner may review and approve applications (with or without special conditions) for proposed projects which are deemed by the city planner to have little or no impact on the surrounding

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area. Determinations made by the city planner may be appealed to the river corridor review commission in writing.

12.3-2 Design Guidelines. [Repealed]

(Ch. No. 6585, Sec. 1, 4-5-99).

§ 12.3-3 Submission of Plans and Proposals. A proposal for development within this overlay district may be made by any applicant by filing with the city planner an application describing the proposal and supporting materials. Applications and supporting materials shall be submitted for review under this subsection prior to the submittal of plans for a building permit. Supporting materials shall include three (3) sets of each of the following:

§ 12.3-3.1 Site Plan. A site plan is required which shall be prepared by a registered land surveyor or by a registered professional engineer, as appropriate under the requirements established by the State of Rhode Island for each class, and which shall include without limitation the following:

- (1) Location of all existing and proposed buildings and structures, including signs;
- (2) Location of all existing and proposed site improvements, including utilities;
- (3) Location of all existing and proposed points of vehicular and pedestrian access;
- (4) Location of all existing and proposed interior access corridors and parking spaces; and
- (5) Existing and proposed contour data for the site, at two-foot intervals.

§ 12.3-3.2 Architectural Submittals. Architectural submittals are required which shall include without limitation the following:

- (1) Elevations for all sides of any proposed building or structure, including signs; and
- (2) Exterior lighting plans.

§ 12.3-4 Pre-Development Conference. Developers shall be encouraged, but are not required, to discuss proposals at the outset with the city planner and the division engineer for suggestions and general guidance.

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§ 12.3-5 Evaluation of Proposals. Proposals for development within this overlay district shall be reviewed with respect to the following:

- (1) Availability of public access to river;
- (2) Impacts on available utilities and the planning of future improvements;
- (3) Off-site traffic impacts;
- (4) On-site traffic circulation;
- (5) On- and off-site environmental impacts;
- (6) Overall visual quality;
- (7) Site layout.

§ 12.3-6 Penalties. All plans and designs approved by the river corridor review commission shall be executed as such. Failure to comply with approved plans shall be deemed a violation of this ordinance and of the building permit issued for such development, and shall cause the building official to issue a stop-work order until such time that the violation has been satisfactorily remedied.