

**AN ORDINANCE AMENDING VARIOUS ARTICLES AND SECTIONS OF THE
SMITHFIELD ZONING ORDINANCE TO COMPLY WITH CHANGES MADE TO THE
LAND USE ENABLING ACTS OF THE STATE OF RHODE ISLAND**

IT IS HEREBY ORDAINED BY THE TOWN OF SMITHFIELD AS FOLLOWS:

Section 1. Article 6 Supplementary Regulations is hereby amended by adding three (3) new sections entitled: 6.11 Land Development Projects, 6.12 Unified Development Review and 6.13 Development Plan Review.

ARTICLE 6 - SUPPLEMENTARY REGULATIONS

6.11 Land development projects.

- A. Land development projects shall be reviewed in accordance with the procedures established in the Land Development and Subdivision Regulations, pursuant to R.I.G.L. §45-23.
- B. No land development project shall be initiated until a plan of the project has been submitted and approval has been granted by the authorized permitting authority, as determined in Land Development and Subdivision Regulations.
- C. The permitting authority is empowered to apply any special conditions and stipulations to the approval that may, in the opinion of the authorized permitting authority, be required to maintain harmony with neighboring uses and promote the objectives and purposes of the comprehensive plan and zoning ordinance.

6.12 Unified Development Review

- A. Unified development review established. There shall be unified development review for the issuance of variances and special use permits for properties undergoing review by development plan review and/or land development or subdivision review.
- B. Public hearing. All land development and subdivision applications, and development plan review applications that include requests for variances and/or special-use permits submitted pursuant to this section, shall require a public hearing that meets the requirements of Section 10.8.B.
- C. In granting requests for dimensional and use variances, the Planning Board shall be bound to the requirements of Section 10.8.C.1 relative to entering evidence into the record in satisfaction of the applicable standards and may impose conditions as stated in Section 10.8.C.3.
- D. In reviewing requests for special use permits the Planning Board shall be bound to the conditions and procedures under which a special use permit may be issued and the criteria for the issuance of such permits, as found within the zoning ordinance Section 10.8.C.2, and shall be required to

provide for the recording of findings of fact and written decisions as described in the zoning ordinance pursuant to Section 10.8.C and may impose conditions as stated in Section 10.8.C.3.

E. Appeals. An appeal from any decision made pursuant to this section may be taken pursuant to Section.

6.13 Development Plan Review

A. Development plan review established. There shall be development plan review for uses that are permitted by right under the zoning ordinance.

B. Permitting authority. The permitting authority shall be as determined in the Land Development and Subdivision Regulations.

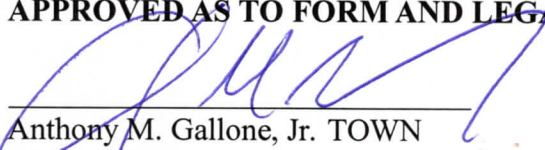
C. Specific and objective guidelines. Design of all projects shall be consistent with the provisions of the Land Development and Subdivision Regulations.

D. Waivers. The authorized permitting authority may grant waivers of design standards as set forth in the regulations.

E. Appeal. A rejection of the decision shall be an appealable decision pursuant to Section 10.13.

Section 2. These Ordinance Amendments shall take effect Thirty (30) days after their adoption by the Smithfield Town Council.

APPROVED AS TO FORM AND LEGALITY:




Anthony M. Gallone, Jr. TOWN
SOLICITOR

ADOPTED: June 18, 2024



T. Michael Lawton
TOWN COUNCIL PRESIDENT



Lyn M. Antonuccio
TOWN CLERK

