

**Development Plan Review - Bristol**

**Article V. Supplementary Regulations**

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**Sec. 28-150. Special use permit standards for various uses.**

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*(d) Special use standards for wireless telecommunication towers.*

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(2) An application for a special use permit for a new wireless telecommunications tower shall only be accepted if all of the following requirements are met:

~~e. The town planning board has given its preliminary approval and its advisory recommendation following development plan review, pursuant to article VI of this chapter.~~

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*(k) Special use standards for compassion centers and cannabis retailers/hybrid cannabis retailers.*

(1) Compassion centers by special permit use in certain zones as set forth in Section 28, shall be subject to the requirements of subsection 28-409(c)(2), and all of the following additional requirements:

\* \* \*

~~j. Development plan review shall be conducted by the planning board.~~

\* \* \*

(2) Cannabis retailers/hybrid cannabis retailers by special permit use in certain zones as set forth in Section 28, shall be subject to the requirements of subsection 28-409(c)(2), and all of the following additional requirements:

\* \* \*

~~e. Development plan review shall be conducted by the planning board.~~

\* \* \*

(v) Special use permit standards for drug and alcohol rehabilitation facility.

\* \* \*

~~(7) Pre-application. Prior to application for zoning approval, the applicant shall undergo development plan review with the technical review committee (TRC) of the planning board.~~

\* \* \*

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(w) *Special use permit standards for halfway house.*

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~~(6) Pre-application. Prior to application for zoning approval, the applicant shall undergo development plan review with the technical review committee (TRC) of the planning board.~~

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**Article VI. Development Plan Review**

**Sec. 28-181. - Development plan review established.**

There shall be development plan review for uses that are permitted by right under the zoning ordinance, as provided for in this article.

**Sec. 28-182. - Permitting authority.**

The permitting authority shall be the administrative officer for administrative development plan review and the planning board for formal development plan review.

**Sec. 28-183. - Uses subject to development plan review.**

~~The following uses shall be subject to development plan review when any action is taken that requires the issuance of a building permit or certificate of occupancy, other than as excepted in section 28-185:~~

~~(1) *Nonresidential uses.* All nonresidential development, including, but not limited to, commercial, retail, industrial or institutional, calculated as to the entire development both existing and proposed, where any of the following apply:~~

| Criteria   | Downtown and Waterfront Zones | All Other Zones |
|--|-------------------------------|-----------------|
| The GFA is greater than:                                       | 10,000 s.f.                   | 20,000 s.f.     |
| Parking is either required or provided for more than:          | 25 vehicles                   | 50 vehicles     |
| The lot area of the entire parcel is equal to or greater than: | 20,000 s.f.                   | 40,000 s.f.     |

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|   |  |                            |
|---|--|----------------------------|
| <del>Gasoline service station:</del>  | <del>All</del>                           | <del>All</del>             |
| <del>Criteria</del>   | <del>Downtown and Waterfront Zones</del> | <del>All Other Zones</del> |
| <del>A use that contains a drive-up window, including an ATM:</del>   | <del>All</del>                           | <del>All</del>             |
| <del>Any use serving food or alcohol (other than a fast food restaurant) that has a legal capacity equal to or exceeding:</del> | <del>80 people</del>                     | <del>150 people</del>      |
| <del>Any fast food restaurant that has a legal capacity equal to or exceeding:</del>  | <del>40 people</del>                     | <del>80 people</del>       |
| <del>Wireless telecommunications antenna:</del>   | <del>All</del>                           | <del>All</del>             |

~~(2) Residential use. Any residential use, calculated as to the entire development both existing and proposed, where any of the following apply:~~

|   |  |                            |
|---|--|----------------------------|
| <del>Criteria</del>   | <del>Downtown and Waterfront Zones</del> | <del>All Other Zones</del> |
| <del>There are dwelling units equal to or more than:</del>  | <del>6 D.U.</del>                        | <del>6 D.U.</del>          |
| <del>There are rooming units equal to or more than:</del>   | <del>6 R.U.</del>                        | <del>12 R.U.</del>         |
| <del>For lots containing more than two dwelling units, the lot area of the entire parcel is equal to or greater than:</del> | <del>40,000 s.f.</del>                   | <del>80,000 s.f.</del>     |

~~(3) DPR required in certain zones. Any use that is located in the Metacom Avenue overlay zone or Metacom mixed use zone.~~

Development plan review shall be required for the following categories of developments: (i) A change in use at the property where no extensive construction of improvements is

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sought.

An applicant shall not be required to obtain both land development and development plan review for the same project. Development plan review shall be conducted according to Article 4.1 of the Regulations.

### **Sec. 28-184. - Guidelines.**

The review by the planning board shall be based upon the specific requirements set forth in appendices E, F; and for those properties in the Metacom Avenue Overlay, appendix G of the regulations.

### **Sec. 28-185. - Exceptions to development plan review.**

The following actions shall be excepted from development plan review, but only upon application to and written decision by the administrative officer:

(1) *Change of use.* A use otherwise subject to development plan review is changed to another use that is permitted on the same legal basis as the prior use, and the new use is listed in the same category in table A—permitted use table (section 28-82).

~~(2) *Minor changes.* A use otherwise subject to development plan review is the subject of a minor change, as defined in the regulations.~~

### **Sec. 28-186. - Waivers of design standards.**

The planning board may grant waivers of design standards, as set forth in the regulations.

### **Sec. 28-187. – Appeal.**

A rejection of the decision shall be an appealable decision pursuant to RIGL § 45-23-71.

### **Sec. 28-187~~8~~—28-210. - Reserved.**

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## **Article VIII. Off-Street Parking and Loading Regulations.**

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### **Sec. 28-255. - Off-site parking; development plan review.**

~~Application may be made to the technical review committee (TRC) of the planning board, pursuant to the TRC development plan review procedures set forth in the town subdivision and development review regulations. The authorized permitting authority may approve proposed off-site parking. If the TRC authorized permitting authority determines that the construction of off-street parking facilities on the same lot as the main use is impractical and that the provision of off-site parking will be adequate to meet the parking needs of the use and will conform to good planning practice, then the TRC authorized permitting authority may approve such off site parking. Off-site parking shall be located a reasonable distance from the use unless evidence is presented that there will be a shuttle or valet service to the use. In any such instance, appropriate~~

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deed restrictions shall be placed in the land evidence records for both the property on which the use is located and the property on which the parking is located.

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**Article IV. Land Development Projects and Special Zones**

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**Division 4. Educational Institutional Zoning District (EI Zone)**

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**Sec. 28-352. - Permitted uses and dimensions.**

(a) Use of property owned or leased by a higher education institution (hereafter "institution") and located in an EI zone shall be governed by the provisions of this division. Specific permitted ~~principle~~ principal uses are identified in Table A—Permitted Use Table. Accessory uses that are normally accessory and subordinate to such permitted uses are also permitted in the EI zone.

(b) Specific dimensional requirements are identified in Table C—Dimensional Table, for the EI zone, provided however that for the Campus of Roger Williams University, east of Metacom Avenue, the EI zone shall be further divided into three subdistricts, based on the permitted height. These districts shall be: EI-35 (35-foot maximum height), EI-48 (48-foot maximum height), EI-65 (65-foot maximum height). The location of such subdistricts shall be based on those certain "sectors" shown on that certain map entitled "Roger Williams University Map, for Draft Institutional Master Plan, dated September 20, 2001", (the Roger Williams Draft Map) a copy which is in the custody of the town clerk and hereby incorporated by reference.

~~Dimensional requirements are hereby declared to be an integral part of the nature of the educational institution use and therefore any variance sought from the zoning board from dimensional requirements shall be deemed to be a use variance.~~

\* \* \*

**Sec. 28-354. - Institutional master plan requirement.**

All higher education institutions shall file an institutional master plan with the planning board, which institutional master plan shall be in compliance with the use and dimensional requirements of this division and the town's comprehensive plan and which shall be approved by the planning board as a ~~major land development project~~ through formal development plan review.

\* \* \*

(3) *Review and approval.* An institutional master plan shall be subject to the procedure for review and approval set forth in the subdivision and development review regulations of the Town of Bristol for a ~~major land development~~ formal development plan review. ~~(Note: An institutional master plan includes the entire process of a major land development, including the pre-application stage, the conceptual master plan stage and the preliminary plan stage the latter two of which may be combined by the planning board and the final plan stage.)~~

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