

Section 404 - Required Findings

- A. The approving authorities responsible for land development and subdivision review and approval shall ensure that each proposal addresses the general purposes listed in Section 102 of these Rules and Regulations and shall make positive findings on the following prior to approving the proposed subdivision/development:
1. ~~—A.—~~The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
 2. ~~—B.—~~The proposed development is in compliance with the standards and provisions of the Town Zoning Ordinance, or has obtained relief from the same, or another provision of this chapter that exempts compliance with a specific provision or standard;
 3. ~~—C.—~~There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;
 4. ~~—D.—~~The subdivision, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of buildable lot). Lots with such physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans; and
 5. ~~—E.—~~All proposed land developments and all subdivision lots shall have adequate physical and permanent physical access to a public street. ~~Lot frontage on a public street without physical access shall not be considered compliance with this requirement unless there are zoning ordinance provisions allowing exemptions to this requirement or the applicant has obtained the required relief from this provision.~~
- B. Except for administrative subdivisions, findings of fact must be supported by legally competent evidence on the record which discloses the nature and character of the observations upon which the fact finders acted.
- B.—Minor subdivisions subject to administrative review and approval only, as set forth in these regulations and RIGL Section 45-23-38(a)(2) shall only be subject to the standard provisions set forth in subsections A.1., A.2. and A.5. of this section.