



To: Paul A. Croce, Chairman
Planning Board members

From: Ron Wolanski, Town Planner

Date: August 27, 2025

Re: Proposed amendments to the *Middletown Rules and Regulations Regarding the Subdivision and Development of Land* and zoning ordinance, Town Code Chapter 152, necessary to address amendments to state law adopted in the 2025 General Assembly, bills H5794, H5795, H5801

In the 2025 session of the RI General Assembly, several bills were passed that will require amendments to the Town's zoning ordinance and/or subdivision regulations. These bills continue the General Assembly's efforts over the past few years to streamline permitting processes and promoted housing development. Please see the attached proposed amendments to the town's development regulations and zoning ordinance that will address changes required by the above referenced bills. These bills became effective upon passage, and the Town is currently required to comply with the changes to state law. Other bills that take effect on January 1, 2026 will be addressed with a subsequent list of proposed zoning ordinance and regulations amendments.

Note that in order to adopt amendments to the regulations, the Planning Board must first hold an advertised public hearing. Following the hearing the Planning Board will consider adoption of the amendments to the development regulations and will then consider forwarding both the regulations amendments and proposed zoning ordinance amendments to the Town Council for consideration. The Town Council will hold the required public hearing on the proposed zoning ordinance amendments.

In summary, the amendments include the following:

Subdivision & land development regulations amendments

- Article 2 Definitions – Modifications to definitions for minor and major land development project, and minor and major subdivision
- Article 4 Procedures for subdivision and land development project approval –
 - Section 402 – regarding pre-application meeting now optional rather than mandatory
 - Section 403 – regarding application certificate of completeness. Can only be withheld if checklist items are missing.
 - Section 404 – regarding revised required findings.

- Section 406 – regarding minor subdivision review process. Adds provision for reduced dimensional requirements for subdivision of oversized lots.
- Section 407 – regarding major subdivision review process. Requires securing all state and federal permits prior to Final Plan, rather than Preliminary Plan.
- Section 805 – regarding appeal process. Clarifies process for appealing action of the Administrative Officer.

Zoning ordinance amendments

- Section 311 – regarding timeframe for issuing a zoning certificate.
- Section 323 – regarding process for granting of zoning relief under unified review.
- Section 728 – regarding limitations and dimensional requirements for adaptive reuse projects.
- Section 805 – regarding application of dimensional requirements to nonconforming lots.
- Section 906 – regarding allowing zoning modifications that are consistent with the character of the surrounding neighborhood without need for a variance request.
- Article 17 – regarding procedure for review of affordable housing comprehensive permit applications, including allowing an optional Master Plan review stage, which was previously eliminated.

In making its recommendation to the Town Council on the proposed zoning ordinance amendments the Planning Board must consider the following findings in accordance with the requirements of Section 45-24-52 of the Rhode Island General Laws:

(1) The proposed amendment is generally consistent with the Middletown Comprehensive Community Plan, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and

(2) This recommendation is made in recognition and consideration of each of the applicable purposes of zoning, as presented in § 45-24-30 RIGL.

Please contact me with any questions.

cc. Town Solicitor
Building/Zoning Official