

CLIENT ALERT

A continuing series published by Partridge Snow & Hahn LLP

By
Carolyn P. Medina, Esq.

October 2008



Land Use & Environmental Team

Partners

Roger C. Zehntner, *Chair*
Jeffrey H. Gladstone
Robert K. Taylor

Senior Counsel

John M. Boehnert

Associates

Jennifer R. Cervenka
Elizabeth R. Lewis
Carolyn P. Medina

Downtown Charette Planned for City of Providence's New Comprehensive Land Use Plan

A Comprehensive Land Use Plan ("Comprehensive Plan") is a municipality's most important statement of its future intentions for the use of property within its geographical area. It is the document interpreted and applied by Planning Boards in each city and town when applicants request approval for new subdivisions or other developments. The Comprehensive Plan assesses and sets goals for housing, economic development, natural and cultural resources, community facilities, open space, and circulation. It designates those parts of the city where changes are intended and similarly, confirms those areas of the city that are intended to be preserved as they are.

A Comprehensive Plan and the goals and intentions it contains are more than general policy statements. The Rhode Island Supreme Court has described Comprehensive Plans as "a binding framework or blueprint that dictates town and city promulgation of conforming zoning and planning ordinances." *Town of East Greenwich v. Narragansett Elec. Co.*, 651 A.2d 725, 727 (R.I. 1994).

A Comprehensive Plan, therefore, is the law each city and town must follow regarding land use and development. It provides the framework for all municipal laws relating to land use including zoning ordinances, which must be consistent with the Comprehensive Plan. If there are any inconsistencies, the municipality must enact any necessary amendments within 18 months.

The City of Providence (the "City") is in the process of developing a new Comprehensive Plan. As a part of this process, the City is holding a number of public workshops, called charettes, to allow the public to comment on issues pertinent to each of the City's neighborhoods. These workshops offer a unique opportunity for businesses and individuals interested in the City's future direction to communicate their ideas and concerns directly to the City's planning department.

The charette for Downtown Providence will be held October 27- 30, 2008 at 222 Richmond Street, Providence, RI. Charettes for other parts of the City have been held and will continue to be held through March 2009. For additional information and details on the Downtown charette, visit the Providence Planning Department's website at: http://www.providenceplanning.org/index.php?option=com_content&view=article&id=121&Itemid=27.

Ms. Medina represents clients involved in real estate development before zoning & planning boards and litigates real estate, commercial and maritime disputes in state and federal courts.

cpm@psh.com

Copyright © 2008 Partridge Snow & Hahn LLP

Providence
180 South Main Street
Providence, RI 02903
Tel: 401-861-8200
Fax: 401-861-8210

SouthCoast
128 Union Street
Suite 500
New Bedford, MA 02740
Tel: 774-206-8200
Fax: 774-206-8210

Warwick
2364 Post Road
Suite 100
Warwick, RI 02886
Tel: 401-681-1900
Fax: 401-681-1910

Boston
101 Federal Street
Suite 1900
Boston, MA 02110
Tel: 617-342-7361
Fax: 617-722-8266

PARTRIDGE SNOW & HAHN LLP
C O U N S E L O R S AT L A W

www.psh.com

Closer to the issues