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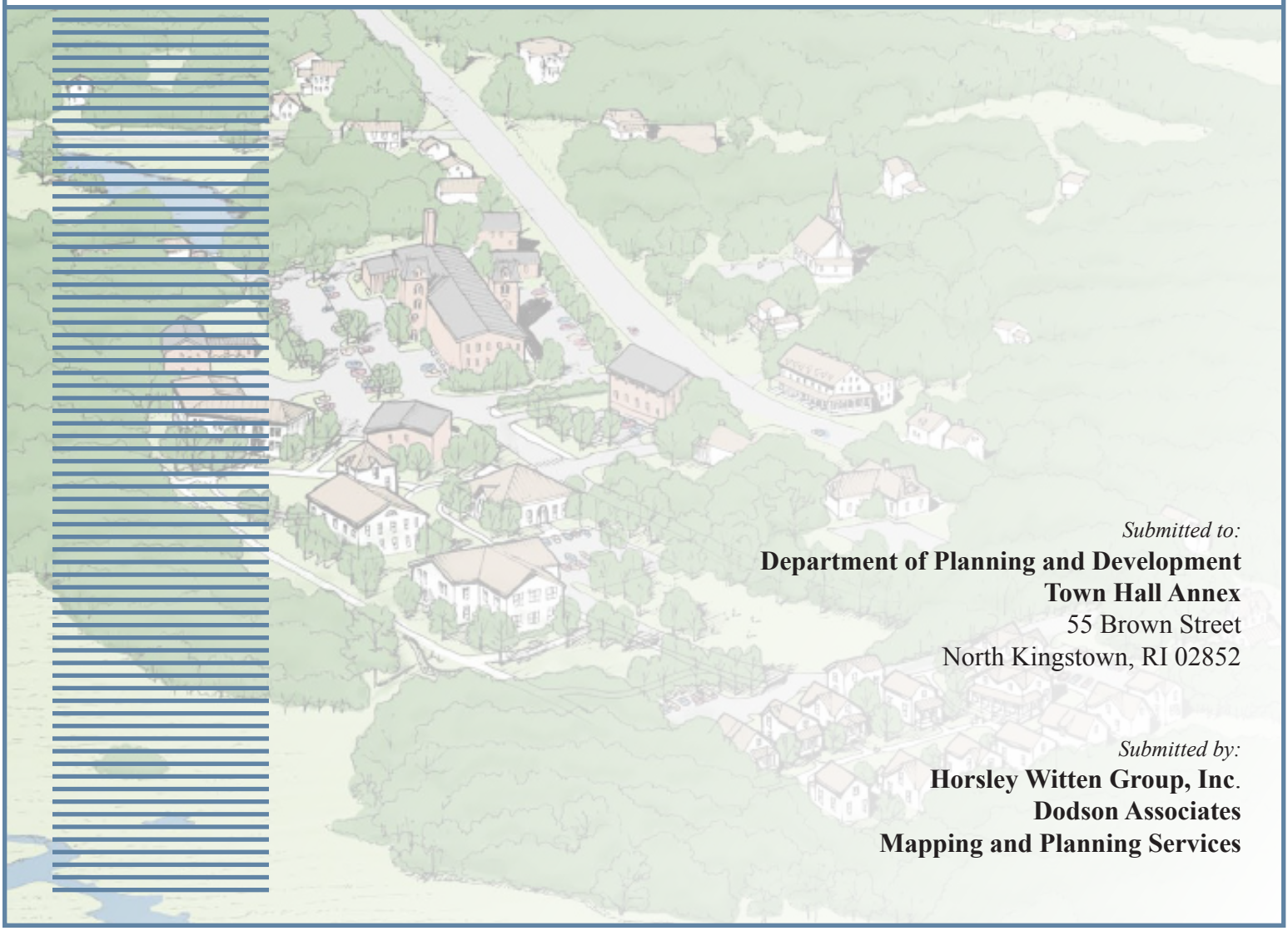
Transfer of Development Rights and Identification of Village Centers

Final Report

North Kingstown, Rhode Island

August 2012



Submitted to:
Department of Planning and Development
Town Hall Annex
55 Brown Street
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I. Introduction and Review

The Transfer of Development Rights and Village Identification project began in the late fall of 2010. Between the start of the project and January 2012, the project consultant team delivered two report documents and assisted with the development of a village ordinance. These documents are available through the Town of North Kingstown at the Department of Planning and Development, through its website at http://www.northkingstown.org/special-reports-and-documents and attached to this report as Appendices A, B, and C respectively. A brief summary of the documents is provided below.

Phase I Assessment (March 4, 2011)

The first deliverable for this project developed by the Horsley Witten Group, Inc (HW) was the March 4, 2011 Phase I Assessment. This initial document served to screen the eight potential study areas identified by the Town and select the ones that the consultant team identified as candidates for growth and the potential application of transfer of development rights programs (TDR). The findings of that screening assessment are provided below in Table 1.

North Kingstown agreed to continue study of the four recommended villages and ultimately did not choose to pursue a larger visioning effort for the Rolling Greens/Bald Hill Nursery area. After the issuance of the Phase I report, the Planning Commission held 10 meetings to work on drafts for a revised Compact Village District (CVD) ordinance and brought a draft of the ordinance to Town Council for its consideration on November 7, 2011.[1] Town Council chose not to vote on the CVD ordinance as presented and instead asked the Planning Director to present the relevant findings of this study at its next meeting. The goal was to have the consultant team return its focus to the broader TDR and Village Identification Study and present its initial findings for the four village areas, with particular attention to how the revised CVD ordinance would or would not meet the goals of this project.

[1] A more detailed discussion of the circumstances surrounding this targeted effort on the CVD ordinance can be found in the Phase II Report for this project.

Table 1. Summary of Recommendations from HW Phase I Report.

Study Area	Recommended for Further TDR Study?	Other HW Recommendations
Allenton	Yes	NA
Davisville	No	The Town should continue efforts to strengthen Davisville and look for opportunities to better connect the northern and southern areas of the village.
Hamilton	Yes	NA
Lafayette	Yes	NA
Rolling Greens/ Bald Hill Nursery	No*	The Town of North Kingstown, with input from the Town of Exeter, property owners and abutters, should determine the appropriate direction for this area through public discourse. The town should continue to research and study different models of rural development that may be appropriate to this area of the community as part of that public process.
Saunderstown	No	The town should look for ways to maintain and preserve the character of this village including examining inconsistencies with the current Comprehensive Plan/Zoning Ordinance and the small pocket of commercial and institutional land uses that exist today.
Wickford Junction	Yes	NA
Wickford Village	No	The town should continue its efforts to maintain and preserve the identity of Wickford Village and look for public investment opportunities that will strengthen the village as a cultural resource and tourist destination.

*Depending on the outcome of the recommended public process, TDR application may be appropriate to this area.

Phase II Interim Report to Town Council (January 13, 2012)

In accordance with the direction provided by Town Council, the consultant team re-examined the four preferred study areas against the completed draft of the CVD ordinance. The analyses and findings associated with this exercise comprise an Interim Report to Town Council (Phase II Report) and included the following elements:

1. Vision Illustrations

   As the starting point for the Phase II Report, the consultant team took "a step back" from the CVD ordinance and examined the four village study areas against basic principles of village design. To accomplish this, Dodson Associates (Dodson) developed a series of vision illustrations for the four areas that depicted what village style development could look like without using a zoning ordinance to shape the

development. Relying on Dodson's years of experience with rural and village design, the team developed the illustrations to show how different principles of architectural scale and site design could be applied to create vibrant village schemes. This "design first" approach was used both to review the capability of both the existing zoning provisions and the most recent version of the CVD ordinance to guide future development to a village setting. These early illustrations can be viewed in the body of the Phase II Report and were later refined as part of the Phase III Report.

2. Existing Zoning Analysis

   In a more analytical exercise, the consultant team reviewed the existing zoning districts that lie within the areas of the vision illustrations that showed new or redevelopment. The results of this exercise showed that several areas showed an uncoordinated collection of zoning districts that were likely drawn to reflect development patterns in the mid to late 20th century. Regardless of the different standards associated with this patchwork of zoning districts, the most important recurring pattern was the inability to create the nature of mixed use development concept that lay at the core of this project. The analysis showed that in order to create or revitalize the villages, a more uniform zoning approach needs to be applied to allow for the mix of uses more typically associated with village settings.

   In other areas of the ordinance, the consultant team examined the vision illustrations against the nutrient loading limitations that are enforced as part of the Groundwater Protection Overlay District. As three of the four chosen study areas lie within the overlay district, it was important to see how the development schemes shown in the illustrations "measured up" to the overarching performance standard for nitrogen loading (5 mg/L in groundwater protection areas).[2]

3. CVD Ordinance Assessment

   Understanding that a new zoning approach was needed for the villages in order to create village development, the question of whether the CVD was the correct approach remained. The draft prepared for the November 2011 Town Council meeting was reviewed against the flaws found in existing zoning as well as the vision illustrations developed by the consultant team. In this comparison, the CVD ordinance proved to be very strong in its permit procedures as well as its design standards. There were, however, five important areas where the consultant team recommended changes.

[2] The function of the Groundwater Protection Overlay District is an important theme through each of the three reports developed for this project. Readers are encouraged to read all of the text to ensure an understanding of the district's regulatory mechanisms, the way nutrient loading calculations are developed, and their significance to this project. Further discussion of some of the policy discussions surrounding this topic are provided later in this Phase III report.

The use of a yield plan and requirements for maximum density.

To determine the density of residential development in the proposed CVD district, the ordinance draft used a "yield plan" approach. An applicant for CVD would determine the number of residential units allowed in the base zoning and then translate that into a number of bedrooms that could then be constructed in a more compact fashion in the CVD. The flaw with this approach became clear when examining the existing zoning for several of the village study areas. In many cases, the underlying zoning districts simply did not allow for residential uses by right. Therefore, the development of a residential yield plan would not be possible and the types of mixed use development that were shown in the vision illustrations could not occur. The consultant team recommended that the use of the nitrogen loading standard along with the already accepted limitation of eight units per acre would be adequate and that the use of a yield plan should be removed.

Maximum impervious cover and minimum open space.

The draft of the CVD ordinance required a maximum impervious cover of 60% and for CVD proposals larger than 10 acres, a minimum open space area of 25%. After reviewing the proposed standards against the four village study areas and looking at the other performance standards within the CVD ordinance, the consultant team recommended that these percentages be removed and that the use of design standards would be adequate to ensure the inclusion of open space throughout proposed CVD development.

Maximum building footprint and historical structures.

The CVD ordinance presented to Town Council in November 2011 did not allow for any building footprint within the proposed district to exceed 15,000 square feet. This would create a situation where a building like the Lafayette Mill would be non-conforming in a CVD. The consultant team therefore recommended exempting historic structures from this limitation.

Use of the Neighborhood Business (NB) district setbacks.

The draft of the CVD ordinance reviewed by the consultant team referenced the NB district setbacks for basic dimensional requirements (e.g., front yard setbacks, side yard setbacks, etc.) and also added several other dimensional requirements tailored specifically to CVD. Upon closer review of the four village areas, the consultant team showed that this approach would not yield the best results for village scale development since the NB district relies on existing building ("built") setbacks to establish front and side yard setbacks for new construction. The recommendation was to remove the reference to the NB setbacks and install a table of dimensional requirements specific to the CVD ordinance.

The CVD and Wickford Junction.

When comparing the CVD ordinance to the Wickford Junction study area, the most important difference is that the scale of opportunity is markedly different from the smaller villages in North Kingstown. While the basic principles of connectivity, walkability, compact development and mixed use are the same, the scale of buildings and other development features will be very different. Proximity to the highway, its status as a regional shopping hub, and the development of the train station provide unique economic opportunities that will require a different regulatory approach. The consultant team therefore recommended that a separate district be created for Wickford Junction. A more detailed discussion of the Wickford Junction zoning is provided later in this report.

II. Important Policy Discussions

During the course of the project many discussions were held between municipal staff, the project consultants, residents, business owners, the Planning Commission, the Water Department, Town Council, and other stakeholders. These discussions were used to flesh out issues related to village design, environmental protection, the intersection of local and state-level policy, appropriate housing densities, and many others. Particularly during work sessions on the emerging CVD Ordinance, two broad policy issues came to the forefront of local debate.

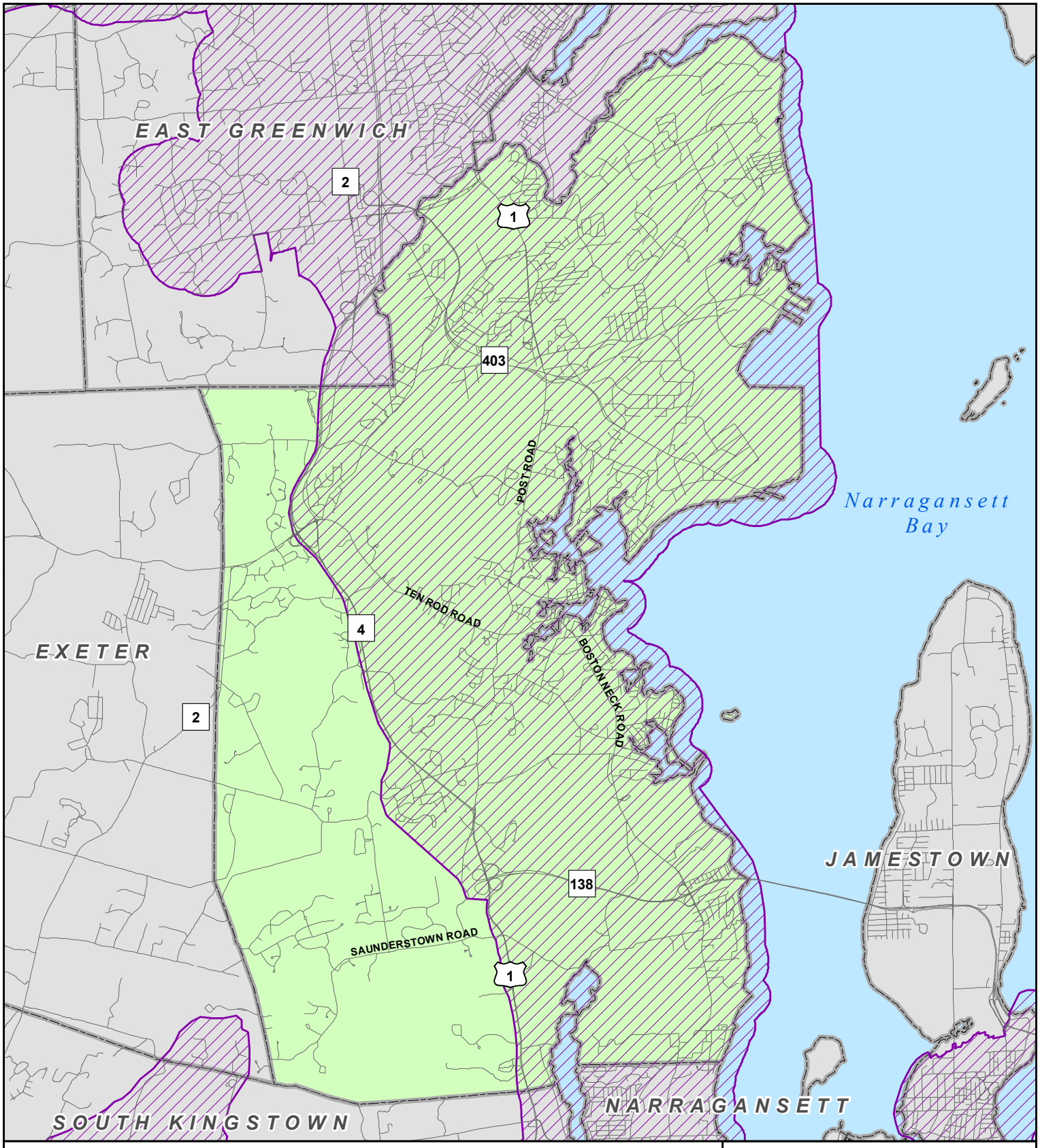
<u>The Statewide Planning Urban Services Boundary</u>

The Rhode Island Department of Statewide Planning is the state agency responsible for setting a land use framework for the entire state. This framework is articulated through a variety of publications, but most completely in *Land Use 2025 State Land Use Policies and Plan* (Land Use 2025), and is succinctly summarized with the following sentence:

> This plan envisions Rhode Island as a constellation of community centers connected by infrastructure corridors and framed by greenspace.

Land Use 2025 promulgates a classic "smart growth" approach to land use where future growth will be channeled to areas that are already served by infrastructure. Conversely, outlying rural lands will be preserved and protected from the spread of suburban sprawl. One way to help visualize this pattern of development is through the statewide Urban Services Boundary (USB) created as part of Land Use 2025 (Figure 1). The intent of the USB and how it can be used by local governments is articulated in Land Use 2025 as follows:

> *What the map proposes*
>
> The map proposes retaining the distinction between Rhode Island's urban and rural areas. The areas within the urban services boundary, along with potential



Legend

- Roads
- Urban Services Boundary
- North Kingstown

Miles
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Urban Services Boundary

KDM 8/2/12

Figure 1

> centers outside it, are identified as optimum areas for accommodating the bulk of the state's development needs through 2025. They are areas where growth—whether new development or reuse, infill, and redevelopment—should generally be encouraged by state and local policies and investments. Future Use Potential areas also include lands more suited for conservation uses and lands outside the urban services boundary that are not needed to accommodate the state's growth needs. In these categories, it is recommended that growth and development not be encouraged or supported.
>
> *How to interpret the map*
>
> The Future Land Use 2025 Map is intended as a guide to municipalities and state agencies in planning, development, and conservation of areas within their jurisdictions. The information on this map is suitable for planning purposes only. It is not adequate for legal boundary or regulatory interpretation.
>
> - It is not intended to be used as a basis for specific development proposals.
> - The area identified as "Urban Development" is intended to include varying levels of development and will also include areas of protected green space that may not appear on the map.
> - The "Centers" depicted are for illustrative purposes and are not intended to designate specific geographic boundaries.

This language and the location of the USB in North Kingstown was the subject of considerable debate. While residents and other stakeholders generally agreed with the value of the "village concept" for North Kingstown, there was a lack of consensus regarding where that style of development would be appropriate. As the debate evolved, the USB ended up being the focal point of the discussion as many stakeholders argued that allowing for village style development outside of the USB would be inconsistent with sound planning practice and state policy. Others argued that the USB represents more of a "guidance piece" and was never intended to categorically preclude village style development in areas outside the boundary.

The debate over how to use the USB to shape local policy was most sharply focused during the development of the CVD ordinance, as local officials, town staff, and residents wrestled with the question of whether to allow for compact village development outside of the boundary. Many participants argued strongly that the USB should be used as a definitive boundary in North Kingstown, not allowing for higher levels of development outside the USB and thereby strengthening existing initiatives to redevelop the Post Road corridor and revitalize villages like Allenton, Hamilton and Lafayette. Others argued with equal resolve that the USB should not be used to preclude "smart growth" development opportunities in any area of the town, and that small villages outside of the USB could be used to provide essential services to rural areas. Still other stakeholders argued for a compromise approach, where villages outside the USB could be allowed but only as the result of a collaborative "place based" visioning process.

With regard to the CVD ordinance, both the majority of the Planning Commission and Town Council members agreed with the idea that village development could be

considered outside the USB and approved the ordinance on February 27, 2012. As described above, the adopted CVD ordinance (See Appendix C) operates differently depending on whether it is inside or outside the USB—providing greater limitations to development potential outside of the boundary.

The Groundwater Overlay District and Nitrogen Loading Performance Standards

Another policy discussion that proved to be formative during the development of the CVD ordinance and the project as a whole addressed the existing Groundwater Overlay District. North Kingstown uses a two-tier Groundwater Overlay District to protect important aquifer resources from impacts related to development activities. The primary performance standard associated with this overlay district is a nitrogen loading calculation. At the outset of the CVD ordinance development process, many stakeholders were skeptical of how effective this performance standard can be on limiting development activity. Through the use of visualizations, the consultant team demonstrated that the use of this standard would actually be very effective in limiting development potential. In the case of Wickford Junction, as will be discussed further below, the performance standard may actually lead to significant future investment in infrastructure to help meet both the environmental and economic objectives for that commercial center.

The CVD ordinance, as discussed above, maintains the requirement that development proposals must meet the 5 mg/L standard for nitrogen in groundwater. There are provisions that would allow for off-site offsets of nitrogen for proposals that would show a value no higher than 7.5 mg/L. This zoning language is consistent with recommendations provided by HW in the Phase II report and discussed in more detail in that document. Using these numbers, Dodson revised the vision illustrations developed for the Phase II report to more accurately depict how development might occur within these rules associated with aquifer protection.

III. The Issue of Wastewater Disposal

One of the issues that became very clear to the Town through this study, as discussed above, is that nitrogen loading as it relates to the Groundwater Overlay District is the performance standard that most stringently limits development potential in several future village sites. When looking at nitrogen loading calculations during this project, the highest contributor in any development scenario was wastewater disposal. Of the four villages examined as part of the Phase II report, three are located within the Groundwater Overlay district. Planning level nitrogen loading calculations demonstrated that only Allenton may reach levels of infill and village design consistent with the visualizations developed by Dodson. In Lafayette, and even more so in Wickford Junction, village style development may not reach optimal levels unless nutrient offsets are purchased pursuant to Chapter 21 of the Revised Ordinances (Zoning Ordinance) Section 21-95(j), 21-186, or more centralized wastewater disposal options are implemented.

When considering the use of a more centralized approach to wastewater disposal, the Wickford Junction area of Town offers the greatest potential. With large development pads like the Stop & Shop or Home Depot plazas, there may be an opportunity to provide incentives for the creation of neighborhood scale "package plants" during future redevelopment. These wastewater disposal facilities would provide sewer service to a collection of parcels and significantly increase the quality of effluent being recharged into the ground. This approach could be one way to use current technology as a means to greater economic development and environmental protection.

There are many hurdles to implementing neighborhood scale wastewater treatment solutions. Providing collective wastewater disposal for several different property owners at a single facility is generally expensive to construct and also more complicated to administer over time. The permit requirements for RIDEM, as would be expected, are far more onerous than what would be required for an individual OWTS. Adding further challenges to the situation, North Kingstown currently does not permit a "sewage treatment plant" within either the Groundwater Zone 2 or Zone 1 pursuant to section 21-186(h). The zoning ordinance does not define this term, so it is unclear exactly which type of facility is precluded here.

The town is beginning the process to re-write the existing Groundwater Protection Plan (GPP) (October 1991). As part of the future revisions to the GPP, it is recommended that North Kingstown revisit the issue of whether or not a sewage treatment plant should be allowed with a Groundwater Protection Zone. Current technologies, revised regulations at the state level, the vulnerability of the municipal water supply, innovative financing tools, and site specific opportunities associated with Wickford Junction should all be examined to determine if a different wastewater solution is preferable for this area.

IV. The CVD Ordinance (adopted February 27, 2012)

The CVD ordinance is the most significant product to emerge from this project. The ordinance was crafted over the course of many months and collectively involved over 200 hours of staff, Planning Commission and consultant team labor. Neighborhood groups and property owners also dedicated significant amounts of time and effort during the development of this ordinance. The following text describes the important elements of the ordinance and how it relates to the overall objectives of this project. Text for the ordinance that was adopted as part of this ordinance is included in Appendix C.

Eligible Areas of North Kingstown

In academic land use planning discussions, the CVD is known as a "limited floating zone". A zoning district is "floating" when it is not placed on the Zoning Map, but can be placed on the map through a development proposal and subsequent changes to the Town of North Kingstown Comprehensive Plan 2008 (Comprehensive Plan) and Zoning Ordinance. The placement of these districts may be "limited" through the use of specific criteria that describe the conditions under which the district can be established. With the

CVD ordinance developed by the Town, an area would be eligible for a new CVD district under the following criteria:

1. At least one lot within a proposed CVD shall have adequate frontage on and access to an arterial or collector street as defined in Section 21-22 of the Zoning Ordinance.
2. When establishing a CVD, the entirety of a conforming lot that is zoned as a planned business district, general business district, neighborhood business district or multifamily residential district must be included in any land proposed to be rezoned as a CVD. Any additional lots that are proposed to be included in the CVD may be any other business, industrial or residential district, excluding the Wickford Village Center district and the Post Road District.
3. For newly proposed CVD districts located in an existing village as identified in the North Kingstown Comprehensive Plan, the minimum total land area of the district shall be two (2) acres. For newly proposed CVD districts that are not located within an existing village area as identified by the Comprehensive Plan, the minimum total land area shall be ten (10) acres. For any newly proposed CVD that is less than ten (10) acres, the Planning Commission shall make a recommendation to the Town Council at the pre-application stage of review as to whether the proposed CVD is located within a village. The final determination for whether a proposed CVD is located within a village shall then be made by the Town Council at a regularly scheduled meeting.
4. After a CVD has been established, land that abuts an existing CVD district and has a business, industrial, multi-family or Village/VR20 designation may be considered for a CVD zone change where the property will be integrated by design into the existing CVD. Where abutting property may be added to an existing CVD, there shall be no minimum area requirement for the additional property.

Residential Density

The consultant team had recommended removing any reference to bedroom density in favor of an approach that relied exclusively on the performance standards associated with the Groundwater Protection Overlay District and/or the eight unit per acre cap. In their deliberations of this recommendation, the Planning Commission created a compromise approach that also incorporated the USB into the criteria for determining density. More detailed standards are provided within the ordinance; however, Table 2 is taken from the ordinance and provides a summary of how these geographic areas and different density thresholds were fit together.

Table 2. Summary of the Relationship between the Urban Services Boundary, the Groundwater Overlay, and Allowable Residential Density in a CVD.

	Inside Groundwater Zone 1	Inside Groundwater Zone 2	Outside the Groundwater Overlay District
Inside the USB	3.5 bedrooms per 2 acres of buildable land.	One housing unit allowed per 5,000 square feet of CVD area.	One housing unit allowed per 5,000 square feet of CVD area.
Outside the USB	3.5 bedrooms per 2 acres of buildable land.	3.5 bedrooms per 2 acres of buildable land.	3.5 bedrooms per minimum lot size of buildable land associated with existing zoning.

Allowable Uses

When examining the allowable uses within the CVD, the list is a fairly standard mix of residential and complementary non-residential uses. The following language is taken directly from the adopted ordinance.

> *Allowable uses.* A CVD project must include both a residential use and a nonresidential use. Use allowances within a CVD district shall follow the use allowances specified for the Neighborhood Business District with the exceptions, additions or alterations provided below.
>
> 1. The following residential uses shall be allowed by right:
>   a. Single-family dwellings
>   b. Two-family dwellings
>   c. Multi-family dwellings including townhouses
>   d. Dwelling units above nonresidential use
>   e. Home occupation within a dwelling in accordance with Section 21-320 of the Zoning Ordinance
>   f. Nursing home or convalescent home
>   g. Accessory dwelling units
> 2. Farm markets shall be allowed by right.
> 3. The following recreational uses shall be allowed by right:
>   a. Golf courses with associated facilities
>   b. Health and fitness facilities.
> 4. All additional restrictions on use provided for in the groundwater or other overlay districts shall apply if the parcel is located in said overlay districts.

Off-site Nutrient Mitigation

Pursuant to the intense policy discussions that occurred regarding nitrogen loading limitations and their effect on potential village development and pursuant to recommendations in the Phase II Report, the Town did adopt provisions for off-site mitigation of nitrogen loading in CVD districts. Specifically, where a CVD proposal is located in a Groundwater Zone 2, this proposal may set aside open space in the

Groundwater Zone 1 of the same aquifer to offset impacts from nitrogen loads that exceed 5.0 mg/L. For example, if a proposed CVD in a Groundwater 2 Zone would yield a nitrogen loading concentration of 6.3 mg/L, enough open space in the Groundwater Zone 1 would need to be set aside to offset the extra 1.3 mg/L. It should be noted that the ordinance does not allow for the original concentration to exceed 7.5 mg/L under any circumstances.

Transfer of Development Rights (TDR)

An important piece to the overall project was to examine whether TDR could be applied to the smaller village areas, and this issue was explored with the CVD ordinance. As the consultant team, municipal staff and the Planning Commission discussed this issue, it was quickly decided that the types of density based incentives that are applied to the Post Road District are not appropriate to areas where CVD would be desirable. As a slightly different approach, the CVD ordinance does allow for the potential use of TDR where an applicant may want to exceed the amount of square footage associated with individual structures. Language within the ordinance reads as follows:

> …the transfer or purchase of development rights shall be required for any individual commercial building that will exceed a 10,000 square foot ground floor area, but in no circumstances shall the footprint for any individual commercial building exceed 15,000 square feet.

Design Specifications

Discussions of site design, building scale, village character and architecture were a recurring theme of the CVD ordinance development and considerable numbers of hours were spent drafting, reviewing and revising standards that would provide a good village framework within which the applicants and the Planning Commission will operate. The language below is taken directly from the ordinance and provides the majority of the design standards integrated into the ordinance.

> *Architectural and Lot Layout Design Specifications.* Section 21-269 Village Character Design Guidelines of this ordinance shall apply as a minimum standard to CVD proposals as a framework for development within the CVD District. Additionally, as part of a Major Land Development review process with the Planning Commission, the following shall be required.
>
> 1. The design guidelines provided in Section 21-269(3) shall be used by the Planning Commission where applicable. Where design specifications approved by the Planning Commission for an individual CVD District differ from or are stricter than those provided in Section 21-269(3) of the Zoning Ordinance, the specifications that are specific to a CVD proposal as approved by the Planning Commission shall prevail.
> 2. Where a CVD District is already established, the design specifications approved as part of the initial Zoning Map change shall apply to any new development or redevelopment proposal within the district. Minor changes or deviations from these specifications require approval by the

Planning Commission. Major changes shall be subject to the specification and notice requirements of Section 21-95(c)(3).

3. The applicant shall submit supplementary illustrated design specifications with any proposal to establish a new CVD District. If approved, the additional design documents shall be incorporated into the recorded legal documents for the development. These specifications shall address the following elements specific to the neighborhood context:

   a. Identify any building typologies within the neighborhood or the community as a whole that should inform the selection of architectural styles.
   b. Identify the character of the arterial or collector road that provides access to the CVD District and demonstrate how setbacks, vegetation, screening, signage, new roadside features and pedestrian/bicycle amenities will be used in a manner that is consistent with or enhances that character.
   c. Building envelopes and/or limits of disturbance shall be considered as part of the approval.
   d. Illustrate how the placement of buildings, parking lots and entrance ways will be consistent with or enhance the goal of developing a walkable CVD District. CVD applications must show a clear, contiguous pedestrian and/or non-motorized vehicle circulation network within the development. Elements, approaches or design specifications that may be required by the Planning Commission to ensure a walkable/bikeable environment include, but are not limited to:

      i. Walkways, sitting areas, bicycle racks, lighting, landscaping and canopy trees along property frontage may be required where public sidewalks are not present or in conjunction with public sidewalks to enhance pedestrian mobility.
      ii. Raised surfaces and/or durable, decorative alternatives to conventional pavement may be required to connect sidewalks or bike lanes across driveways for automobile access points to any site.
      iii. Where pedestrian or bike lanes intersect with designated automobile travel lanes, strategically placed decorative bollards, stones, landscaped islands or low fencing may be required to provide a greater visual divide between these areas.
      iv. Pedestrian connections between buildings shall be provided as safe, broad and easily identifiable ways of walking through areas that may also be occupied by automobiles. These walkways shall be designed to clearly show the space is primarily dedicated to pedestrian traffic through the use of raised or alternative surfaces, signage or raised landscaped islands that may serve as a safe resting area for pedestrians between automobile travel lanes.
      v. Building placement shall be performed in a manner that balances the circulation needs of motorists and pedestrians. Where possible, building placement shall be close enough to property lines to ensure that property setbacks are entirely dedicated to pedestrian and/or bicycle travel.

e. Demonstrate to the satisfaction of the Planning Commission that building materials, roof lines, fenestration, façades, entranceways, surface treatments, signs and lighting will be used to meet the goals of the CVD ordinance through the provision of architectural elevations and illustrated examples of these individual features.

4. The Planning Commission shall have the ability to require additional design specifications, amenities and development requirements that are compatible with or enhance the surrounding neighborhood.
5. Coverage of any lot by nonresidential and residential buildings shall be designed so as to create a walkable village.
6. The overall percentage of nonresidential to residential building coverage shall be set by the Planning Commission at the master plan level of review and approved by the Town Council as a condition of the zoning map amendment to the CVD District for the parcel(s) of land. In addition to the factors set forth in Section 21-95(c)(7), this determination shall take into account the existing traffic patterns, existing zoning and land uses, the Comprehensive Plan, surrounding zoning and land uses, the fiscal impact of the CVD District on the town and the availability of services and utilities including, but not limited to, water and sewer.
7. For CVDs located outside of the Urban Services Boundary the impervious coverage for the entirety of the CVD shall not exceed sixty percent (60%), the application shall take into account the impervious coverage in the watershed, and the application shall indicate the potential impacts to the watershed. In all CVDs, stormwater treatments such as pervious pavement, bioswales and other innovative stormwater mitigation methods shall be utilized to minimize the impacts from increased impervious coverage on the site and in the watershed. Individual lots within a CVD need not comply with the impervious lot coverage requirements provided that those requirements are met in the CVD as a whole and the individual lot complies with the approved land development plan.

The Approval Process

Perhaps the most important piece of the CVD ordinance from the perspective of the community's "comfort level" is the process through which an application must go to achieve approval. As a limited floating overlay district, establishment of a new CVD district requires a zoning change and possibly a Comprehensive Plan amendment. Further, it is a zoning change predicated upon the approval of a Major Land Development Project. Although there could be differences from one application to another based on what occurs during the permit process, a successful application for a CVD district would generally go through the following steps:

1. A pre-application meeting with the Planning Commission would be held first to discuss the project and present preliminary concepts. A determination will be made as to whether the project area lies within an existing village.

2. If the project is less than 10 acres in size, the Town Council will decide definitively if the project is within an existing village.
3. A public Master Plan hearing with the Planning Commission is the next step to review early site plans that include a modest level of engineering. Any use of TDR would also be explained at this time. Submittal of supplementary design guidelines is required at this point. Approval of a Master Plan is conditioned upon the Town Council approving the subsequent zone change and amendments to the North Kingstown Comprehensive Plan.
4. With Master Plan approval, the Town Council would hold a public hearing to determine if a zoning change and amendments to the Comprehensive Plan will be approved.
5. If the zoning change is approved, the applicant would then proceed with detailed engineering and submit for a public hearing for the Preliminary Plan.
6. Once the Preliminary Plan is approved, the Planning Commission would accept submittals for a Final Plan.

This multi-layered approval approach provides a significant amount of exposure of the project to both public (minimum of four hearings) and agency review (submittal to Town Council and Planning Commission). While the Town may wish to place the CVD on the Comprehensive Plan Future Land Use Map or the Zoning Map in the future, the application of a limited floating overlay district will allow the Town to test the concept and the standards before committing to specific areas.

V. Revised Village Illustrations

As part of the Phase II Interim Report, Dodson developed a series of vision illustrations to depict what might be considered optimal village patterns of development in the four study areas. For the purposes of this final report, these illustrations were revised based on some of the lessons learned in prior analyses (Figure 2 through Figure 9). Supporting materials for these illustrations, including narrative design guidelines are provided in Appendix D. While the revised illustrations incorporate several "real world" limitations, such as physical wastewater disposal constraints or other regulatory limitations, they still provide only a conceptual depiction of what could occur in these villages.

An important feature of these illustrations that can be used by the town is the boundary of development depicted in Allenton, Hamilton, and Lafayette. During the development of the CVD ordinance, it was clear that the town wanted to provide incentives for CVD to occur in these three villages. This preference is consistent with the findings of the Phase II Interim Report. The most notable incentive placed in the ordinance states that CVD proposals only require two acres of land when they are "located in an existing village as identified in the Comprehensive Plan". The boundaries provided by these illustrations can therefore be referenced within the Comprehensive Plan as part of the Town's existing villages to clearly show where this provision is applicable.

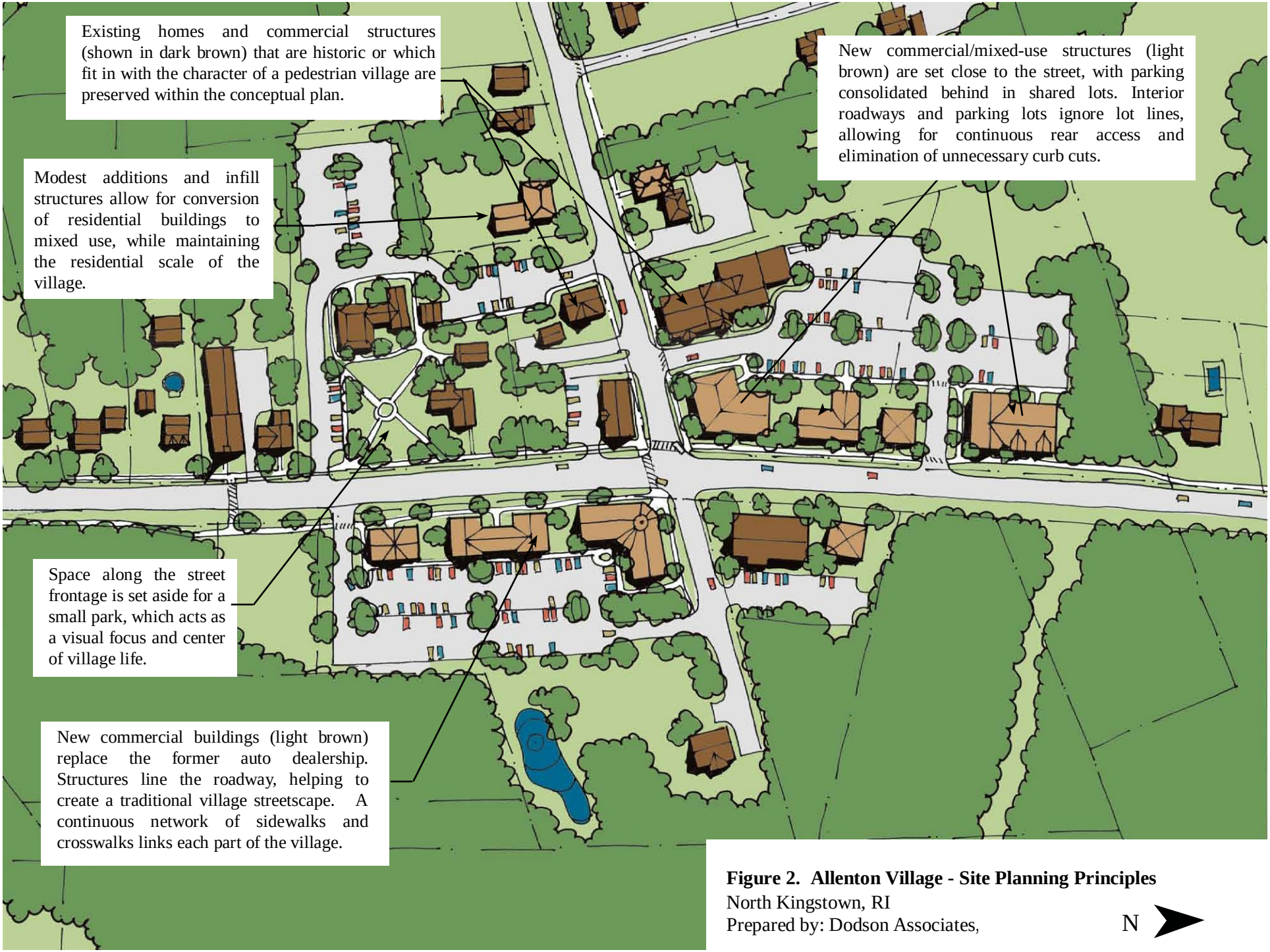


Figure 2. Allenton Village - Site Planning Principles
North Kingstown, RI
Prepared by: Dodson Associates,

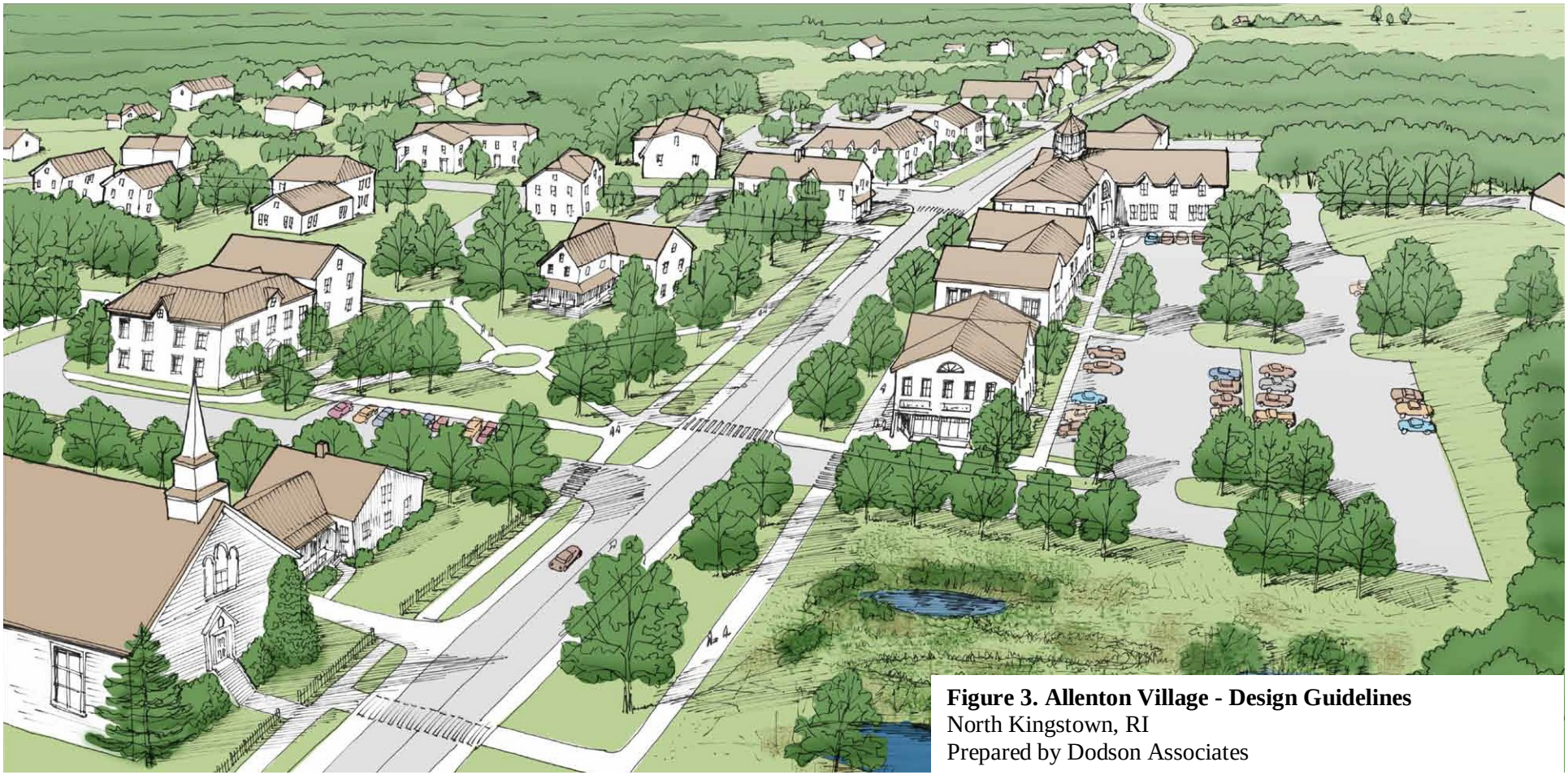


Figure 3. Allenton Village - Design Guidelines
North Kingstown, RI
Prepared by Dodson Associates

In this view looking North of the conceptual redevelopment of Allenton Village, new buildings reinforce the pattern established by traditional structures in order to create an attractive and pedestrian-friendly village core.

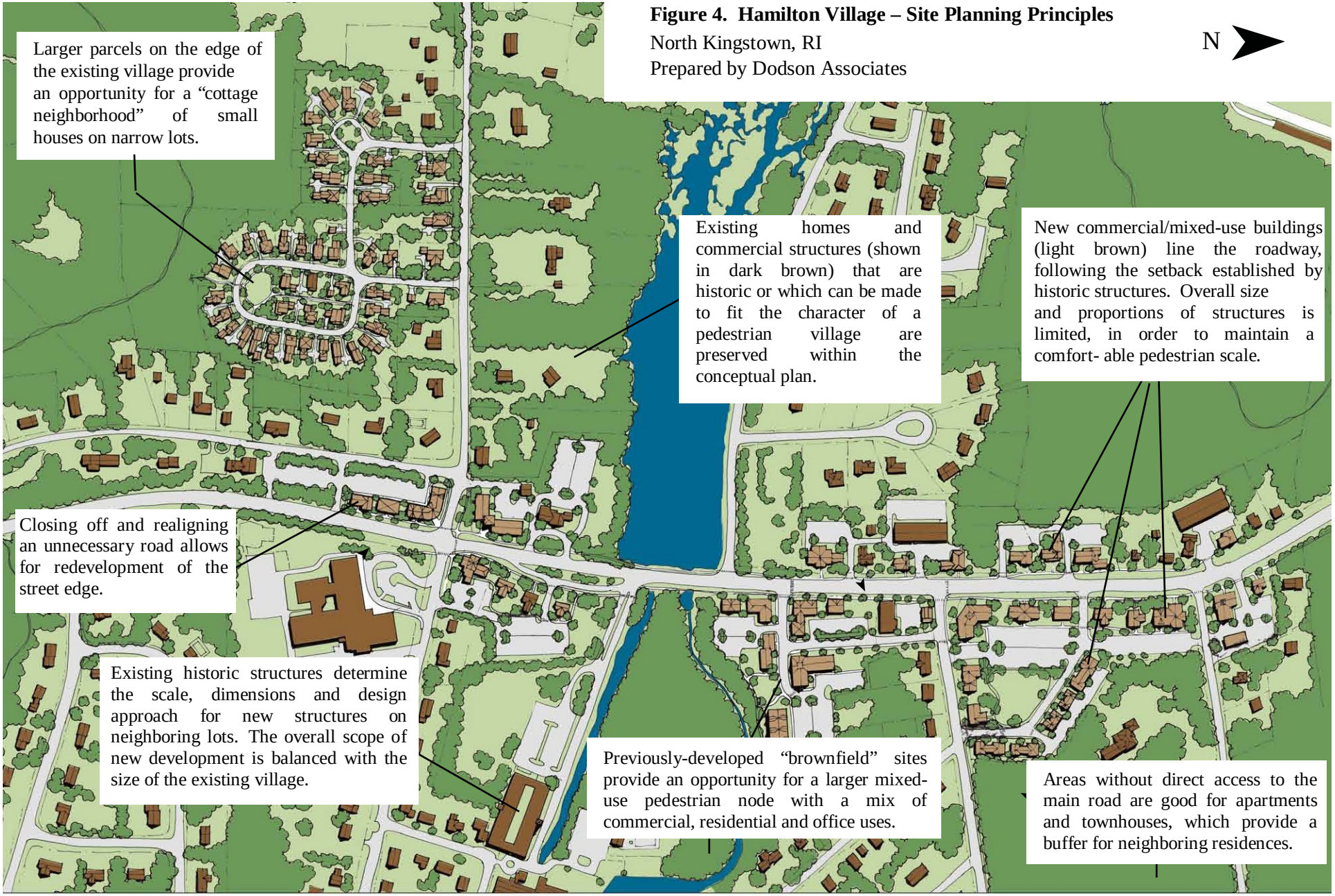
1. Architecture: Preserve and renovate existing historic buildings, using additions in complementary style to provide for growth. New buildings should be based on traditional structures, with similar size and proportions, massing, rooflines and detailing.

2. Circulation and Parking: Existing roadways provide the principal circulation through the village. Provide shared entrances at logical locations to access rear parking lots, and connect lots across property lines to ease access to rear building entrances and service areas.

3. Streetscape: Buildings should be close to the street frontage, and close enough to each other to enclose a comfortable pedestrian space. Provide continuous sidewalks throughout the village, with crosswalks at key locations. Provide new trees and other landscaping to enhance the appearance of the village and pedestrian comfort.

4. Parks and Open Space: Provide public parks in key locations to create a visual focus and location for community events. Incorporate wastewater treatment areas into the village park system, and design stormwater treatment system to act as attractive landscapes features throughout the village.

Figure 4. Hamilton Village – Site Planning Principles
North Kingstown, RI
Prepared by Dodson Associates



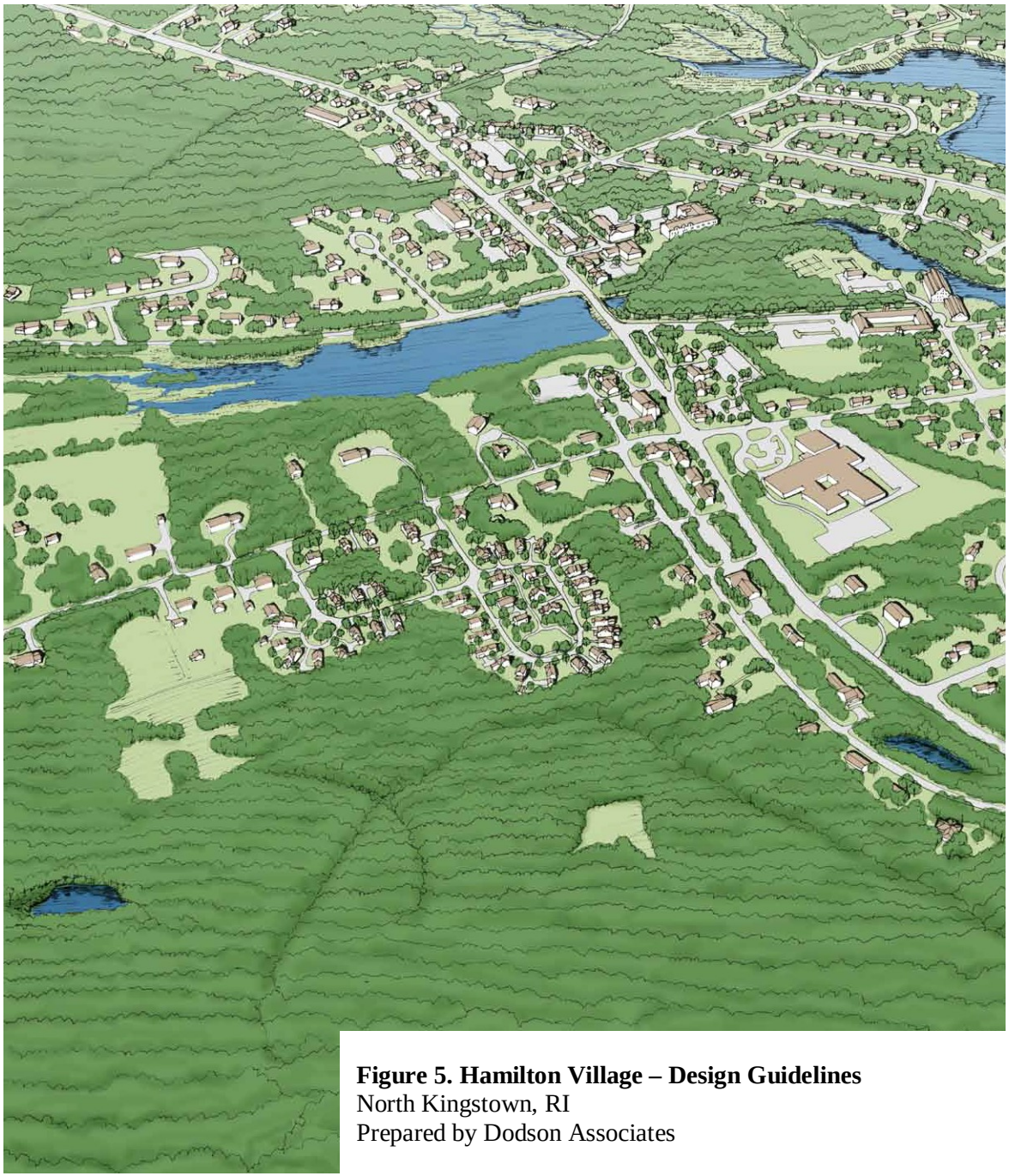


Figure 5. Hamilton Village – Design Guidelines
North Kingstown, RI
Prepared by Dodson Associates

This view, looking North, shows the conceptual redevelopment of Hamilton Village. Forested land in the foreground is protected by transferring development into a new "cottage neighbor- hood" that will be easy walking distance to the core of the village. Along the street, new buildings (light brown) replace parking lots -- slowing traffic and creating a sense of arrival.

1. Architecture: Preserve and renovate existing historic buildings, using additions in complementary style to provide for growth. New buildings should be based on traditional structures, with similar size and proportions, massing, rooflines and detailing.

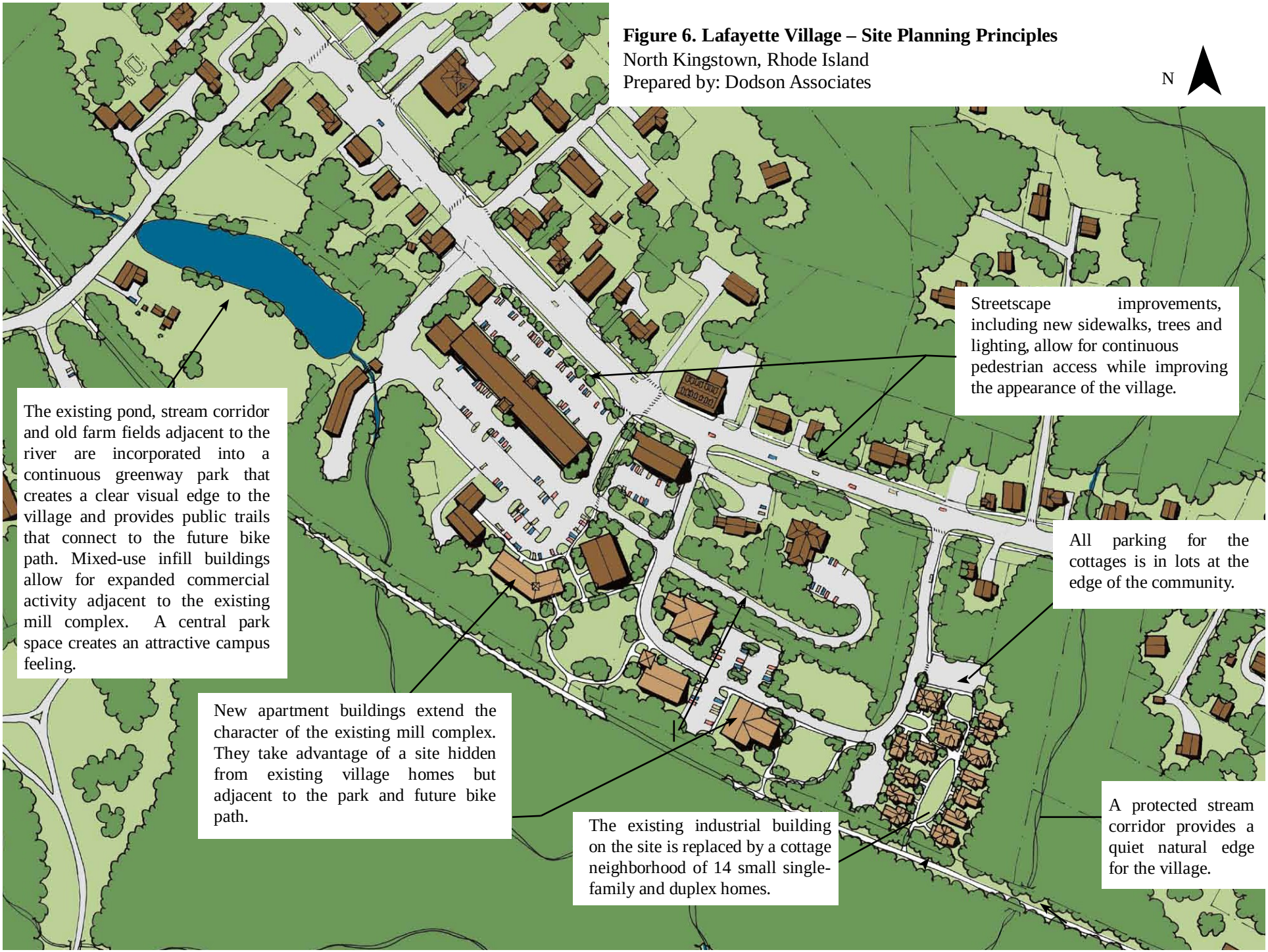
2. Circulation: Circulation centers on the spine of the existing street, and is helped along by reducing curb cuts and associated turning movements. Organize new development around a few key intersections, providing a logical spot for entrances to parking areas and interior roadways. Provide connector roads to link parking lots across property lines, providing access to rear building entrances and service areas.

3. Parking: In residential areas, parking should be in the rear of the lot, with access off of a shared driveway or alley. For commercial areas, short-term parking should be provided along the street, with larger shared lots in the rear.

4. Streetscape: Buildings should be close to the street front- age, and close enough to each other to enclose a comfortable pedestrian space. Provide continuous sidewalks throughout the village, with crosswalks at key locations. Provide new trees and other landscaping to enhance the appearance of the village and pedestrian comfort.

5. Parks and Open Space: Provide public parks in key locations to create a visual focus and location for community events. Incorporate wastewater treatment areas into the village park system, and design stormwater treatment system to act as attractive visual buffers surrounding the village. Link sidewalks within the village to trails through the surrounding open space to provide a continuous system of trails for walking and biking that can function as an alternative to the automobile.

Figure 6. Lafayette Village – Site Planning Principles
North Kingstown, Rhode Island
Prepared by: Dodson Associates



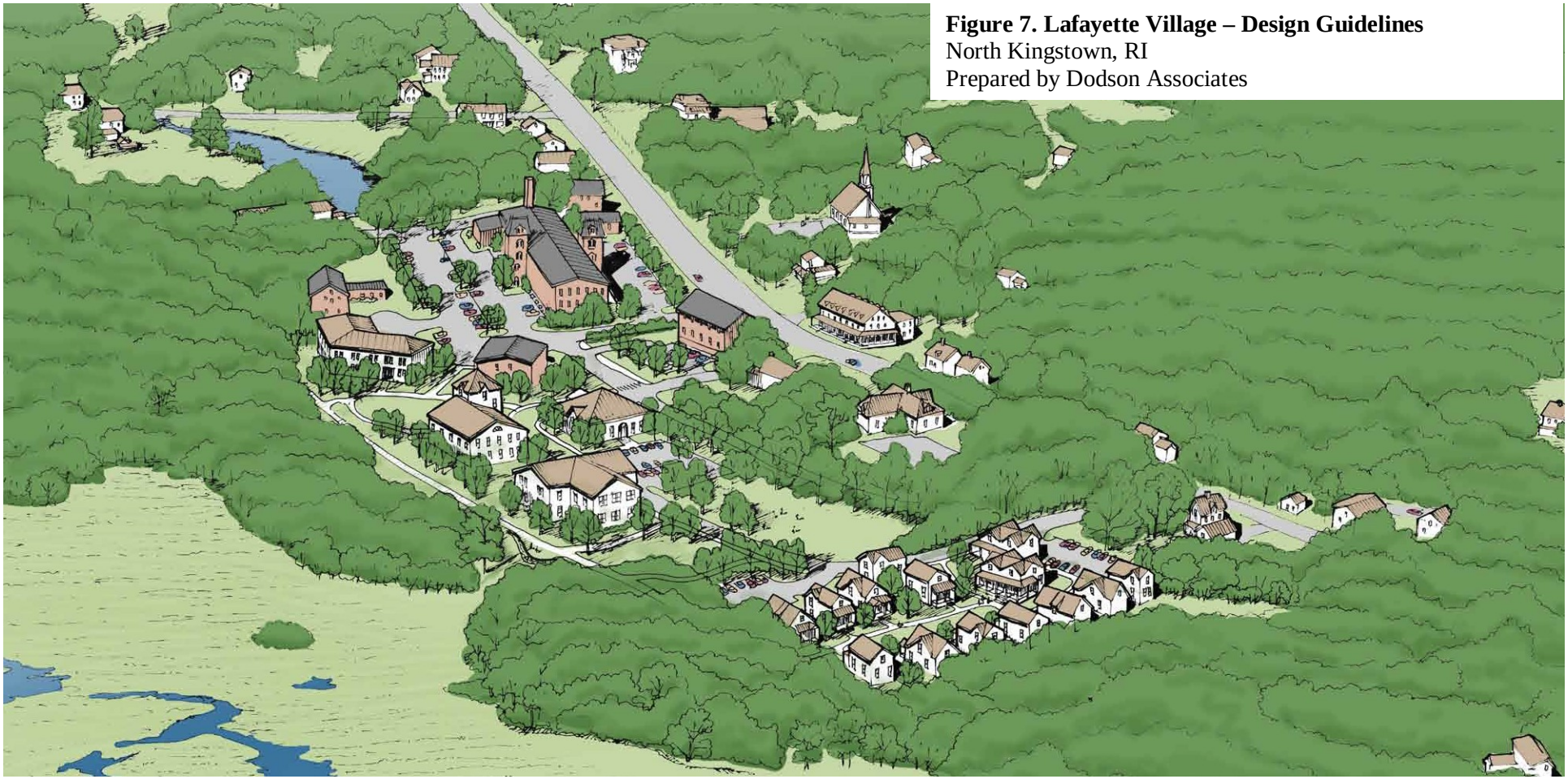


Figure 7. Lafayette Village – Design Guidelines
North Kingstown, RI
Prepared by Dodson Associates

In this view looking Northeast of the conceptual redevelopment of Lafayette Village, new buildings (foreground) replace former industrial uses along the railroad tracks. Designed as a seamless extension of the existing village, new structures are based on the mix of uses and physical design approaches represented by nearby mills and homes. A new multi-use trail along the former rail bed serves as the spine of a recreational greenway linking parks and open space throughout the village.

1. Architecture: New buildings should reflect the size, proportions, massing, rooflines and approach with curbs and sidewalks in more active pedestrian areas. Sidewalks or paths should be provided throughout the new development area, as well as along all of Ten Rod Road, to connect all existing structures to each other and to the multi-use trail. Provide new trees and other landscaping to enhance the appearance of the village and pedestrian comfort.

2. Parks and Open Space: Provide public parks in key locations to create a visual focus and location for community events. Areas needed for wastewater treatment and stormwater management should be designed to look and function as part of the park system.

3. Circulation and Parking: Existing entrance roads should be extended and connected across lot lines to create a continuous internal street that provides an alternative to Ten Rod Road. Parking should be provided in shared lots that take advantage of the most efficient and least visible locations.

4. Streetscape: Design of the new street can vary from an informal edge without curbs where it passes through open space to a more formal gathering area.

Figure 8. Wickford Junction – Site Planning Principles
North Kingstown, RI
Prepared by Dodson Associates

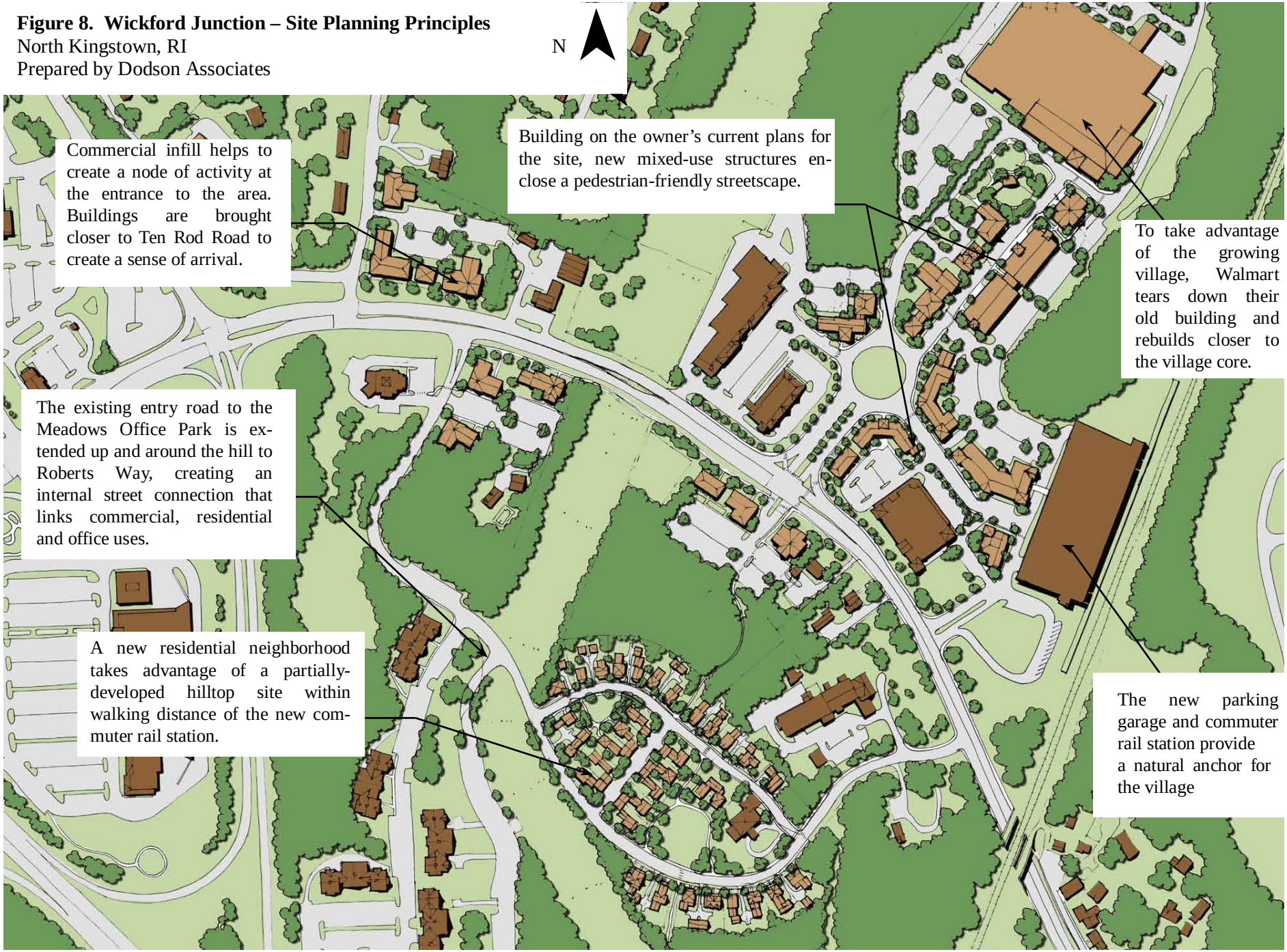


Figure 9. Wickford Junction – Design Guidelines
North Kingstown, RI
Prepared by Dodson Associates

In this view looking north of the conceptual redevelopment of Wickford Junction, new buildings have been placed to turn what has been an automobile-dependant commercial strip with scattered buildings into a vibrant mixed-use center adjacent to the new commuter rail station and garage.

1. Architecture: Within the village core, new 3-4 story mixed-use buildings line broad sidewalks along a traditional main street. Shops and restaurants occupy the ground floor, with offices and apartments on upper stories. The scale, proportions, massing and architectural detailing should all be designed to create a strong sense of place and a comfortable pedestrian environment.

2. Circulation: The primary access to new development areas should be provided at existing access points along Ten Rod Road. Interior connections should be added wherever possible to create an interconnected circulation system that allows users to move through each part of the village with- out having to go back out on the state highway.

3. Parking: Parking lots should be behind buildings, with shared driveways and common access points to reduce curb cuts and unnecessary pavement. Provide connections between parking lots, crossing lot lines if necessary to allow access to rear building entrances and service areas. On- street parking should be used where appropriate, especially to provide for short-term and visitor parking.

4. Parks and Open Space: Provide public parks in key locations to create a visual focus and location for community events. Incorporate wastewater treatment areas into the village park system, and design stormwater treatment system to act as attractive visual buffers surrounding the village.

VI. Comprehensive Plan and Ordinance Development

Comprehensive Plan Material

The North Kingstown Comprehensive Plan played an important role in the project to provide the "planning context" for considering village style development and the pursuit of more uniform, performance-based zoning associated with these areas. These issues, and others that relate to village development and TDR, are addressed in numerous sections of the Comprehensive Plan. A memorandum to Town Council was developed by municipal staff (dated November 3, 2011) listing those areas of the Comprehensive Plan that call for investigation or implementation of village development. This memorandum is provided in Appendix E.

Moving forward from the end of this project, it is imperative that the Town assess the potential need to revise any sections of the Comprehensive Plan to accommodate new findings or regulations. A list of potential revisions for the Town's consideration is provided in Appendix F.

Drafting of Ordinance Material

As a final piece for the report, the consultant team drafted three other ordinance pieces that the Town may consider for future adoption. During almost the full duration of the project, the Planning Commission was involved in reviewing and crafting the CVD ordinance. The remaining ordinance material developed for this project therefore represents a starting point for the Town and will need to be fully vetted with the Planning Commission before any presentation to Town Council is made on the new ordinances.

1. A revised Conservation Development ordinance that allows for "same district" TDR.

   This ordinance was provided as a potential means to provide denser subdivision designs that are complementary to village areas and also implement TDR in a different model. The draft ordinance simplifies the text of the existing ordinance significantly and relies more heavily on a new set of checklists in the Subdivision and Land Development Regulations to meet the unique design considerations of conservation development. Further, and consistent with the purpose of the report, the revised ordinance potentially allows for the transfer of development rights from one residential parcel to another. Draft ordinance materials are included in Appendix G.

2. Cottage Community zoning.

   During the development of the original vision illustrations and in the subsequent revisions, it was clear that the incorporation of cottage communities could be beneficial in CVD proposals. The community may also wish to include this style of housing as an option in other areas of the community as a redevelopment option or something complementary to a village setting. A more detailed discussion of cottage

community zoning is provided in the Phase II report and a draft of the zoning ordinance is provided in Appendix H.

3. A new Wickford Junction (WJ) District.

   In accordance with the findings of the Phase II report, the consultant team included a draft of a new Wickford Junction District that would coincide with the limits of development shown in the vision illustrations provided by Dodson. This ordinance uses much of the same approach and language as the Compact Village District and Post Road District and includes aggressive incentives for TDR implementation. However, there are some notable exceptions between the existing Post Road District and this first draft for the Wickford Junction District:

   - Baseline "by right" residential density in the proposed Wickford Junction District is one unit per two acres;
   - No requirements for multi-story development are included in the proposed language;
   - Individual retail operations can be much larger in the Wickford Junction District;
   - Greater emphasis is placed on designing around the transit opportunities in Wickford Junction.

   Draft language for this ordinance is included in Appendix I.

VII. Summary of Recommendations and Next Steps

This Phase III Report represents the close of the Village Identification and Transfer of Development Rights project as funded by the Rhode Island Department of Statewide Planning through their Planning Challenge Grant program. The analyses and discussions provided as part of this process yielded the adoption of a truly significant ordinance for the Town of North Kingstown and the drafting of three more ordinances that may continue to assist the community foster more compact and sustainable patterns of land use into the future. The work performed for this project, however, raises important questions and lays the foundation for considering other important issues. The following list provides a summary of "next steps" identified as part of this report.

1. Discuss, revise and adopt the necessary amendments to the Comprehensive Plan based on the drafts provided in Appendix F.
2. Discuss, revise and adopt the Zoning Ordinance and Subdivision and Land Development Ordinance language provided for Conservation Development, Cottage Community Development, and the Wickford Junction District.
3. Continue to review the nitrogen loading standards and associated regulatory mechanisms as part of a revised Groundwater Protection Plan.
4. Develop a wastewater feasibility study for Wickford Junction to determine what the opportunities are to safely dispose of wastewater effluent in that area.

5. Consider changing the designation of the three existing villages of Hamilton, Allenton, and Lafayette in the Comprehensive Plan to a mixed use or CVD designation.
6. Consider changing the zoning of these three village areas to CVD.

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Transfer of Development Rights and Identification of Village Centers
Phase 1 Assessment

North Kingstown, Rhode Island

March 4, 2011

Submitted to:
Department of Planning and Development
Town Hall Annex
55 Brown Street
North Kingstown, RI 02852

Submitted by:
Horsley Witten Group, Inc.

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I. Introduction

A. Background

The Horsley Witten Group, Inc. (HW) was retained by the Town of North Kingstown to develop a study funded in part by the Rhode Island Office of Statewide planning entitled "Transfer of Development Rights and Identification of Village Centers." One of the primary objectives of this study is to assess the capacity of selected areas in North Kingstown to participate in the recently established Transfer of Development Right (TDR) Program as "receiving areas" (TDR in North Kingstown is described in more detail below). The town is interested in whether this "smart growth" model can be expanded to include other villages or emerging growth centers as receiving areas. The study will occur in two basic phases: 1) a screening process for eight potential study areas; and 2) design and ordinance development for areas selected in the first phase.

The first phase of the Project involves an assessment of eight areas in North Kingstown identified by the town's Department of Planning and Community Development. Six of these areas are existing village centers – Allenton, Davisville, Hamilton, Lafayette, Saunderstown, and Wickford Village (identified in the North Kingstown Comprehensive Plan). Wickford Junction, one of the Town's largest retail centers represents another potential study area most notably because it is the site of the future Massachusetts Bay Transportation Authority (MBTA) station. A final potential area includes the general vicinity of the former Bald Hill Nursery and Rolling Greens Golf Course and land in the area of the intersection of Routes 2 and 102 close to the Exeter town line. A locus of these villages and potential growth areas is provided in Figures 1 and 2.

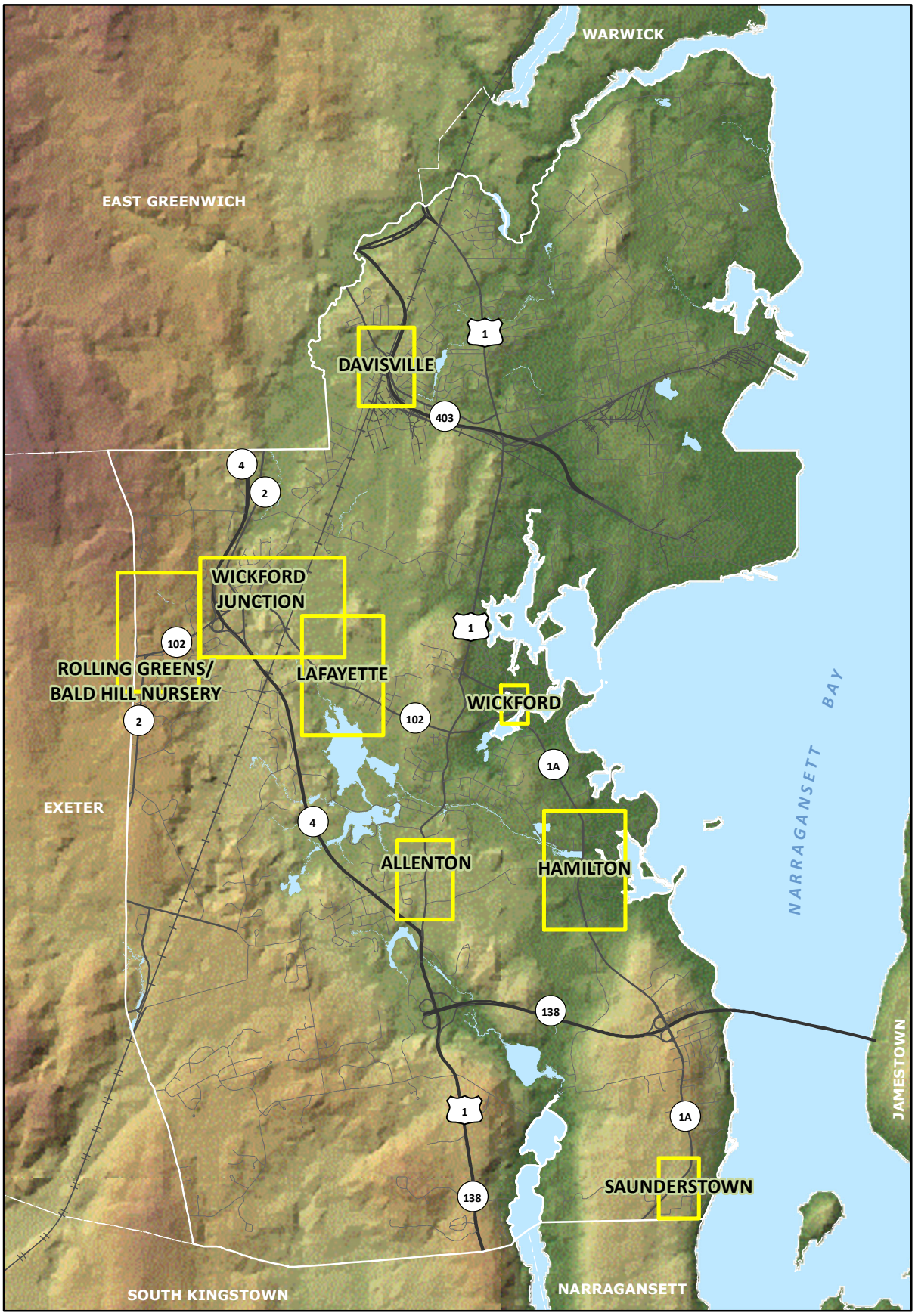
The objective of this first phase of the Project is to provide an initial assessment of whether any of these eight areas is an appropriate place for increased density and inclusion in a TDR program. The assessment serves as a "first cut" and is designed to identify areas that either deserve further study as part of this Project, or are not suitable for TDR implementation. HW developed a screening process that includes the findings from past studies, field reconnaissance and readily available GIS data to determine which areas should be included in a more detailed examination of TDR implementation. A series of maps is also provided in an appendix and serves as a set of 'visual criteria' to assist with the selection of future growth areas. HW also researched past studies, ongoing implementation efforts and other proposals in these areas to help provide a framework for selecting appropriate sites for further study.

B. TDR in North Kingstown

TDR provides an innovative way to direct growth away from lands that should be preserved to locations well suited for higher density development. Areas that may be appropriate for additional development include pre-existing village centers or other districts that have adequate infrastructure to service new growth. The approach to TDR begins with planning

Town of North Kingstown

Figure 1: Village Locus Map



Legend

Village Study Areas

0 1 Mile

For general planning purposes only. Data sourced from Town of North Kingstown Planning & IT Departments and RIGIS. Pictometry Licensed Imagery (2008 - RI E911). This map is not intended as a site or survey plan.

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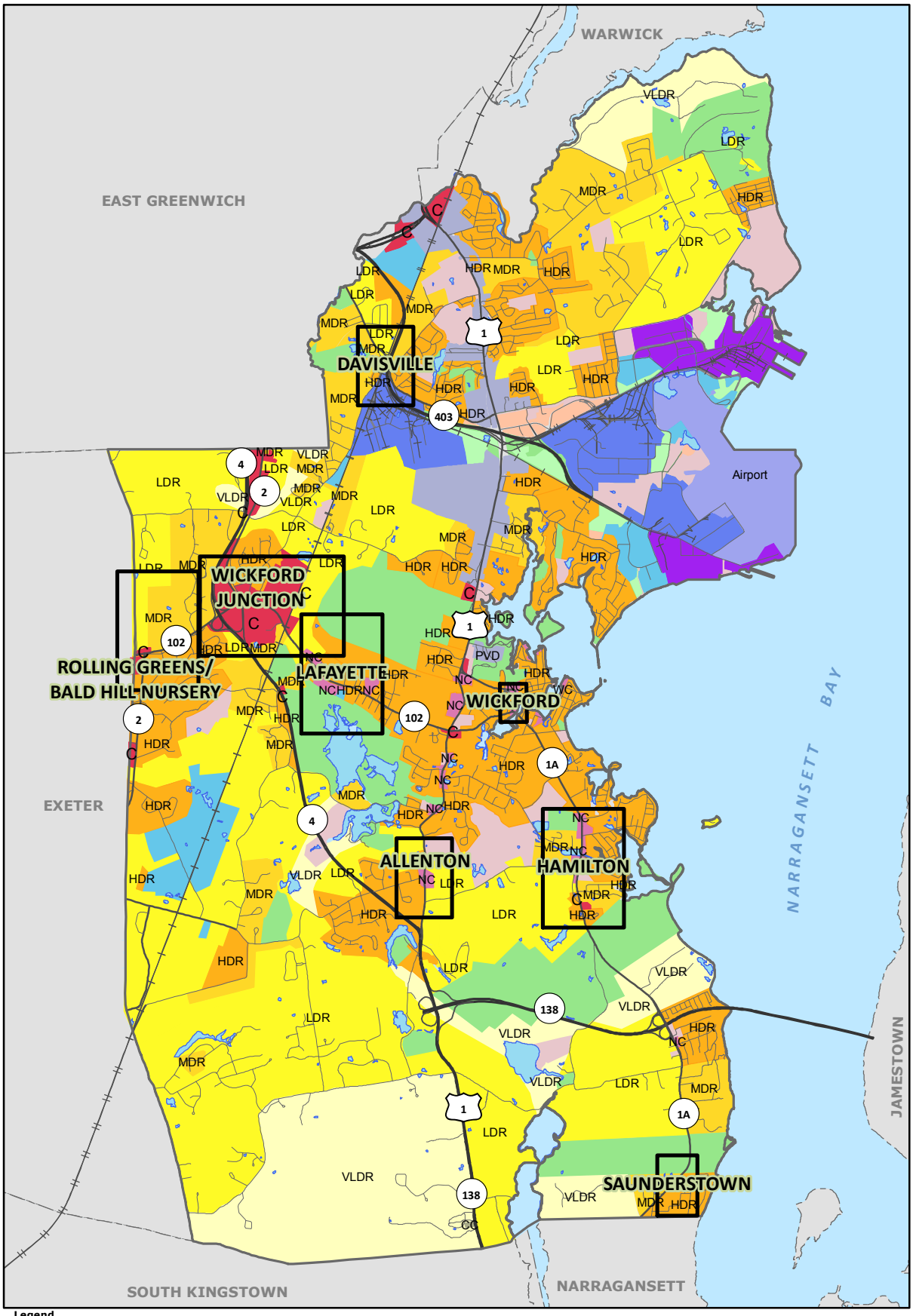
Town of North Kingstown

Figure 2: Future Land Use Map



Legend

- Village Study Areas
- Railway
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Very Low Density Residential
- Planned Village District
- Neighborhood Commercial
- Commercial
- High Density Mixed Use
- Quonset Mixed Use
- Waterfront Commercial
- Waterfront Industrial
- Light Industrial
- General Industrial
- Public
- Open Space
- Airport
- Corporate Compound
- Quonset Future ROW

NOTE: INCLUDES ALL AMENDMENTS AS OF MARCH 1, 2011

Mile
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processes that identify specific preservation areas as "sending areas" and specific development districts as "receiving areas." In North Kingstown, areas less suited for development could include existing viable farmland, areas within the groundwater overlay district, and other undeveloped significant parcels. North Kingstown identified many of these parcels through its first TDR project and included these in the Zoning Ordinance as the "Sending Area Overlay District." This district officially provides the opportunity (voluntary) for land owners to sell their development rights to prospective developers in the receiving area. Today, North Kingstown has identified one receiving area, the Post Road District, which stretches in a northerly direction along Route 1 from the State Police barracks to the East Greenwich town line (Figure 3). The amount of money required to purchase these development rights is influenced by the ordinance provisions, but is generally negotiated between the landowners. This approach allows market forces to enter into the transaction and allows land owners to negotiate the final value of development rights.

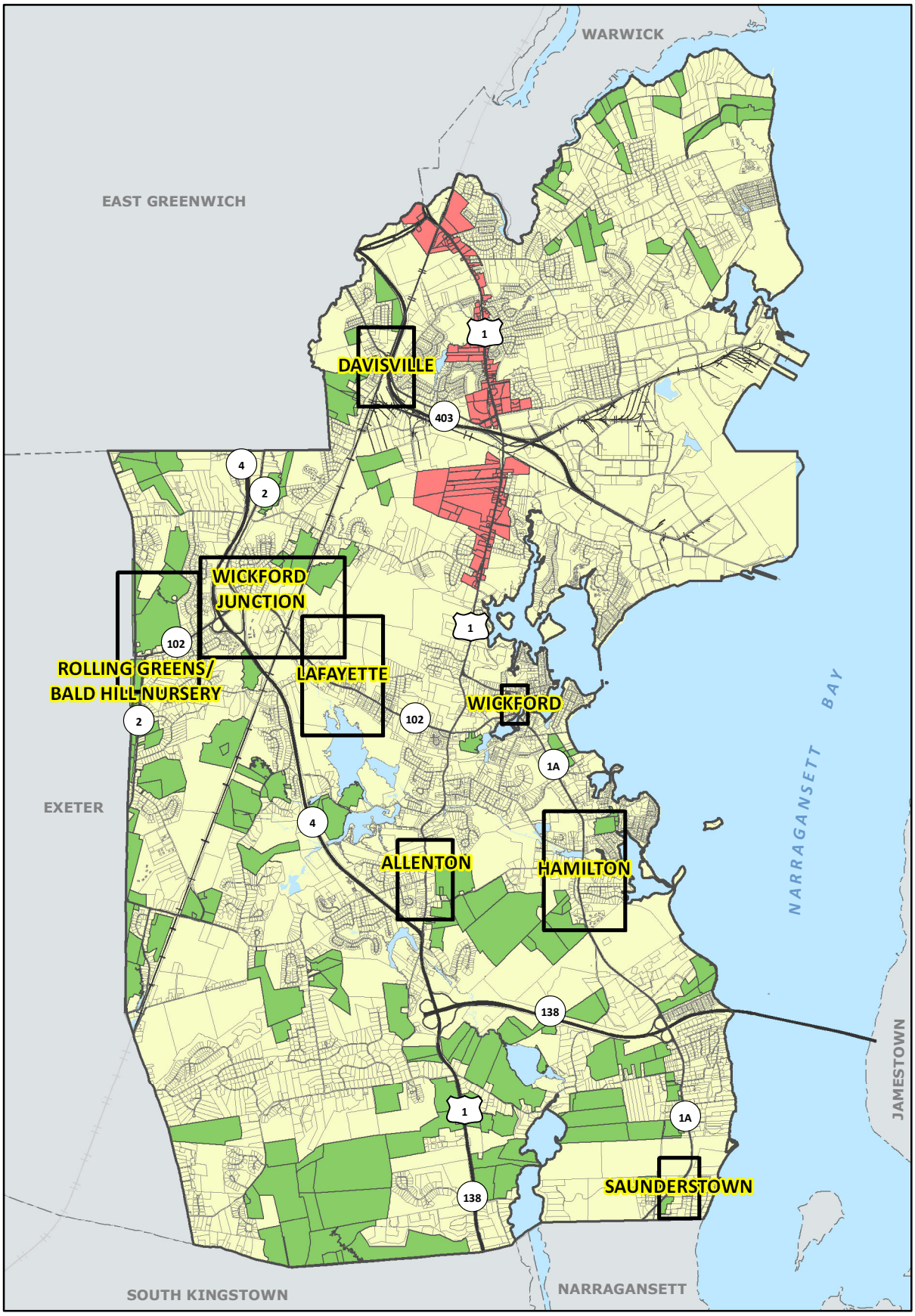
In return for the purchase of development rights, landowners in the sending area place development limitations on their property, which are recorded as a deed restriction. Restrictions can limit the level of potential development, the type of development, or some combination of both. Developers who buy development rights are acquiring the capacity to build higher density in a receiving area, which can mean different types of the same use (apartments in addition to single family homes), higher densities of the same use (multi-family between 4 and 30 units per acre), or different higher intensity commercial uses.

Successful implementation of TDR generally involves a planning level real estate analysis that quantifies the financial relationship between the sending area and receiving area parcels. In North Kingstown, for example, the town determined that the rights to each single family unit that could be developed in the sending area would require the development of at least three multi-family units in the Post Road District to make the project financially feasible. The Town therefore structured the existing TDR program to provide significant incentives to prospective purchasers of development rights. Depending on the resource values associated with land in the sending area, the ordinance allows for between four and eight multi-family units to be developed for each development right purchased in the sending area.

The model developed for the Post Road District uses a straightforward incentive-based approach to encourage TDR. This approach is viable for Post Road because the redevelopment goals of the town for this area (as reflected in the Comprehensive Plan) include high density mixed use development and complete redevelopment of existing sites. As part of this Project, HW is examining the potential for TDR implementation in areas that may have different goals for increasing density. The model developed for Post Road may not be applicable, or may need to be adjusted depending on various factors associated with other sites. The amount of developable land, the historic identity, roadway access, market constraints and a variety of other conditions will require the examination of other models. These models will be explored in more detail in the second phase of the Project, but could include the following.

Town of North Kingstown

Figure 3: TDR Sending and Receiving Areas



Legend

- Village Study Area
- Sending Area
- Receiving Area
- Parcels (as of 12/31/2010)
- Railway

0 1 Mile

For general planning purposes only. Data sourced from Town of North Kingstown Planning & IT Departments and RIGIS. Pictometry Licensed Imagery (2008 - RI E911). This map is not intended as a site or survey plan.

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1. TDR Application for "Up-Zoning"

   One of the larger issues associated with TDR is the idea of "community buildout". This concept, as the name suggests, is a planning tool used by many communities to look at how much development can occur based on existing or proposed regulations. As a tool, buildout analysis can be used to help predict future impacts to infrastructure or the future need for various community facilities and services. North Kingstown, for example, performs regular buildout analyses to assess the adequacy of its water supply system to provide drinking water to those areas of the community tied into the municipal system. Buildout analyses like these help to guide decisions on future investment and the degree to which municipal services should (or should not) be expanded. Inherent in these analyses is the assumption that resources are finite and there may come a point where existing or proposed regulations allow for levels of development that are unsustainable.

   The application of TDR that could emerge relative to this issue addresses the idea of buildout and of carrying capacity for different resources in the community. One example previously mentioned is the municipal water supply. This utility draws its water from the Hunt-Annaquatucket-Pettaquamscutt (HAP) aquifer system, which has already been identified as a stressed basin through scientific study. As such, increases in development potential could further stress this aquifer depending on the proposed use and associated water demand. Another related example involves the town's Groundwater Recharge and Wellhead Protection Overlay Districts (the "Groundwater Overlay") as mapped in Figure 4. This area allows development to the degree that the discharge of nitrogen to the ground (from wastewater systems and impervious cover) is adequately managed and does not exceed specific levels. Increases in allowable density could create a situation where additional wastewater discharge or higher amounts of impervious cover cause nitrogen levels to exceed acceptable levels.

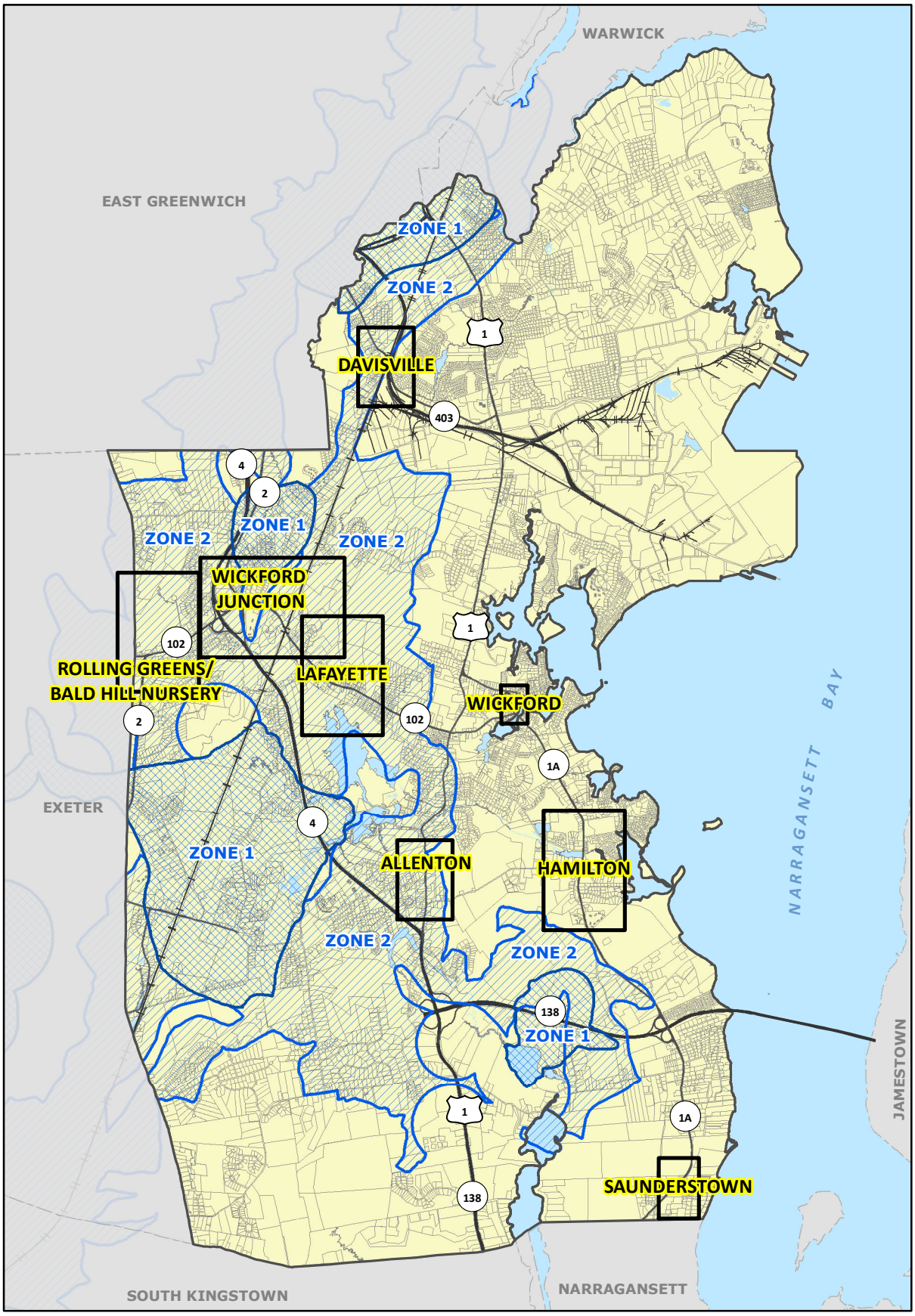
   In each of these cases, and potentially others, TDR could be used as part of a regulatory package that would allow for areas to be "up-zoned" to higher intensity with the condition that development rights are purchased to compensate for impacts to sensitive resources. For example, a developer wishing to increase density in the Groundwater Overlay District could purchase development rights from another site within the overlay, ensuring that a "nitrogen balance" is maintained. The increased impacts on one site would be compensated for by the permanent preservation of another.

2. "Same District" TDR:

   The TDR program in place today transfers density from one discreet district, the Sending Area Overlay District, to another, the Post Road District. This approach is the most commonly applied throughout the country and identifies broad, community-wide interest in areas well-suited for development and areas well-suited for preservation. Another potential approach looks at TDR application on a more localized level and potentially

Town of North Kingstown

Figure 4 : Groundwater Protection Zones



Legend

- Village Study Areas
- Groundwater Protection Area (Zone 1)
- Groundwater Protection Area (Zone 2)
- Parcels (as of 12/31/2010)
- Railway

0 1 Mile

For general planning purposes only. Data sourced from Town of North Kingstown Planning & IT Departments and RIGIS. Pictometry Licensed Imagery (2008 - RI E911). This map is not intended as a site or survey plan.

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moves development rights from one area of a district or neighborhood to another. This application shows its highest potential in residentially zoned districts. For example, many of North Kingstown's residential lands have a minimum lot size of approximately two acres. Under this model, the development potential from one site could be moved to another. Instead of having two different sites developed with two-acre lots, one site could be developed with one-acre lots, while the other site is permanently preserved. Depending on the preservation opportunity, this "same district" transfer may provide a high value amenity to the local community.

II. Site Context and Locus

Allenton

The Village of Allenton, named after its founder William H. Allen, formed as the commercial center for the nearby mill communities of Narragansett Mills and Belleville to the north and Shady Lea and Silver Spring to the south. In its early years, the village core included the Allenton Baptist Church, a schoolhouse, a post office, a number of shops, and several boarding houses designed for use by the workers of the textile mills. A large boarding house and the original post office building remain today as landmark features.

Allenton is accessed primarily by Tower Hill Road running from Route 4 at its southern end to its intersection with Ten Rod Road just outside (west) of Wickford Village. Hamilton Allenton Road connects Allenton with the Village of Hamilton approximately 1.5 miles to the east. The intersection of West Allenton Road and Tower Hill Road sits in a small pocket of commercial development that represents the "core" of this village.

Davisville

The Village of Davisville was originally two separate villages: Davis Mills and Davisville. The earlier Davis Mills was centered on the grist and saw mills on the banks of the Hunt River in the early 1700's. The second village, Davisville, began around 1870 with a busy train depot and the Reynolds Manufacturing Company's steam-powered textile mill at its core. The combined villages included shops, a schoolhouse, a post office and many workforce housing units.

Davisville is accessed from the south by Old Baptist Road out of Wickford Junction, which merges into Davisville Road moving north. The Village is split by the existing rail line as well as the primary access road to the Quonset Business Park (QBP), Route 403. The blend of uses in Davisville is unique when compared with the other study areas, consisting of a mix of light industrial, general industrial (associated with the QBP) institutional, and medium and high density residential.

Hamilton

Originally Bissells Mills, Hamilton is one of the oldest industrial sites in New England. Its inception as a grist mill in 1686 was expanded by the addition of a wheat mill, a fulling mill, blacksmith shop, and a substantial wharf by 1795. An iron forge and cotton mill were added to the list of industrial activities in the 19th century. Textile manufacturing remained in operation for nearly 130 years until 1978. The Village included a schoolhouse, community meeting hall, stores, and was home to the powerhouse/car repair shop and trolley stop of the Sea View Trolley line. The post office and adaptive reuse of the Hamilton Mill have maintained the historic thread of this village.

Hamilton is accessed primarily by Boston Neck Road (Route 1A) and is bisected by Mill Pond and Bissell Cove, which are part of the larger Annaquatucket River system. Hamilton Allenton Road is the only other significant connector in the village, leading to Allenton approximately 1.5 miles to the west. Land use in the area is a diverse collection of institutional (Hamilton Elementary School), small-scale strip commercial, and housing at various densities including the Hamilton Harbor Condominiums.

Lafayette

Lafayette, the center of the Rodman family textile empire, was easily the largest and most successful mill village in North Kingstown. Purchased by Rodman in 1847 as a cotton mill, he expanded the mill complex and quickly retooled to utilize wool. At its peak, the mill complex employed more than 500 people and the surrounding village included two churches, two schoolhouses, a community meeting hall, a post office, a company store, various stores, several boarding houses, and a park. The Rodman family constructed four fine mill owner mansions within walking distance of the mill complex. The various buildings that comprise the mill complex, together with the mansions, continue to contribute to the history and character of the village today as one travels through the Village. A historic boarding house and the former post office/company store also remain today as multi-family housing.

The core of Lafayette sits along Ten Rod Road, which serves as its only point of access. Land use to the east and west is a mix of residential and stand-alone neighborhood commercial establishments. Included in some of these residential areas are several historic estate homes, one of which includes an outdoor furniture retail operation.

Rolling Greens Golf Course/Bald Hill Nursery

This study area is located around the intersection of Routes 2 (the South County Trail) and 102 (Ten Rod Road) and includes the Rolling Greens Golf Course to the north of Ten Rod Road. The land abutting the town line south of Route 102 is part of Schartner Farms and across the street from that land is the former Bald Hill Nursery operation along with

an existing restaurant. Plain Road intersects Ten Rod Road in close proximity to the golf course, providing one of the primary access points to existing residential areas on Laurel Ridge Lane and Beacon Drive. This roadway corridor serves as a gateway between North Kingstown and Exeter, provides a popular route to the University of Rhode Island, and lies in close proximity to the Wickford Junction study area. Despite its close proximity to Wickford Junction, Route 4 provides a significant barrier and allows this area to maintain its identity as a gateway feature to a more rural setting.

Saunderstown

The Village of Saunderstown, originally named Willettville, has a long history first as a farming community, then later as a fishing and shipbuilding center, and today as a summer resort. The Saunders family maintained a marina and shipyard, and operated a summer hotel and a ferry service to Jamestown, Newport, Wickford, and Providence. The village evolved into a literary summer community, and has slowly been converted to year-round residences. Saunderstown today maintains an identity that is truly one of a "rural village" with small shops characterized by a lack of well-defined parking, walkways or any sense of uniformity. These shops and the U.S. Post Office are also irregularly located along the street network that surrounds a somewhat informal "village green." Its location along Route 1, the small-scale of its buildings, and vast tracts of adjacent open space create a strong and unique village character that is not focused on drawing heavy tourist commerce, but rather quietly serving the surrounding neighborhood with basic services.

Wickford Village

The Village of Wickford, platted out as a seaport town in 1709 in a fashion reminiscent of colonial Boston, quickly became a haven for prominent Newport citizens intent to escaping the British occupation of their seaport town during the Revolutionary War. By the 1790's, a resurgence in trade and rapid expansion of fishing in the region fueled the growth of Wickford as a port and shipbuilding center. As a result of its prominence as a trading center, numerous taverns, shops, and support service businesses established in Wickford, transforming the Village into the cultural, economic, social, religious, and civic center of North Kingstown, as well as for much of southern Rhode Island.

During the 19th century, a number of churches, banks, meeting halls, and governmental buildings were established in addition to the Washington Academy – a school to train young men as educators to satisfy the demand for public education. The end of the village's boom period came in the late 1830's when it was bypassed by the Providence and Stoughton Railroad and a wharfage price war with Providence took a heavy toll on its commerce. This slow period of decline was abated by the construction of the Newport & Wickford Railway and Steamship Line in 1870. The train left Wickford Junction for a short run to Poplar Point, where the steamship transported wealthy Newport patrons to summer mansions in Jamestown and Newport. The construction of the Sea View Trolley

line also contributed to the influx of new money, jobs, and visitors and to the revitalization of the village. Many of the colonial-era homes, churches and governmental buildings remain today.

Wickford Junction

The emerging growth center at Wickford Junction is North Kingstown's largest retail center located along Ten Rod Road immediately adjacent to Route 4. This area lies in close proximity to three other study areas: Davisville to the north, Lafayette to the south, and Rolling Greens/Bald Hill Nursery to the west. Characterized primarily by larger chain retail operations, this area relies on its access to the highway to draw customers from a regional market by automobile travel. The highway provides a clear edge to this study area to the west, while the active rail line provides a clear edge to the east. To the north, the headwaters to Sawmill Pond and a well-established residential neighborhood frame the study area while, to the south, newer residential development and the intersection of the train line and Route 4 provide a less formal boundary. Although this area of the community is highly developed, the future commuter rail stop that is being constructed within the largest retail plaza may provide new demands and shape new redevelopment opportunities in the future.

III. Assessment of Opportunities and Constraints

To begin the assessment of whether these areas should be studied for future TDR application, HW performed an inventory of the "opportunities" and "constraints" associated with each site. Maps of these various opportunities and constraints can be found in Appendix A.

A. Identifying Opportunities

HW developed a list of potential opportunities that would enhance the capacity of each potential village area to increase development and possibly receive development rights from other areas of town. None of these opportunities alone creates a definitive condition for increasing density but examined as a group, they serve as an indicator of whether existing conditions warrant further study.

Site Development Opportunities

1) Availability of Developable Land: A visual assessment of vacant, developable, or highly underutilized land balanced with a review of zoning, Town's Assessors Maps, and ownership through Vision Appraisal.
2) Frontage: An assessment of whether adequate frontage is provided on the site or throughout the neighborhood to allow for compliance with the zoning ordinance, access from the right of way, and adequate site distances.

3) Land Use Buffers: An assessment of whether the geometry of key parcels provides enough space to construct buffers between residential and non-residential uses where necessary.
4) Capacity for Parking/Loading, and Circulation: An assessment of whether the site is capable of reasonably providing for the building(s), safe vehicular and pedestrian circulation, roads, parking, and loading facilities.

Infrastructure/Utilities

1) Municipal Water: A review of the provision for and adequacy of the site's existing water infrastructure (Town's *Water Service Area Map*, September 24, 2008) to support the current customer base, as well as to provide a clear baseline in understanding each village's future needs/demands.
2) Municipal Sewer/Wastewater Disposal Capacity: A review of the sewer infrastructure in the area, the Town's plans for future sewer service expansion (Post Road Corridor), and sites within the Groundwater Recharge and Wellhead Protection Overlay Districts. An estimate of current nitrogen loading will be performed for sites identified for village development and selected for further analysis that also fall within the Groundwater Recharge and Wellhead Protection Overlay Districts.
3) Roadway Access: An assessment of access to and location of major roadways/highways to economic centers, area destinations, and community services to determine the attractiveness/desirability of a site's neighborhood or regional context for village development.
4) Mobility Choices: A review of the existing transportation modes (pedestrian, bike, bus, rail, and car/van pools) as alternatives to traditional single-occupancy vehicles to both provide convenience and encourage healthy lifestyles.

Neighborhood

1) Bike/Pedestrian/Auto Connectivity: An assessment of the existing multi-modal connections/networks to promote energy efficiency, walkability, cohesive neighborhoods, and a sense of community.
2) Public /Open Space Amenities: A review of the Town's *Open Space & Recreation Plan*, dated September 24, 2008, to identify both active and passive recreational resources, including: Local NGO Conservation and Park Land, State Conservation and Park Land, Cluster Open Space, Compound Open Space, Town Property, Open Space, and Other Open Space.
3) Scale: An analysis of existing development patterns including density of development and massing of buildings to preserve and enhance the existing context of the village site.

Regulatory and Planning Opportunities

1) Comprehensive Plan: A review of the Future Land Use Map within the Comprehensive Plan to determine whether the Town has identified a cohesive approach for these different areas that could include a village model at various scales.
2) Zoning Ordinance: A review of the existing Zoning Ordinance provisions to determine whether they already provide any opportunity for mixed use, village-scale amenities, or other features that would be conducive to compact growth.
3) Urban Service Boundary: A determination of whether the area lies within the Urban Services Boundary as established by *Land Use 2025*, State Guide Plan Element 121.

B. Identifying Constraints

HW developed a list of existing constraints (natural and man-made) that would limit the capacity of each potential village area to increase development and possibly receive development rights from other areas of town. Collectively, these constraints can often limit the development potential of a site, and once identified, reveal the resultant building envelope available for development. HW identified the following list of potential constraints:

Environmental Constraints

1) Topography and Slope: A visual assessment of the general topographic information (U.S. Geological Survey - USGS data) to determine the site suitability for building construction, wastewater disposal systems, steep slope constraints (areas with slope > 15%), and to understand the natural drainage of the site/minimize site disturbance.
2) Soils: A review of existing soil data (United States Department of Agriculture: Natural Resources Conservation Service - NRCS *Web Soil Survey* websoilsurvey.nrcs.usda.gov and Rhode Island Geographic Information System - RIGIS datalayer) to identify soils with severe limitations (e.g., high water table) to development.
3) Freshwater Wetlands: A review of the existing wetland resources (RIGIS and the Town's wetland datalayer) within the immediate vicinity of the village sites as defined under Rule 2.0 of the Regulations, including: Forested Wetland, Emergent Plant Community, Ponds, Streams (all less than 10 feet wide), and Areas Subject to Storm Flowage (ASSF). The streams have associated 100-foot Riverbanks, and several other resource areas have associated 50-foot Perimeter Wetlands.
4) FEMA Flood Zones: A review of the updated 100- and 500-year flood data to protect public safety, minimize property damage, protect watercourse from encroachment, and preserve the ability of floodplains to retain/carry off floodwaters by ensuring development in floodplains designated by Federal Emergency Management Agency (FEMA) is in compliance with the National Flood Insurance Act of 1968.
5) Groundwater Recharge Overlay District: A review of the Town's *Groundwater Protection Map,* September 24, 2008 (Zone 2) to determine the permitted uses,

development criteria, and land development/development plan review requirements needed for development.

6) Wellhead Protection Overlay District: A review of the Town's *Groundwater Protection Map,* September 24, 2008 (Zone 1) to determine the permitted uses, development criteria, and land development/development plan review requirements needed for development.
7) Natural Heritage Areas: A review of RIGIS's estimated habitat and range of rare species, and noteworthy natural communities to determine areas potentially unsuitable for development.

Infrastructure/Utilities

1) Low Domestic Water Pressure/Fire Protection: The identification of areas with undersized water pipes, low domestic water pressure, and inadequate available fire protection to inform future infrastructure needs and growth potential for the site.
2) Easements: A review of Town's Assessors maps and Vision Appraisal to identify the various sewer, drainage, and utility easements bisecting and impacting the village sites.

Neighborhood

1) Proximity to Activity Nodes/Community Resources: A review of established and varied attractions (from a market perspective) within walking distance of the village site that would provide competition and be a deterrent to a developer considering building mixed use, commercial space within the village.
2) Cultural Resources: A review of the existing cultural resources from RIGIS (Historic Districts and Sites data layers) and the Town's *Historical, Archaeological and Scenic Resources Plan,* September 24, 2008 (Archaeological Sites, Scenic Areas, Candidates as Scenic Corridors, and Potential View Preservation) to fully understand the implications of specific design criteria that may impact development.

Regulatory and Planning Constraints

1) TDR Sending Area Overlay: A review of the Town's TDR Program to compare parcels available for development against parcels previously identified for preservation/protection from an agricultural and preservation perspective.

IV. Screening Summary

A. Screening Matrix

HW used the opportunities and constraints listed in Section II of this report to perform a planning level screening exercise for each potential receiving area. Using readily available GIS data and the notable observations discussed above in Section II.A, HW developed a

matrix in which each opportunities and constraints are measured for each village. To do so, HW assigned a full circle, an empty circle, or a half circle to each criterion in each study area. This exercise provided a "numerical" approach to examining the elements of each area HW researched and observed in the field.

For the opportunities, where a criterion is clearly present, HW noted those with a full circle. Where an opportunity is partially present, a half circle was used. Accordingly, where an opportunity is not present, an empty circle was used. These circles were then assigned a value of "1", "0.5" or "0" respectively. So for example, the village of Allenton shows proximity to large tracts of open space that can serve as an amenity. Therefore, Allenton received a full circle (score of "1") for that opportunity. Conversely, the same village received an empty circle (score of "0") for access to public transportation.

A similar approach was also applied to development constraints, however, the scoring is reversed for the purposes of comparison. Where a constraint is clearly present, HW noted these with a full circle and applied a score of "0". Where the constraint is partially present, HW applied a score of "0.5" and so on. In this case, the less constrained areas would receive a higher numeric score. Once the exercise was complete, HW added the scores together to compare these study with one another. This exercise represents a "planning level" exercise that serves as an indicator for which areas should be studied further as potential TDR receiving areas.

It is important to note that certain opportunities and constraints might be more important to the development potential of specific areas based on current planning initiatives. For example, the construction of a commuter rail station in Wickford Junction is a unique opportunity that weighs much more strongly on this area than certain types of public transportation in other neighborhoods. Similarly, the completely unique historic character of Wickford Village weighs much more strongly than for other villages that have not retained such a cohesive architectural and cultural heritage. In this case, the cultural backdrop of the village serves as a significant constraint when considering the types of density incentives that might be necessary to successfully implement TDR. The relative importance of each opportunity and constraint to each village is discussed in Section IV.B below.

The results of this exercise are provided in Table 1 and show the following ranking, with the first study area being the one that scored the highest and the last study area being the one that scored the lowest.

Table 1. Summary of Opportunities and Constraints "Scores" for Each Study Area

Study Area	Opportunities and Constraints Score
Allenton	21
Hamilton	20.5
Wickford Junction	20
Lafayette	20
Rolling Greens/Bald Hill Nursery	18.5
Wickford Village	18.5
Davisville	16
Saunderstown	14

SUMMARY SCREENING MATRIX

Development Opportunities	Study Area							
	Allenton	*Davisville*	*Hamilton*	*Lafayette*	*Rolling Green GC*	*Saunderstown*	*Wickford Junction*	*Wickford Village*
Site Development Considerations								
Availability of Developable Land	●	○	◐	◐	●	○	●	○
Frontage	●	◐	●	◐	●	○	●	●
Capacity for Distribution of Use Buffers	●	○	○	◐	●	○	●	○
Capacity for Parking/Loading/Circulation	●	○	◐	◐	●	○	●	○
Infrastructure/Utilities								
Municipal Water	◐	●	◐	●	◐	○	●	●
Municipal Sewer	○	○	○	○	○	○	○	○
Wastewater Disposal Capacity	●	●	●	●	●	○	◐	○
Access to Major Roadway	●	●	●	●	●	●	●	●
Access to Public Transit	◐	◐	●	◐	●	●	●	●
Mobility Choices	◐	●	●	●	●	◐	●	●
Neighborhood								
Connectivity for Bike/Pedestrian/Auto	◐	●	●	●	◐	◐	◐	●
Open Space/Amenities	●	◐	●	●	●	●	●	●
Scale	●	◐	●	●	○	◐	●	●
Planning Framework								
Comprehensive Plan	●	○	●	●	○	○	◐	●
Urban Services Boundary	●	●	●	●	○	●	●	●
Opportunities "Score"	12	8	11.5	11.5	10	5.5	12.5	10

Development Constraints	Study Area							
	Allenton	*Davisville*	*Hamilton*	*Lafayette*	*Rolling Green GC*	*Saunderstown*	*Wickford Junction*	*Wickford Village*
Environmental Considerations								
Groundwater Recharge Overlay (Zone 2)	●	●	○	●	●	○	●	○
Wellhead Protection Overlay (Zone 1)	○	○	○	○	○	○	◐	○
FEMA Floodplain	○	◐	◐	◐	○	○	◐	●
Wetlands	◐	○	◐	○	○	●	◐	◐
Slopes/Topography	○	◐	○	◐	◐	○	○	○
Soils (hydric)	◐	○	◐	○	○	◐	◐	◐
Natural Heritage Area	○	○	○	○	○	○	○	○
Infrastructure/Utilities								
Low Dom. Water Pressure (Fire Protect.)	○	○	○	○	○	○	◐	○
Easements	◐	◐	◐	○	○	○	◐	◐
Neighborhood								
Market Constraints	○	●	○	●	●	○	○	○
Cultural Resources	○	○	●	◐	○	●	◐	●
Planning Framework								
Sending Overlay Zone	◐	◐	○	○	●	●	○	○
Constraints "Score"	9	8	9	8.5	8.5	8.5	7.5	8.5
Total "Score"	**21**	**16**	**20.5**	**20**	**18.5**	**14**	**20**	**18.5**

B. Weighing Opportunities and Constraints

Allenton

Notable constraints associated with Allenton include

- A Narragansett Electric easement runs northwest to southeast approximately 300 feet north of West Allenton Road, which could complicate the development of vacant parcels.
- In addition, several large tracts of vacant land include RI Department of Environmental Management (RIDEM)-regulated wetlands that also fall within the Town's TDR Sending Area Overlay District – parcels of land prioritized for preservation as part of the Town's TDR program, limiting the availability of vacant developable land.

Notable opportunities include the following.

- Allenton is partially within the Town's Water Service Area, including the area north of West Allenton Road and the area north of Hamilton Allenton Road along the east and west sides of Tower Hill Road, indicating the availability of water service to both residents and businesses within the Town's Water Service Area (WSA). All extensions of water mains within the Town require the approval of the North Kingstown Town Council.
- The Village's proximity to Shady Lea Woods serves as an existing amenity. These existing and future (Sending Area Overlay District) areas of preserved land can provide significant recreational and open space amenities to the village.
- Hamilton Allenton Road is designated by the RI Department of Transportation (RIDOT) as a 'Most Suitable' roadway for bicycling, and Tower Hill Road (north of Hamilton Allenton Road) is designated as a 'Suitable' roadway as per *Guide to Cycling the Ocean State 2009-10.*
- Limited RI Public Transit Authority (RIPTA) Route 66 bus service is provided southwest of the village along Route 4. This is located outside of the quarter-mile radius and is difficult to get to on foot. Multi-modal opportunities are therefore available to the Village, potentially increasing access to the area for residents and visitors not traveling by automobile.
- Existing development patterns in the neighborhood suggest a strong potential for infill and redevelopment on a few key sites that have good frontage on Hamilton Allenton Road and Tower Hill Road.
- The Department of Statewide Planning does place this area within the Urban Service Boundary established by *Land Use 2025, State Guide Plan Element 121,* illustrating that these efforts would also be supported at the state level.

With the mix of opportunities and constraints present in Allenton, it is beneficial to examine the potential role of this village in the full context of the town. As very little commercial development occurs within a half mile of Allenton's core, the location of the village suggests that it could serve an existing need for more local goods and services associated with the surrounding neighborhoods as well as provide for housing types that are not well represented within the area. The strong potential for infill on a few select sites, coupled with multimodal opportunities and reasonable levels of infrastructure provide enough development potential to warrant further study of this area.

Davisville

Notable constraints associated with Davisville include the following.

- Several easements run throughout the village area including the former Sea View Railroad easement, a Narragansett Electric easement, and several water easements potentially limiting the ability to develop or create healthy circulation patterns in different areas of the Village.
- The availability of other vacant, developable parcels is subject to development constraints associated with FEMA flood zones and Steep Slope Overlay District. Some parcels also fall within the Town's TDR Sending Area Overlay District – land prioritized for preservation as part of the Town's TDR program.
- Other vacant land is part of the QBP and is designated for industrial use.
- The constraints imposed by the rail line and Route 403 on existing parcel geometry (i.e., the ability to provide on-site parking) and mobility (i.e., the ability to move safely from one end of the Village to another) are significant. The design of higher density housing would be challenging in an environment with these physical constraints.
- Proximity to the Wickford Junction study area suggests that mixed use may not be as viable due to market absorption in the larger retail area.
- Alignment and sight lines of the roadway are challenging for pedestrians and sidewalk service is inadequate.

Notable opportunities associated with Davisville include the following

- Davisville is within the town's WSA, including the areas west of Old Baptist Road and north of Devils Foot Road, with areas east of Old Baptist Road and south of Devils Foot Road within the Quonset WSA. This location indicates the availability of water service to both residents and businesses within the Town's WSA.
- Old Baptist Road is designated by RIDOT as a 'Most Suitable' roadway for cycling, with Davisville Road designated as a 'Suitable' roadway as per the *Guide to Cycling the Ocean State 2009-10.*
- The Dyer Avenue open space area serves the Village as a recreational resource, while Davisville's proximity to Quonset Development Corporation's (QDC)

recently constructed shared use path serves as an additional recreational resource, but also as a multi-modal transportation resource.
- RIPTA Route 14 bus service extends only partially toward the Village of Davisville, providing service to residents at the Heritage Village housing development, located at the perimeter of the village core. Various multi-modal opportunities are available within a quarter-mile radius (15-minute walking distance) to the village, providing alternatives for residents and visitors not traveling by automobile.

Overall, the Village of Davisville manages to retain a unique character and provides an interesting blend of uses, and it is apparent that a dense pattern of development is appropriate to this area of the community. However, the physical presence of the newly-constructed Route 403 and the existing railroad right-of-way serve as a visual divide, bisecting the Village into distinct parts and crowding some of the key non-residential properties along Old Baptist Road. Coupled with the market constraints associated with Davisville, these constraints weigh more heavily on this study area than any current development opportunities and strongly suggest that the type of density increases associated with TDR as it currently functions in the town are not feasible. HW recommends that the town examine strategies to strengthen Davisville as a village at a smaller scale, but does not recommend the assessment of this village as a TDR Receiving Area. Looking to establish better connections between the northern and southern village areas through public improvements may be an effective starting point.

Hamilton

Notable constraints associated with Hamilton include the following.

- Several utility and drainage easements exist within the Village, a Narragansett Electric easement (Sea View Railroad) to the east of Hamilton Elementary School and drainage easements on parcels north of Mill Pond on Annaquatucket Road, possibly complicating the development of healthy circulation patterns within the Village.
- The total acreage available for development is limited and further complicated by the presence of RIDEM-regulated wetlands and FEMA flood zones.

Notable opportunities associated with Hamilton include the following.

- Boston Neck Road, Hamilton Allenton Road, and Annaquatucket Road are all designated by RIDOT as 'Most Suitable' roadways as per the *Guide to Cycling the Ocean State 2009-10* (Boston Neck Road is also a signed-shared bike path).
- Limited RIPTA Route 14 bus service runs along Boston Neck Road, with multiple stops throughout.
- Boston Neck Road provides easy access to several parcels with broad frontage along the arterial.

- The presence of an elementary school and high density housing increases potential foot traffic in the area.

Development patterns in Hamilton today are characterized primarily by an auto-dependent environment that functions with a suburban strip mall model. Existing zoning and the presence of Boston Neck Road have allowed the character of this village to erode over time and walkable connections to the surrounding neighborhoods, the mill housing, and the river are very much diminished. Several sites along the corridor show that the Village has some potential for redevelopment outside of areas constrained by floodplains or wetlands. More than any other site examined for this phase of the study, Hamilton provides an opportunity for a true revitalization effort in which a historic village can regain its visibility within the town. Similar to Allenton, Hamilton also benefits from an assessment of its geographic location in the broader community. With little commercial development within a half mile of this area, expanding access to services (along with access to different housing types) could shape healthier growth patterns in the village. Future plans could also look to leverage opportunities unique to the elementary school including enhanced "safe routes" and neighborhood connections. HW therefore recommends that this area be further studied as a potential TDR Receiving Area.

Lafayette

Notable development constraints associated with Lafayette include the following.

- From a marketing standpoint, Lafayette's proximity to Wickford Junction to the west and Wickford Village to the east serves as competition to developers establishing additional commercial venues in the Village's core.
- The well-established mill complex absorbs much of the area's development potential. Infill development within the complex would be challenging to design and build based on the physical layout of the complex, its proximity to surface waters, and the historic nature of the architecture.

Notable development opportunities in Lafayette include the following.

- Ten Rod Road is designated by RIDOT as a 'Suitable' roadway as per the *Guide to Cycling the Ocean State 2009-10*.
- Sidewalks exist in front of an historic boarding house on the north side of Ten Rod Road (across from Lafayette Mill) and a very generous shoulder is provided along both sides of Ten Rod Road, which could easily be improved for better pedestrian and bicycle circulation.
- In March 2005, the town identified a corridor that runs through Lafayette as a potential future site for a bike path from Wickford Junction to Wickford Village.
- Two informal pedestrian/bicycle connections exist to the multi-use path around Belleville Pond from the rear of Lafayette Mill.

- Access to public transit exists within walking distance to the west (RIPTA Route 66 at the Park N' Ride) and to the east (RIPTA Route 14 at the village of Wickford).
- The town recently acquired a key parcel of undeveloped land just to the west of the historic mill complex.

One of the most notable constraints for the Village of Lafayette is its proximity to Wickford Junction, which will continue to absorb much of the retail potential in the area as it continues to mature and evolve after the installation of the commuter rail station. However, the existing buildings in the mill complex maintain a high occupancy rate, most likely due to the historic character of the Village and the unique nature of the small business operations that do not compete with the larger retail chains at Wickford Junction. The scale of the mill building also provides an unusual opportunity to build other large buildings in the area that would not be out of character with the neighborhood.

The Lafayette village core, the historic mill complex, serves as an anchor and identity for the study area, while the parcels just west of the mill complex represent a potential infill/redevelopment opportunity. These parcels have been developed in a somewhat fragmented nature, combining industrial, residential, and medical office use in a less cohesive layout. Moreover, the Town recently acquired a parcel of undeveloped land between the potential future bike path and the medical office building that could significantly add to the development potential in this village. The confluence of a planned bike path, the acquired developable land, and the overall development potential just west of the historic mill suggest that Lafayette may be a viable TDR Receiving Area and deserves further study.

Rolling Greens Golf Course/Bald Hill Nursery

Notable development constraints associated with the Rolling Greens Golf Course/Bald Hill Nursery area include the following.

- Numerous archaeological sites surrounding the Route 4/102 interchange suggest that this area of North Kingstown contains many cultural resources that could serve as an impediment to future development.
- The area lies outside of the Urban Services Boundary established by Land Use 2025, State Guide Plan Element 121.
- Proximity to Wickford Junction suggests that there would be significant market competition for retail operations.
- The majority of the area lies within the town's TDR Sending Area, suggesting that the town is targeting this area for preservation instead of increases in development.

Notable development opportunities associated with the Rolling Greens Golf Course/Bald Hill Nursery area include the following.

- Route 2 South is designated by RIDOT as a 'Most Suitable' roadway (also a signed-shared bike path), with Ten Rod Road designated as a 'Suitable' roadway as per the *Guide to Cycling the Ocean State 2009-10.*
- Access to public transit exists along Ten Rod Road (Route 102) and South County Trail (Route 2) with several RIPTA bus stops throughout the area. Multi-modal opportunities are therefore available to the emerging village, potentially increasing access to the area for residents and visitors not traveling by automobile.
- Many of the parcels in the area are significantly underutilized and could accommodate large amounts of new development.

When assessing the potential of this area for TDR implementation, HW found this area to be the most challenging of the eight potential areas. Our discussion of the area is therefore longer and more detailed than the other seven study areas.

With regard to constraints, it is useful to look at the location of this study area, located between Exeter and Wickford Junction. Route 4 serves as a significant dividing feature in this area of the community, both physically and psychologically, and helps to establish the identity of this study area as "rural," separate and distinct from the retail centers to the east of the highway. This study area has been a strong focus in the community for many years, and many residents and officials agree that one if its most important functions is as a "gateway" to the farms and forested landscapes in the western portion of North Kingstown and all of Exeter.

Although there is ample land available for development, the majority of vacant land located in this study area is within the Town's TDR Sending Area Overlay District. This demonstrates that the town, during the development of its TDR program, identified an opportunity for preservation as one viable choice for the Rolling Greens Golf Course. Also, this area is located outside Statewide Planning's Urban Services Boundary indicating that they feel it is important to steer increases in development away from this area which, by their assessment, is characterized by fewer services and lower levels of infrastructure when compared to an area like Wickford Junction to the east.

Along with the notable opportunities and constraints identified above, it is equally important to understand some of the recent land use discussions and events surrounding this particular study area. Recently, the town passed an amendment to its Future Land Use Map in the Comprehensive Plan, changing a parcel associated with Schartner Farms from "High Density Residential" to "Commercial." Statewide Planning (SWP), in their regular review of these changes (SWP correspondence, 2007 and 2010), suggested that changes to the Comprehensive Plan that provide for increases in allowable development for this area will not be approved by their agency. This change in the town's Future Land Use Map remains in effect by Town Council adoption, but the issue also remains unresolved at the state level.

Central to discussions between the town and SWP regarding increased density in this area is the idea of a clear, cohesive vision for the neighborhood as a whole. As a matter of policy, SWP remains open to promoting growth in new areas not within the Urban Services Boundary when a community has developed a strategic vision for such growth. For example, SWP recently funded a project in the Town of Exeter to develop such a vision for a new growth center in their community. If that project is successful, and a new village center is identified in the Comprehensive Plan, revisions to the Urban Services Boundary will likely occur.

As another example of recent important events, one of the key property owners in the study area has presented a proposal to amend zoning provisions associated with the golf course lands. This proposal would rezone the area as a "mixed use village center" with a potential mix of small to mid-scale commercial operations, recreation, and a blend of townhouse and detached single family residential housing. This proposal demonstrates the perceived marketability and economic potential held by one of the primary land owners in the study area.

In the Rolling Greens/Bald Hill Nursery study area, discussions between the town and SWP, along with the recent proposal for rezoning, are symptomatic of an even broader lack of consensus on what this area should become. For example, in Exeter, as part of the aforementioned ongoing village study, this area is one of seven that were examined as potential "village centers." Although the area was of high interest to those who participated in public discussions, consensus surrounding this gateway neighborhood was not achieved. Exeter, as a result, has turned its attention to other areas in their town. Similarly, in North Kingstown, a clear vision has yet to emerge for this area from within the community as reflected not only in the previously discussed regulatory framework, but also in the built environment. Existing development patterns reflect the lack of a unified vision on many levels with the somewhat fragmented mix of residential, agricultural, recreational, and commercial use. As such, the planning context and foundation that exists in many of the other study areas does not exist here.

A publication commissioned by RIDEM in 2001, the *South County Design Manual*, examined this area with more of a focus on the intersection of Routes 2 and 102, but also looking at some of the land associated with the golf course. The result of this design exercise is probably the most unified concept for the area that exists today. The purpose of this manual was to look at different development models suitable to rural areas in South County, models that are compatible with rural character and provide appropriate density and scale. It is important to note that this example was developed as an academic exercise and did not include any market assessment or public consensus building. The examination of this area in the manual used illustrations to show how a mixed-use center could be designed to capitalize on the rural character of this gateway intersection in a manner that is distinct from regional retail centers. The mixed-use center incorporates several agricultural enterprises and is shown in a compact yet small-scale, conceptual

development. Although very different in architecture and scale, this approach to building identity is similar in philosophy to the way Lafayette distinguishes itself from Wickford Junction through a completely different model in both use and scale.

More than any other area examined for this study, the divergent opinions and concepts associated with the Rolling Greens/Bald Hill Nursery neighborhood create a situation where there is no framework in which to assess the relative importance of various opportunities and constraints. In Lafayette, for example, the presence of the historic mill complex provides a strong identity, both in character and scale, which helps to frame a positive discussion of increased development potential. Conversely, in Saunderstown (discussed below), the scenic character of this quiet rural corridor provides a backdrop against which development constraints become more vivid and TDR, as a tool to increase density, appears misplaced. Like many of the areas examined for this study, the Rolling Greens/Bald Hill Nursery area contains both opportunities and constraints to potential future development—but what it lacks is a clear lens through which to view them. It is important to note that none of the constraints identified in Table 1 for this area are insurmountable, and existing zoning provisions already allow for a mix of housing types (medium and high density) as well as commercial development. Under existing regulations, however, the area is likely to grow in a fragmented fashion, and North Kingstown will miss the opportunity to establish an identity here that is shared across parcel boundaries, intersections, and right-of-ways.

The Town of North Kingstown—in partnership with the Town of Exeter, property owners, and abutters—should determine the appropriate direction for this neighborhood and future land use designations before the application of any regulatory tools like TDR can be considered. The goal of that public process would be to develop a unified direction for growth and/or preservation in the area, one that would then inform amendments to the Comprehensive Plan and the Zoning Ordinance consistent with that vision. That process would occur independently of this TDR-based project and, once complete, this area of the community could potentially benefit from the regulatory tools that will be developed for other study areas. As part of that process, HW recommends that the town continues to study the different development models that could be applied to an area serving as a gateway to rural communities.

Saunderstown

Notable development constraints associated with Saunderstown include the following.

- Several large tracts of vacant land exist in Saunderstown, yet, the presence of hydrologic constraints, compounded with the town's Sending Area Overlay District (parcels of land prioritized for preservation as part of the Town's TDR program) limit the available land suitable for development.

- From the perspective of infrastructure, Saunderstown is completely outside the Town's Water Service Area, which indicates that centralized water service to both residents and businesses is unavailable.
- Consistent with the Future Land Use map within the Comprehensive Plan, Zoning Ordinance provisions preclude any village pattern, or mixed-use development that would serve as a foundation for TDR implementation.
- The character of Saunderstown is one of the more firmly established compared to areas in this overall study and consists very much of rural, low-density development.

Notable development opportunities in Saunderstown include the following.

- The limit of the statewide Urban Services Boundary established by *Land Use 2025*, State Guide Plan Element 121 encompasses the Village.
- Boston Neck Road is designated by RIDOT as a 'Most Suitable' roadway as per the *Guide to Cycling the Ocean State 2009-10* (also a signed-shared bike path).
- Limited RIPTA Route 14 bus service runs along Boston Neck Road, with multiple stops throughout, providing access for residents to multi-modal transportation alternatives.

Saunderstown contains some significant development constraints in the form of the existing Comprehensive Plan and Zoning framework, which indicate that the town has not in any way identified this area for growth in spite of it being located inside the state designated Urban Services Boundary. Coupled with the presence of the Sending Area Overlay District on key agricultural lands, the local regulatory framework weighs significantly on whether this area should receive further study. The regulatory framework reflects perhaps the most significant constraint associated with Saunderstown, which is its strong identity as a small-scale urban village. The quiet, dispersed nature of this village is characterized by agricultural and natural landscapes along a stretch of Boston Neck Road that serves as a classic scenic rural corridor. Unlike Hamilton, which serves as a model for village "restoration or revitalization," Saunderstown serves as a model for "maintenance and preservation." HW does not, therefore, recommend that this area receive further study as a potential TDR Receiving Area. We do, however, recommend that the town revisit the Comprehensive Plan and the Zoning Ordinance to ensure that the limited commercial and institutional uses across from Ferry Road are protected and can legally continue their current use.

Wickford Junction

Notable development constraints associated with Wickford Junction include the following.

- A large Narragansett Electric easement runs from the Village of Allenton to a substation coincidental with the existing Wickford Junction Plaza entrance on Ten

Rod Road, potentially impacting the development of parcels and circulation patterns to the south of Ten Rod Road.
- The presence of RIDEM-regulated wetlands, FEMA flood zones, and the Town's Steep Slope Overlay limit the amount of land that can be realistically developed.
- Although the land is underutilized within many of these shopping areas, existing operations are successful and may delay efforts for wholesale or even incremental redevelopment.

Notable development opportunities associated with Wickford Junction include the following.

- Vacant land available for development exists within Wickford Junction Plaza, and areas west and east of the plaza. However, the presence of RIDEM-regulated wetlands, FEMA flood zones, and the Town's Steep Slope Overlay limit the amount of land that can be realistically developed.
- Public amenities exist within the plaza (amphitheater/park), and the site has access to surrounding amenities including Feurer Park, and the abandoned rail line (the informal trailhead).
- The presence of sidewalks reinforces the pedestrian-scale and connectivity within the plaza, and leading out into the community.
- Ten Rod Road is designated by RIDOT as a 'Suitable' roadway as per the *Guide to Cycling the Ocean State 2009-10.* RIPTA Route 66 bus service is available west of the plaza at the Route 2/102 Park N' Ride.
- Construction for an MBTA station within the plaza began recently, with an estimated completion date of spring 2012.

Wickford Junction is the largest and most highly developed of the study areas examined for this project. The most obvious driving factor behind future development patterns is the upcoming commuter rail station located in the southern end of the largest shopping plaza. Wickford Junction is already well-entrenched as a retail center for the region, and the addition of a commuter rail station only further expands development opportunities. With the addition of high volumes of commuter traffic, a localized housing market, demand for office space, and more service-oriented establishments are likely to emerge, potentially transforming an auto-oriented retail center into a transit-oriented development with a high diversity of uses. HW therefore recommends that this study area be considered as a potential TDR Receiving Area in the next phase of this project.

Wickford Village

Notable development constraints associated with Wickford Village include the following.

- Wickford Village character is strongly established with picturesque waterfront streets lined with galleries, antique shops, restaurants, and cafes situated amongst historic churches, colonial homes, and gardens. The architectural and historic

fabric of the community makes it difficult to consider significant increases in density.
- The presence of flood zones, wetlands, high water tables, and other hydrologic constraints serve as a significant impediment to future development or expansion, particularly when considering wastewater disposal.

Notable development opportunities associated with Wickford Village include the following.

- Portions of Wilson Park (part of the former Sea View Railroad) are designated by RIDOT as 'Suitable' roadways as per the *Guide to Cycling the Ocean State 2009-10,* and is accessible from within the park to Intrepid Drive at the intersection of Post Road.
- Sidewalks and crosswalks exist throughout the Village, which reinforce its pedestrian scale.
- RIPTA Route 14 extends along Phillips Street along the perimeter of the Village.
- Wickford Village is a well-established tourist destination and maintains a fairly resilient market demand for goods and services.
- The town continues to invest in planning/feasibility studies for bicycle path development that would link the Village to locations like Quonset and Wickford Junction.

Wickford Village is perhaps one of the most easily recognizable villages in the State of Rhode Island, with several iconic buildings and streetscapes set against a scenic waterfront vista. When considering the application of TDR incentives to the area, it is hard to imagine where increases in density could be placed, which buildings would be redeveloped, and how significant additions to the Village could be accommodated without significantly changing the unique character. Beyond issues of village character, Wickford Village is perhaps the most environmentally constrained study area in this project. While its location on the waterfront contributes to its marketability and aesthetic appeal, it also serves as an enormous challenge for managing flood impacts and providing for the disposal of wastewater where high water tables require sophisticated and expensive engineered solutions. Although very different in character from Saunderstown, HW strongly suggests that the same approach of "maintenance and preservation" applies to Wickford Village, and that further study of TDR application is not appropriate.

V. SUMMARY OF RECOMMENDATIONS

As a result of the quantitative and qualitative assessments performed as part of this first phase of the project, HW provides the following recommendations for the eight initial study areas.

Study Area	Recommended for Further TDR Study?	Other HW Recommendations
Allenton	Yes	NA
Davisville	No	The Town should continue efforts to strengthen Davisville and look for opportunities to better connect the northern and southern areas of the Village.
Hamilton	Yes	NA
Lafayette	Yes	NA
Rolling Greens/ Bald Hill Nursery	No*	The Town of North Kingstown, with input from the Town of Exeter, property owners and abutters, should determine the appropriate direction for this area through public discourse. The town should continue to research and study different models of rural development that may be appropriate to this area of the community as part of that public process.
Saunderstown	No	The town should look for ways to maintain and preserve the character of this village including examining inconsistencies with the current Comprehensive Plan/Zoning Ordinance and the small pocket of commercial and institutional land uses that exist today.
Wickford Junction	Yes	NA
Wickford Village	No	The town should continue its efforts to maintain and preserve the identity of Wickford Village and look for public investment opportunities that will strengthen the Village as a cultural resource and tourist destination.

*Depending on the outcome of the recommended public process, TDR application may be appropriate to this area.

VI. NEXT STEPS

With four of the eight potential villages selected for further TDR implementation, HW will continue into the second phase of the study. This phase will involve the following technical elements and will be accompanied by a public process designed to solicit input for each of the four recommended study areas:

A. Appropriate TDR Incentives

This exercise was performed as part of HW's work with the Town on the Post Road District and represents an essential piece of a successful TDR program. The analyses developed for this Task compare the relative costs of building in the "Sending Areas" of town, with the same costs associated with a particular village development area. Because the development rights of single family homes will be used to create multi-family units, the relative real estate values and unit development costs in each area must be understood from the developer's point of view. In short, the transaction needs to be "worth it" from the perspective of the developer's bottom line. The final product of the analysis is the "TDR transfer ratio," which identifies how many multi-unit residences should be awarded as a bonus for preserving land that would otherwise hold a single-family home.

As discussed earlier, the transfer ratios associated with the Post Road District are very aggressive and were designed to facilitate the development of highly dense, mixed use environments. These incentives may not be applicable to the four selected study areas and HW will recommend adjustments of this model as appropriate. HW may also recommend the application of the "Up-Zoning," "Same District," or other TDR models depending on the unique conditions associated with each study area.

B. Development Design Analyses

This piece of the study will help residents and business owners visualize appropriately-scaled, well-designed growth in the study areas best suited for development. HW will develop presentations to illustrate the existing design elements that help to inform the identity of each village and then translate these into various scenarios that show the application of different TDR models. Physical elements that will be presented in public meetings include:

- Circulation for pedestrians, bicyclists, and automobiles;
- Parking management and design;
- Streetscape design and other public spaces;
- The size and scale of buildings; and
- Basic architectural design elements.

C. Infrastructure Needs for Village Centers

Once the community has a firm grasp of the levels of development that can be anticipated in each study area, HW will assess the specific infrastructure needs related to these areas. The availability of water supply, the capacity of the area to handle wastewater disposal, roadway design, pedestrian amenities, and drainage infrastructure will each be reviewed to determine whether existing infrastructure can meet the needs of future growth. Where gaps in existing infrastructure capacity and future needs exist, HW will identify measures that could be handled on the "private side" of new development, and issues that may need to be addressed by the Town.

D. Village Ordinances and Regulations

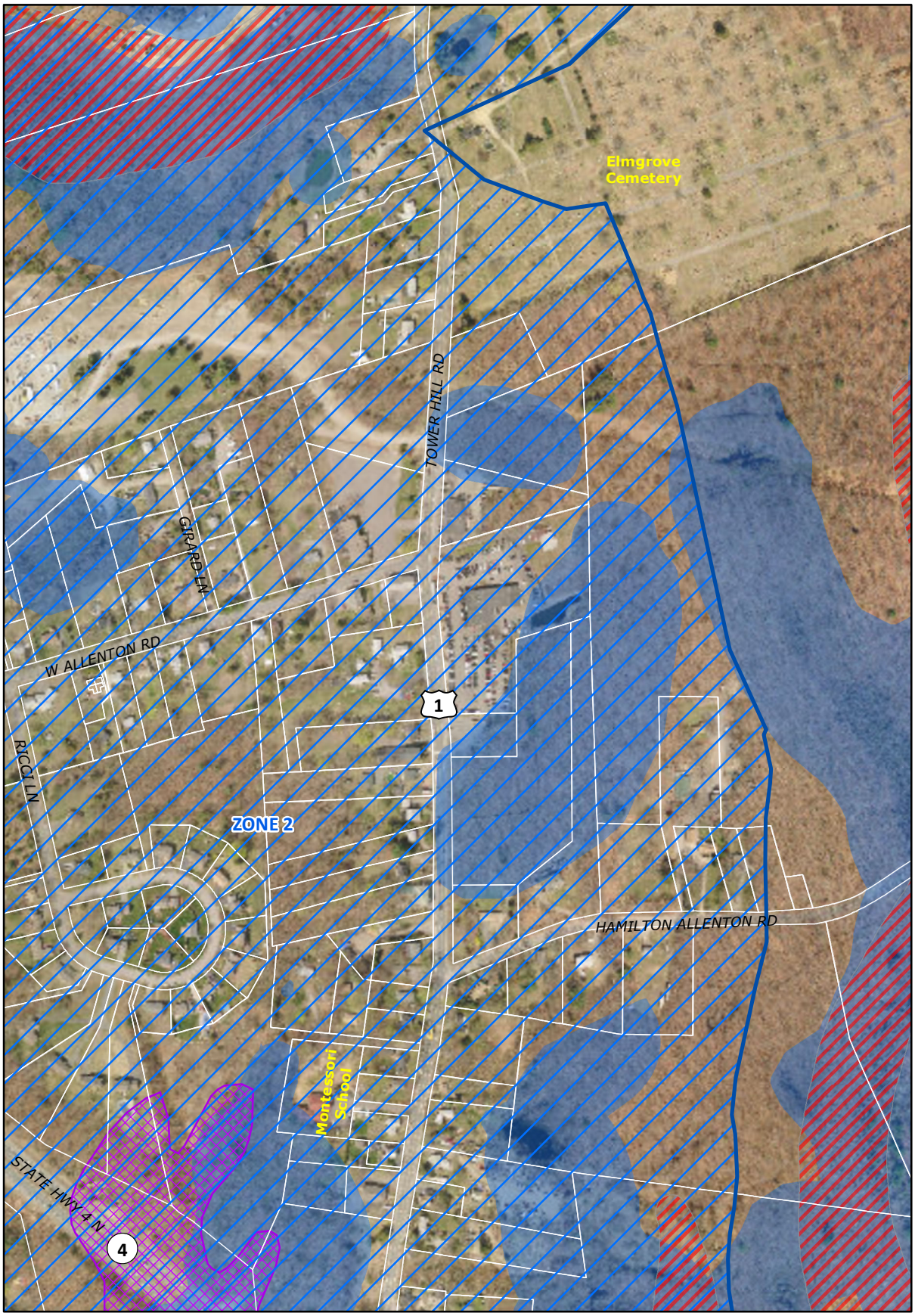
As the final product for the project, HW will provide a complete and final draft of all ordinance and regulation language required to enable new development in the selected study areas. Where necessary, HW will also develop amendments to the Comprehensive Plan that reflect the development goals emerging from the project along with an amended, official Zoning Map to be adopted by Town Council.

Appendix A: Opportunities and Constraints Mapping for Each Study Area

Allenton Maps

Town of North Kingstown

Allenton & Environs
- Environmental Constraints



Legend

- Parcels (as of 12/31/2010)
- Groundwater Protection Area (Zone 1)
- Groundwater Protection Area (Zone 2)
- Hydrologic Constraints
- Flood Zones (A and V)
- Slopes > 15% (per Soils mapping)
- Natural Heritage Area

0 500 Feet

For general planning purposes only. Data sourced from Town of North Kingstown Planning & IT Departments and RIGIS. Pictometry Licensed Imagery (2008 - RI E911). This map is not intended as a site or survey plan.

Mapping and Planning Services
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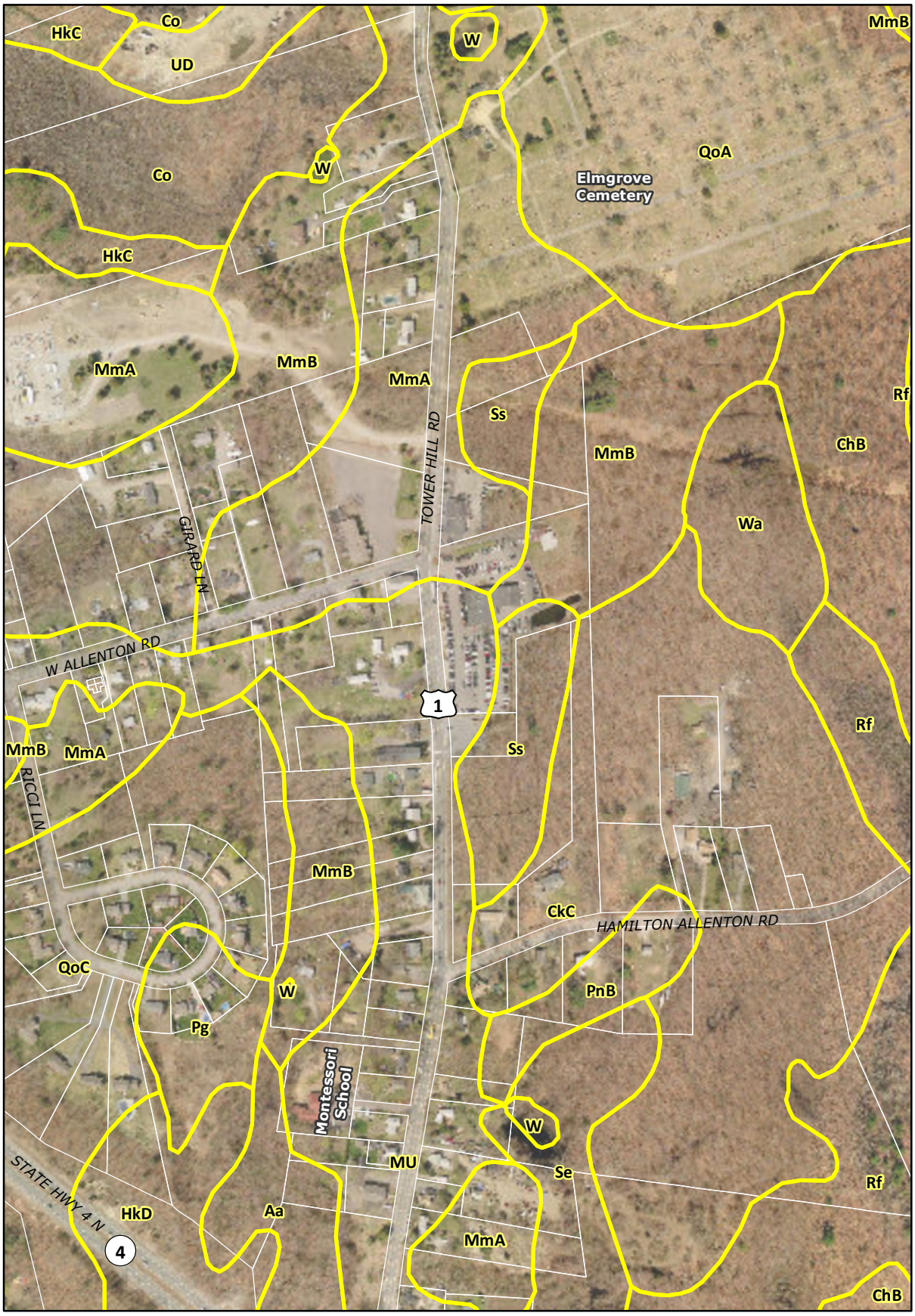
Town of North Kingstown

Allenton & Environs
- Soil Constraints



Legend

- Parcels (as of 12/31/2010)
- Soils (from 2010 USDA/NRCS SSURGO soils)

0 500 Feet

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Mapping and Planning Services
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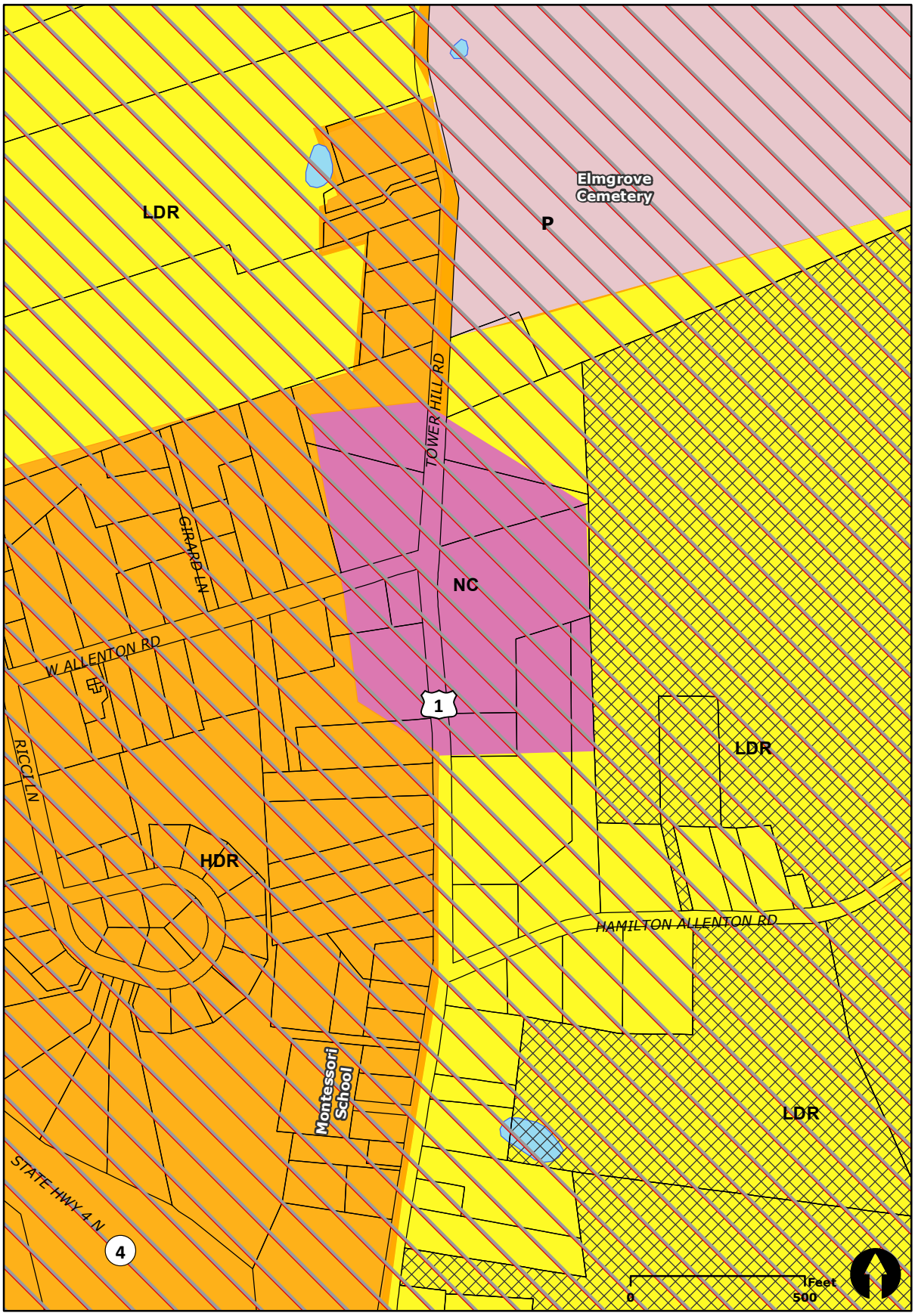
Town of North Kingstown

Allenton & Environs
-- Regulatory & Planning Opportunities



FUTURE LAND USE MAP INCLUDES ALL AMENDMENTS AS OF MARCH 1, 2011

- High Density Residential
- Medium Density Residential
- Low Density Residential
- Very Low Density Residential
- High Density Mixed Use
- Neighborhood Commercial
- Commercial
- Planned Village District
- Quonset Mixed Use
- Waterfront Commercial
- Waterfront Industrial
- Light Industrial
- General Industrial
- Public
- Open Space
- Airport
- Corporate Compound
- Quonset Future ROW
- RI Urban Services Boundary (2006-2025)
- Parcels (as of 12/31/2010)
- TDR Sending Area
- Ponds

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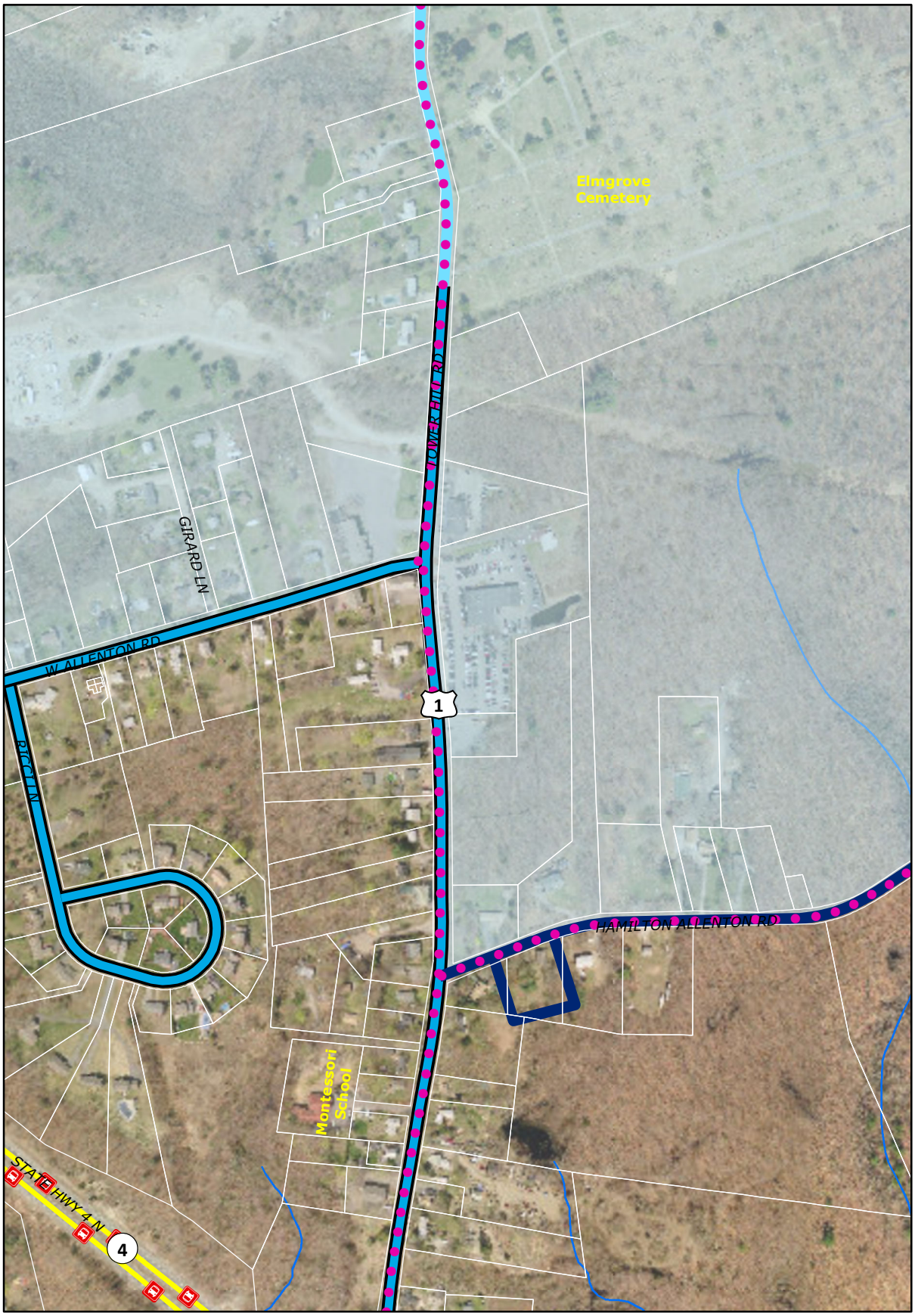
Mapping and Planning Services MH 3/2011

Town of North Kingstown

Allenton & Environs
- Infrastructure & Transportation Resources



Legend

- Parcels (as of 12/31/2010)
- Public Water Service Area
- Low Service Water Pipeline
- High Service Water Pipeline
- Saunderstown Service Water Pipeline
- Scenic Roadways Candidates
- RIPTA Bus Stops (as of 1/2011)
- RIPTA Bus Routes (as of 1/2011)
- Railway
- Electric Transmission Line

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Mapping and Planning Services
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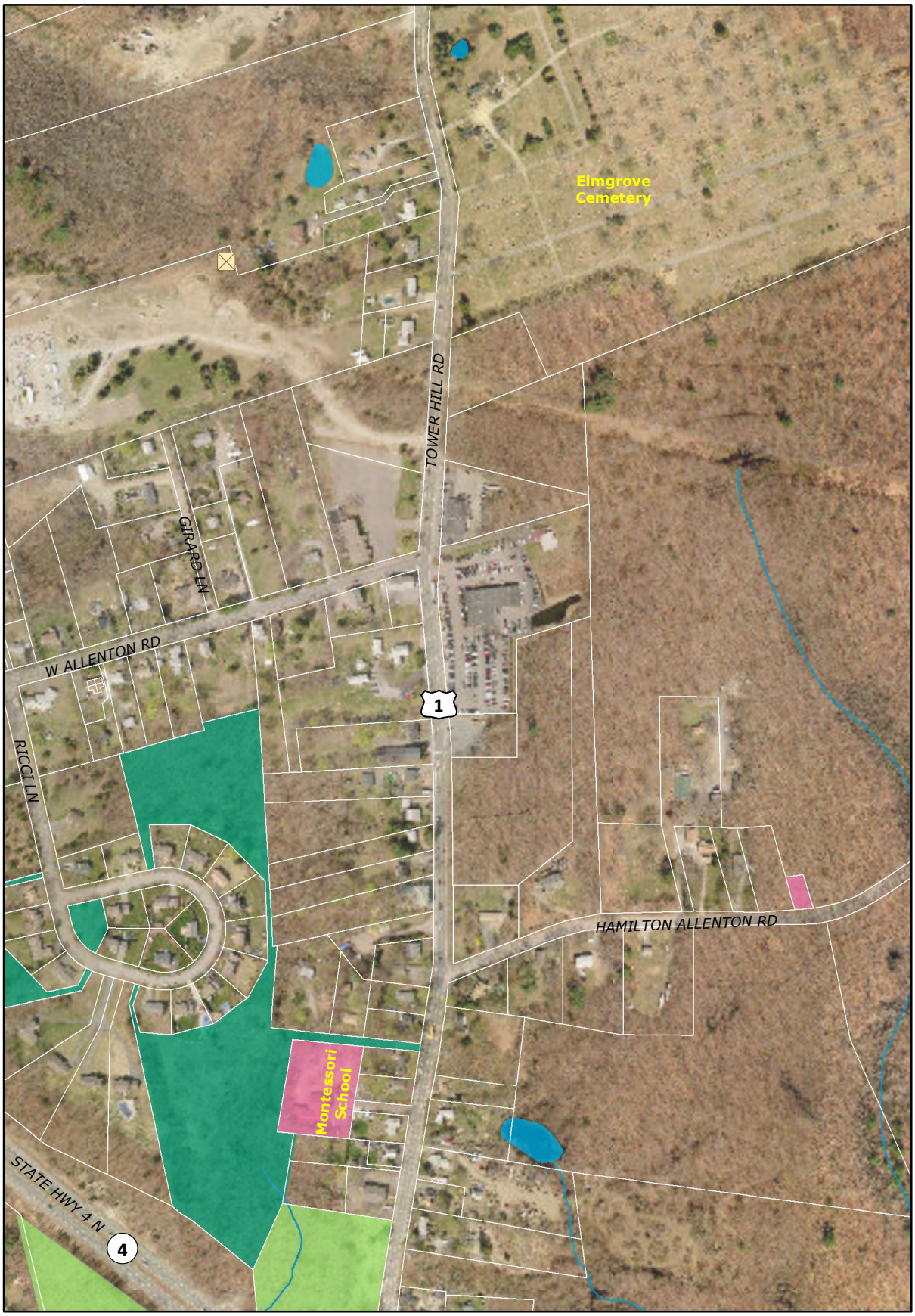
Town of North Kingstown

Allenton & Environs
- Cultural, Open Space & Recreational Resources



Legend

- Parcels (as of 12/31/2010)
- National Register Historic District
- Archaeological Sites (approx.)
- Historic Sites
- Town Property
- State Open Space Conservation Area
- Cluster or Compound Open Space
- Ponds
- Existing Bicycle Path (Signed Shared Roadway)

0 500 Feet

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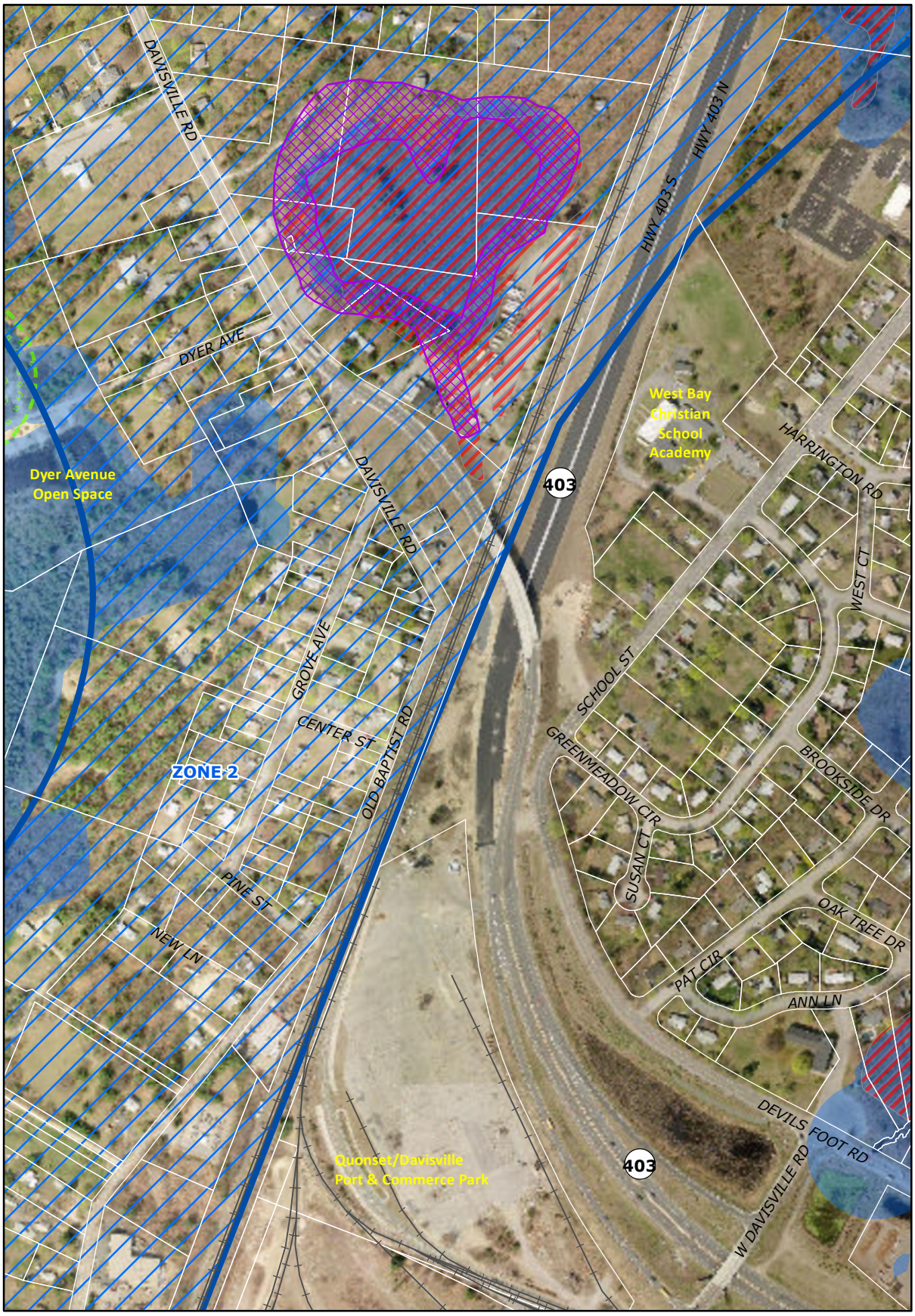
Mapping and Planning Services
MH 3/2011

Davisville Maps

Town of North Kingstown

Davisville & Environs
- Environmental Constraints



Legend

- Parcels (as of 12/31/2010)
- Groundwater Protection Area (Zone 1)
- Groundwater Protection Area (Zone 2)
- Hydrologic Constraints
- Flood Zones (A and V)
- Slopes > 15% (per Soils mapping)
- Natural Heritage Area

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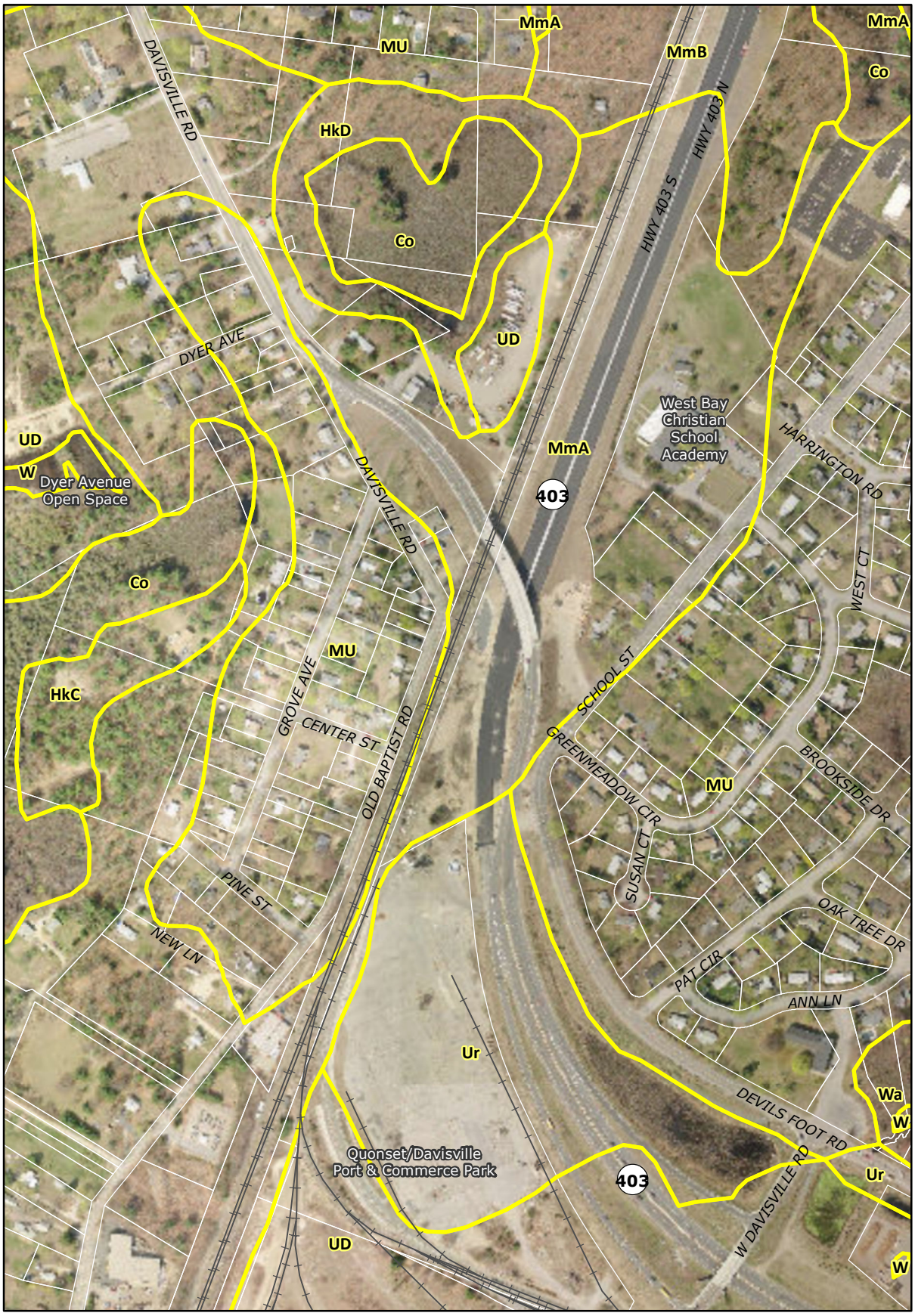
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Davisville & Environs
- Soil Constraints



Legend

- Parcels (as of 12/31/2010)
- Soils (from 2010 USDA/NRCS SSURGO soils)

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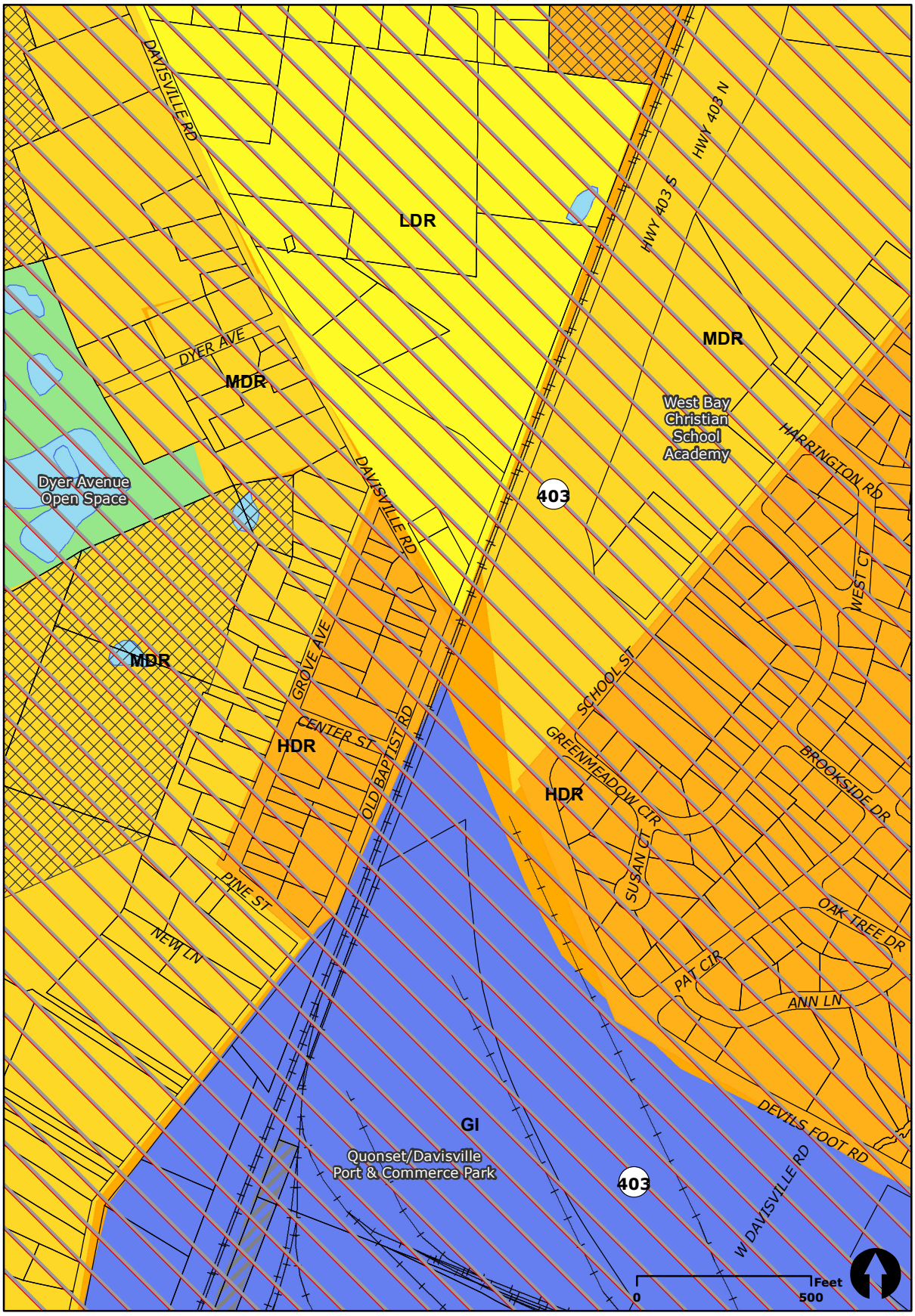
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Davisville & Environs
-- Regulatory & Planning Opportunities



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- Commercial
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- Waterfront Industrial
- Light Industrial
- General Industrial
- Public
- Open Space
- Airport
- Corporate Compound
- Quonset Future ROW
- RI Urban Services Boundary (2006-2025)
- Parcels (as of 12/31/2010)
- TDR Sending Area
- Ponds

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Mapping and Planning Services MH 3/2011

Town of North Kingstown

Davisville & Environs
- Infrastructure & Transportation Resources

Legend

- Parcels (as of 12/31/2010)
- Public Water Service Area
- Low Service Water Pipeline
- High Service Water Pipeline
- Saunderstown Service Water Pipeline
- Scenic Roadways Candidates
- RIPTA Bus Stops (as of 1/2011)
- RIPTA Bus Routes (as of 1/2011)
- Railway
- Electric Transmission Line

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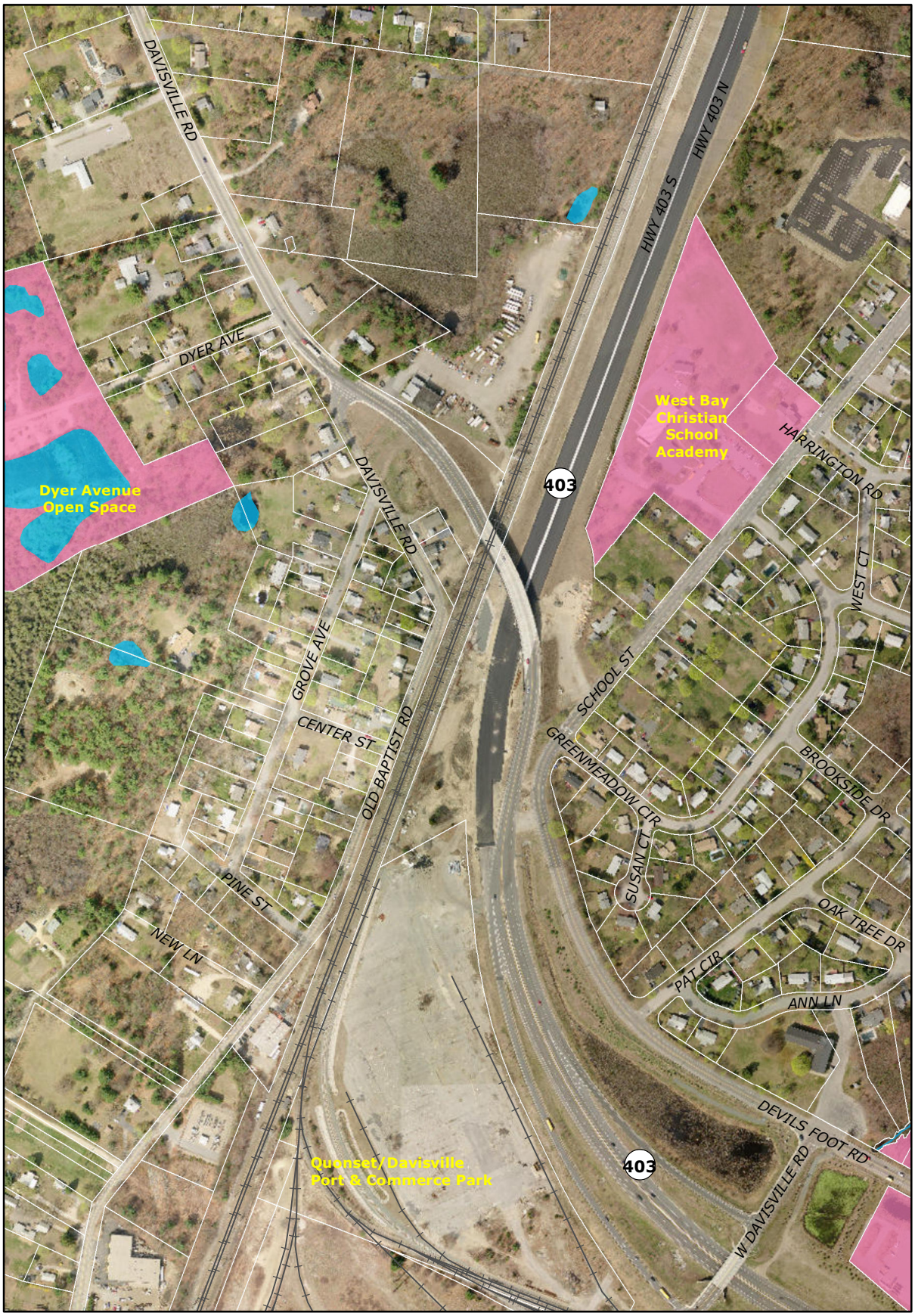
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Davisville & Environs
- Cultural, Open Space & Recreational Resources



Legend

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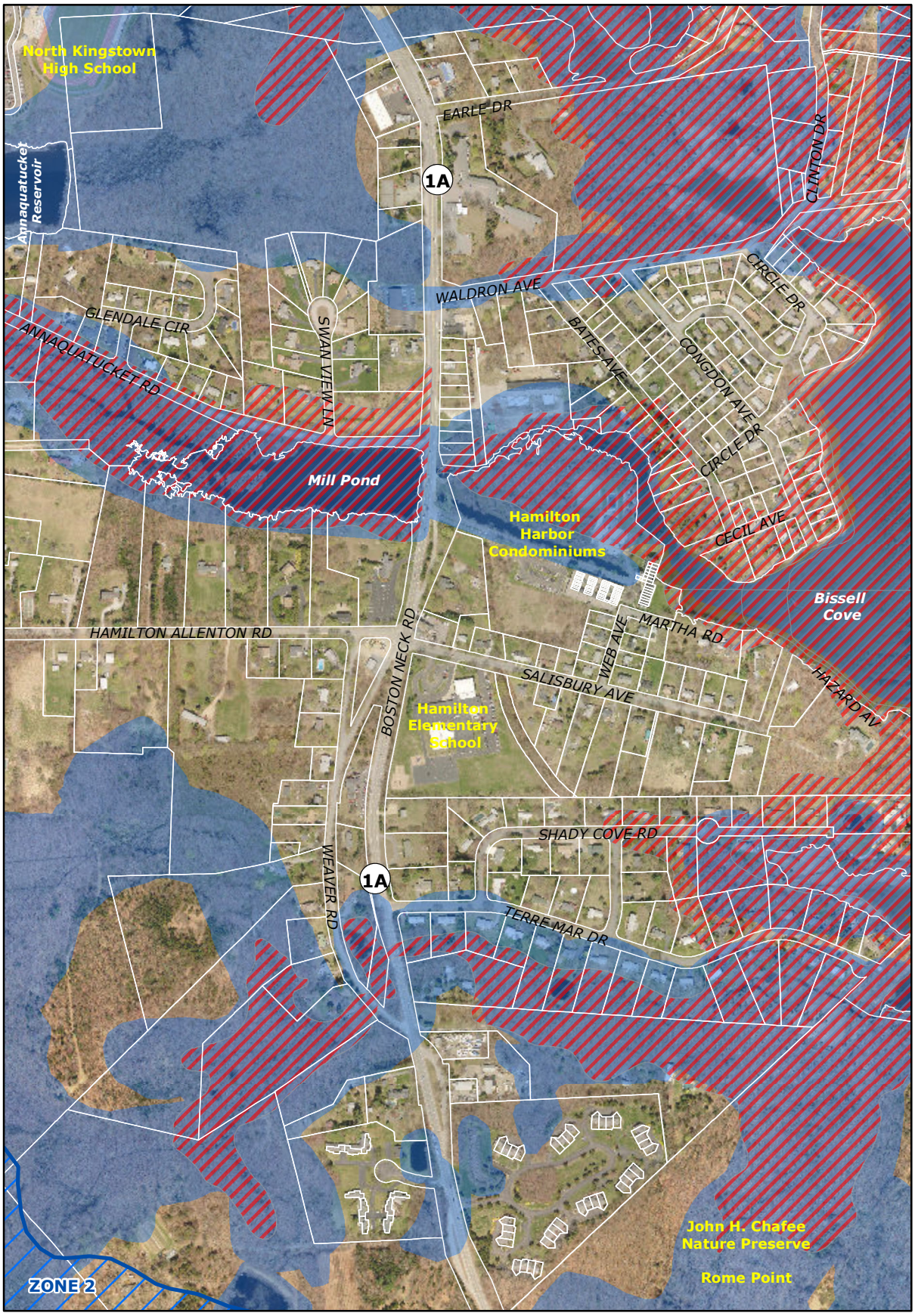
Mapping and Planning Services
MH 3/2011

Hamilton Maps

Town of North Kingstown

Hamilton & Environs
- Environmental Constraints



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- Groundwater Protection Area (Zone 2)
- Hydrologic Constraints
- Flood Zones (A and V)
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- Natural Heritage Area

0 750 Feet

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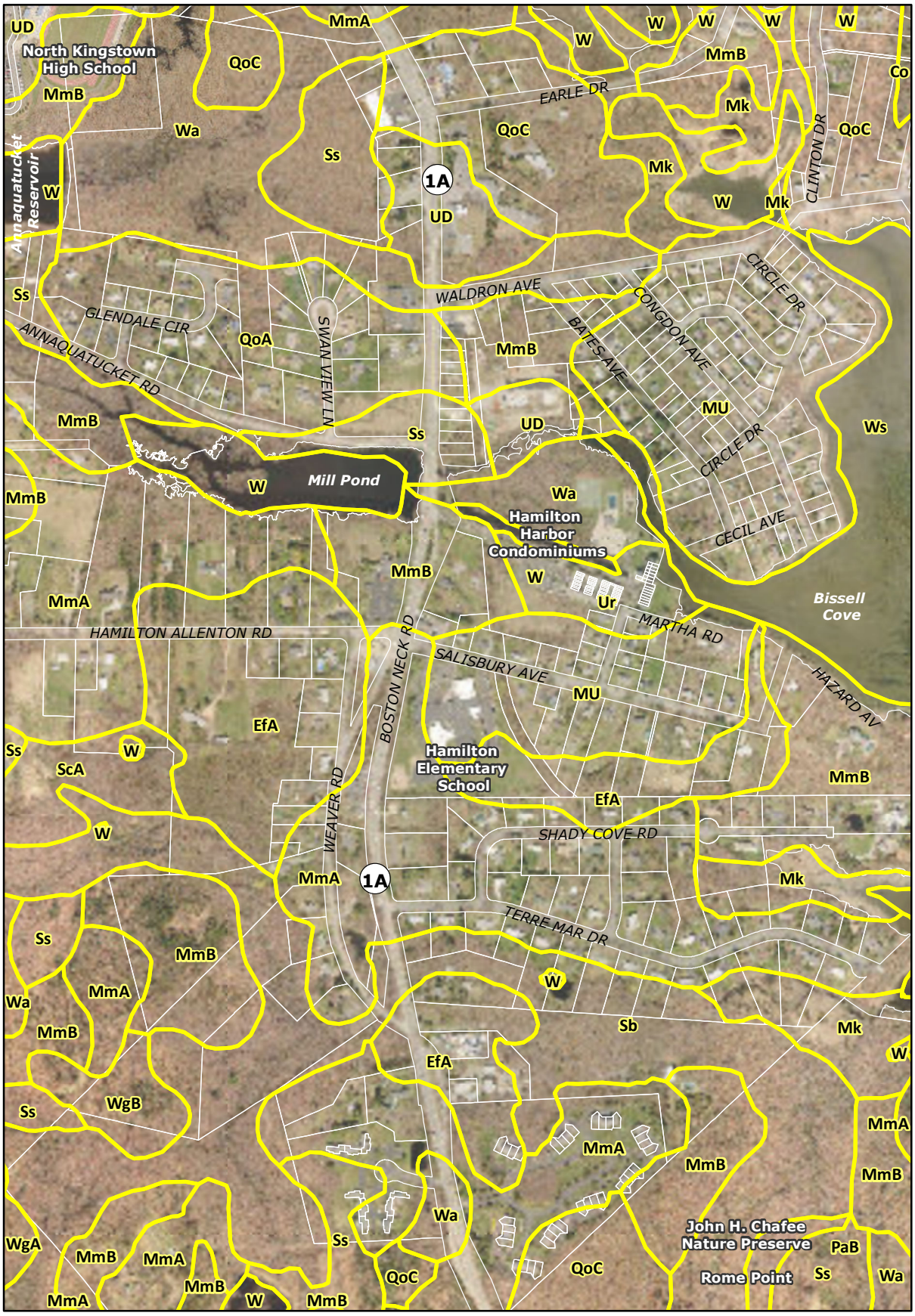
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Hamilton & Environs
- Soil Constraints



Legend

- Parcels (as of 12/31/2010)
- Soils (from 2010 USDA/NRCS SSURGO soils)

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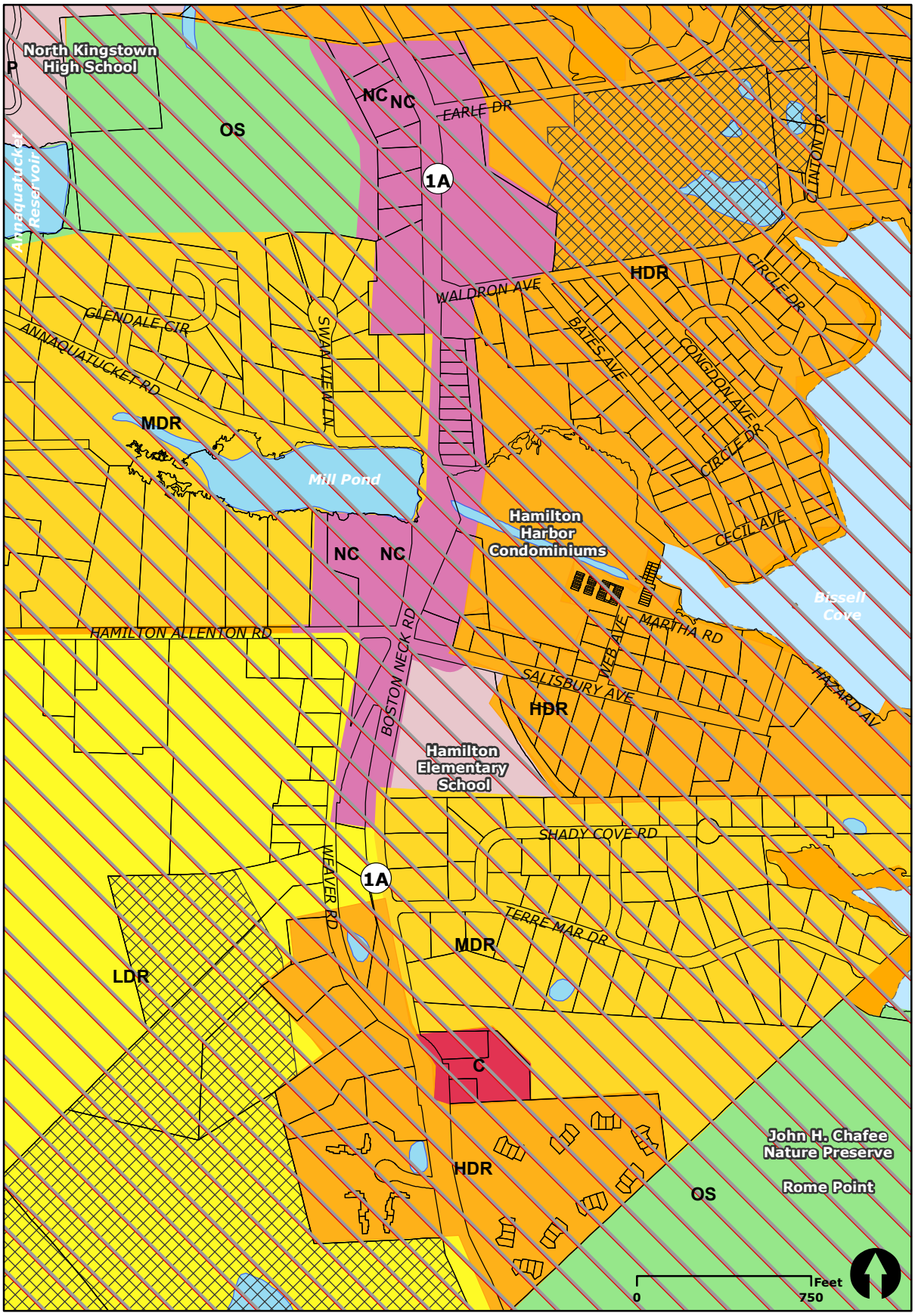
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Hamilton & Environs
-- Regulatory & Planning Opportunities



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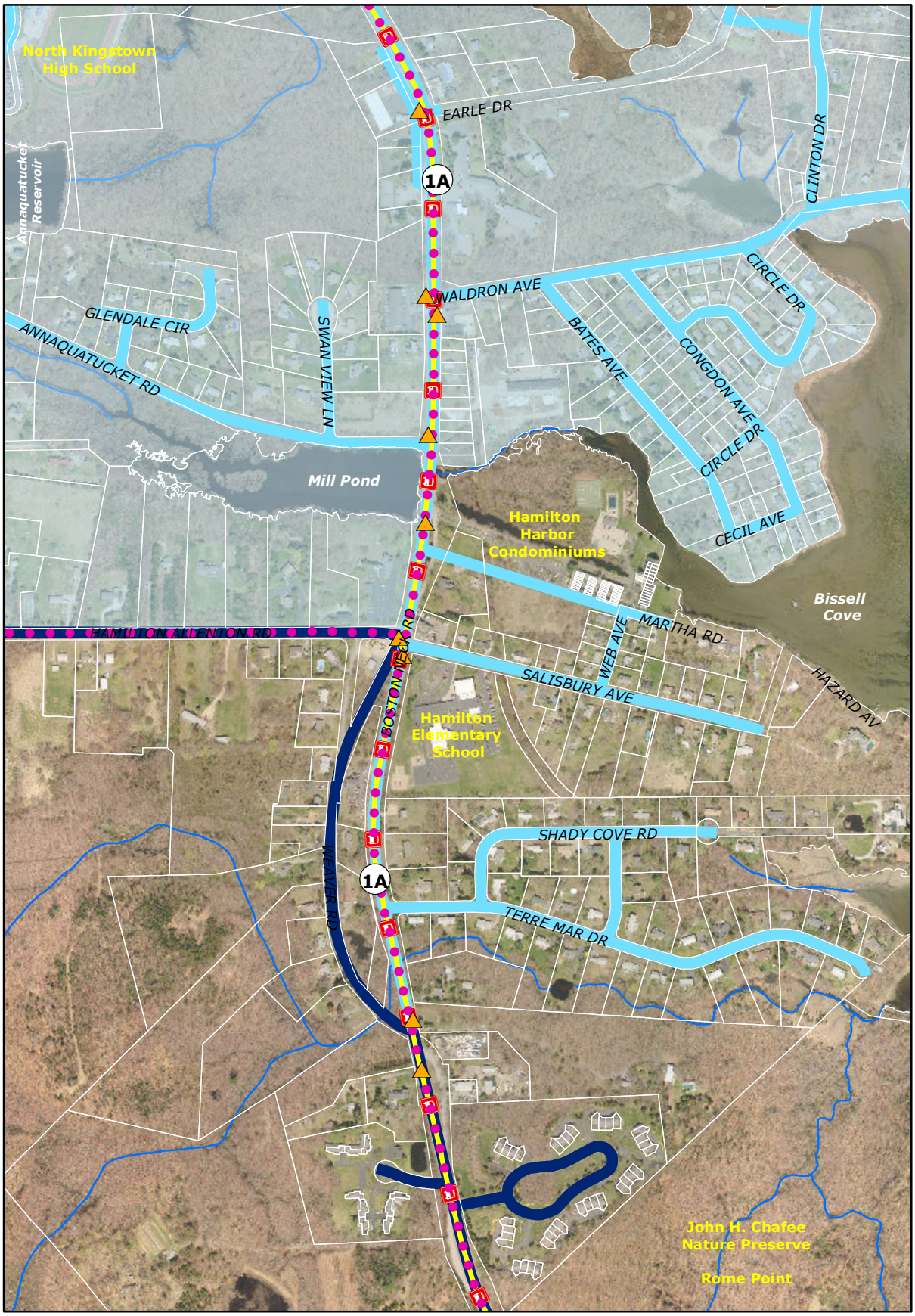
Mapping and Planning Services MH 3/2011

Town of North Kingstown

Hamilton & Environs
- Infrastructure & Transportation Resources



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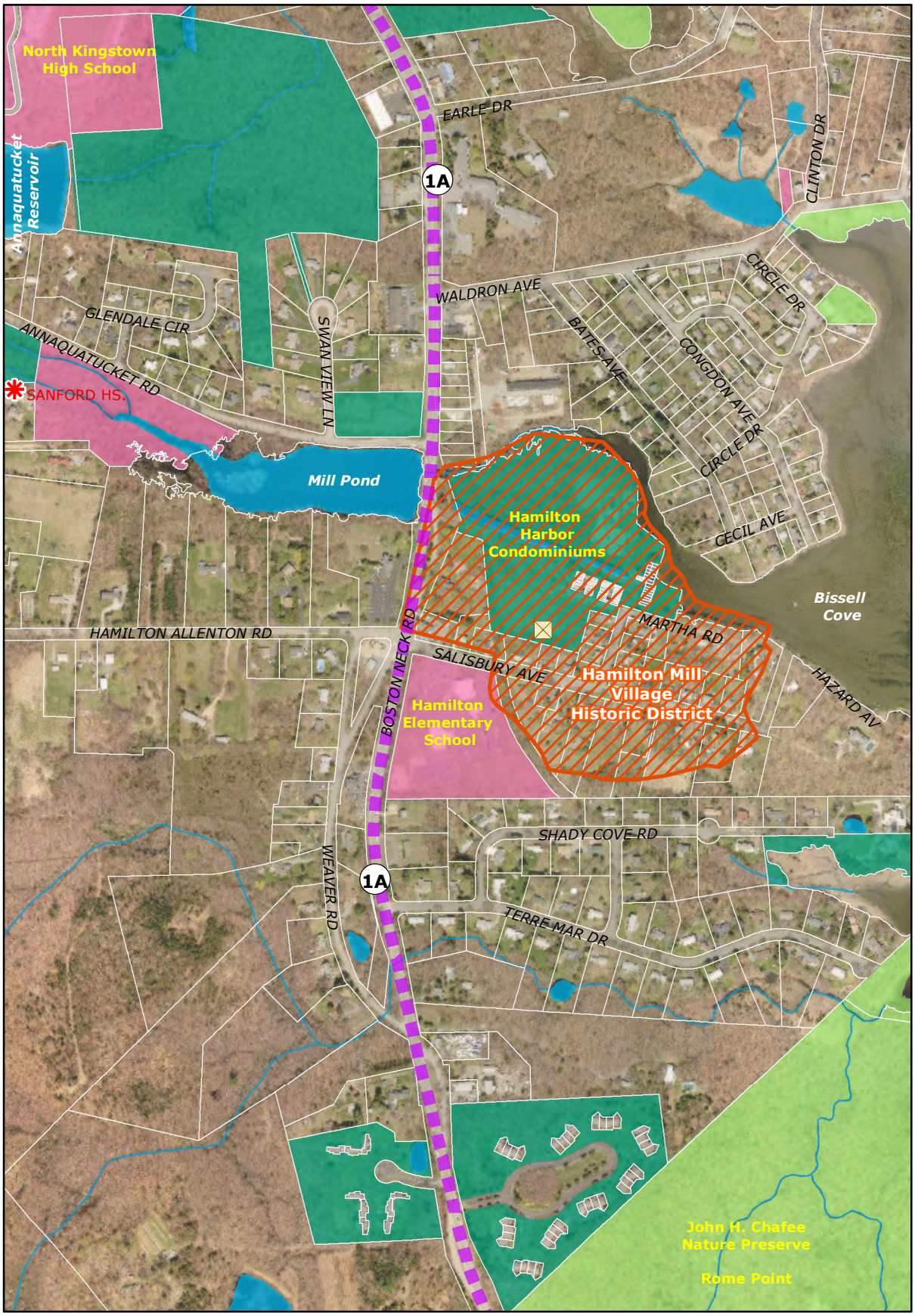
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Hamilton & Environs
- Cultural, Open Space & Recreational Resources



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- Town Property
- State Open Space Conservation Area
- Cluster or Compound Open Space
- Ponds
- Existing Bicycle Path (Signed Shared Roadway)

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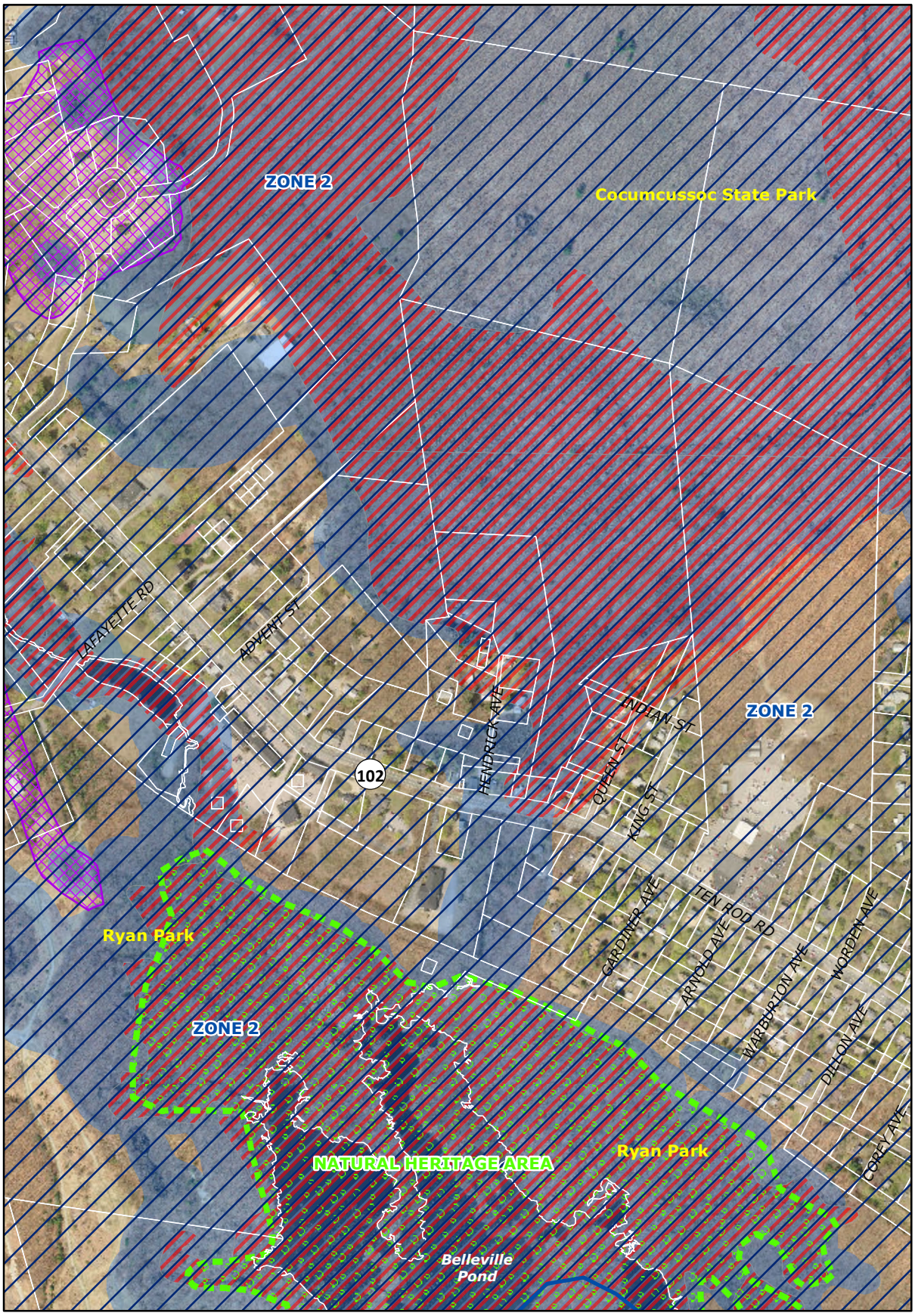
Mapping and Planning Services
MH 3/2011

Lafayette Maps

Town of North Kingstown

Lafayette & Environs
- Environmental Constraints



Legend

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- Groundwater Protection Area (Zone 2)
- Hydrologic Constraints
- Flood Zones (A and V)
- Slopes > 15% (per Soils mapping)
- Natural Heritage Area

0 750 Feet

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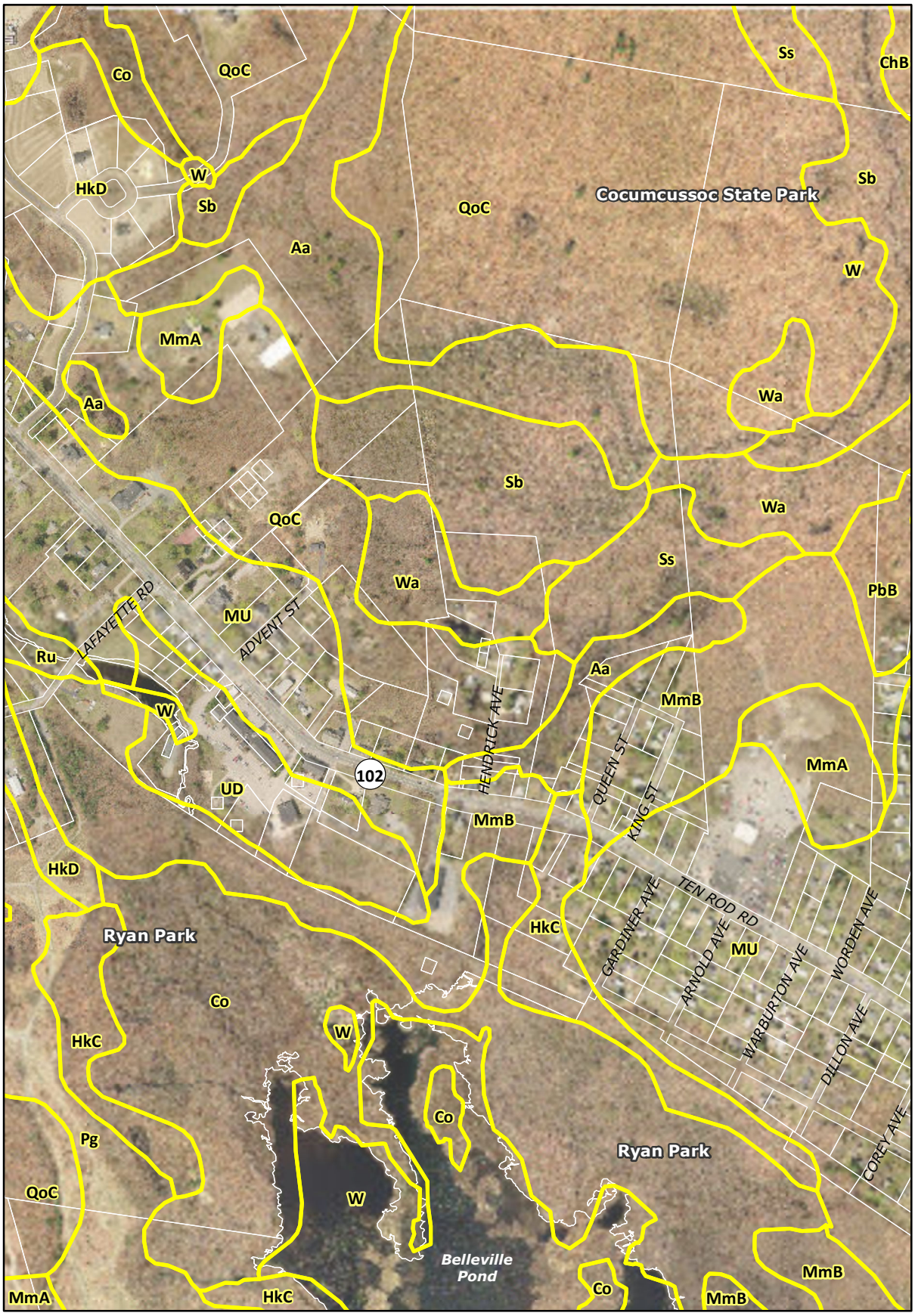
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Lafayette & Environs
- Soil Constraints



Legend

Parcels (as of 12/31/2010)

Soils (from 2010 USDA/NRCS SSURGO soils)

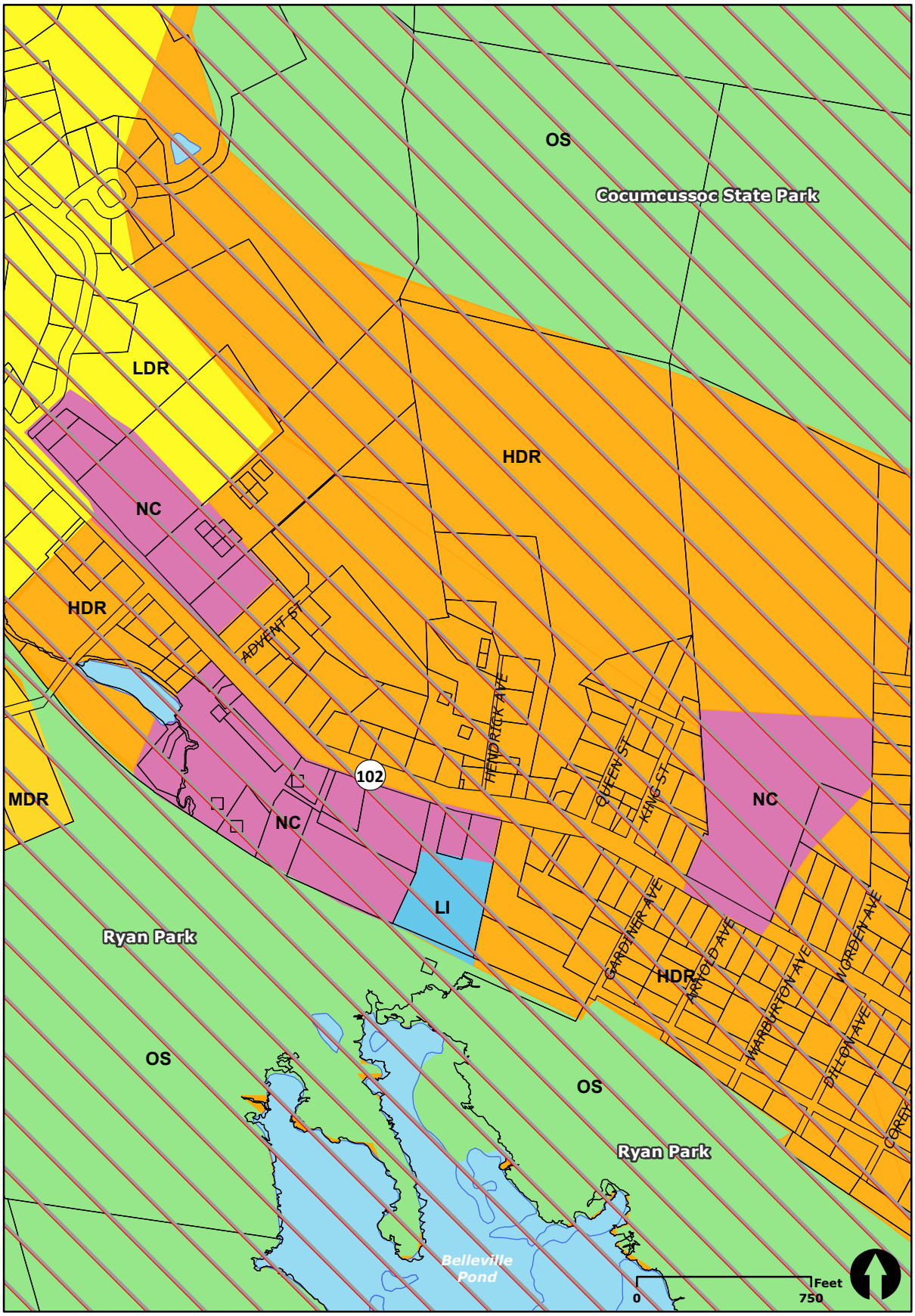
0 750 Feet

For general planning purposes only. Data sourced from Town of North Kingstown Planning & IT Departments and RIGIS. Pictometry Licensed Imagery (2008 - RI E911). This map is not intended as a site or survey plan.

Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Lafayette & Environs
-- Regulatory & Planning Opportunities



FUTURE LAND USE MAP INCLUDES ALL AMENDMENTS AS OF MARCH 1, 2011

- High Density Residential
- Medium Density Residential
- Low Density Residential
- Very Low Density Residential
- High Density Mixed Use
- Neighborhood Commercial
- Commercial
- Planned Village District
- Quonset Mixed Use
- Waterfront Commercial
- Waterfront Industrial
- Light Industrial
- General Industrial
- Public
- Open Space
- Airport
- Corporate Compound
- Quonset Future ROW

- RI Urban Services Boundary (2006-2025)
- Parcels (as of 12/31/2010)
- TDR Sending Area
- Ponds

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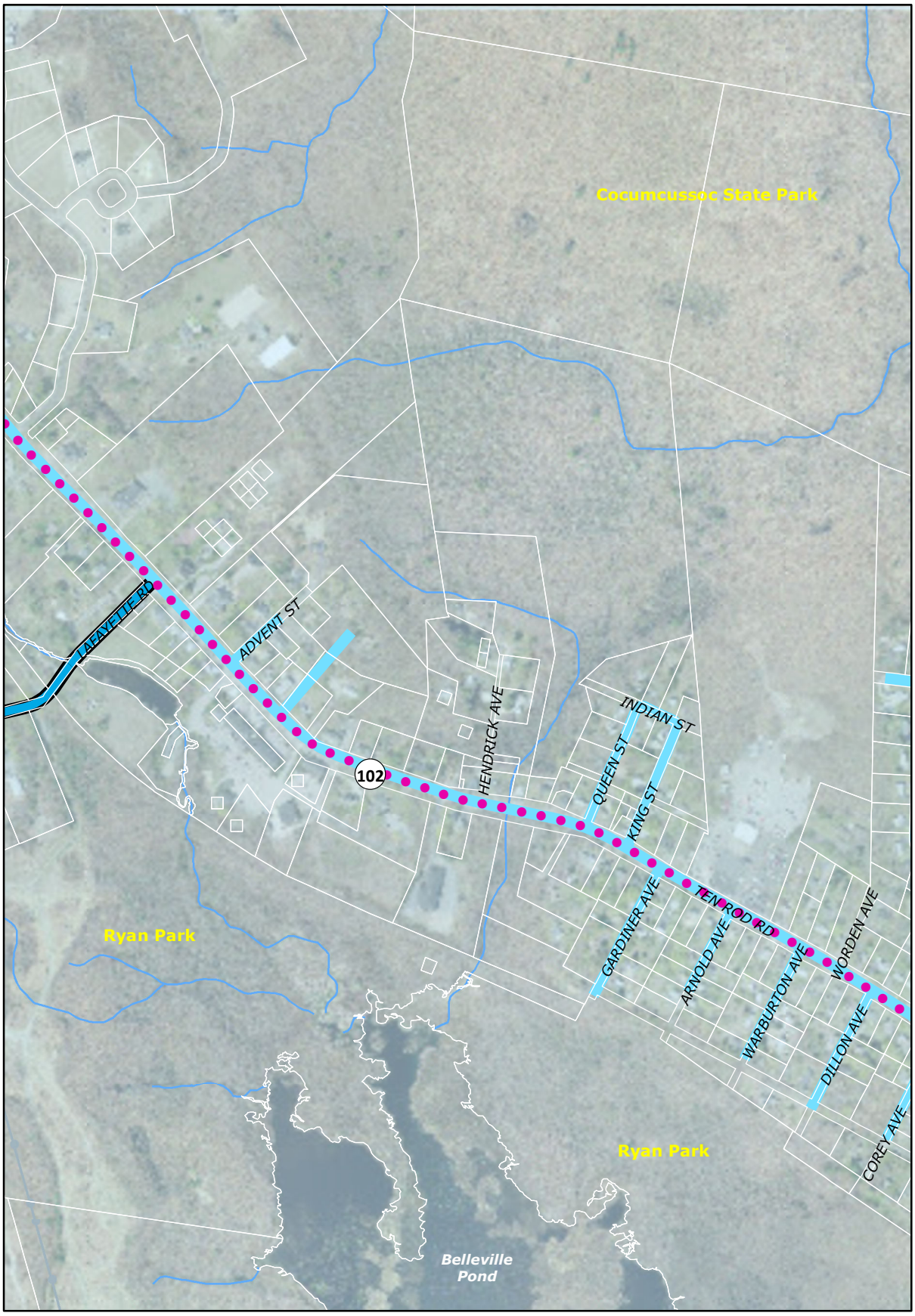
Mapping and Planning Services MH 3/2011

Town of North Kingstown

Lafayette & Environs
- Infrastructure & Transportation Resources



Legend

- Parcels (as of 12/31/2010)
- Public Water Service Area
- Low Service Water Pipeline
- High Service Water Pipeline
- Saunderstown Service Water Pipeline
- Scenic Roadways Candidates
- RIPTA Bus Stops (as of 1/2011)
- RIPTA Bus Routes (as of 1/2011)
- Railway
- Electric Transmission Line

0 750 Feet

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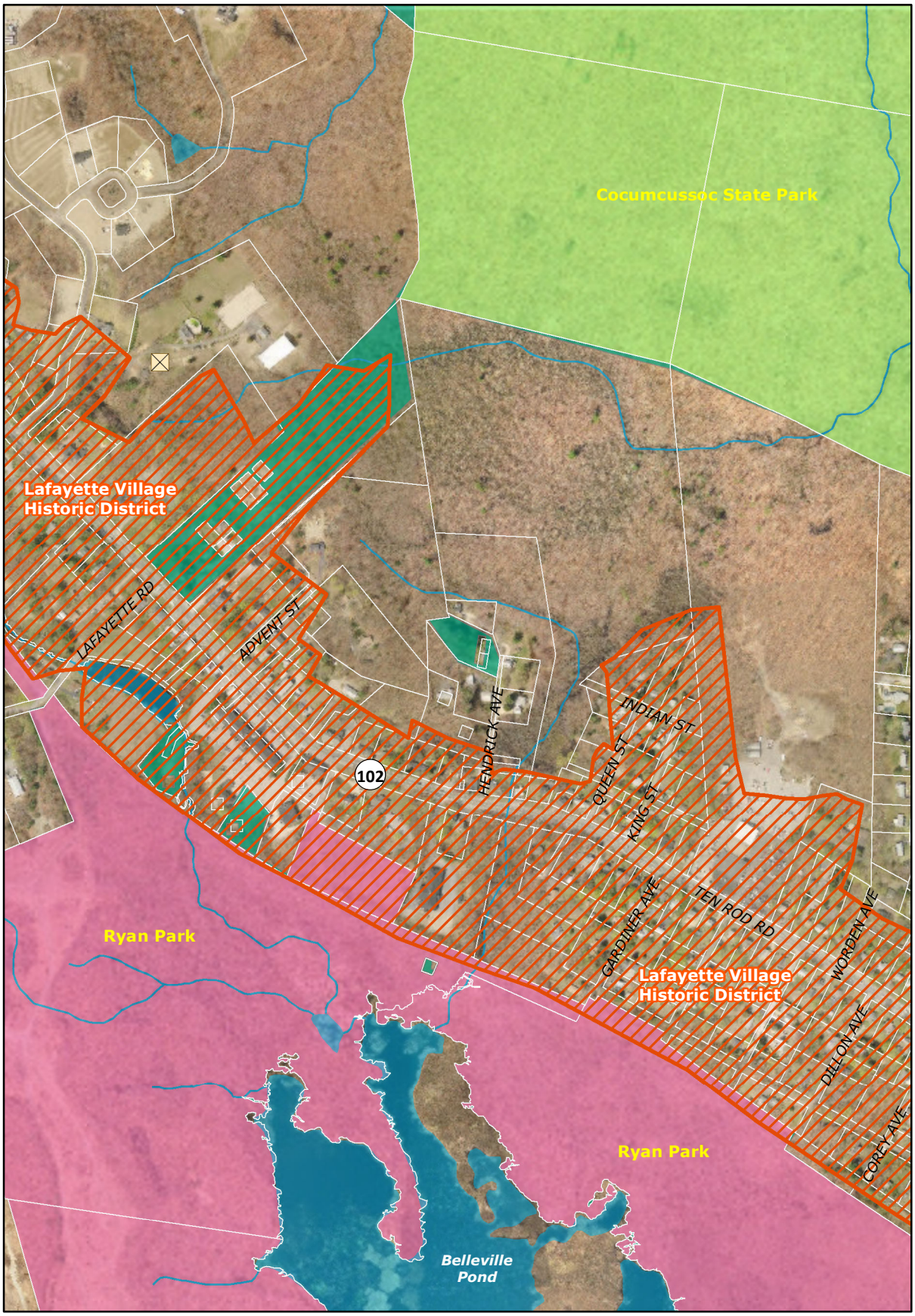
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Lafayette & Environs
- Cultural, Open Space & Recreational Resources



Legend

- Parcels (as of 12/31/2010)
- National Register Historic District
- Archaeological Sites (approx.)
- Historic Sites
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0 750 Feet

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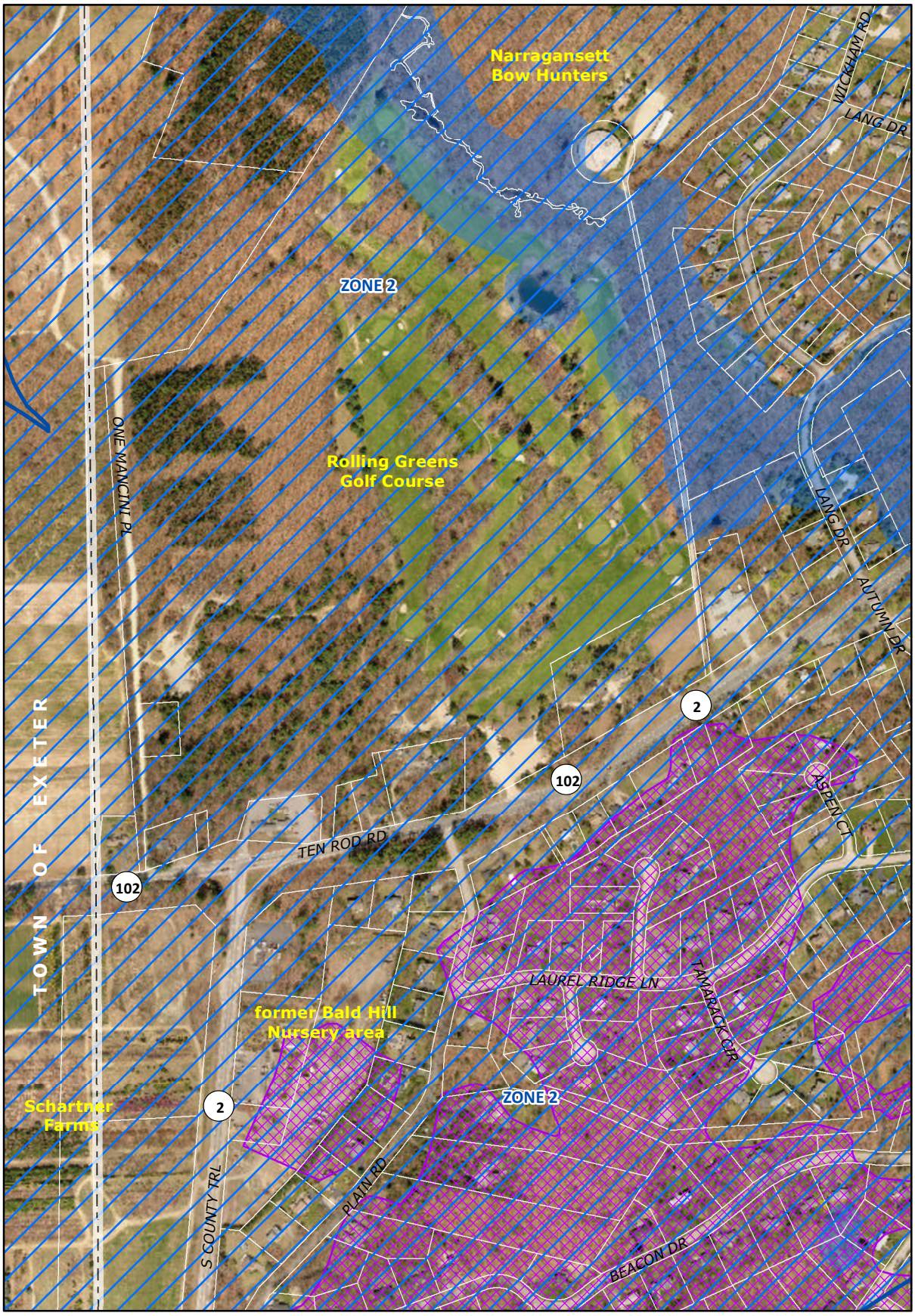
Mapping and Planning Services
MH 3/2011

Rolling Greens/Bald Hill Nursery Maps

Town of North Kingstown

Rolling Greens/Bald Hill Nursery & Environs
- Environmental Constraints



Legend

- Parcels (as of 12/31/2010)
- Town Line (approx)
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- Hydrologic Constraints
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- Natural Heritage Area

0 550 Feet

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Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Rolling Greens/Bald Hill Nursery & Environs
- Soil Constraints

Legend

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- Town Line (approx)

0 — 550 Feet

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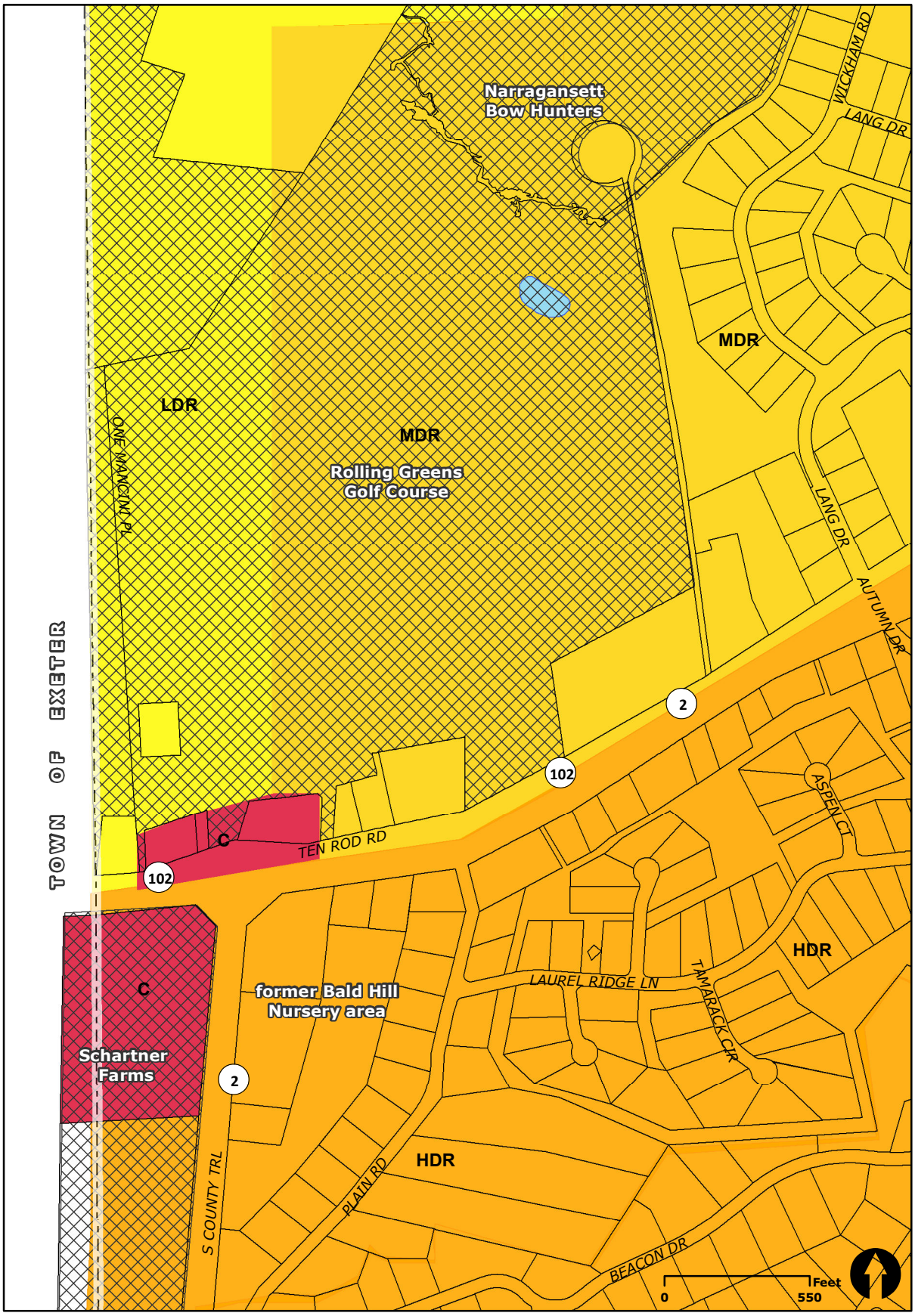
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Rolling Greens/Bald Hill Nursery & Environs
-- Regulatory & Planning Opportunities



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- TDR Sending Area
- Ponds

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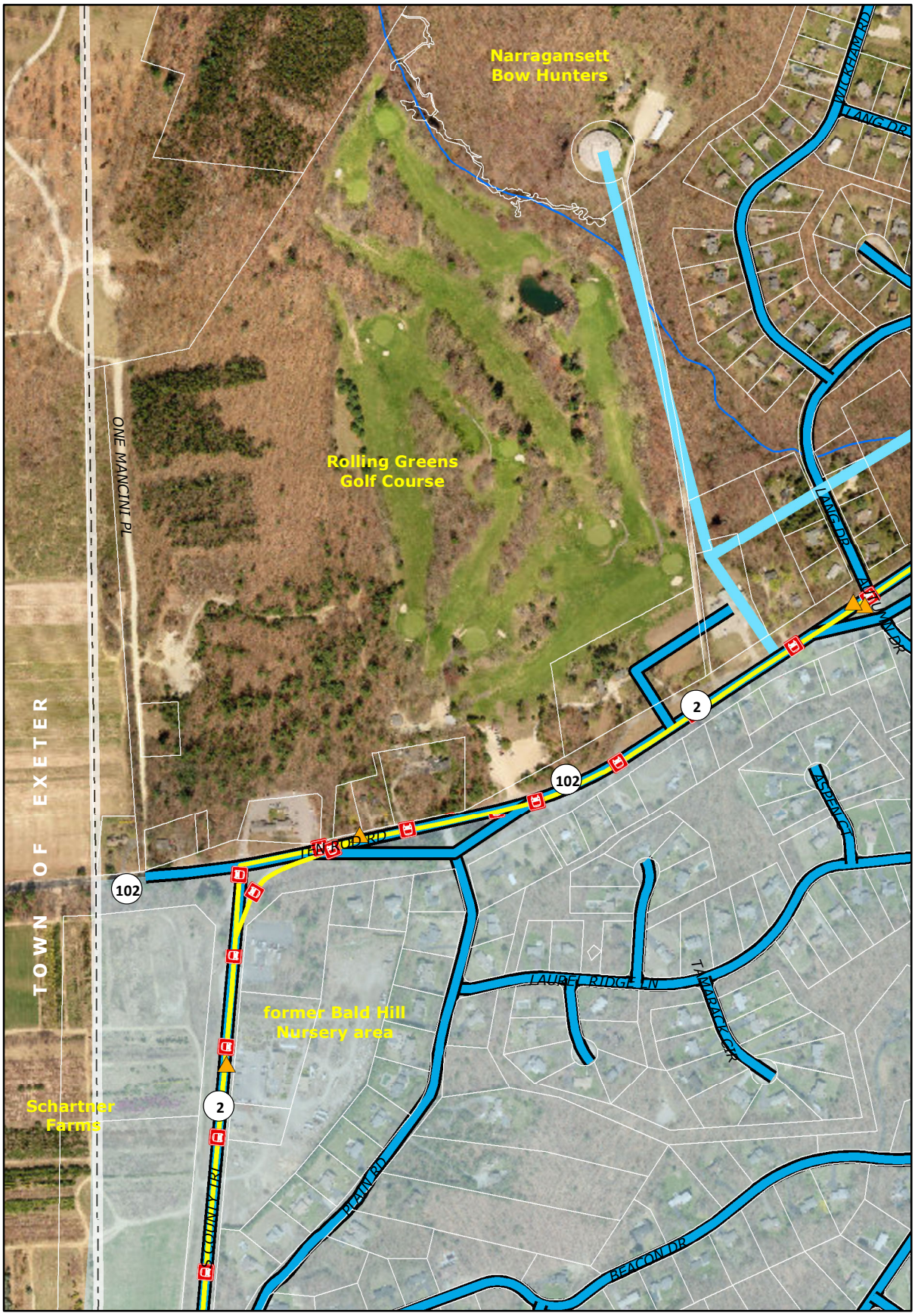
Mapping and Planning Services MH 3/2011

Town of North Kingstown

Rolling Greens/Bald Hill Nursery & Environs
- Infrastructure & Transportation Resources



Legend

- Parcels (as of 12/31/2010)
- Town Line (approx)
- Public Water Service Area
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- Electric Transmission Line

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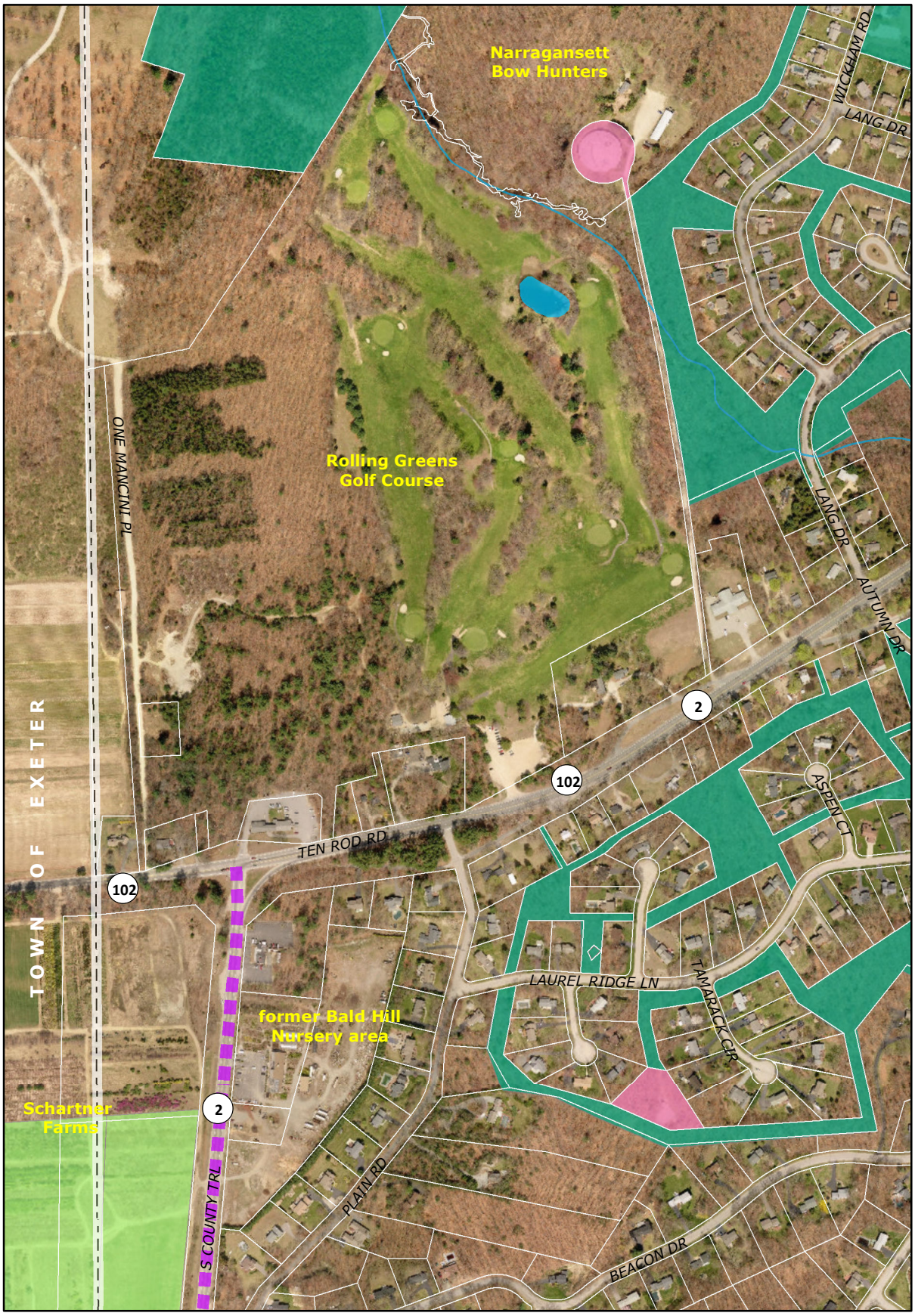
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Rolling Greens/Bald Hill Nursery & Environs
- Cultural, Open Space & Recreational Resources



Legend

- Parcels (as of 12/31/2010)
- Town Line (approx.)
- National Register Historic District
- Archaeological Sites
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0 550 Feet

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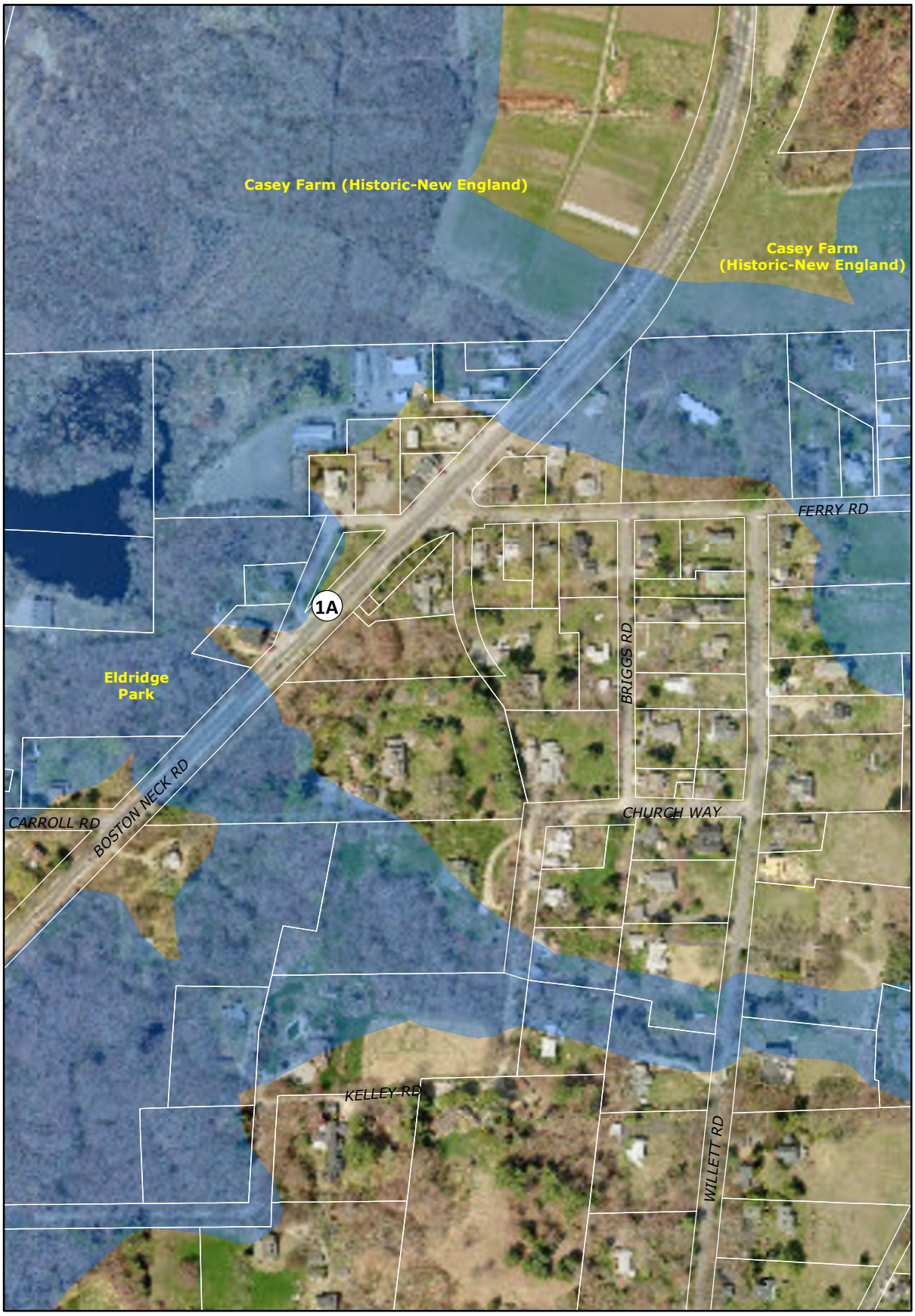
Mapping and Planning Services
MH 3/2011

Saunderstown Maps

Town of North Kingstown

Saunderstown & Environs
- Environmental Constraints



Legend

- Parcels (as of 12/31/2010)
- Groundwater Protection Area (Zone 1)
- Groundwater Protection Area (Zone 2)
- Hydrologic Constraints
- Flood Zones (A and V)
- Slopes > 15% (per Soils mapping)
- Natural Heritage Area

0 300 Feet

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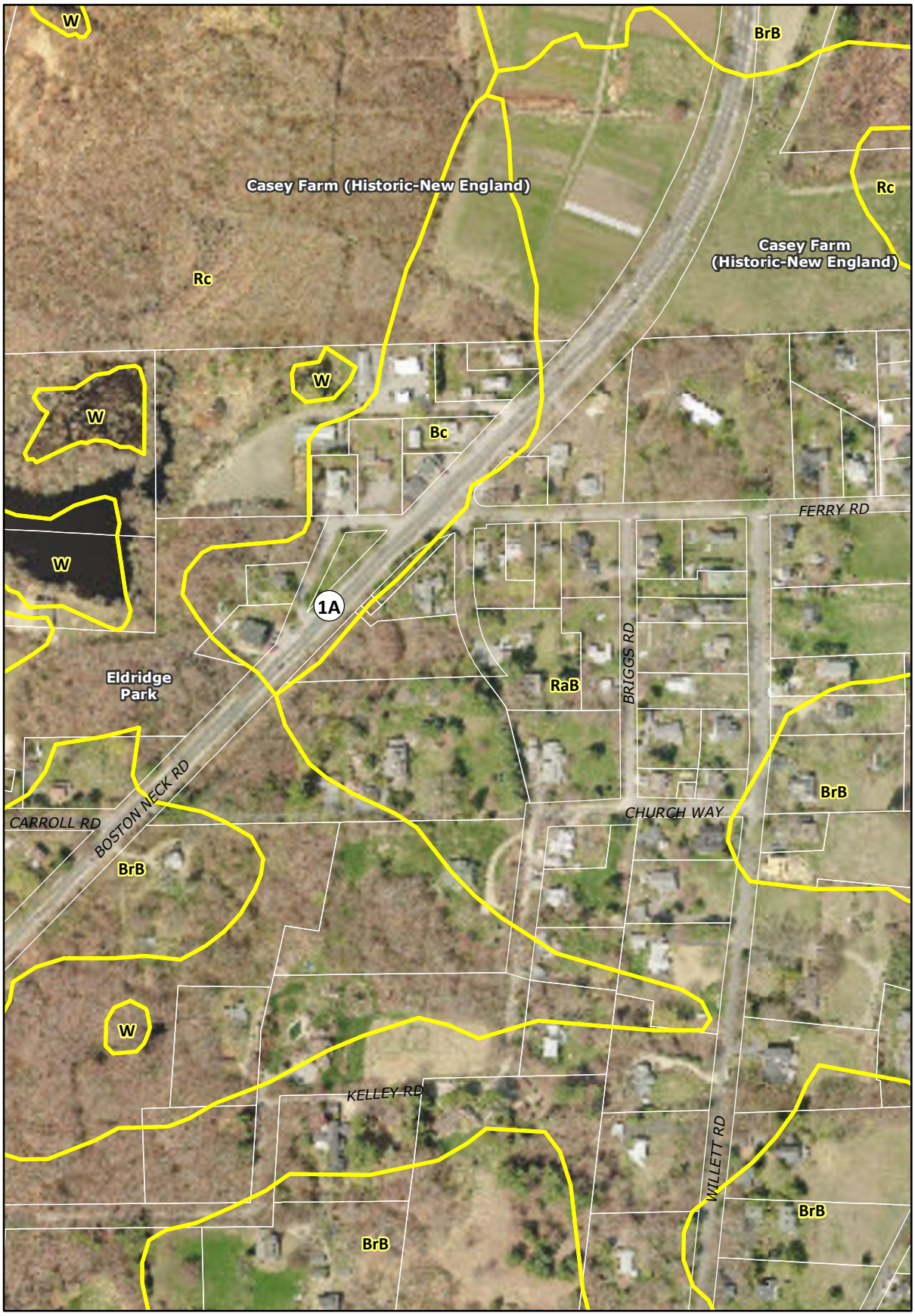
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Saunderstown & Environs
- Soil Constraints



Legend

- Parcels (as of 12/31/2010)
- Soils (from 2010 USDA/NRCS SSURGO soils)

0 300 Feet

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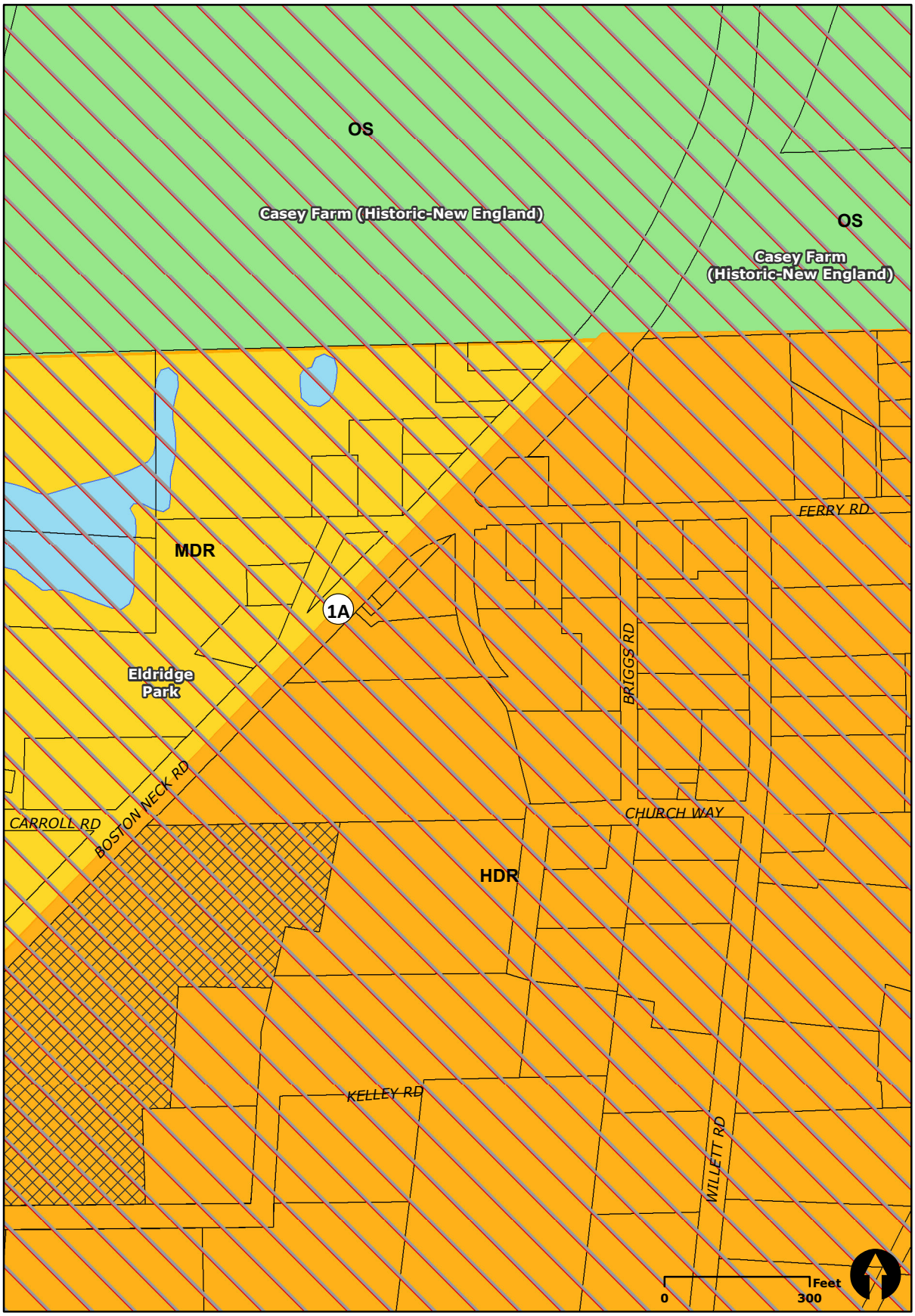
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Saunderstown & Environs
-- Regulatory & Planning Opportunities



FUTURE LAND USE MAP INCLUDES ALL AMENDMENTS AS OF MARCH 1, 2011

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- Quonset Future ROW
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- Parcels (as of 12/31/2010)
- TDR Sending Area
- Ponds

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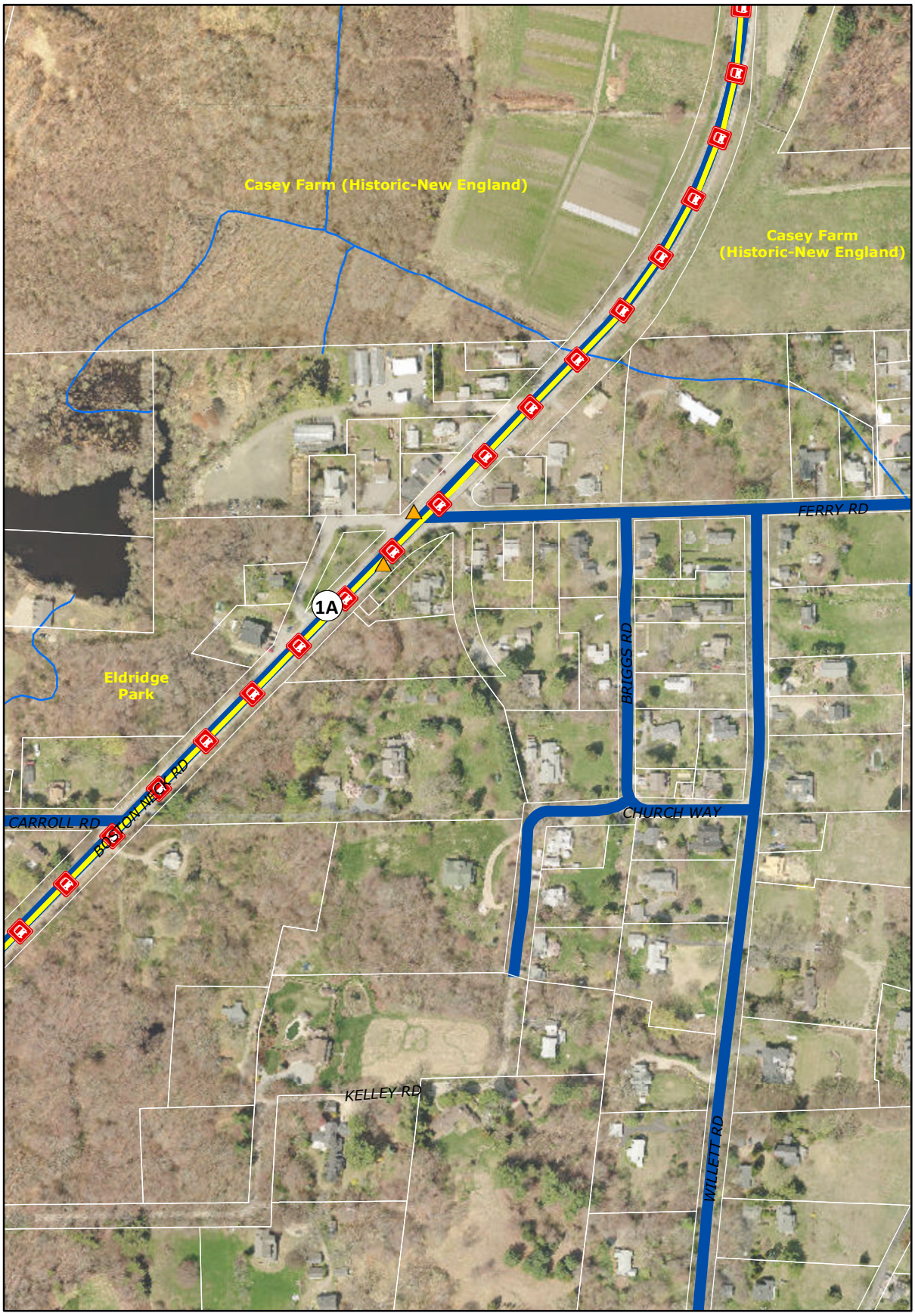
Mapping and Planning Services MH 3/2011

Town of North Kingstown

Saunderstown & Environs
- Infrastructure & Transportation Resources



Legend

- Parcels (as of 12/31/2010)
- Public Water Service Area
- Low Service Water Pipeline
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- RIPTA Bus Routes (as of 1/2011)
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- Electric Transmission Line

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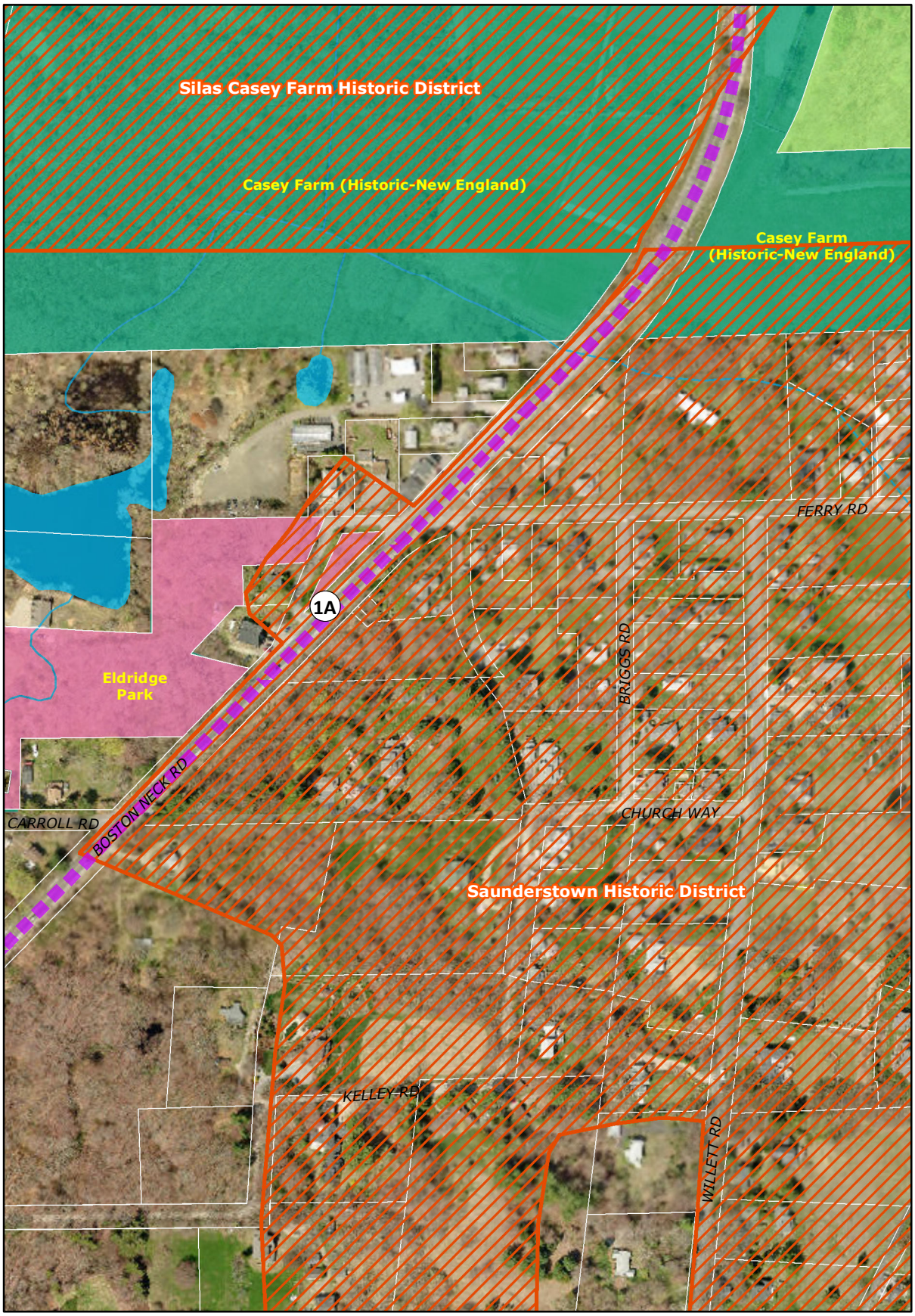
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Saunderstown & Environs
- Cultural, Open Space & Recreational Resources



Legend

- Parcels (as of 12/31/2010)
- National Register Historic District
- Archaeological Sites (approx.)
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- Town Property
- State Open Space Conservation Area
- NGO Conservation Land
- Ponds
- Existing Bicycle Path (Signed Shared Roadway)

0 300 Feet

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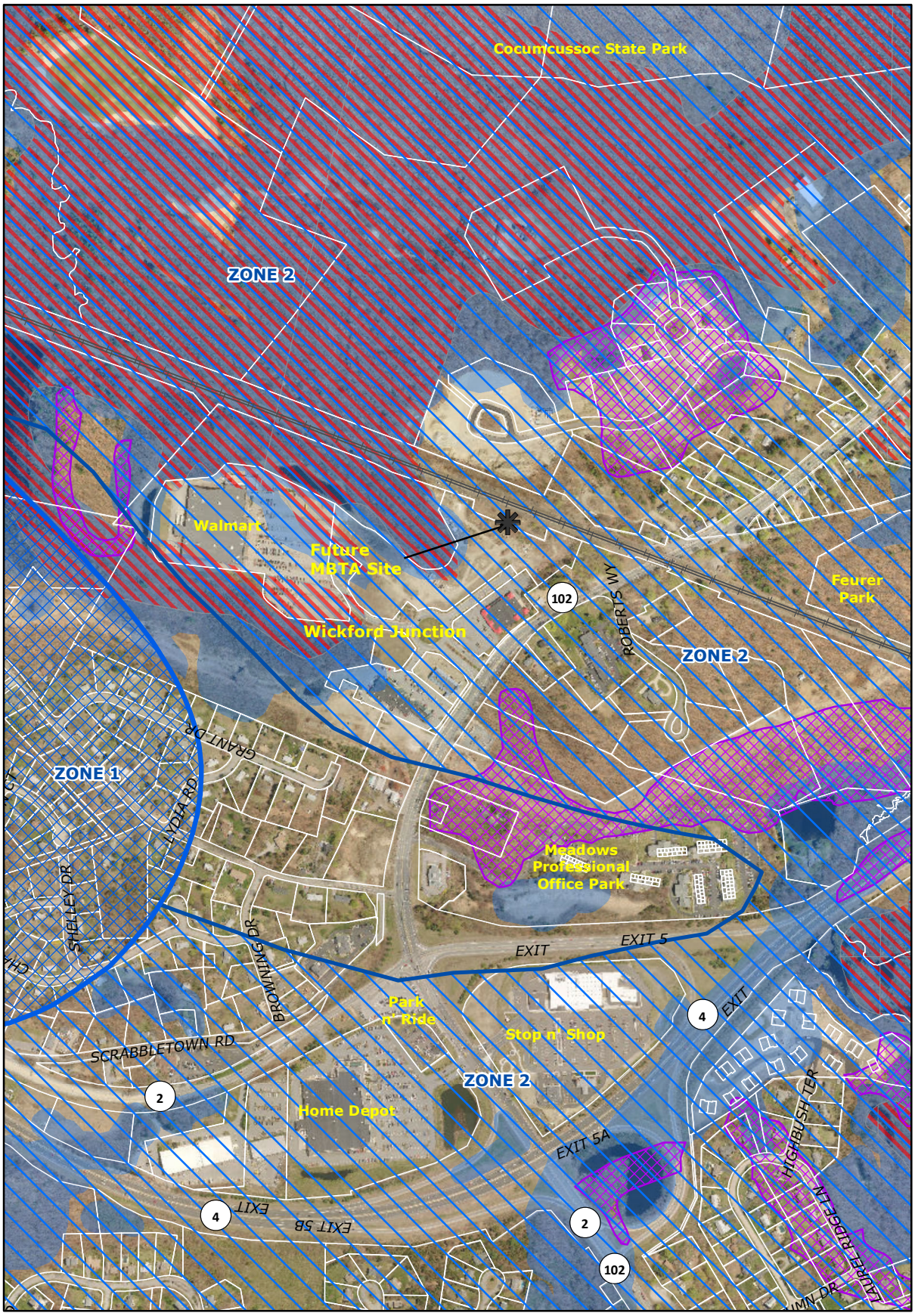
Mapping and Planning Services
MH 3/2011

Wickford Junction Maps

Town of North Kingstown

Wickford Junction & Environs
- Environmental Constraints



Legend

- Parcels (as of 12/31/2010)
- Groundwater Protection Area (Zone 1)
- Groundwater Protection Area (Zone 2)
- Hydrologic Constraints
- Flood Zones (A and V)
- Slopes > 15% (per Soils mapping)
- Natural Heritage Area

0 900 Feet

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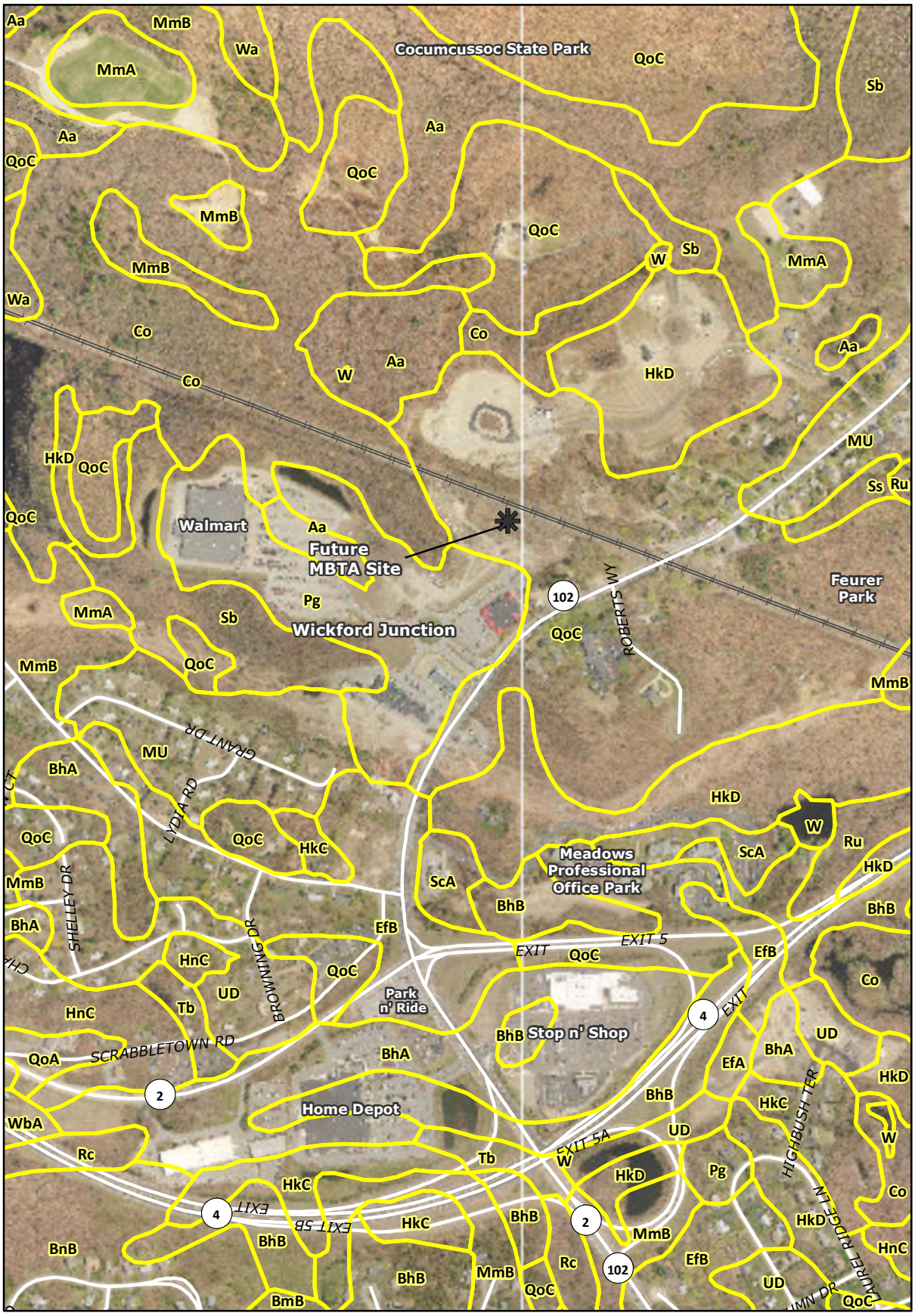
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Wickford Junction & Environs
- Soil Constraints



Legend

Soils (from 2010 USDA/NRCS SSURGO soils)

Railway

0 900 Feet

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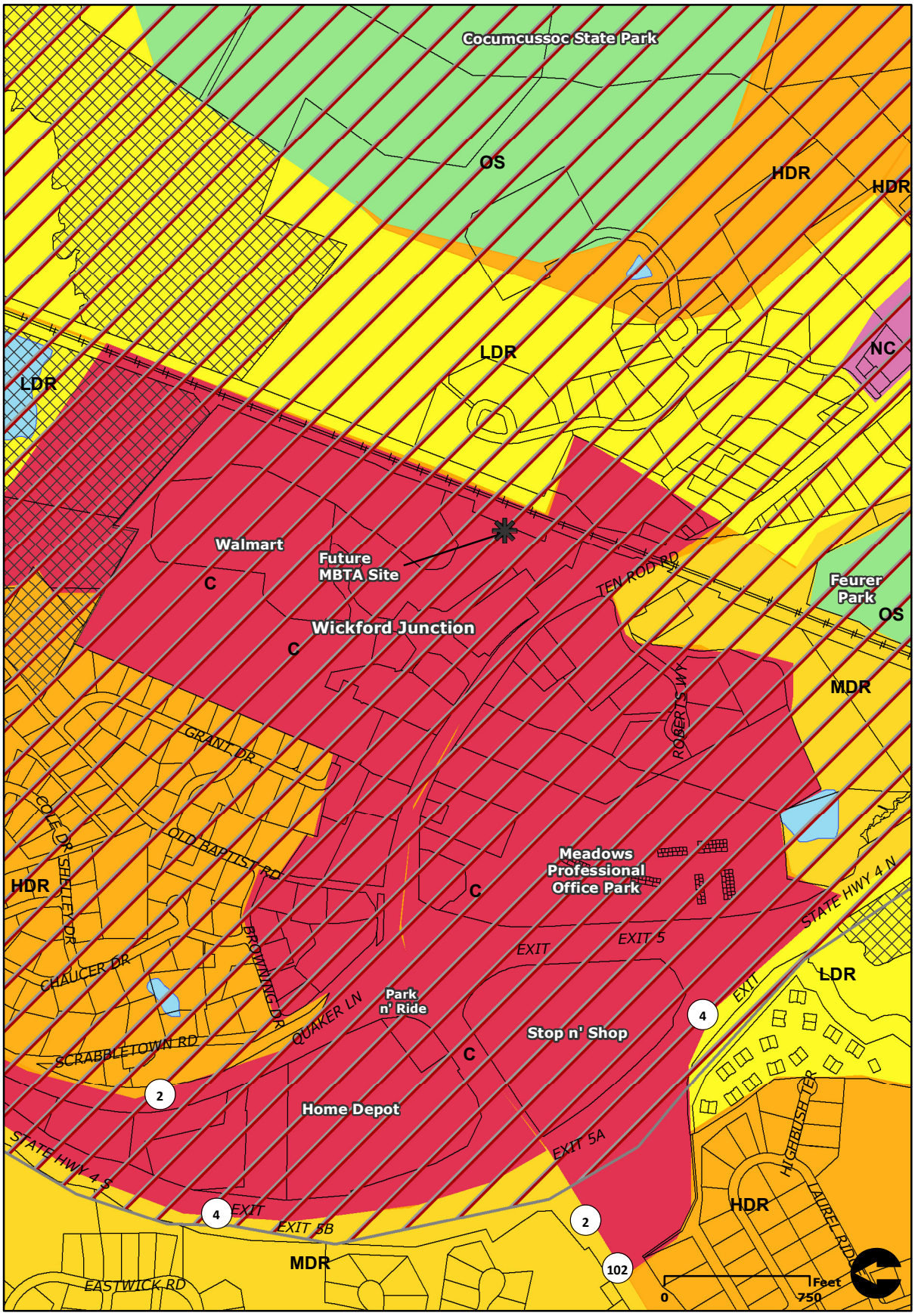
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Wickford Junction & Environs
-- Regulatory & Planning Opportunities



FUTURE LAND USE MAP INCLUDES ALL AMENDMENTS AS OF MARCH 1, 2011

- High Density Residential
- Medium Density Residential
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- High Density Mixed Use
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- Airport
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- RI Urban Services Boundary (2006-2025)
- Parcels (as of 12/31/2010)
- TDR Sending Area
- Ponds

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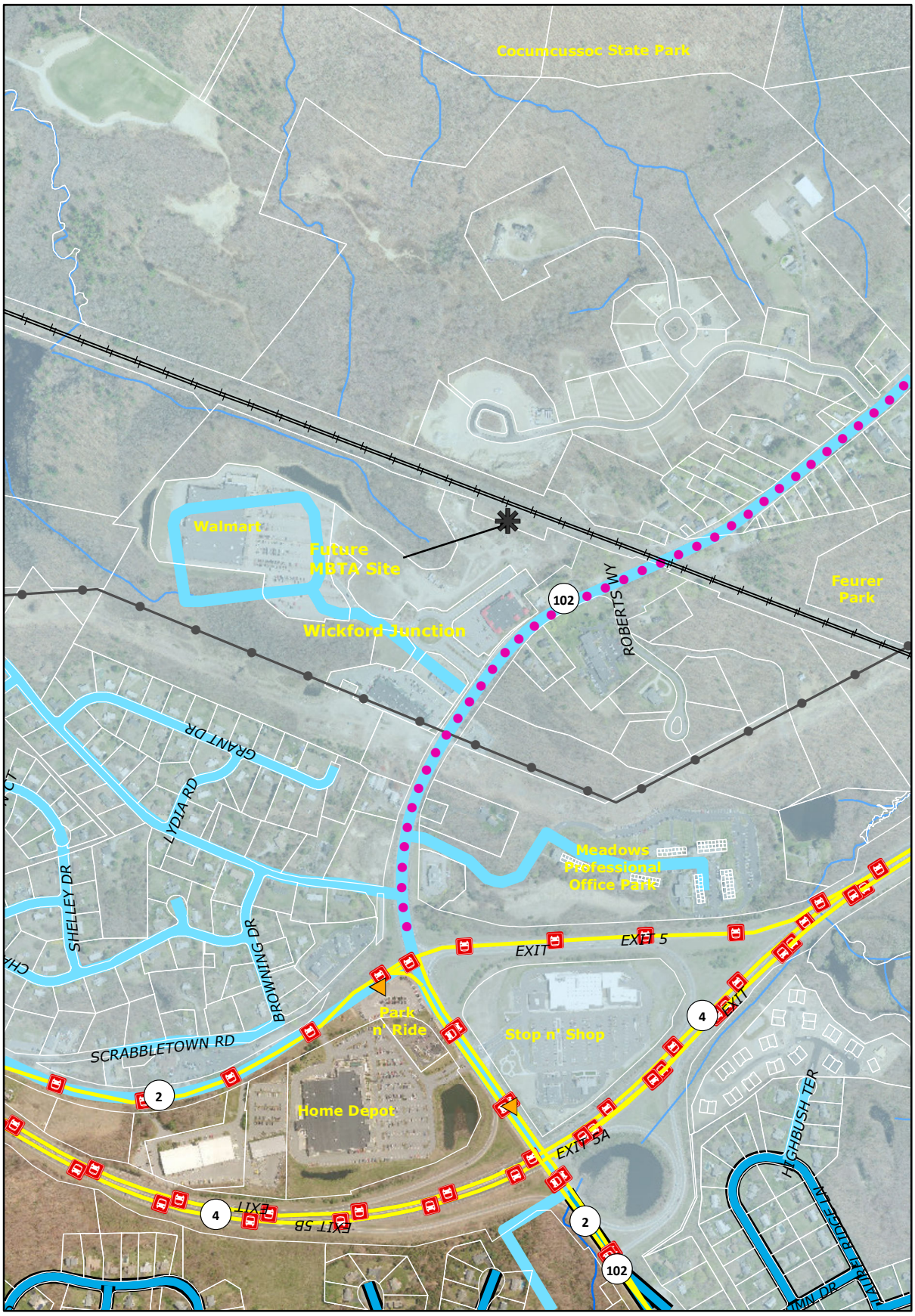
Mapping and Planning Services MH 3/2011

Town of North Kingstown

Wickford Junction & Environs
- Infrastructure & Transportation Resources



Legend

- Parcels (as of 12/31/2010)
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- Scenic Roadways Candidates
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- RIPTA Bus Routes (as of 1/2011)
- Railway
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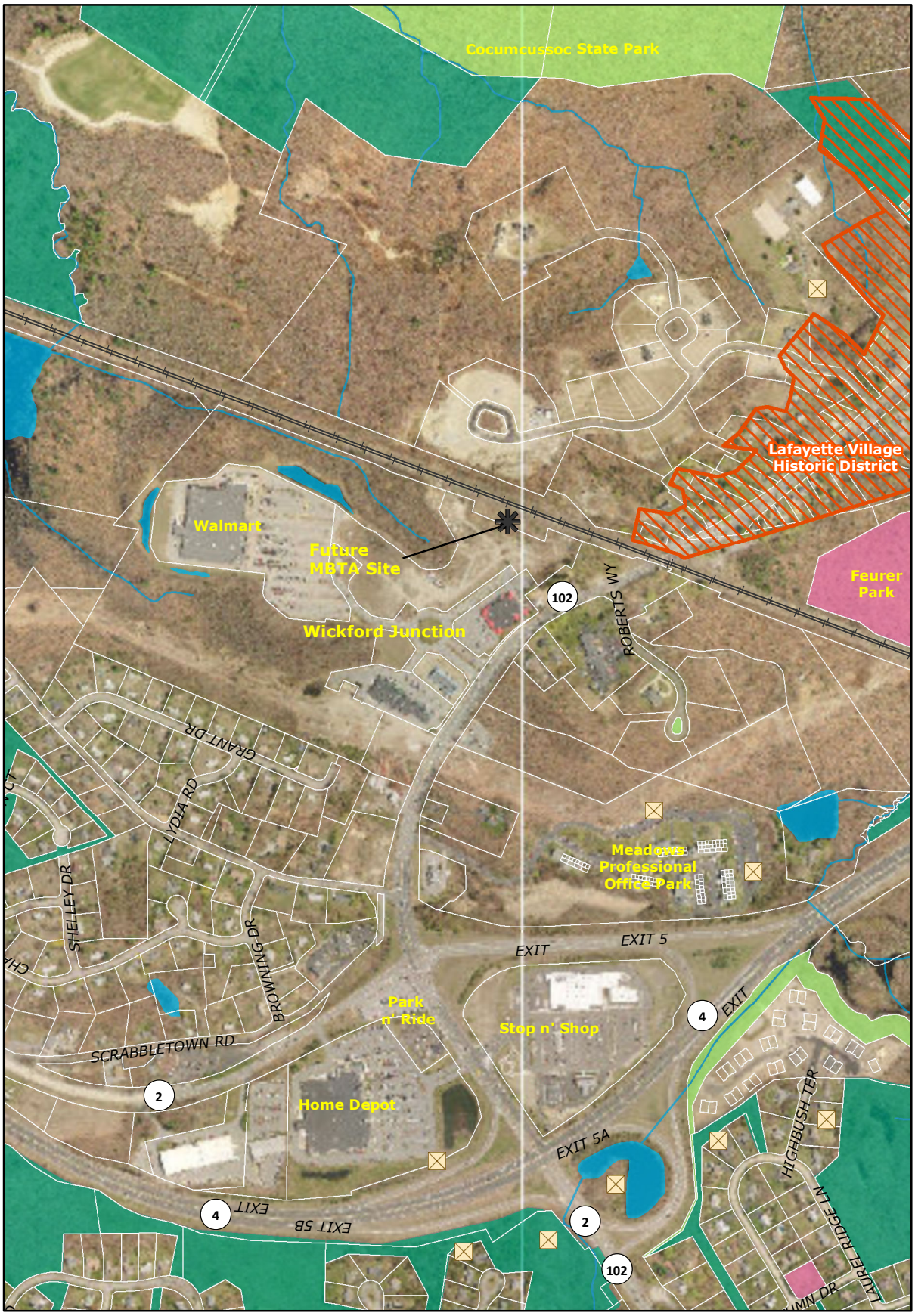
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Wickford Junction & Environs
- Cultural, Open Space & Recreational Resources



Legend

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- National Register Historic District
- Archaeological Sites (approx.)
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- Town Property
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Mapping and Planning Services
MH 3/2011

Wickford Village Maps

Town of North Kingstown

Wickford Village & Environs
- Environmental Constraints

Legend

- Parcels (as of 12/31/2010)
- Groundwater Protection Area (Zone 1)
- Groundwater Protection Area (Zone 2)
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- Flood Zones (A and V)
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0 200 Feet

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Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Wickford Village & Environs
- Soil Constraints

Legend

- Parcels (as of 12/31/2010)
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0 200 Feet

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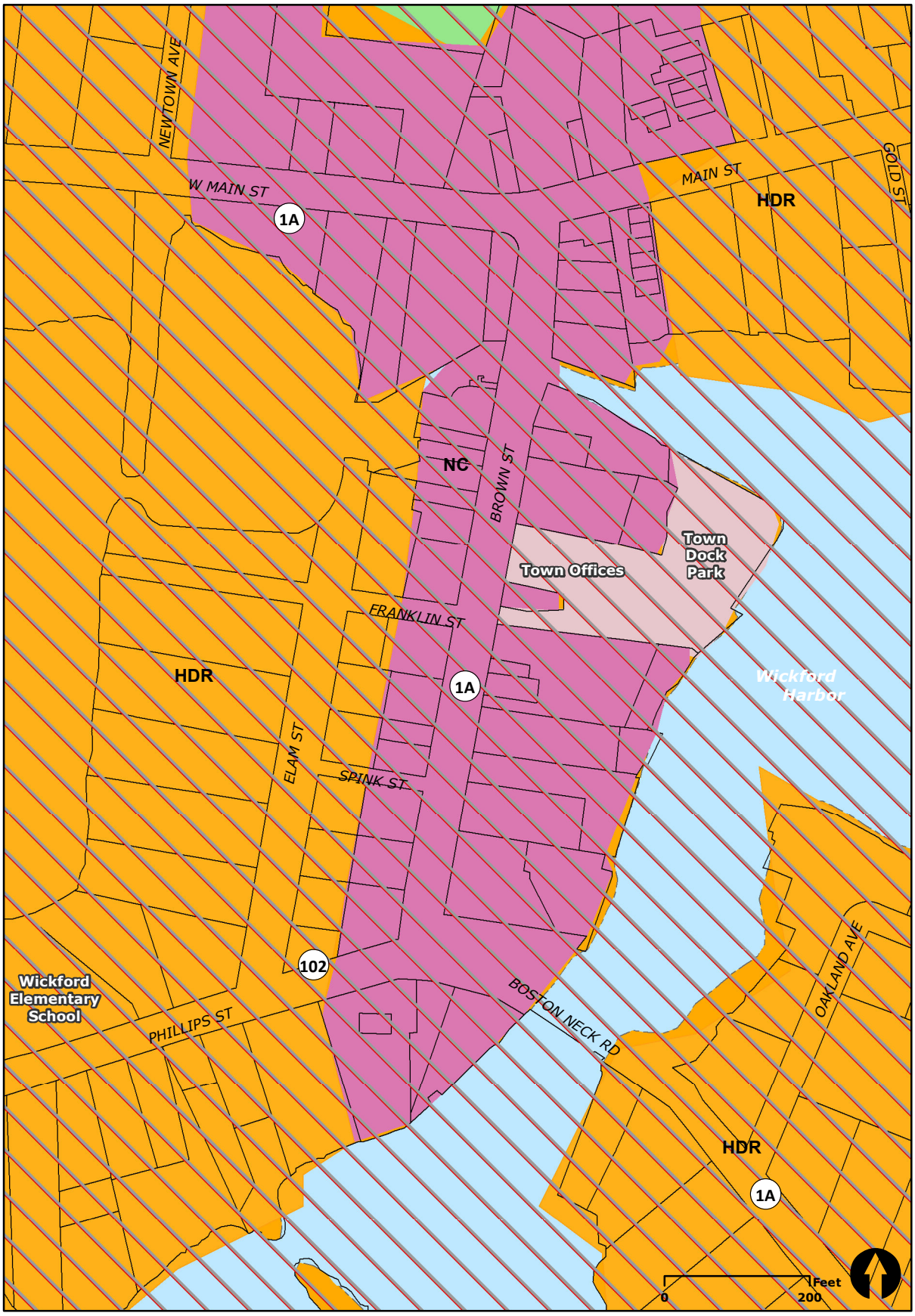
Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Wickford Village & Environs
-- Regulatory & Planning Opportunities



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Mapping and Planning Services MH 3/2011

Town of North Kingstown

Wickford Village & Environs
- Infrastructure & Transportation Resources

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Mapping and Planning Services
MH 3/2011

Town of North Kingstown

Wickford Village & Environs
- Cultural, Open Space & Recreational Resources

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Mapping and Planning Services
MH 3/2011

I. Introduction

This interim report was developed as part of the ongoing Transfer of Development Rights and Village Identification project started in the late fall of 2011. The first deliverable for this project was the March 4, 2011 Phase I Assessment. This initial document served to screen the eight potential study areas identified by the Town and select the ones that the consultant team identified as candidates for growth and the potential application of TDR. Of the eight potential areas, four were selected for further study: Allenton, Hamilton, Lafayette, and Wickford Junction. Shortly after the first document was developed, the Town focused its efforts on the development of a revised Compact Village Development (CVD) ordinance. This shift in focus allowed the Planning Commission to work on an ordinance appropriate to the project goals and also to address an application for a zone change in the Route 2/102 area, which was specific to a mixed use development concept for that area. Recognizing the overlap between that proposal and town-wide goals for village-scale development, Planning Department staff recommended that the existing CVD ordinance (Section 21-325(17)) be revised in place of considering the applicant's proposal.

The Planning Commission held several meetings to work on drafts for the revised ordinance and brought a draft of the ordinance to Town Council for their consideration on November 7, 2011. Town Council chose not to vote on the CVD ordinance as presented and instead asked the Planning Director to present the relevant findings of this study at their next meeting. The goal was to have the consultant team return their focus to the broader TDR and Village Identification Study and present their initial findings for the four village areas, with particular attention to how the revised CVD ordinance would or would not meet the goals of this project. During this time, the Town hosted a public meeting specifically geared toward discussion of the four village study areas.

It should also be noted that, through the fall and early winter of 2011, the Town was heavily engaged in a community planning process called Healthy Places by Design. This federally funded initiative was administered by the state Department of Health and provided the Town with an opportunity to re-examine land use policies "through the lens of public health". Many of the issues that are integral to village style development (e.g., walking and biking, streetscape design, mixed use development, etc.) were examined at length in a series of public discussions. The results of these discussions affirmed and refined many of the existing policies of North Kingstown relative to village-scale development and helped to flesh out some of the concepts associated with the four village study areas in this report.

II. Village Study Area Analyses

A. Vision Illustrations

As a first step to better understanding the development potential for the four village study areas, the consultant team, developed a series of vision illustrations. These sketches and models were developed in collaboration with municipal planning staff and also with public input from the Healthy Places by Design and Village Study forums that took place

between November and December of 2011. The initial illustrations were created primarily to capture the objectives of the village study and represent an "ideal design scenario" in which all of the available land was included in the redeveloped concept and innovative infill concepts were used to ensure a very efficient use of land. These "first cut" scenarios are therefore meant primarily to provide an illustrated vision for these study areas and show the important physical design aspects of village development including:

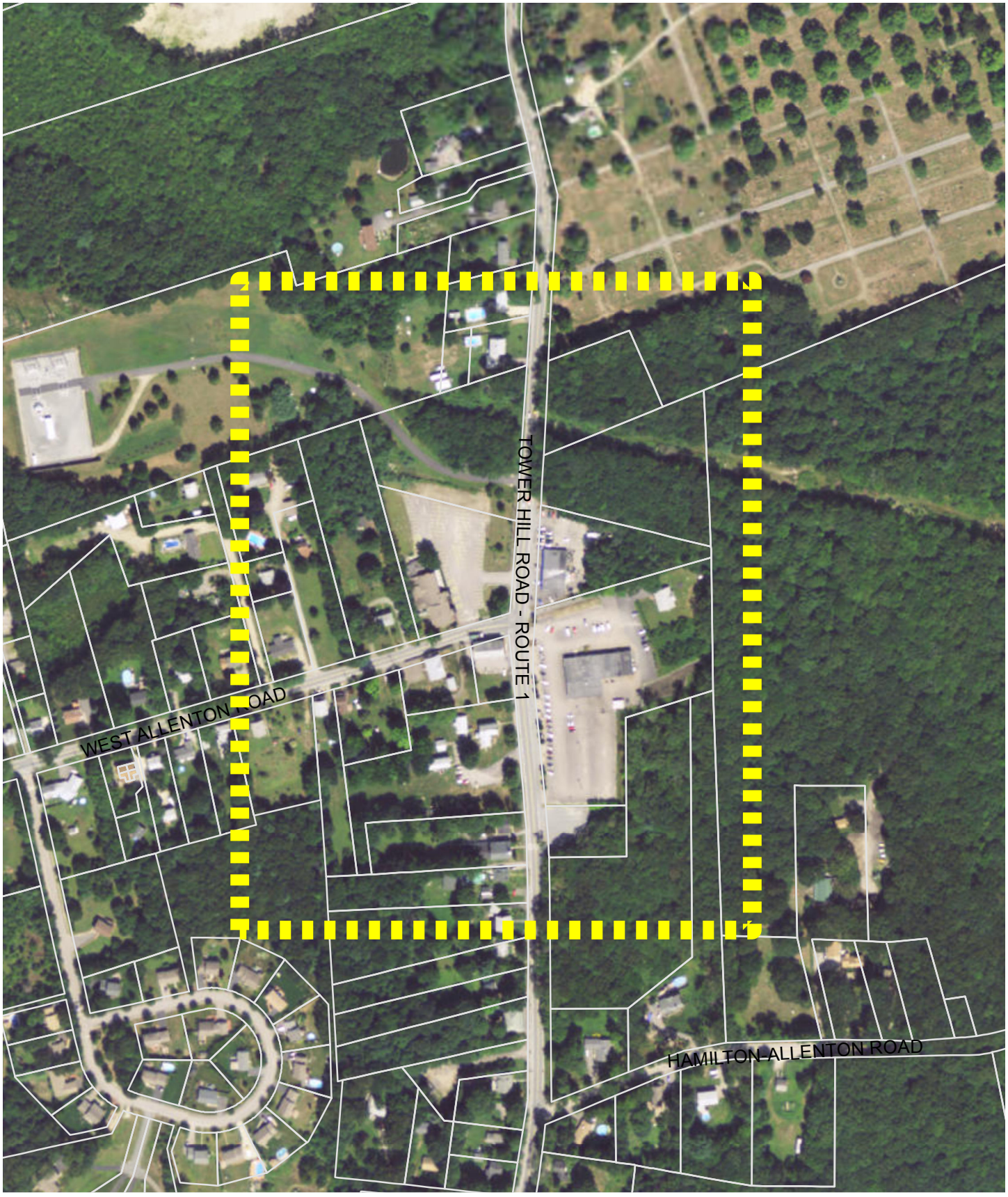
- The location of buildings relative to the street and each other;
- The potential scale and mass of buildings;
- The location of parking areas that facilitates a balance between pedestrian and automobile traffic;
- The ability to establish a pedestrian network on a "district-wide" scale;
- The integration of different housing types into a cohesive development scheme including single family, two-family, multi-family, and cottage community; and
- The potential to use infill techniques in a way that adds development potential and retains some existing structures.

Figures 1 through 15 show the vision illustrations developed for each village study area.

B. Nutrient Loading Analyses

With the vision illustrations in place, the consultant team began the process of analyzing the illustrations against existing regulations and physical constraints. The first set of analyses applied to the study area sites addresses one of the most important standards in the North Kingstown Zoning Ordinance: limits to allowable levels of nitrogen from land use development within the groundwater overlay. The federal drinking water standard for nitrogen is ten milligrams of nitrogen per liter of water (10 mg/L). It is assumed that water is unsafe for regular consumption when nitrogen reaches or exceeds this level. As such, many communities, including North Kingstown, set a maximum threshold of 5 mg/L for nitrogen loading calculations. This conservative value will account for any uncertainties with the calculations and also ensure that impacts from development remain in a reliable range of safety.

Like many communities in New England and beyond, North Kingstown uses nitrogen loading calculations as an indicator of future impacts to the quality of groundwater supplies. This approach is consistent with both the local Comprehensive Plan and the Town's Groundwater Protection Plan. Pollutant loading from land use activities in these areas could have adverse effects on the Town's water supply and environmental performance standards are in place to help ensure impacts remain at acceptable levels. These calculations estimate the average concentration of nitrogen in groundwater beneath a site based on a variety of inputs including, but not limited to: the amount of on-site sewage disposal; the amount of fertilizer use; the amount of impervious cover; and the amount of rain water that will percolate to the subsurface water supply. Nitrogen loading analysis has shown to be a useful predictor of potential impacts to groundwater and North



Legend

Approximate Study Area

0 150 300 600 Feet

N

Figure 1
Study Area Delineation - Allenton
North Kingstown, RI

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Village Development Scenario - Plan View

Existing Buildings: Brick Red
New Buildings: Brown

Figure 2
Potential Village Development Scenario - Allenton
North Kingstown, RI

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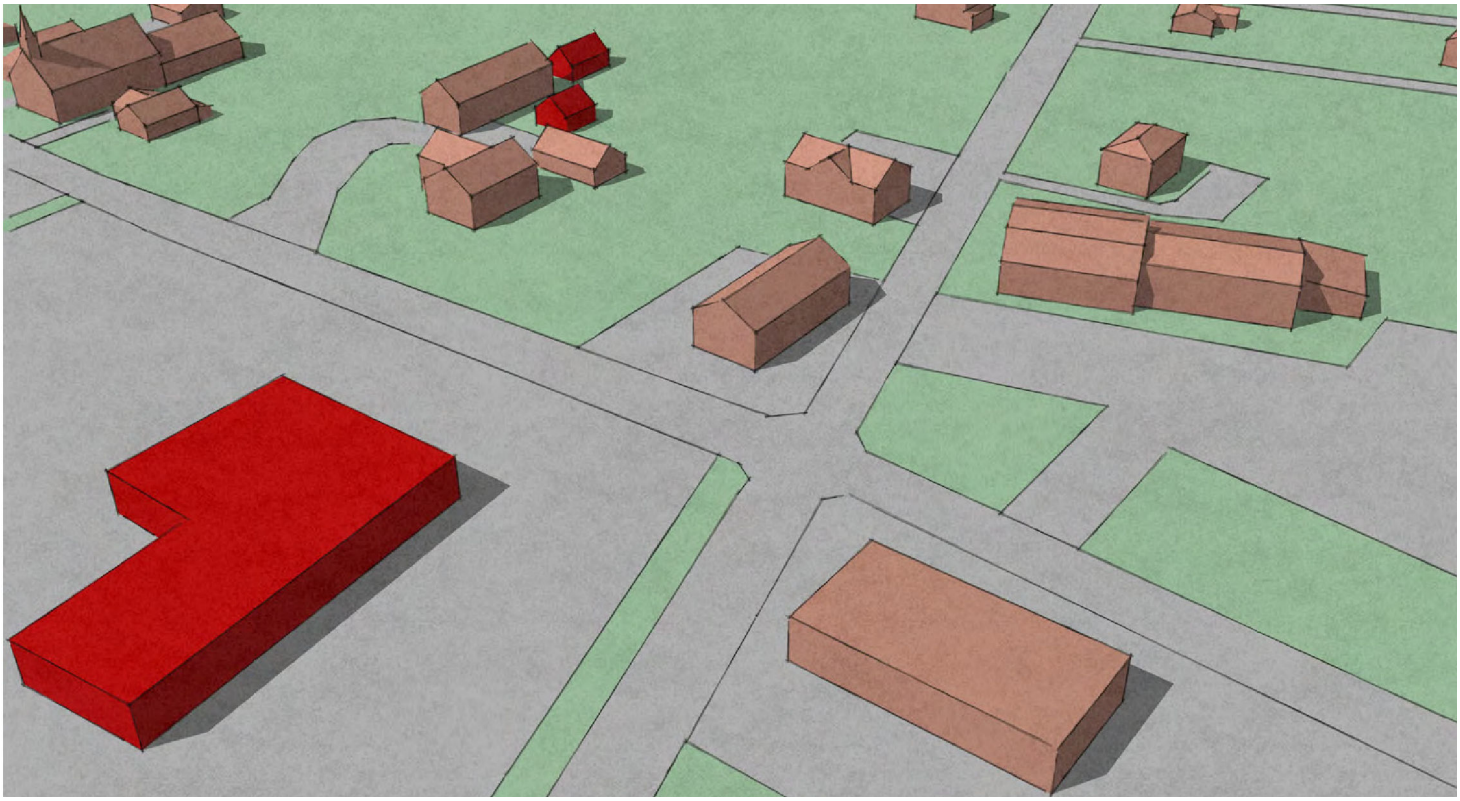
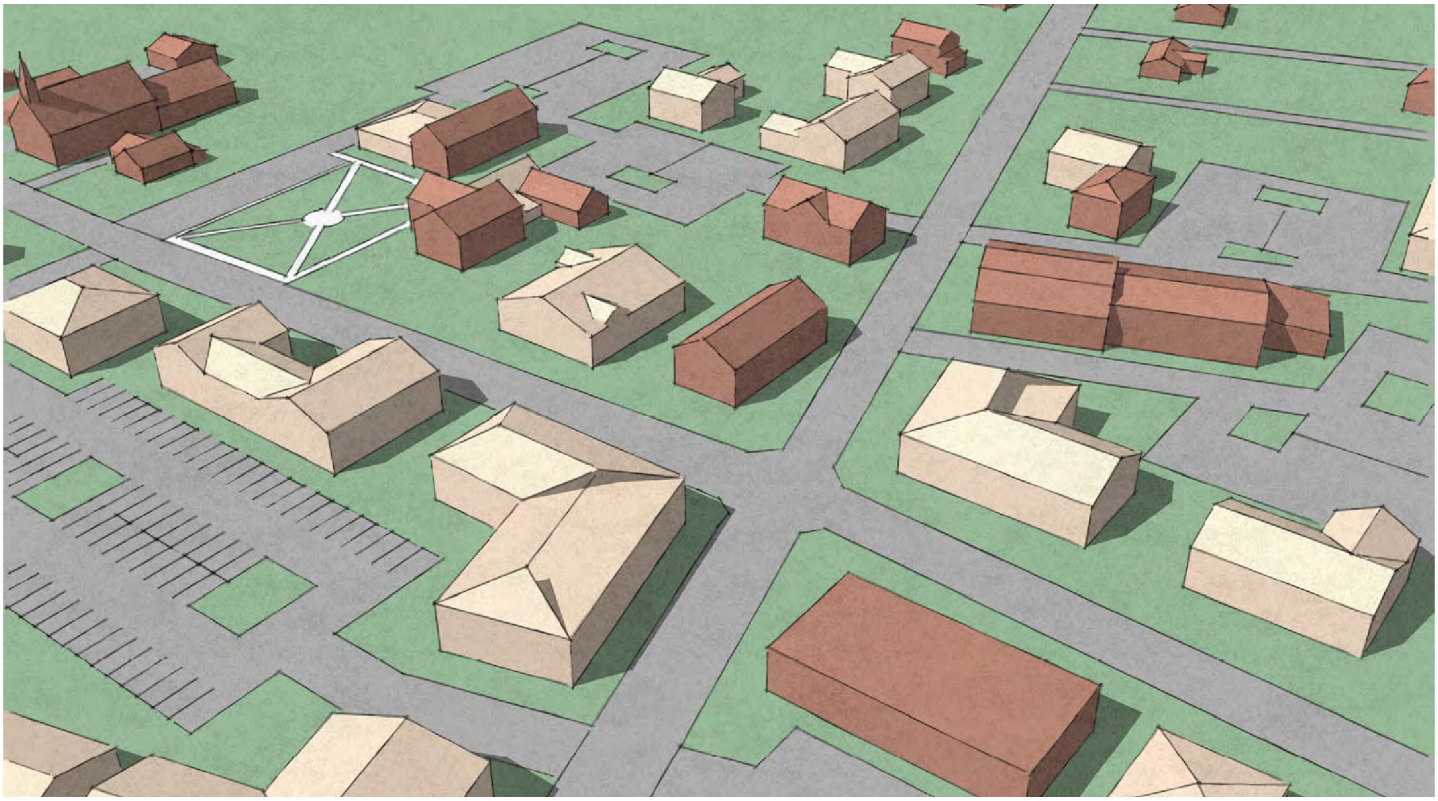


Existing Northeastern Aerial View



Redevelopment Concept from Northeast

Existing Buildings: Brown
New Buildings: Tan
Existing Buildings to be Redeveloped: Red

Figure 3
Potential Village Development Scenario - Allenton (NE)
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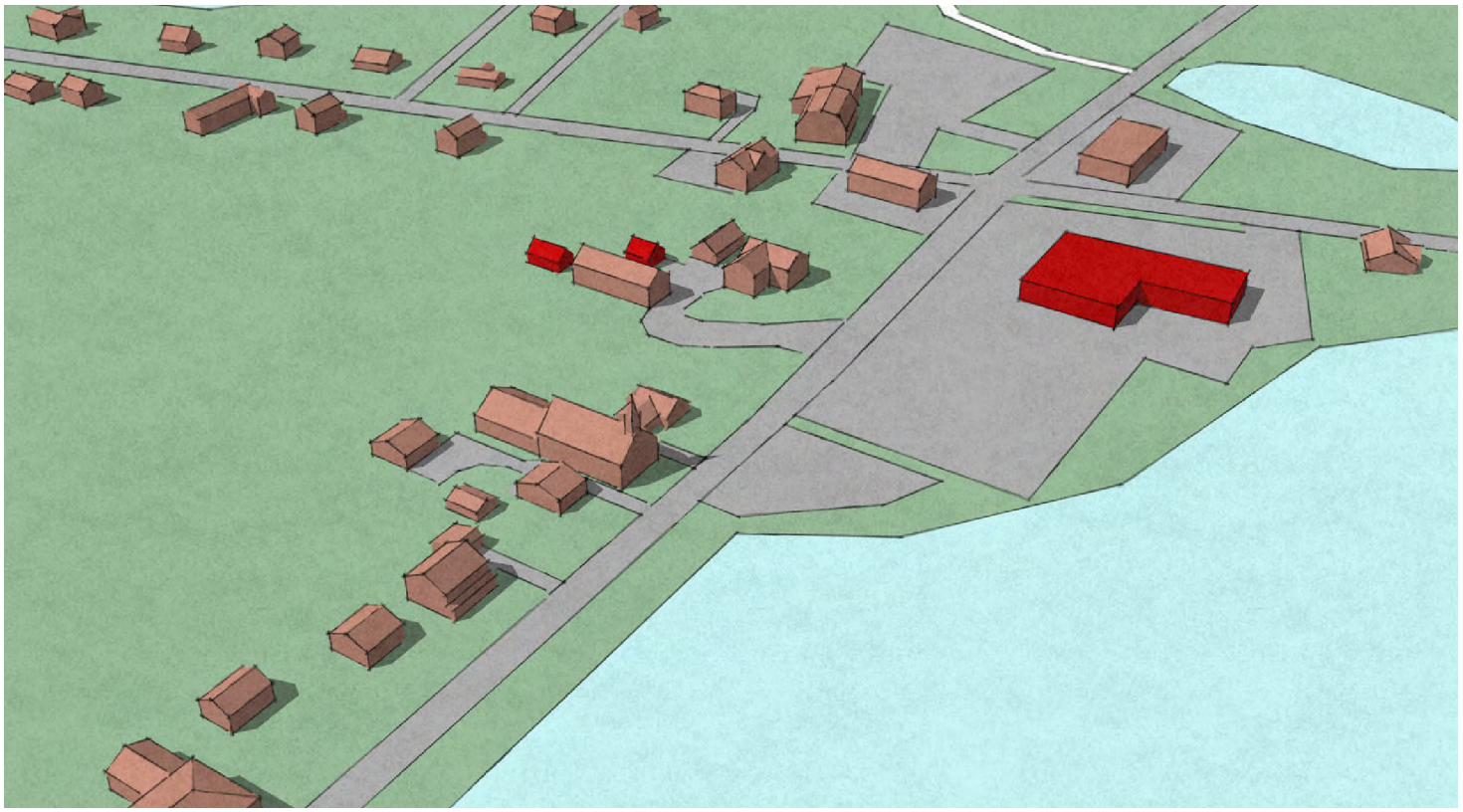

Existing Southeastern Aerial View

Redevelopment Concept from Southeast

Existing Buildings: Brown
New Buildings: Tan
Existing Buildings to be Redeveloped: Red

Figure 4
Potential Village Development Scenario - Allenton (SE)
North Kingstown, RI

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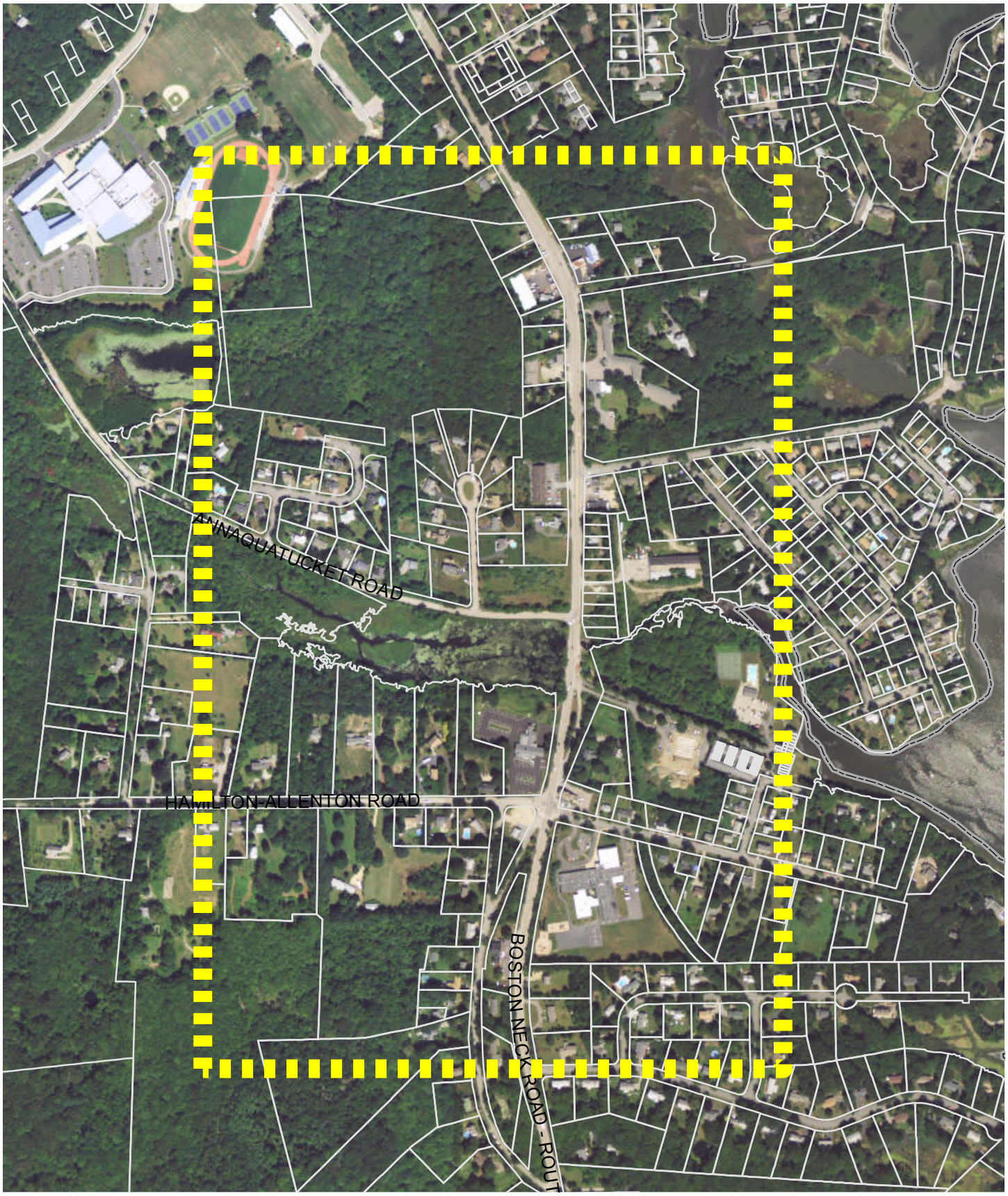
Sustainable Environmental Solutions



Legend

Approximate Study Area

0 150 300 600
Feet

N

Figure 5
Study Area Delineation - Hamilton
North Kingstown, RI

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Village Development Scenario - Plan View

Existing Buildings: Brick Red
New Buildings: Brown

Figure 6
Potential Village Development Scenario - Hamilton
North Kingstown, RI

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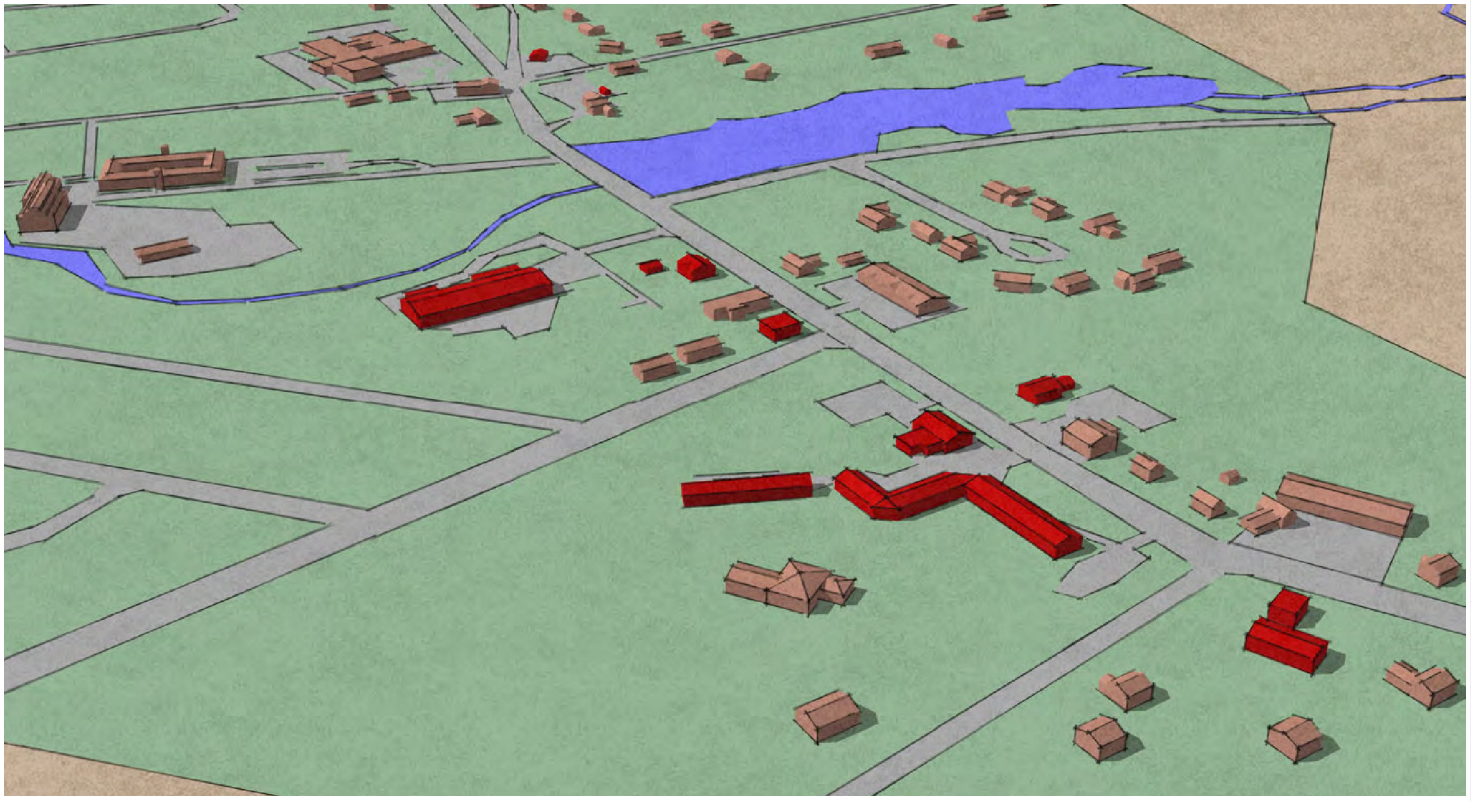

Existing Northeastern Aerial View

Redevelopment Concept from Northeast

Existing Buildings: Brown
New Buildings: Tan
Existing Buildings to be Redeveloped: Red

Figure 7
Potential Village Development Scenario - Hamilton (NE)
North Kingstown, RI

Horsley Witten Group
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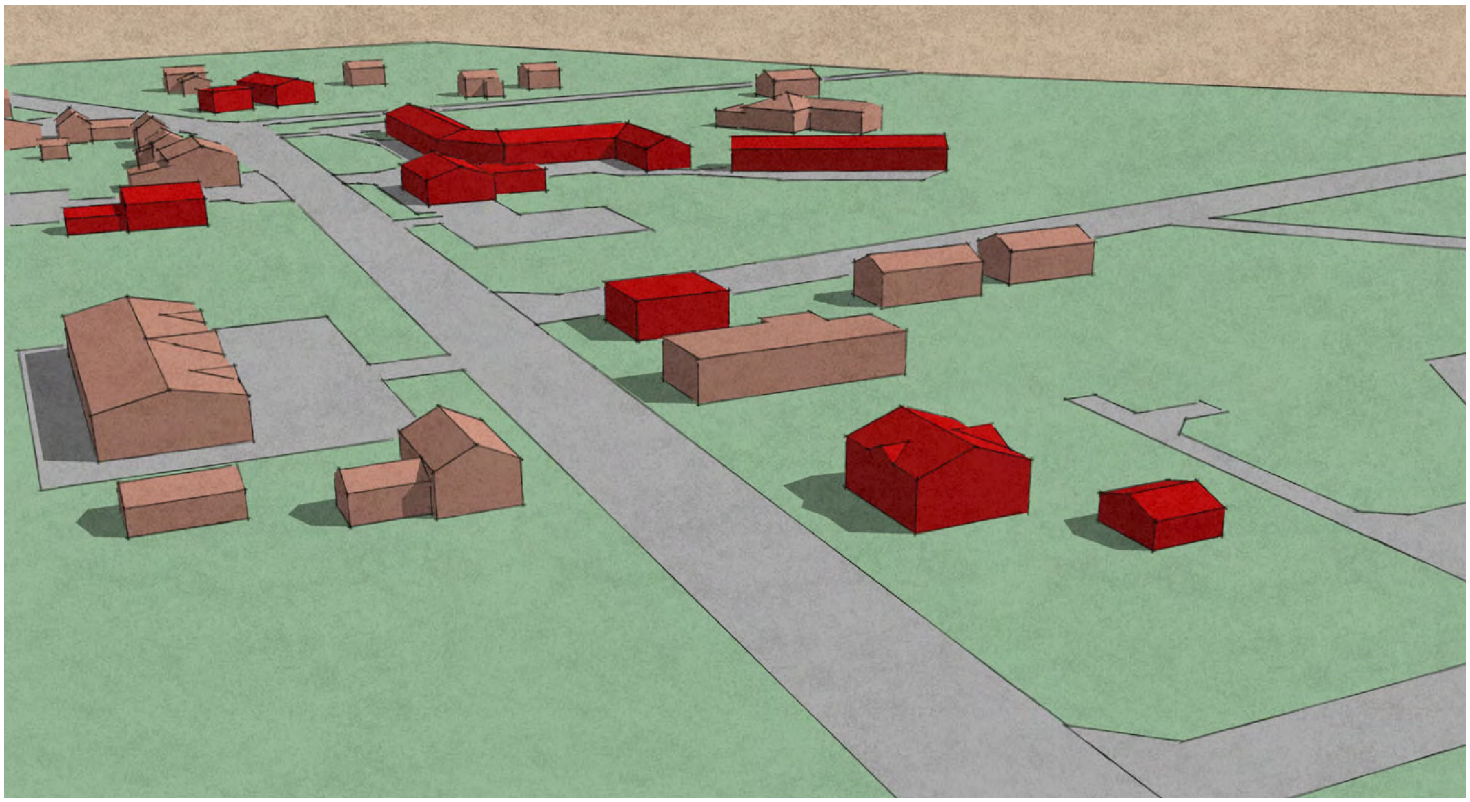
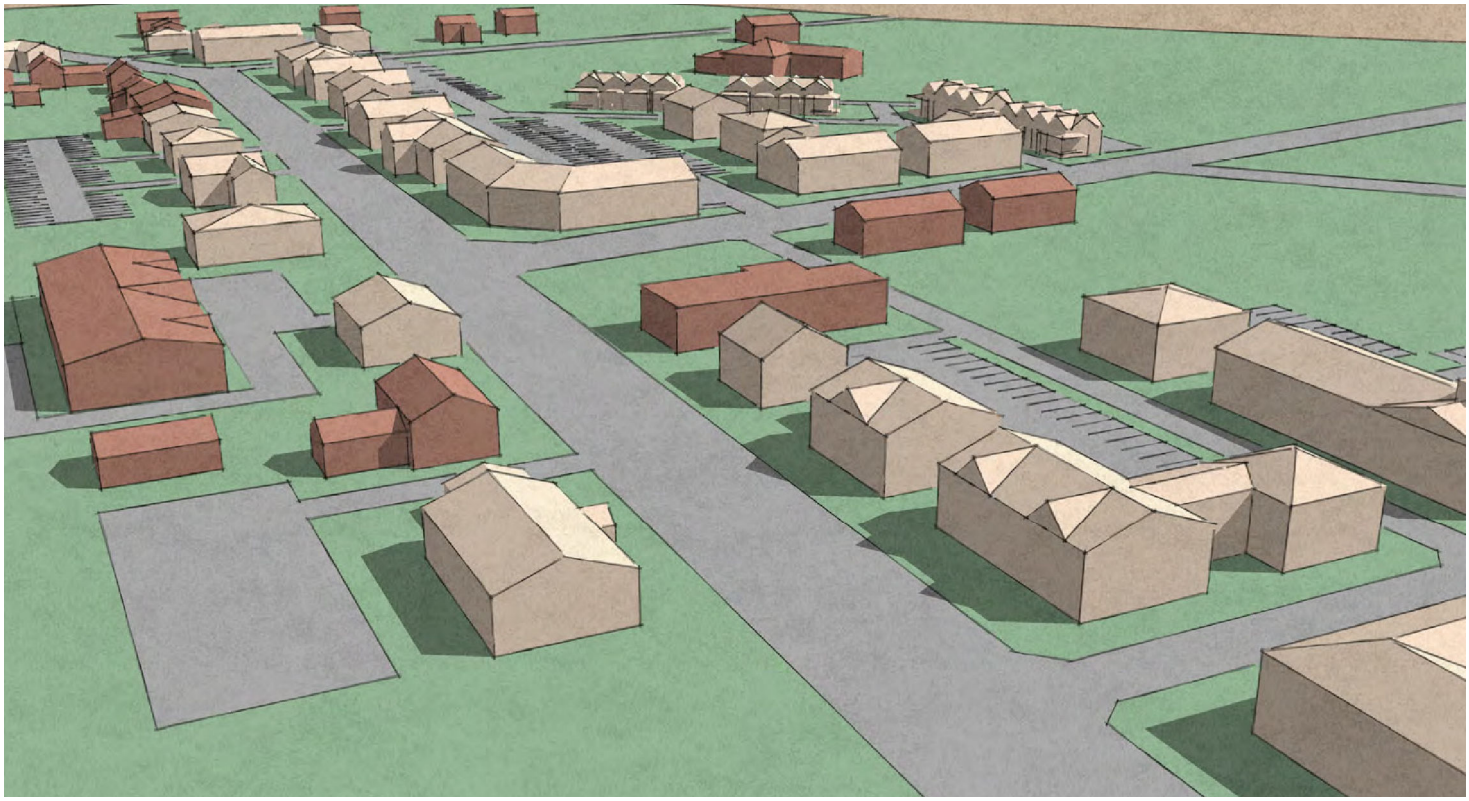


Existing Southwestern Aerial View

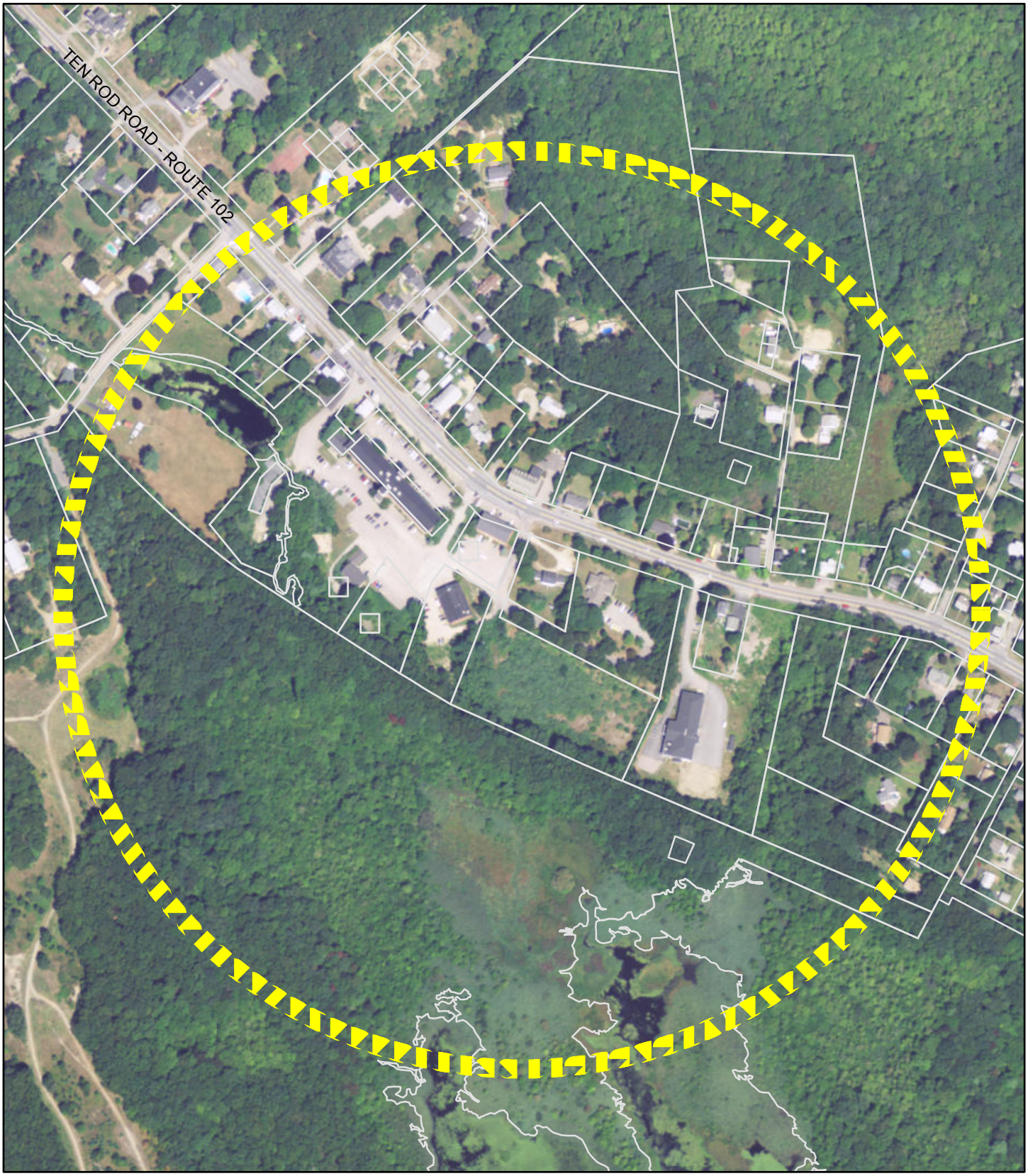


Redevelopment Concept From Southwest

Existing Buildings: Brown
New Buildings: Tan
Existing Buildings to be Redeveloped: Red

Figure 8
Potential Village Development Scenario - Hamilton (SW)
North Kingstown, RI

Horsley Witten Group
Sustainable Environmental Solutions



Legend

Approximate Study Area

0 150 300 600 Feet

N

Figure 9
Study Area Delineation - Lafayette
North Kingstown, RI

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Village Development Scenario - Plan View

Existing Buildings: Brick Red
New Buildings: Tan

Figure 10
Potential Village Development Scenario - Lafayette
North Kingstown, RI

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11

12

13

14

15

Kingstown has adopted a standard approach to calculating nitrogen concentrations in the Zoning Ordinance for commercial and industrial development (Section 21-186).

North Kingstown historically has required compliance with the 5 mg/L standard, but for many years compliance was required in the Zoning Ordinance without specific guidance on how to perform the calculations. Therefore, calculations submitted by developers varied in approach from one application to another and the Town routinely faced uncertainty regarding the viability of these calculations during the permit review process. To specifically address residential development, the Town has enforced a density limit within the groundwater overlay that precludes the development of residential units at densities greater than one unit for every two acres or land.

In 2008, the Town adopted a standardized approach to developing nitrogen loading calculations and removed the uncertainty associated with different approaches coming for review with different applications. As an academic exercise, the consultant team applied the newly adopted methodology to a hypothetical two-acre lot to see how the approach would compare with residential development. Assumptions were used for each of the inputs in a conservative scenario. A large house (3,500 square feet) with four bedrooms and one acre of fertilized turf yielded a nitrogen concentration in groundwater of 5.0 mg/L in Type A soils using a denitrifying OWTS. It should be noted that this calculation represents just one scenario and concentrations will vary from 5.0 mg/L depending on the assumptions used. In particular, the calculations are "sensitive" to the type of OWTS (conventional vs. denitrification), the area of fertilized turf, and development on poorly drained soils. As the amount of fertilized turf increases or the quality of soil drainage decreases, the nitrogen concentration will increase.

This exercise supports the idea that the density limitation used in the groundwater overlay (one unit per two acres) and the adopted nitrogen loading calculation are consistent and limit subdivision development at roughly the same level under good soil conditions. Under poor soil conditions, the nitrogen loading model can be considered more protective than the density limit and would shape development applications accordingly.

Three of the four village study sites lie within this zoning overlay and were assessed using the approved municipal methodology from the Zoning Ordinance.[1] The results of the analyses are summarized in Table 1.

[1] The analyses developed for this report were performed without the benefit of digital, engineered site plans. Calculations associated with wastewater design flow, the area of impervious surface, and other site inputs are therefore "best estimates" based on the conceptual vision illustrations and measurements within GIS. Where any uncertainty exists relative to measuring model inputs, assumptions are conservative. Resulting concentrations in these calculations are therefore higher than what may be calculated with a more precise engineered plan.

Table 1. Estimated Nitrogen Concentration for Village Study Area Vision Illustration Buildout.

Village Study Area	Estimated N Concentration for Vision Illustration
Allenton	7.2 mg/L
Lafayette	9.1 mg/L
Wickford Junction	7.4 mg/L

C. Wastewater Disposal

As part of the nitrogen loading calculations developed in the previous section, wastewater flows were estimated for each of the village development scenarios. The consultant team's engineers then estimated the amount of area that would be required for a shared leach field to see if the required area would be difficult to site within the existing design scheme. Calculations for leach field size are provided below in Table 2. Estimates were not provided for the main plaza of Wickford Junction as it is assumed that future development will be tied into the existing on-site OWTS.

Table 2. Summary of Wastewater Design Flows and Estimated Leach Field Area

Village Study Area	Approximate Wastewater Flow[1] (gpd)	Approximate Leach Field Area (square ft)
Allenton	10,500	4,000
Hamilton		
North of Annaquatucket	27,000	8,000
South of Annaquatucket	16,100	5,000
Lafayette	39,600	12,000
Wickford Junction (outside the main plaza)	27,000	8,000

The wastewater flows and associated leach field sizes are provided to illustrate the approximate amount of space that would be consumed if all the development were connected to centralized treatment systems. Hamilton is shown as having up to two different combined systems as it would be very difficult to run a new wastewater disposal pipe across the Annaquatucket River and the north and south areas would likely be divided from a wastewater perspective.

D. Streetscape Conditions

When thinking of the various vibrant, walkable villages already in existence in Rhode Island today (Wickford Village being a prime example) a critical element to the success of these villages is the streetscape. In the best cases, the existence of wide sidewalks that are well-appointed with pedestrian and bicycle amenities—such as benches, planters, "period" lighting, street trees, bike racks, etc.—creates a public realm that connects the different buildings and open spaces into a unified neighborhood experience. At the very

least, a well-maintained network of sidewalks is required to ensure sustained activity at the street level and the ability for pedestrians to access businesses without using an automobile.

The consultant team performed reconnaissance in each of the four villages to assess the presence or absence of important streetscape features. In general, streetscape conditions within the four study areas are poor. Sidewalks are generally absent altogether in Allenton, Hamilton and Lafayette with a few small exceptions. Sidewalk improvements would be necessary in each of these village areas to achieve the circulation and walkability objectives associated with village development. A sidewalk network does exist for the interior of Wickford Junction plaza (Wal-Mart, train station, etc.) and extends northward and southward from the development for a short length. Figures 16 through 19 shows the extent of observed sidewalks in the four village study areas.

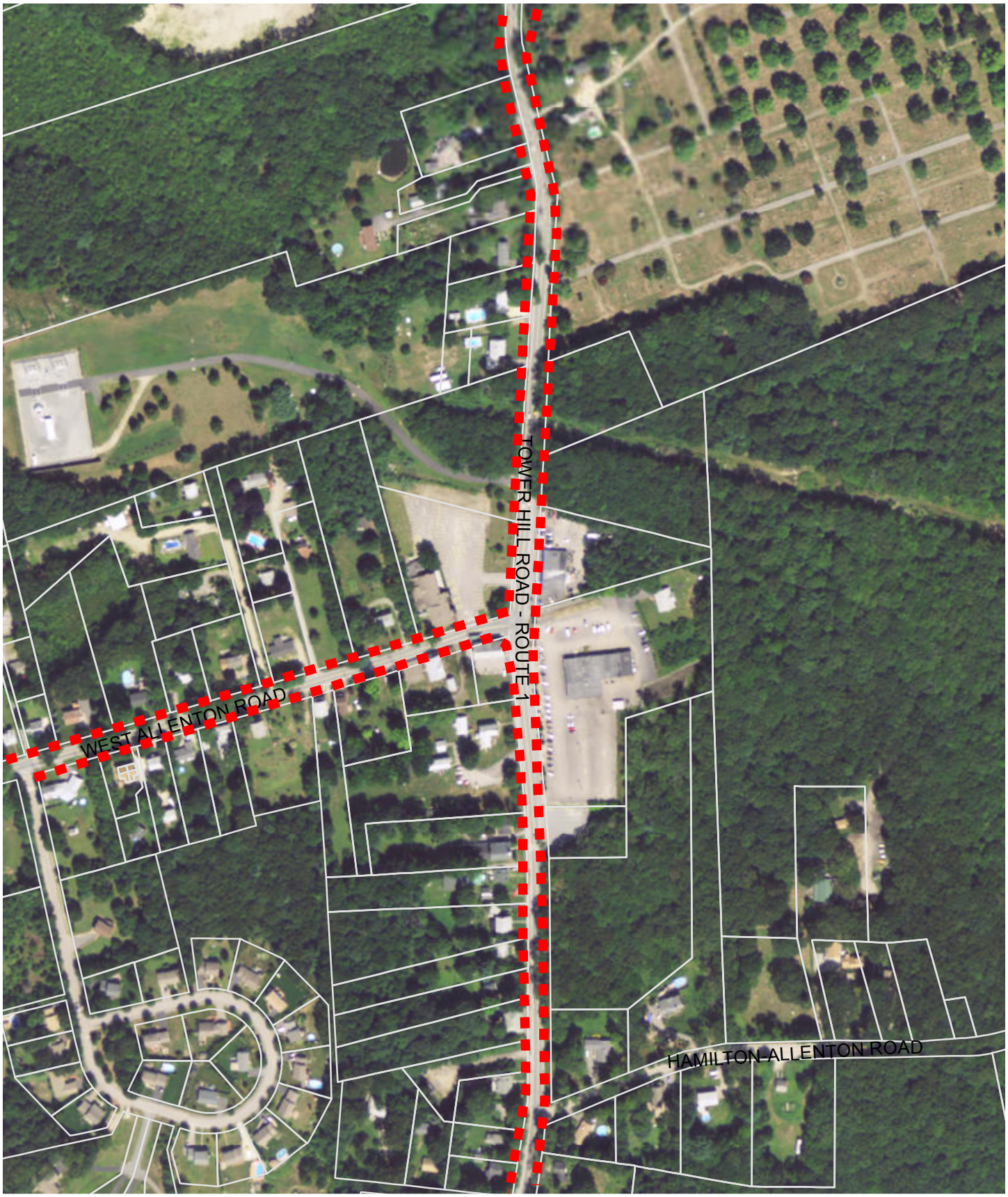
It should be noted that discussions of sidewalks and streetscapes throughout the Town revealed this to be an extremely high priority for those individuals that participated in the Healthy Places by Design process. Work performed as part of that process, coupled with the reconnaissance performed for the village project, revealed several opportunities for installing sidewalks that can be used for safe walking routes and, in the case of the village study areas, platforms for attractive streetscapes that help to define the character of new neighborhood centers. The Town continues to convene interested citizens on this issue and will continue to advocate for attractive streetscapes in these areas and others.

E. Zoning

A detailed examination of the Zoning Ordinance was performed for each of the study areas with a particular focus on those districts that covered any new development in the visualizations. The purpose of this assessment is two-fold: 1) To identify whether the core elements of these districts (e.g., allowable uses, dimensional requirements; etc.) are conducive to the development of cohesive, walkable, mixed use environments; and 2) To determine if the current zoning presents any significant challenges for implementing TDR.

With regard to this second objective, it is important to remember that TDR is inherently a "bonus" mechanism in that the purchase of development rights from the Sending Area generally leads to some increase in development potential in the Receiving Area.[2] As such, a review of the existing zoning might show areas where a developer might be able to access a bonus that is appropriate for the type of village the Town would like to see developed. For example, if the zoning today only allowed for up to two-story buildings, a developer might be able to build three stories if (s)he purchases development rights. Conversely, if the zoning provisions in place today already provide significant development potential, the application of TDR may be more challenging. In these cases,

[2] See more detailed discussion of TDR mechanism in the Phase I report.



Legend

Non-existent Sidewalk

0 150 300 600 Feet

N

Figure 16
Sidewalk Status - Allenton
North Kingstown, RI

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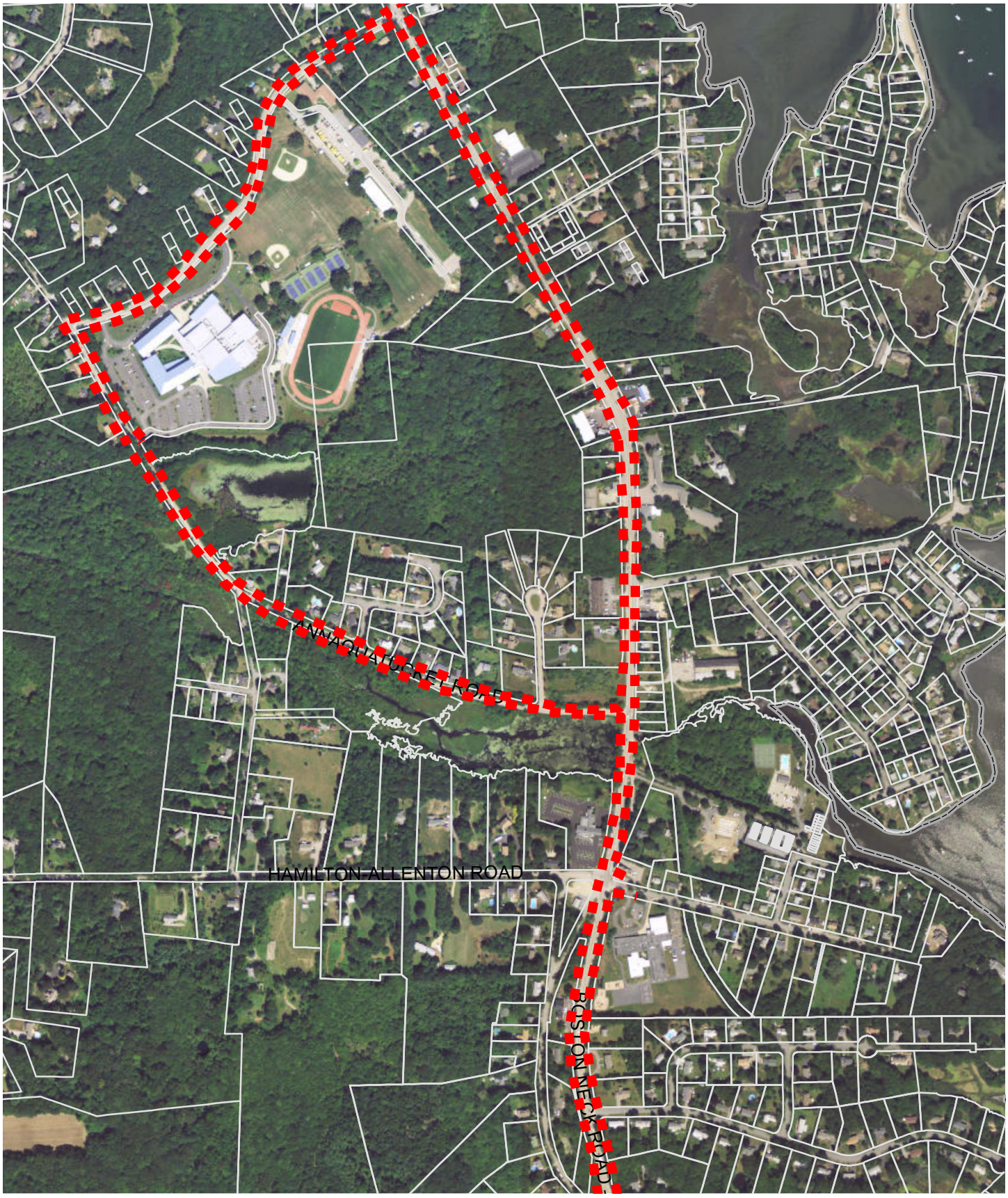

Legend

Non-existent Sidewalk

0 150 300 600
Feet

N

Figure 17
Sidewalk Status - Hamilton
North Kingstown, RI

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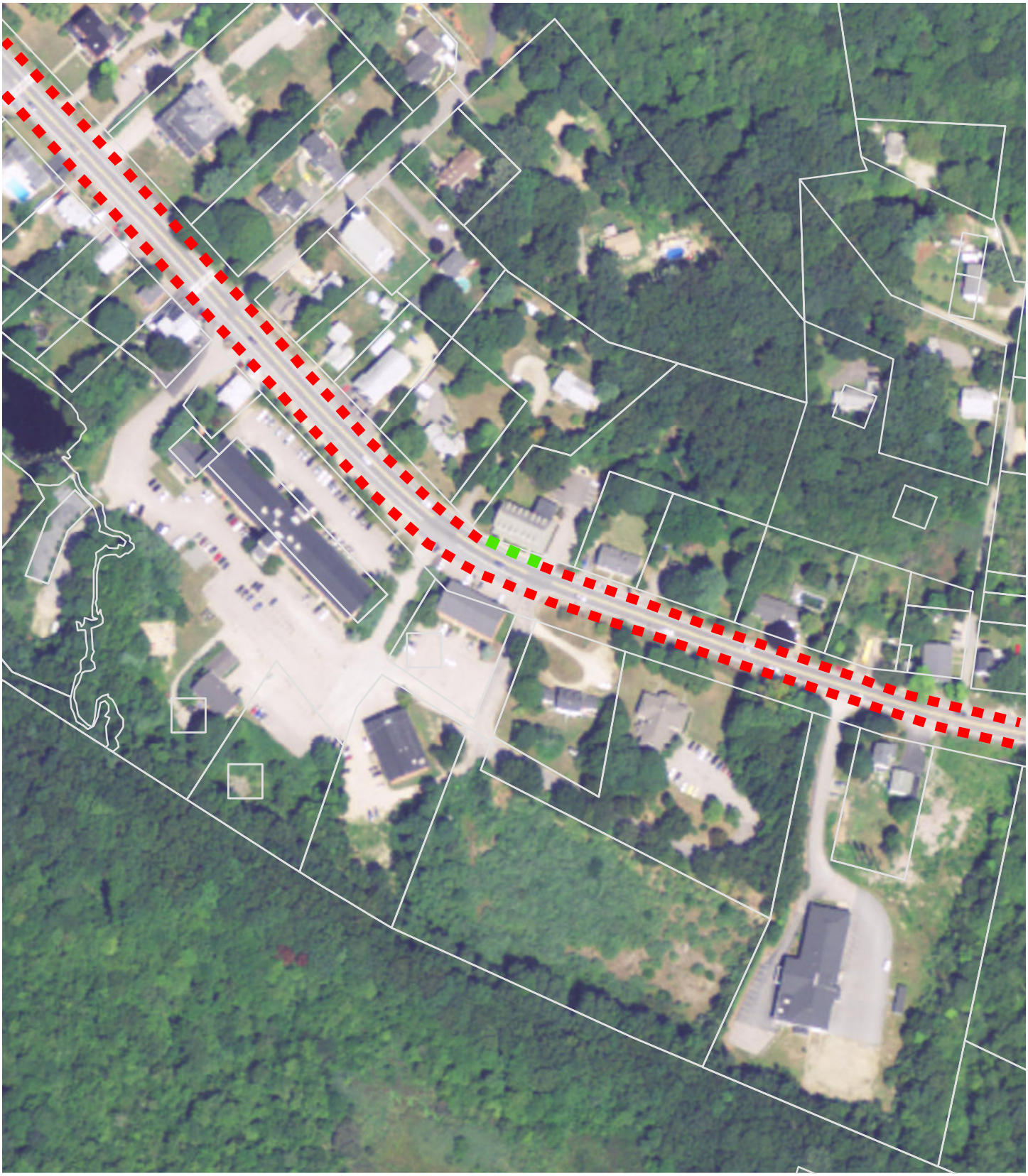

Legend

- **Existing Sidewalk**
- **Non-existent Sidewalk**

N

0 150 300 600

Feet

Figure 18
Sidewalk Status - Lafayette
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19

it may not be appropriate to offer significant development incentives beyond what already exists and more refined applications of TDR may be required.

1. Assessment of "Core Zoning Elements"

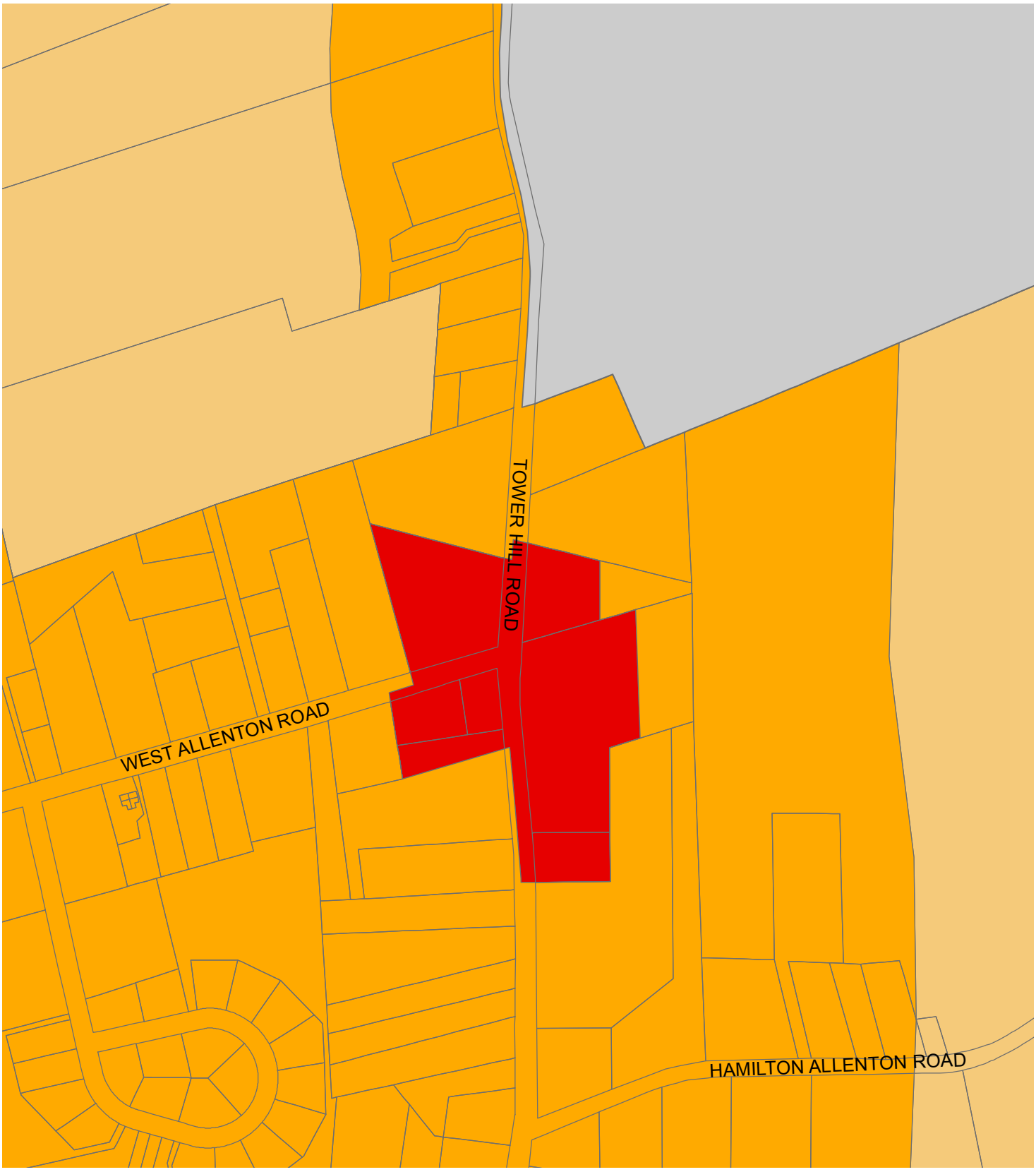
Allenton

Zoning in the Allenton study area (Figure 20) is relatively simple when compared with other focus areas, with a core property area of General Business (GB) zoning at the intersection of West Allenton Road and Tower Hill Road surrounded by Village Residential (VR20) district zoning. Core elements of the GB district and the surrounding VR20 are provided in Table 3.

Table 3. Summary of Zoning Districts for Allenton Study Area.

GENERAL BUSINESS (GB)	
Use allowances	
Commercial	All service, retail, and office use that might be desired in a village setting is generally allowed by-right.
Public and semi-public	All government use, libraries, etc. that might be desired in a village setting is generally allowed by-right.
Residential	No residential use is allowed by-right.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	25, 15, and 25 feet
Lot width	200 feet
Lot frontage	200 feet
VILLAGE RESIDENTIAL (VR20)	
Use allowances	
Commercial	Commercial use generally not allowed except for home occupation.
Public and semi-public	Limited allowance through Special Use Permit.
Residential	Exclusive residential allowed by right, not mixed use.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	Varies, 15, and 10 feet
Lot width	140 or 165 feet (single to two-family)
Lot frontage	140 or 165 feet (single to two-family)

As, Table 3 illustrates, the basic elements of the GB district (e.g., allowable uses, lot width, setbacks, etc.) strongly direct development projects in these districts to be isolated, auto-oriented commercial buildings. The inability to bring buildings to the street or to cluster/connect them from one lot to another reinforces the development of an environment that forces a physical disconnect from one site to another, eroding the walkable neighborhood character of this historic area. The fact that residential use at any



Legend

Zoning

- GENERAL BUSINESS
- PUBLIC LAND
- RURAL RESIDENTIAL
- VILLAGE RESIDENTIAL

0 150 300 600 Feet

N

Figure 20
Zoning - Allenton
North Kingstown, RI

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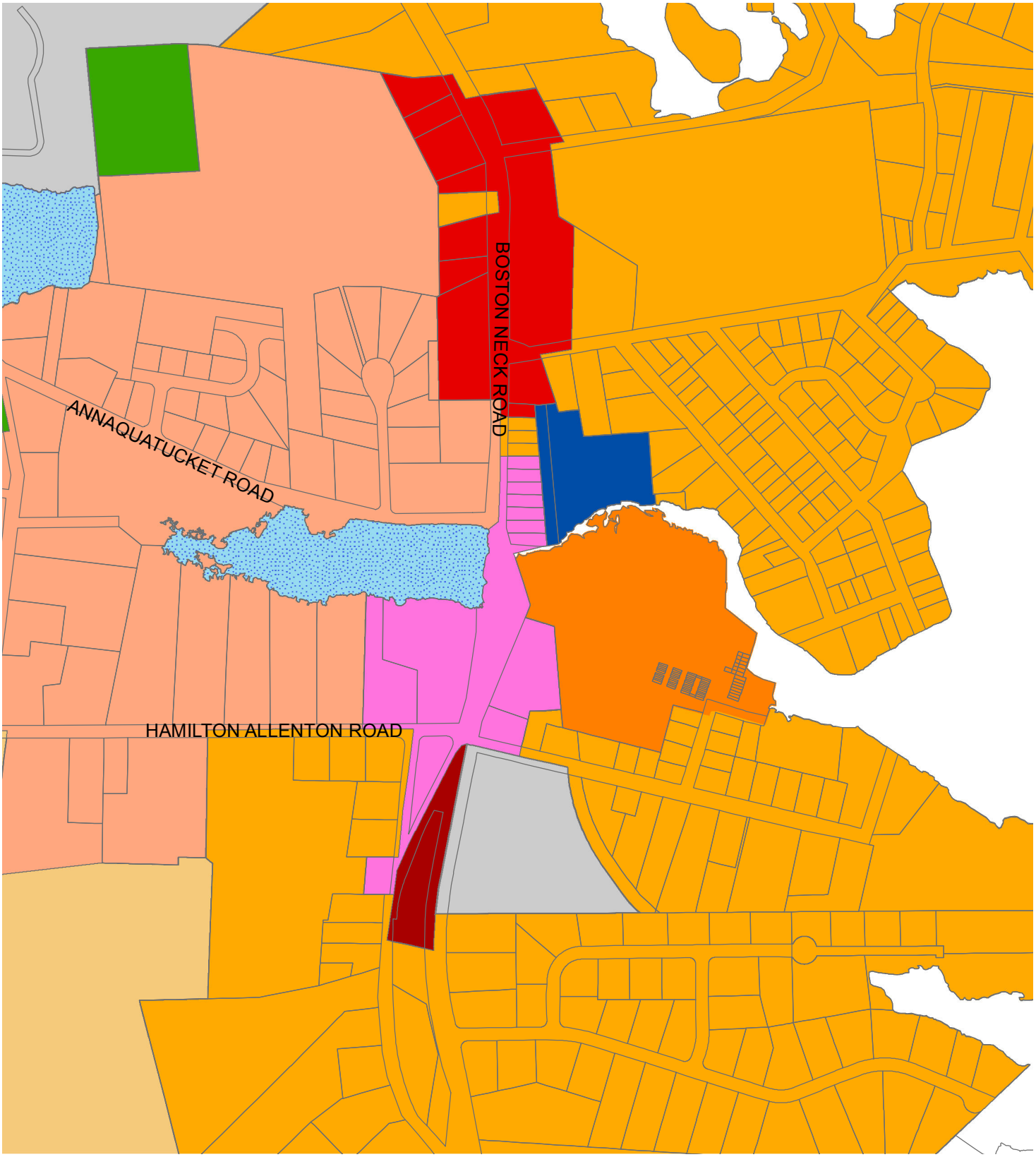
significant density is essentially not allowed removes the ability to create pockets of mixed commercial/residential use. Simply put, it is not legally permissible to build the types of mixed use, village-scale areas envisioned as part of this study in the GB district. Zoning is therefore a significant barrier to re-establishing Allenton as a neighborhood scale village and would need to be changed in order to achieve that goal.

Hamilton

Zoning in the Hamilton study area (Figure 21) is the most complex when compared with other focus areas, with eight different zoning districts within or immediately adjacent to the study area. Conceptual redevelopment visualizations were developed where five of these districts (or portions thereof) lie today. Features that address critical elements of village development within these five districts are provided below in Table 4.

Table 4. Summary of Zoning Districts for Hamilton Study Area.

GENERAL BUSINESS (GB)	
Use allowances	
Commercial	All service, retail, and office uses that might be desired in a village setting are generally allowed by-right.
Public and semi-public	All government use, libraries, etc. that might be desired in a village setting is generally allowed by-right.
Residential	No residential use is allowed by-right.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	25, 15, and 25 feet
Lot width	200 feet
Lot frontage	200 feet
NEIGHBORHOOD BUSINESS (NB)	
Use allowances	
Commercial	All service, retail, and office uses that might be desired in a village setting are generally allowed by-right. Slightly stricter than GB.
Public and semi-public	All government use, libraries, etc. that might be desired in a village setting is generally allowed by-right.
Residential	No residential use is allowed by-right.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	Varies, 0-15, and 30 feet
Lot width	40 feet
Lot frontage	40 feet



Legend

Zoning

- GENERAL BUSINESS
- GENERAL INDUSTRIAL
- HEAVY BUSINESS
- MULTI-FAMILY RESIDENTIAL
- NEIGHBORHOOD BUSINESS
- NEIGHBORHOOD RESIDENTIAL
- OPEN SPACE
- PUBLIC LAND
- QUONSET BUSINESS PARK
- RURAL RESIDENTIAL
- VILLAGE RESIDENTIAL
- water

0 150 300 600 Feet

N

Figure 21
Zoning - Hamilton
North Kingstown, RI

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Table 4 continued.

HEAVY BUSINESS (HB)	
Use allowances	
Commercial	All service, retail, and office use that might be desired in a village setting is generally allowed by-right. Slightly stricter than GB.
Public and semi-public	All government use, libraries, etc. that might be desired in a village setting is generally allowed by-right.
Residential	No residential use is allowed by-right.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	25, 15, and 30 feet
Lot width	40 feet
Lot frontage	40 feet
GENERAL INDUSTRIAL (GI)	
Use allowances	
Commercial	Almost none of the service, retail, and office use that might be desired in a village setting is allowed.
Public and semi-public	Only parks are allowed.
Residential	No residential use is allowed by-right.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	35, 30, and 30 feet
Lot width	175 feet
Lot frontage	175 feet
VILLAGE RESIDENTIAL (VR20)	
Use allowances	
Commercial	Commercial use generally not allowed except for home occupation.
Public and semi-public	Limited allowance through Special Use Permit.
Residential	Exclusive residential allowed by right, not mixed use.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	Varies, 15, and 10 feet
Lot width	140 or 165 feet (single to two-family)
Lot frontage	140 or 165 feet (single to two-family)

Perhaps the most notable observation regarding zoning districts in the Hamilton study area is the sheer number of different districts within such a small area. From a "neighborhood wide" perspective, this patchwork of zoning illustrates an obvious challenge to creating any sort of consistent land use pattern along this stretch of Boston Neck Road. Further, when looking at the individual districts contained within the study area, the same constraints that were discussed in Allenton apply to Hamilton. The inability to mix residential and commercial use to any significant extent and the use of

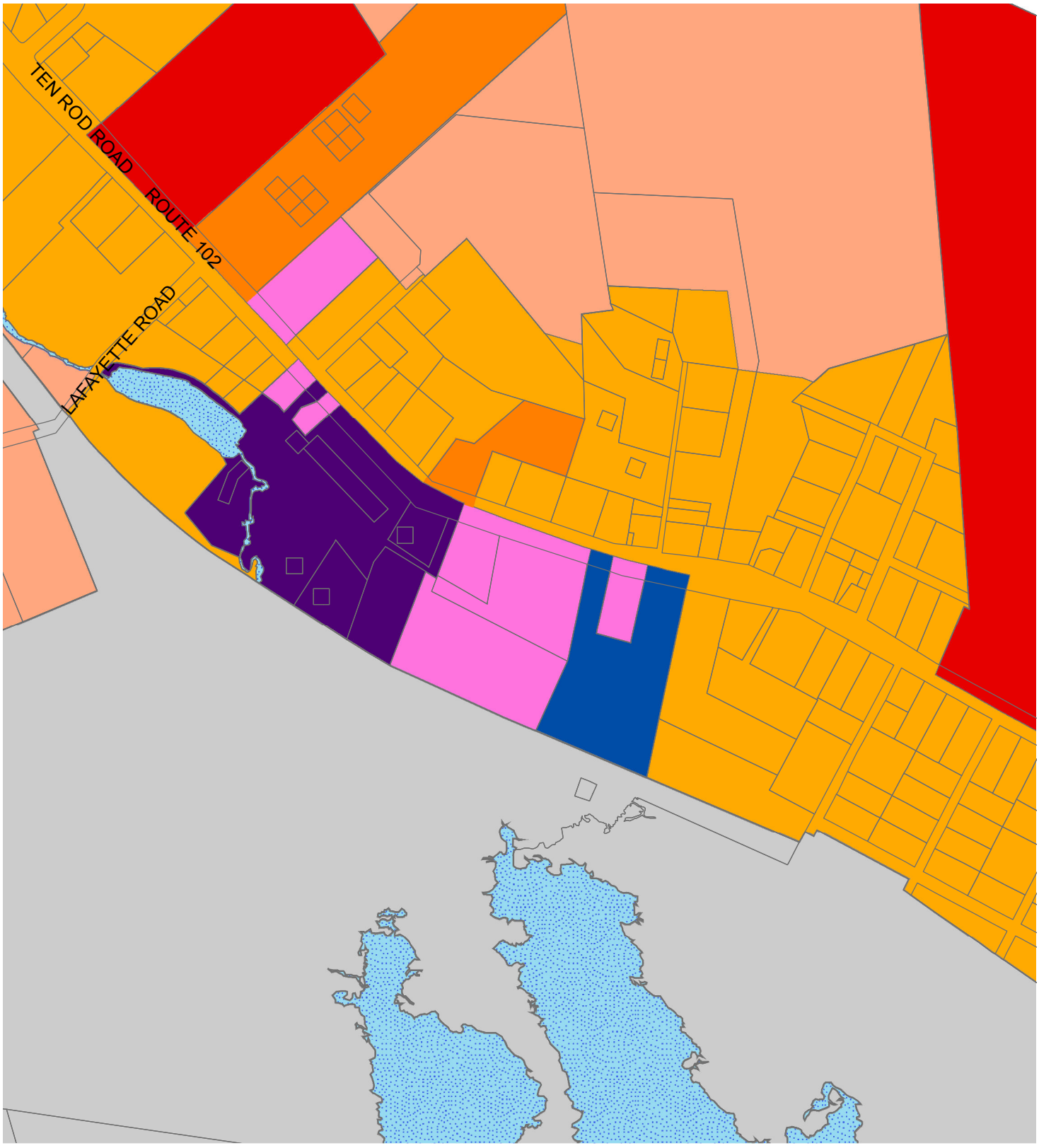
rigid, automobile-oriented dimensional requirements make it infeasible to develop well-designed village-scale neighborhoods in this area.

Lafayette

Zoning in the Lafayette study area consists of three different zoning districts as summarized below and as shown in Figure 22. Across the street from the mill complex, zoning is uniformly VR20.

Table 5. Summary of Zoning Districts for Lafayette Study Area.

PLANNED BUSINESS (PB)	
Use allowances	
Commercial	All service, retail, and office use that might be desired in a village setting are generally allowed by-right.
Public and semi-public	All government use, libraries, etc. that might be desired in a village setting are generally allowed by-right.
Residential	Some multi-family allowed by-right and other apartments through Special Use Permit.
Maximum building height	Four stories or 45 feet
Required setbacks (front, side, rear)	25, 65, and 50 feet
Lot width	400 feet
Lot frontage	400 feet
NEIGHBORHOOD BUSINESS (NB)	
Use allowances	
Commercial	All service, retail, and office uses that might be desired in a village setting are generally allowed by-right.
Public and semi-public	All government use, libraries, etc. that might be desired in a village setting is generally allowed by-right.
Residential	No residential use is allowed by-right.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	Varies, 0-15, and 30 feet
Lot width	40 feet
Lot frontage	40 feet



Legend

Zoning

- GENERAL BUSINESS
- GENERAL INDUSTRIAL
- MULTI-FAMILY RESIDENTIAL
- NEIGHBORHOOD BUSINESS
- NEIGHBORHOOD RESIDENTIAL
- PLANNDED BUSINESS DISTRICT
- PUBLIC LAND
- RURAL RESIDENTIAL
- VILLAGE RESIDENTIAL
- water

0 150 300 600 Feet

N

Figure 22
Zoning - Lafayette
North Kingstown, RI

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Table 5 continued.

GENERAL INDUSTRIAL (GI)	
Use allowances	
Commercial	Almost none of the service, retail, and office use that might be desired in a village setting is allowed.
Public and semi-public	Only parks are allowed.
Residential	No residential use is allowed by-right.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	35, 30, and 30 feet
Lot width	175 feet
Lot frontage	175 feet

Zoning in Lafayette is characterized by several very different zoning districts sitting "side by side" across an area that could easily be developed in a more integrated fashion. The PB, NB, and GI districts were likely put in place many years ago in an effort to respond to the existing use pattern in the area. While the uses may have been adequately protected, opportunities to tie them together with any innovative design were not provided. With the recent acquisition of key parcels by the Town, a golden opportunity exists to re-examine the patchwork of zoning in Lafayette potential apply provisions that could yield a more cohesive village setting.

Wickford Junction

Wickford Junction is predominantly zoned Planned Business (PB), where the Wickford Junction shopping plaza, the Meadows office park, and future train station are located, and GB where the Home Depot and Stop and Shop Plazas are located (Figure 23). Smaller pockets of Neighborhood Residential (NR), Rural Residential (RR), and Village Residential also lie within the study area.

Table 6. Summary of Zoning Districts for Wickford Junction Study Area.

PLANNED BUSINESS (PB)	
Use allowances	
Commercial	All service, retail, and office uses that might be desired in a village setting are generally allowed by-right.
Public and semi-public	All government use, libraries, etc. that might be desired in a village setting are generally allowed by-right.
Residential	Some multi-family allowed by-right and other apartments through Special Use Permit.
Maximum building height	Four stories or 45 feet
Required setbacks (front, side, rear)	25, 65, and 50 feet
Lot width	400 feet
Lot frontage	400 feet

23

Table 6 continued.

GENERAL BUSINESS (GB)	
Use allowances	
Commercial	All service, retail, and office uses that might be desired in a village setting are generally allowed by-right.
Public and semi-public	All government use, libraries, etc. that might be desired in a village setting is generally allowed by-right.
Residential	No residential use is allowed by-right.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	25, 15, and 25 feet
Lot width	200 feet
Lot frontage	200 feet
NEIGHBORHOOD RESIDENTIAL (NR)	
Use allowances	
Commercial	Almost none of the service, retail, and office use that might be desired in a village setting is allowed except through home occupation business.
Public and semi-public	Only parks are allowed by-right.
Residential	By-right allowances generally limited to single family residential.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	Variable, 35, and 35 feet
Lot width	180 feet
Lot frontage	180 feet
RURAL RESIDENTIAL (RR)	
Use allowances	
Commercial	Almost none of the service, retail, and office use that might be desired in a village setting is allowed except through home occupation business.
Public and semi-public	Only parks are allowed by-right.
Residential	By-right allowances generally limited to single family residential.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	Variable, 35, and 35 feet
Lot width	200 feet
Lot frontage	200 feet

Table 6 continued.

VILLAGE RESIDENTIAL (VR20)	
Use allowances	
Commercial	Commercial use generally not allowed except for home occupation business.
Public and semi-public	Limited allowance through Special Use Permit.
Residential	Exclusive residential allowed by right, not mixed use.
Maximum building height	Three stories or 35 feet
Required setbacks (front, side, rear)	Varies, 15, and 10 feet
Lot width	140 or 165 feet (single to two-family)
Lot frontage	140 or 165 feet (single to two-family)

When considering some of the basic tenets of village style development, there are several zoning challenges related to the Wickford Junction study area. As with most other zoning districts reviewed in this study, the districts here generally do not allow for mixing residential and commercial uses into individual buildings. Further, there is little guidance provided regarding how to design either residential or commercial development in a manner that creates a unified concept or in a way that takes advantage of the new train station. Dimensional requirements are generally inflexible, and require larger setbacks than what would be desired for a compact development district. In light of recent infrastructure investment, and building on the commercial success of this area, a change in zoning is recommended. This will be particularly important when considering the volume of commuters that will need to walk from the station to their cars, bicycles, and potentially to local businesses.

2. Challenges to Implementing TDR

The second assessment of existing zoning involved identifying any obstacles to implementing TDR in these study areas. Because TDR is a "bonus" mechanism—allowing for more development or new types of development compared with existing zoning—it is important to have opportunities to provide these types of bonuses from a regulatory perspective. If there are opportunities to provide development incentives, then TDR implementation may be possible. So, for example, if a particular district only allows for two-story development, it may be appropriate to allow for a third story as part of a TDR incentive. Similarly, if residential development is not allowed in a commercial district, TDR might be a way to allow for the incorporation of some housing into these areas.

In general, a review of the existing zoning did not show significant opportunity to incorporate development incentives for TDR within the dimensional or use requirements for the village study areas. Dimensional requirements for both residential and commercial buildings generally allowed for three-story development and it is unlikely that numerous four-story buildings would be considered appropriate for the smaller villages with the exception of any existing historic structures. The potential exception to this situation would be for Wickford Junction and the Planned Business (PB) district,

which currently allows for four-story buildings. If the Town felt that five-story buildings could be accommodated at Wickford Junction, an overlay mechanism might be used for the main commercial plaza to allow this additional story of development through TDR.

Use allowances provide for limited housing opportunities in the NB and GB district through a Special Use Permit application. While this ability to create mixed use is not by-right, the Special Use Permit process would likely be seen as less complicated by developers than a TDR transaction. Therefore, the ability to expand mixed use opportunities through TDR is probably limited in these areas without a more comprehensive rezoning. In the PB district, multi-family units are allowed (limited in density within the groundwater overlay), but establishing yield for these units would be a complicated exercise given the potential for both commercial and residential use.

A final, but critical challenge to implementing TDR in most of these districts is the lack of clear design guidelines that would be used to shape higher levels of density. TDR, as a stand-alone land use tool, provides a mechanism for higher levels of density. Whenever higher density development is enabled, as was done with the Post Road district, comprehensive design guidelines need to be adopted to ensure the higher densities are consistent with community character. Very little design guidance is currently provided for any of the existing districts in the zoning ordinance today, and this issue would need to be addressed if TDR were applied to existing districts.

One opportunity for TDR implementation that does exist lies not *within* the village study areas, but *around* them in the surrounding residential districts. Traditional patterns of village development generally include a strong mixed use core as shown in the vision illustrations. Moving out from that core area, what is often found are tight clusters of detached, densely developed housing that provides easy access to the village core from a concentrated resident population. TDR may be one way to facilitate the development of these neighborhoods and will be discussed further in the conclusions of this report.

III. Conclusions

A. Nutrient Loading and Village Development in the Groundwater Overlay

The nutrient loading analyses performed for this study demonstrate the power of this standard to effectively and appropriately limit development potential within the groundwater overlay. When compared with the blanket density limitation of one residential unit per two acres, the model showed to be equally protective at a minimum, and more protective as soil conditions become more challenging. Applying the calculations to the three village study areas within the groundwater overlay revealed that providing significant levels of compact village-scale development within any given boundary can lead to average groundwater concentrations that exceed 5 mg/L. So although the vision illustrations effectively capture what might be considered the optimal density from a village design perspective, the same illustrations show too much development activity from the perspective of aquifer protection. What the illustrations

demonstrate is that there can be a tension between achieving vibrant levels of compact development and maintaining adequate levels of groundwater protection on a district scale. To deal with this issue, there are two viable solutions.

The first solution, and the most obvious, works on the scale of the district itself and simply scales back the amount of development originally shown in the vision illustrations. For example, within Allenton the removal of the buildings called out in Figure 24 reduces the estimated wastewater flow by approximately 4,300 gpd (41% reduction) and the subsequent nitrogen concentration in groundwater to 5.0 mg/L. In this instance, the physical design of a village setting is maintained while mitigating impacts to groundwater supplies. However, some amenities, housing, and economic development opportunities are lost in the effort to meet the 5 mg/L standard.

Another solution involves thinking beyond the borders of the district and considering the carrying capacity of the aquifer as a whole. Using this perspective, there may be opportunity to add protected open space to the nitrogen loading equation and achieve the nitrogen standard from a broader "resource based" perspective. Additional dedicated open space provides natural recharge to the groundwater without nutrients generated by land use activities. This recharge, which contains only trace amounts of nitrogen, serves to dilute inputs from septic systems, impervious surfaces, or other sources within the same aquifer recharge area. So, for example, the original Allenton concept developed by the consultant team showed a nitrogen concentration of 7.2 mg/L (2.2 higher than the standard). To help offset this impact, approximately 14 acres of open space would be required to dilute the nitrogen created by development activity[3]. Importantly, this dedicated open space would have to be located in the same aquifer as the village area to justify using it as an offset mechanism. Figure 25 shows a hypothetical example of where open space might be located to meet the offset target for the village of Allenton.

B. Wastewater Disposal Considerations

The idea that wastewater for these village areas would be connected to one or two systems represents an "ideal scenario", but one that is difficult to implement. More likely, redevelopment in the three smaller village sites would take place over many years and wastewater disposal systems would be installed incrementally. This phased approach could result in actual development patterns that are slightly less dense than the vision illustrations developed by the consultant team due to the need for wastewater disposal on each individual lot. However, it would not preclude a village pattern of development.

One notable observation relative to wastewater disposal is found in the Hamilton study area. Just north of the study area, the High School currently uses an innovative OWTS that is significantly oversized when compared to the actual sewage flow from the school. The system is designed to accommodate a flow of 41,000 gpd, while actual average flows

[3] Calculations for the necessary amount of open space required assumed that the open space was comprised exclusively of hydrologic group "Type B" soils.

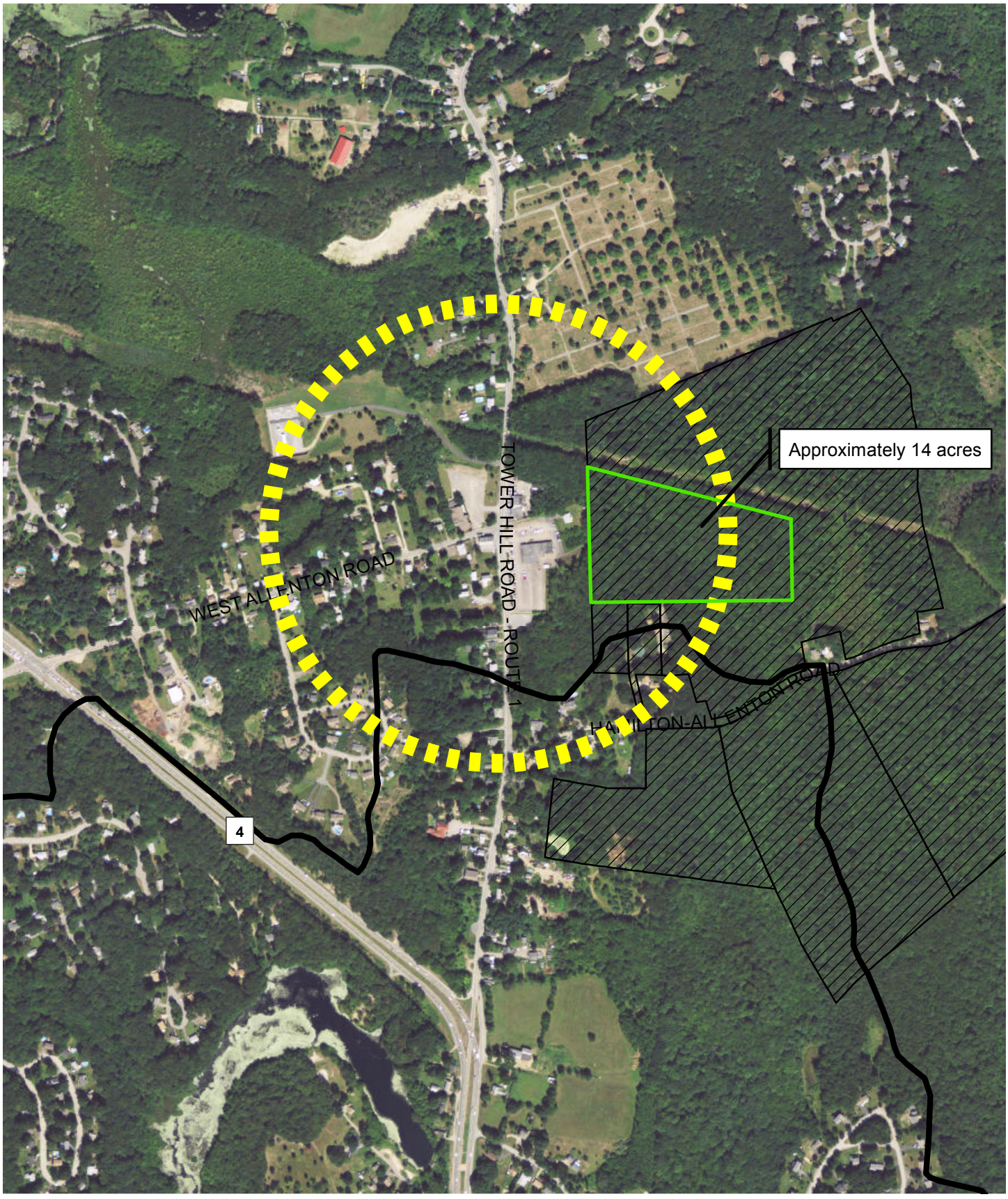
Legend

Building Removed

N

Figure 24
Buildings Removed to Meet Nitrogen Standard - Allenton
North Kingstown, RI

Horsley Witten Group
Sustainable Environmental Solutions



Legend

Sending Area Overlay District

Watershed Boundary

Approximate Study Area

N

0 200 400 800

Feet

Figure 25
Hypothetical Off-Site Nitrogen Offset - Allenton
North Kingstown, RI

Horsley Witten Group
Sustainable Environmental Solutions
370 Lwis Street • Pawtucket, RI • 02860
Phone - 401-272-1717 • Fax - 401-437-8398 • www.horsleywitten.com

are just over 11,000 gpd (personal communication with Town Engineer). Also, the seasonal nature of the wastewater flow can compromise the ability of the system to remove nitrogen as the organisms used for this process may die off in the summer without the flow of sewage needed to sustain them.

Communication with the school department revealed that repairs and adjustments have been made to this system to address the discrepancy between the actual flow and the design flow for wastewater. However, the overall capacity of 41,000 gpd is still intact and could represent an opportunity to connect other properties to the system. While this connection could create significant development opportunity for the Hamilton study area, this approach would be very expensive to implement and could be considered a potential long-term solution. Although a detailed study of wastewater infrastructure cost was not part of the scope of this study, the cost estimates developed for Post Road sewer service installation were examined to develop a rough estimate of implementing a sewer connection project. Based on estimates developed by that project engineer, the consultant team assumed that $450 was spent per linear foot of roadway included in the extension.[4] Using this figure as a "ballpark" multiplier, connecting the northern portion of the Hamilton study area to the High School OWTS would cost approximately 2.5 million dollars.

C. The Compact Village Development (CVD) Ordinance

As mentioned in the Introduction to this interim report, a CVD Ordinance exists today in section 21-325(17) of the Zoning Ordinance. The purpose of this ordinance, which has yet to be used, is to encourage the same village style development patterns that are integral to the goals of this study. This section of the Zoning Ordinance was revisited over the course of 2011 in anticipation of work that would continue through this village assessment project and in response to a private application for a zoning change that contained similar objectives. The Planning Commission and Town staff, with assistance from HW, developed a new ordinance designed to replace the existing CVD. This ordinance would act as a "limited floating zone" in that a property owner could petition to have an area re-zoned to CVD, but would only gain approval based on a series of eligibility criteria *and* the approval of a development concept. This ordinance was presented to Town Council for consideration on November 7, 2011 and Town Council chose to withhold a vote for adoption pending the findings of this interim report.

The consultant team reviewed the ordinance against the vision illustrations and other analyses to determine if the revised CVD ordinance could be applied to the four study areas and successfully create development that incorporates the village planning concepts. The results of this review showed that the proposed CVD Ordinance is very strong on many levels and, generally speaking, would prescribe a style of development that is consistent with the goals of this study. Importantly, however, there are several

[4] The linear foot unit estimate assumed here is viable for planning purposes only. When examining the different sections of the Post Road sewer extension project, linear foot unit costs ranged from approximately $300 to $600 depending on various design and construction factors.

technical elements within the ordinance where adjustments are recommended in order to make this ordinance applicable to the study areas:

1. The use of a Yield Plan and requirements for maximum density.

   To determine the density of residential development in the proposed CVD district, the current ordinance draft uses a "Yield Plan" approach. An applicant for CVD today would determine the number of residential units allowed in the base zoning and then translate that into a number of bedrooms that could then be constructed in a more compact fashion in the CVD. For example, if the existing zoning districts would allow for 20 single-family homes to be built, the current CVD draft would translate this into 65 bedrooms (assuming 3.25 bedrooms per unit). In turn, these 65 bedrooms could be developed as part of a mix of single-family, apartment, "live-work" or other housing types. Further, the yield plan is limited to a density of one housing unit per two acres in the groundwater overlay.

   When examining the four village study areas, it is clear that it would be desirable to apply a tool like CVD ordinance to areas that currently allow for little to no residential development. Parcels zoned GB or NB, for example, do not allow residential development by-right, but might be good future candidates for village style development depending on the location in the community. In these districts, there would be no base residential yield to translate into future compact, mixed use housing. The ordinance would therefore not be able to achieve village style development.

   In order for the CVD to be successful, the ordinance should be revised to allow for potential application to commercial areas that do not currently allow for residential development by-right. The recommendation is to remove the yield-based approach within a CVD and to rely on other performance standards already in place to limit development potential. Further, the existing limitation on housing density within the groundwater overlay (one unit per two acres) would not apply to CVD districts in the revised version. Instead, for CVD proposals in the groundwater overlay, the 5 mg/L standard will effectively limit development potential as shown by the previous analyses in this report. Outside of the groundwater overlay, constraints on wastewater disposal will limit density and the current version of the CVD also limits density to one residential unit per 5,000 square feet of lot area. Sample language is provided in the revised CVD ordinance to address these issues.

   When considering these changes, the Town staff and officials will recognize that relying exclusively on the nitrogen loading standard for a CVD district represents a shift in policy when compared with the current regulatory framework. But when considering the unique challenges associated with establishing a viable CVD, the following findings support this policy shift:

a. From an analytical standpoint, the nitrogen loading approach is generally as protective as the density standard, and more protective on lots with poor soils.
b. The one unit per two acre density standard was originally designed to protect against the impacts of standard subdivision design, as opposed to much more efficient patterns of development of CVD.
c. The 5 mg/L standard will effectively limit the scale of village development to levels consistent with community character as shown with the vision illustrations.
d. The nitrogen loading calculations represent a more sophisticated approach to predicting impacts to groundwater, especially in mixed use environments where site design will be more complex than in standard subdivisions.
e. Removing the application of the residential density standard makes it possible to apply this ordinance to village areas in the ongoing study. True mixed use development would be extremely difficult if not impossible to achieve in these study areas without this change.
f. The Town routinely recognizes the many benefits unique to village style development in the Comprehensive Plan and in public discussions including increased housing diversity, better transit opportunity, lower water consumption, economic development, positive fiscal contribution, and neighborhoods conducive to better public health.

2. Maximum impervious cover and minimum open space.

   The current draft of the CVD ordinance requires a maximum impervious cover of 60% and, for CVD proposals larger than 10 acres, a minimum open space area of 25%. After reviewing these standards against the four village study areas and looking at the other performance standards within the ordinance, the recommendation is to remove these requirements for the following reasons:

   a. CVD proposals in the future could be applied to pre-developed areas that cannot meet these standards. For example, the Lafayette Mill Complex could not meet this standard.
   b. The use of the nitrogen standard of 5 mg/L within the groundwater overlay more effectively guides the limitations on impervious cover and the retention of open space toward the goal of groundwater protection. Reducing impervious cover and increasing open space are two important techniques that are "built in" to the calculations and help developers reach the standard.
   c. All CVD development requires compliance with the most recent version of RIDEM's Stormwater standards. These state requirements provide a more sophisticated approach to managing impacts from impervious cover in both new development and redevelopment situations. This performance standard within the Zoning Ordinance provides assurance that impacts from impervious cover will be managed through the application of state-of-the-art stormwater management practices.

d. If open space offsets from other areas in the groundwater overlay are applied to help meet the 5 mg/L standard as described above, and the impervious/open space requirements are removed, this will allow for greater attention to village design within the CVD without compromising environmental objectives.

The revised version of the CVD ordinance attached to this report reflects these recommended changes.

3. Maximum building footprint and historical structures.

   The current version of the CVD ordinance does not allow for any building footprint within the proposed district to exceed 15,000 square feet. This would create a situation where a building like the Lafayette Mill would be non-conforming in a CVD. The recommendation is therefore to exempt historic structures from this standard and language addressing this issue is included in the attached revised ordinance.

4. Use of the Neighborhood Business (NB) district setbacks.

   The current version of the CVD ordinance references the NB district setbacks for basic dimensional requirements (e.g., front yard setbacks, side yard setbacks, etc.) and also adds several other dimensional requirements tailored more specifically to CVD. Upon closer review of the four village areas, this may not yield the best results for village scale development since the NB district relies on existing building ("built") setbacks to establish front and side yard setbacks for new construction. For example, if the CVD were applied to existing GB districts where buildings are set back 25 feet from the front yard line, this requirement could limit opportunities to develop along street lines (as is common with traditional villages) and generally in a more compact fashion. In order to remove this confusion from the existing CVD ordinance and create a document that is easier to follow, the recommendation is to insert setbacks that are unique to the CVD within the body of the ordinance.

5. The CVD and Wickford Junction.

   Several of the issues pointed out in the CVD observations above are relevant to the potential application of this district to the Wickford Junction study area. So, for example, where the study area is zoned GB, the inability to establish a residential yield makes it challenging to apply the CVD as currently drafted. Other issues unique to Wickford Junction provide challenges for the CVD ordinance. On a technical level, many of the buildings in this area exceed the 15,000 square foot maximum building footprint in the current CVD ordinance. Further, where the PB district only allows for multi-family residential, this could further complicate the development of yield plan as required in the current draft.

Stepping back from the technical points of the CVD, the most important difference for the Wickford Junction area is that the scale of opportunity is markedly different from the smaller villages in North Kingstown. While the basic principles of connectivity, walkability, compact development and mixed use can be applied to Wickford Junction, the scale of buildings and other development features will be very different. Proximity to the highway, its status as a regional shopping hub, and the development of the train station provide unique economic opportunities that will require a different regulatory approach. Revising the zoning for Wickford Junction is therefore considered an issue that is separate from the CVD and the recommended approach is described in more detail below.

D. A New District for Wickford Junction

The Wickford Junction study area, with the new train station almost complete, is one of the few areas in Rhode Island today experiencing significant infrastructure investment at such a large scale. Already identified as a major commercial center, Wickford Junction will have even larger market demand for residential and commercial use once commuting patterns are established. Because of the scale of development, the massing of buildings, and the need for transit oriented design, Wickford Junction will benefit most from a separate ordinance establishing a unique district, which will be drafted as part of this village study. Elements of the ordinance will be similar to the Post Road District and may include:

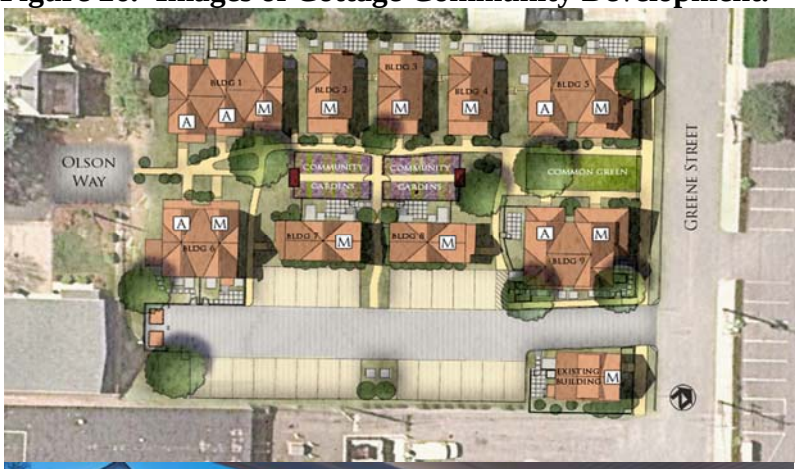
- Requirements for ground floor retail or public use;
- Access, egress, and "parking" requirements for bicyclists;
- Design guidelines for weather protection along pedestrian ways;
- By-right mixed use residential density allowance;
- Bonus residential density allowance through TDR;
- Design guidelines for site development and building design.

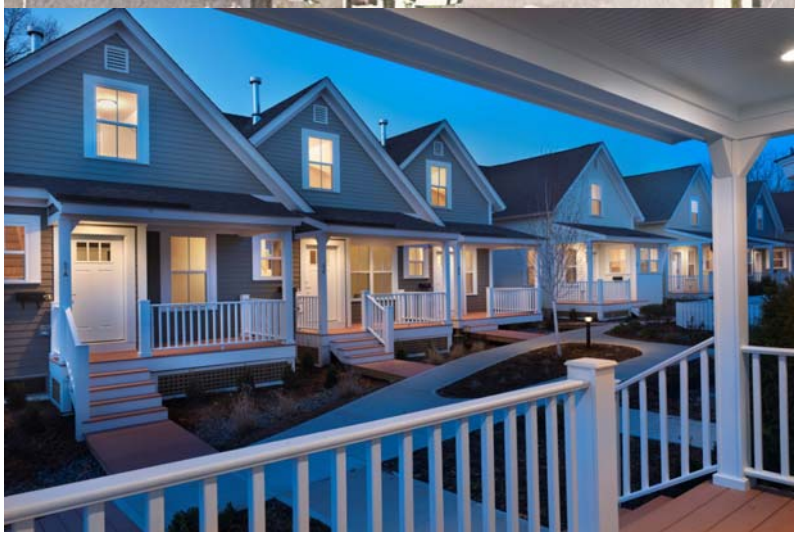
E. Cottage Zoning

As part of the development of the vision illustrations, one of the development patterns identified as very favorable to small-scale village design is cottage community design. Enabled through specific cottage zoning provisions (a.k.a. cottage community zoning, cottage style development, etc.) this housing approach is a versatile development style that is gaining popularity in many areas of the U.S. As the name suggests, cottage zoning enables the development of clusters of small homes in a manner that resembles many of the traditional cottage neighborhoods that emerged in the mid 20th century, often as seasonal or vacation communities. The basic elements of cottage zoning generally include a cluster of small homes (generally with a footprint between 800 and 1,500 square feet) that are connected to a common area. Cottage zoning provides standards to ensure high-quality design and careful attention to architecture details of buildings and relationship of buildings to the common open space. A draft ordinance will be developed

for his project that the Planning Commission may review in accordance with their schedule. Images depicting Cottage Zoning development are provided in Figure 26.

Figure 26. Images of Cottage Community Development.





The images to the left show a rendered site plan and photograph of a recently developed cottage community in East Greenwich, RI. called *Cottages on Green* . The site plan illustrates many of the basic concepts of cottage zoning including shared common space, parking areas located away from active gathering areas, and an attractive network of pedestrian ways that encourages interaction among residents. The photo illustrates the attractive scale and architectural features that make these developments so appealing.

Images courtesy of Union Studio.

F. "Same District" TDR

TDR in North Kingstown is currently structured exclusively with a town-wide perspective. Development rights from selected large farms or open space parcels throughout the town (the Sending Area Overlay District) can be transferred to the Post Road Corridor (the Receiving Area). Another application of TDR that could be applied successfully in the community is one that operates more on a neighborhood scale and can contribute to the outskirts of villages by simultaneously developing higher density residential neighborhoods and preserving tracts of open space. Where the residential rights of one parcel are traded to another residential area, clusters can be designed in a way that creates more of a neighborhood character and also has lower environmental impact per unit of housing. These clusters would be particularly effective outside of or close to village areas as the tighter clusters of housing would add to the neighborhood

character and also provide an open space amenity that would complement the denser village style development.

IV. Next Steps

A. Town Council Hearing

The consultant team prepared this interim report and the revised CVD ordinance at the direction of Town Council, in preparation for the January 23, 2012 (continued) hearing. The revised ordinance addresses those issues identified within the Conclusion section of this report including:

1. Removal of the Yield Plan approach to determine allowable residential units so that districts such as GB, PB and NB could more effectively benefit from a rezoning to CVD.
2. Removal of requirements for open space and limitations on impervious cover in favor of a more performance-based approach that relies on standards for nutrient loading, stormwater management, and pedestrian amenities.
3. Exemptions for historical structures from building footprint limitations.
4. Removal of reference to the NB district dimensional requirements in favor of dimensional requirements placed directly into the body of the ordinance, which also more effectively allow for village design.

At the direction of the Town, the consultant team will be prepared to give a presentation on the findings in this interim report and a summary of the changes proposed to the CVD ordinance.

B. Revisions to Interim Report and Completion of Final Report

In response to any feedback from the Town of North Kingstown, the consultant team will make appropriate revisions to any of the existing material in this interim report. Also, the consultant team will include any further analyses required to draft the other ordinances associated with the study.

C. Drafting of Ordinance Material

As a final piece for the report, the consultant team will draft all ordinance material recommended for consideration including:

1. A revised Conservation Development Ordinance that allows for “same district” TDR.
2. Cottage Community zoning.
3. A new transit-oriented district for Wickford Junction.
4. Any associated design guidelines for new or existing districts.
5. Housekeeping issues that arise as a result of any new provisions developed specifically for village development.

ORDINANCE NO. 12-xx

Note: Where existing subsections remain mostly intact, but are amended, words set as ~~strikeover~~ are to be deleted from those subsections and underlined text is to be added to those subsections. Where a section of the ordinance may be completely or significantly replaced and the use of strikeover or underlined text is not practical (see Section 3 below), the old text was removed entirely to make the draft easier to follow.

AN ORDINANCE IN AMENDMENT OF CHAPTER 21 OF THE CODE OF ORDINANCES, TOWN OF NORTH KINGSTOWN, ENTITLED, "ZONING"

SECTION 1. ARTICLE I. PURPOSES & ADMINISTRATION, Section 21-22 of the Code of Ordinances, Town of North Kingstown, entitled, "Definitions" is hereby amended by adding or amending the following:

Bedroom, for the purpose of establishing a yield plan, means any room in a residential structure that is used to calculate wastewater design flow pursuant to the Rhode Island Department of Environmental Management's (RIDEM) most recent version of *Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems*.

Compact Village Development (CVD) means a land development project that is authorized pursuant to Section ~~21-325(17)~~ 21-95 of this ordinance and incorporates ~~ing residential or~~ a mix of residential and nonresidential uses in a compact, walkable environment.~~, authorized pursuant to the provisions set forth in Section 21-325(17) 21-95 of this Ordinance.~~

SECTION 2. ARTICLE XII. MISCELLANEOUS PROVISIONS, Section 21-325(17) of the Code of Ordinances, Town of North Kingstown, entitled "Development standards for certain uses" is hereby deleted.

SECTION 3. ARTICLE II, Section 21-95 of the Code of Ordinances, Town of North Kingstown, entitled "Compact Village Development" is hereby amended by adding the following:

21-95 *Compact Village Development (CVD).* The intent of the compact village development provisions is to create opportunities for land development projects consistent with the CVD ordinance and to create or reinforce the character and function of village centers through compact arrangement of residential and nonresidential uses which are well related to community needs.

a. *Establishment of CVD District.* Applications for a CVD may be submitted to the North Kingstown Planning Commission for land within an existing CVD District or as part of a proposed Future Land Use Map amendment (if necessary) and a Zoning Map amendment consistent with the requirements in Section 21-95. Where a change to the Zoning Map is required, applicants shall follow the procedures of Section 21-19 of the Zoning Ordinance. Applicants for a Zoning Map amendment shall accompany the submittal of application materials to the Planning Commission with a site plan that meets the requirements of a master

plan submittal for Major Land Development projects. A CVD must include both residential and nonresidential uses as allowed in 21-95(d).

b. *Eligibility.* Locations eligible for CVD shall meet all of the following criteria:

1. At least one lot within a proposed CVD shall have adequate frontage on and access to an arterial or collector street as defined in Section 21-22 of the Zoning Ordinance.
2. When establishing a CVD, the entirety of a conforming lot that is zoned as a planned business district, general business district, neighborhood business district or multifamily residential district must be included in any land proposed to be rezoned as a CVD. Any additional lots that are proposed to be included in the CVD may be any other business, industrial or residential district, excluding the Wickford Village Center district and the Post Road District.
3. For newly proposed CVD districts located in an existing village as identified in the Comprehensive Plan, the minimum total land area of the district shall be two (2) acres. For newly proposed CVD districts that are not located within an existing village area as identified by the Comprehensive Plan, the minimum total land area shall be ten (10) acres. For any newly proposed CVD that is less than ten (10) acres, the Planning Commission shall make a recommendation to the Town Council at the pre-application stage of review as to whether the proposed CVD is located within a village. The final determination for whether a proposed CVD is located within a village shall then be made by the Town Council at a regularly scheduled meeting.
4. After a CVD has been established, land that abuts an existing CVD district and has a business, industrial, multi-family or Village/VR20 designation may be considered for a CVD zone change where the property will be integrated by design into the existing CVD. Where abutting property may be added to an existing CVD, there shall be no minimum area requirement for the additional property.

c. *Permit Procedures.* Review of development proposals within an existing or proposed CVD district shall be as follows:

1. Any application for CVD that requires a change to the Zoning Map shall be reviewed as a Major Land Development project.
2. Where a CVD district is already established on the Zoning Map, but the development proposed as part of the initial Zoning Map change was not constructed per the conditions of the approved master plan within the required timeframe allowed by state law, new proposals or revisions to the master plan shall require review as a new Major Land Development project.
3. Any change to restrictions or conditions per the original Zoning Map amendment including, but not limited to, deed restrictions, covenants, maintenance agreements, and limits on commercial square footage, shall

require a change to the master plan and a zone change application. Notification to abutters shall be the same as outlined in Section 21-95(e)6.

4. Where a CVD zoning district is already established and the plans reviewed as part of the initial Zoning Map change are substantially complete, applications for additional development or changes within the district shall be reviewed in accordance with Section 21-133 of the Zoning Ordinance and the requirements of a Major Land Development project in accordance with the North Kingstown Subdivisions and Land Development Regulations.
5. Where a Master Plan submittal requires a Zoning Map amendment and/or a Comprehensive Plan amendment, the Master Plan approval is subject to the Town Council approving the Zoning Map amendment and the Comprehensive Plan amendment.
6. The applicant must demonstrate that the proposed development would have an adequate water supply.
7. If the CVD is proposed to be built in phases, phasing requirements shall be determined at the discretion of the Planning Commission.
8. The Planning Commission shall consider how the proposed percentage of nonresidential and residential development promotes the development of a walkable village as contemplated by the CVD ordinance. In determining the appropriate amount of residential and nonresidential uses or the ratio between the residential and nonresidential uses, the Planning Commission shall consider the following, without limitation:

    a. The amount and type of nonresidential use on nearby properties.
    b. The amount of residential use in close proximity to the CVD and the degree to which that residential use is readily connected to the proposed CVD through vehicular, pedestrian or bicycle connections.
    c. The degree to which the proposal may be compatible with historic or otherwise notable structures in or near the proposed CVD.
    d. The degree to which the proposed CVD may represent historic development patterns in the area or otherwise model traditional New England village types.
    e. The capacity for roadways to effectively handle anticipated volumes of traffic.
    f. The capacity for existing or proposed utilities to effectively provide service to the proposed mix of uses.
    g. The carrying capacity of the site, the watershed(s) within which the site lies or the underlying groundwater.
    h. The need for commercial or residential uses in the area.
    i. The current zoning of the proposed CVD District.
    j. The current future land use map designation in the Comprehensive Plan.
    k. The percentage of proposed protected open space or recreation land.

d. *Allowable uses.* A CVD project must include both a residential use and a nonresidential use. Use allowances within a CVD District shall follow the use allowances specified for the Neighborhood Business District with the exceptions, additions or alterations provided below.

1. The following residential uses shall be allowed by right:
   a. Single-family dwellings
   b. Two-family dwellings
   c. Multi-family dwellings including townhouses
   d. Dwelling units above nonresidential use
   e. Home occupation within a dwelling in accordance with Section 21-320 of the Zoning Ordinance
   f. Nursing home or convalescent home
   g. Accessory dwelling units
2. Farm markets shall be allowed by right.
3. The following recreational uses shall be allowed by right:
   a. Golf courses with associated facilities
   b. Health and fitness facilities.
4. All additional restrictions on use provided for in the groundwater or other overlay districts shall apply if the parcel is located in said overlay districts.

e. *Dimensional Requirements.* The dimensional regulations for the CVD are provided herein:

Dimension	**Minimum**
Lot area within the CVD	4,000 square feet
Lot width	40 feet
Lot frontage	40 feet
Building setbacks	
Front	0 feet
Side	0 feet
Corner side	0 feet
Rear	20 feet
Side and rear from adjacent residential district	30 feet
	Maximum
Building stories	3
Building height	40 feet

1. The proposed lot(s) included in any development plan, regardless of use, must contain on average at least 5,000 square feet of lot area per dwelling unit proposed.
2. The average number of bedrooms per dwelling unit for all residential units located within the CVD District shall not exceed two (2).
3. Subject to the limits of the other sections of the ordinance, the footprint of any individual commercial building shall not exceed 10,000 square feet; provided, however, that one 15,000 square foot commercial building shall

be allowed for properties containing more than 10 acres of buildable land. TDR may be used to exceed this allowance pursuant and subject to the limitations of Section 21-95(k). inside the Urban Services Boundary. In no instance, shall any building footprint exceed 15,000 square feet.

a. Historic structures may be exempt from this subsection with the approval of the Planning Commission provided that the structure supports the historical integrity of the village and the exemption will be consistent with or enhance the goals of developing a CVD District. The burden of proof for the determination of a historic structure shall be placed upon the applicant. The applicant may refer to the definition of a historic site as defined in Section 21-22 and/or the *North Kingstown, Rhode Island Statewide Historical Preservation Report W-NK-1* published by the Rhode Island Historical Preservation Commission November 1979.

4. The side and rear setback and the setback from residential use minimums shall apply only to lots abutting the boundary of the CVD District.

f. *Inclusionary Zoning*. All housing which is included in the CVD shall have a minimum of 10 percent of all units deemed affordable as defined in Section 21-22. All of the provisions of Article XXII. Inclusionary Zoning shall apply except for those provisions that grant additional lot density bonuses for affordable housing units. Total lot density in a CVD shall be determined by Sections 21-95(e). and 21-95(j).

g. *Architectural and Lot Layout Design Specifications.* Section 21-269 Village Character Design Guidelines of this ordinance shall apply as a minimum standard to CVD proposals as a framework for development within the CVD District. Additionally, as part of a Major Land Development review process with the Planning Commission, the following shall be required.

1. The design guidelines provided in 21-269(3) shall be used by the Planning Commission where applicable. Where design specifications approved by the Planning Commission for an individual CVD District differ from or are stricter than those provided in Section 21-269(3) of the Zoning Ordinance, the specifications that are specific to a CVD proposal as approved by the Planning Commission shall prevail.
2. Where a CVD District is already established, the design specifications approved as part of the initial Zoning Map change shall apply to any new development or redevelopment proposal within the district. Minor changes or deviations from these specifications require approval by the Planning Commission. Major changes shall be subject to the specification and notice requirements of Section 21-95(c)(3).
3. The applicant shall submit supplementary illustrated design specifications with any proposal to establish a new CVD District. If approved, the additional design documents shall be incorporated into the recorded legal documents for the development. These specifications shall address the following elements specific to the neighborhood context:

a. Identify any building typologies within the neighborhood or the community as a whole that should inform the selection of architectural styles.
b. Identify the character of the arterial or collector road that provides access to the CVD District and demonstrate how setbacks, vegetation, screening, signage, new roadside features and pedestrian/bicycle amenities will be used in a manner that is consistent with or enhances that character.
c. Building envelopes and/or limits of disturbance shall be considered as part of the approval.
d. Illustrate how the placement of buildings, parking lots and entrance ways will be consistent with or enhance the goal of developing a walkable CVD District. CVD applications must show a clear, contiguous pedestrian and/or non-motorized vehicle circulation network within the development. Elements, approaches or design specifications that may be required by the Planning Commission to ensure a walkable/bikeable environment include, but are not limited to:

    i. Walkways, sitting areas, bicycle racks, lighting, landscaping and canopy trees along property frontage may be required where public sidewalks are not present or in conjunction with public sidewalks to enhance pedestrian mobility.
    ii. Raised surfaces and/or durable, decorative alternatives to conventional pavement may be required to connect sidewalks or bike lanes across driveways for automobile access points to any site.
    iii. Where pedestrian or bike lanes intersect with designated automobile travel lanes, strategically placed decorative bollards, stones, landscaped islands or low fencing may be required to provide a greater visual divide between these areas.
    iv. Pedestrian connections between buildings shall be provided as safe, broad and easily identifiable ways of walking through areas that may also be occupied by automobiles. These walkways shall be designed to clearly show the space is primarily dedicated to pedestrian traffic through the use of raised or alternative surfaces, signage or raised landscaped islands that may serve as a safe resting area for pedestrians between automobile travel lanes.
    v. Building placement shall be performed in a manner that balances the circulation needs of motorists and pedestrians. Where possible, building placement shall be close enough to property lines to ensure that property setbacks are entirely dedicated to pedestrian and/or bicycle travel.

e. Demonstrate to the satisfaction of the Planning Commission that building materials, roof lines, fenestration, façades, entranceways, surface treatments, signs and lighting will be used to meet the goals of

the CVD ordinance through the provision of architectural elevations and illustrated examples of these individual features.

4. The Planning Commission shall have the ability to require additional design specifications, amenities and development requirements that are compatible with or enhance the surrounding neighborhood.
5. Coverage of any lot by nonresidential and residential buildings shall be designed so as to create a walkable village.
6. The overall percentage of nonresidential to residential building coverage shall be set by the Planning Commission at the master plan level of review and approved by the Town Council as a condition of the zoning map amendment to the CVD District for the parcel(s) of land. In addition to the factors set forth in Section 21-95(c)(7), this determination shall take into account the existing traffic patterns, existing zoning and land uses, the Comprehensive Plan, surrounding zoning and land uses, the fiscal impact of the CVD District on the town and the availability of services and utilities including, but not limited to, water and sewer.
7. For CVDs located outside of the Urban Services Boundary the impervious coverage for the entirety of the CVD shall not exceed sixty percent (60%), the application shall take into account the impervious coverage in the watershed, and the application shall indicate the potential impacts to the watershed. In all CVDs, stormwater treatments such as pervious pavement, bioswales and other innovative stormwater mitigation methods shall be utilized to minimize the impacts from increased impervious coverage on the site and in the watershed. Individual lots within a CVD need not comply with the impervious lot coverage requirements provided that those requirements are met in the CVD as a whole and the individual lot complies with the approved land development plan.

h. *Circulation.* Vehicular, bicycle and pedestrian traffic shall be interconnected within the CVD District, and shall connect to adjacent lots containing land zoned for business purposes. Connections shall be designed without the use of traffic signals to the extent practicable.

i. *Wastewater Disposal.* All parcels located in the CVD shall be tied into a sanitary sewer system if available. Where a sanitary sewer system is not available applicable nutrient loading standards shall be met as stated in subsection j. below. Community or shared OWTS shall be utilized on site unless not appropriate due to site constraints. In the event the applicant cannot utilize a single community OWTS, the applicant shall use a combination of as few as possible smaller OWTS unless financially and technically unfeasible. In addition, a permanent maintenance agreement for wastewater disposal throughout the entire CVD shall be required as part of the final approval. The burden of proof of these requirements shall be placed upon the applicant. An OWTS leachfield(s) may be allowed in the open space area by the Planning Commission if it furthers the goals and intentions of this ordinance.

j. *Nutrient loading and density limitations in a CVD.*

1. Nutrient loading and density limitations associated with a CVD shall vary depending on the location of the CVD relative to both the North Kingstown Groundwater Overlay District (zone 1 and zone 2) and the Rhode Island Statewide Planning Urban Services Boundary (USB) in accordance with the table below and the notes and explanatory provisions that follow. Where the provisions associated with Section 21-186(d)(1) are different from those in this subsection, the provisions of this subsection shall govern.

	Inside Groundwater Zone 1	**Inside Groundwater Zone 2**	**Outside the Groundwater Overlay District**
Inside the USB	3.5 bedrooms per 2 acres of buildable land.[1,2]	One housing unit allowed per 5,000 square feet of CVD area.[1]	One housing unit allowed per 5,000 square feet of CVD area.
Outside the USB	3.5 bedrooms per 2 acres of buildable land.[1,2]	3.5 bedrooms per 2 acres of buildable land.[1,2]	3.5 bedrooms per minimum lot size of buildable land associated with existing zoning.[3]

Table Notes:

1. This bedroom density shall not be interpreted as removing the need for development proposals within the groundwater overlay zones to meet the nitrate loading standard of five (5) mg/L as set forth in Chapter 8, Article VI, ("Groundwater Reservoirs and Recharge Areas") of the Revised Ordinances according to the requirements of 21-186(f)(5).
2. Where the pre-existing zoning may require minimum lot sizes greater than two acres, that lot size shall be used to determine bedroom density for that portion of the CVD. For example, if 10 buildable acres of a proposed CVD are located in district that requires five (5) acres for a minimum lot size, that portion of the CVD will yield 7 bedrooms.
3. Sample calculation:
   For a CVD that contains eight (8) acres of buildable land in RR, six (6) acres of buildable land in VR-20, and two (2) acres of buildable land in NB:

   RR: 8 acres / 80,000sf = 4.36
   VR-20 : 6 acres / 20,000 = 13.01
   NB: No yield as residential not allowed by-right

   Total: 17.37 x 3.5 = 61 bedrooms (rounded)

2. Where a CVD proposal may include land split by the boundary of the groundwater protection overlay district and/or the USB, the areas outside and inside the overlay zone shall be treated separately with regard to the density limitations as described in Section 21-95(j)(1).
3. None of the provisions of this subsection shall be interpreted as removing any density limitations or nutrient loading limitations that may be required by RIDEM or RICRMC for specific areas.
4. Fractions of bedrooms shall be rounded to the nearest whole number.

5. Provisions for reporting to the town the concentration of Nitrate (NO_3) and Total Nitrogen (TN) concentration in Onsite Wastewater Treatment Systems (OWTS) effluent at least once per year every year shall be a condition of all approvals in a CVD District.
6. Where a proposed CVD in a Groundwater Zone 2 overlay district would create average nitrogen concentrations within the district that exceed five (5) mg/L, an applicant may propose to offset the difference between the five (5) mg/L and the predicted concentration by adding dedicated offsite open space into the nutrient loading calculations in accordance with the assumptions for nitrogen loading and natural recharge found in Section 21-186. The following shall apply:

    a. Dedicated off-site open space is only eligible for offsetting nutrient loads from a CVD if the open space and the CVD are located within the same aquifer recharge area.
    b. The dedicated off-site open space can only come from a Groundwater Overlay Zone 1 district.
    c. Off-site nitrogen load offsets may only be used for CVDs located in the state designated Urban Services Boundary.
    d. The open space shall be land that is not restricted or protected from development through any easements or restrictions such as but not limited to: open space or conservation easements.
    e. The open space land shall be considered buildable as defined in Section 21-22 and not encumbered by significant physical or environmental constraints.
    f. The original nutrient loading analysis in the proposed CVD parcels may not show an average concentration of nitrogen that exceeds seven and a half (7.5) mg/L. The nutrient loading analysis including the open space offset shall not exceed five (5) mg/L.

k. *Transfer or Purchase of Development Rights (TDR).* Except as set forth in section e.3, the transfer or purchase of development rights shall be required for any individual commercial building that will exceed a 10,000 square foot ground floor area, but in no circumstances shall the footprint for any individual commercial building exceed 15,000 square feet. In no instance, shall any building footprint exceed 15,000 square feet except historic structures may be exempt from this subsection with the approval of the Planning Commission provided that it supports the historical integrity of the village and will be consistent with or enhance the goals of developing a CVD District. The burden of proof for the determination of a historic structure shall be placed upon the applicant. The applicant may refer to the definition of historic site and/or the *North Kingstown, Rhode Island Statewide Historical Preservation Report W-NK-1* published by the Rhode Island Historical Preservation Commission November 1979. The following shall also apply:

1. The transfer or purchase of development rights for use within a CVD District shall be allowed only from a sending area located within North Kingstown.
2. The transfer or purchase of development rights for use within a CVD District shall allow nonresidential structures to expand from a maximum of 10,000 square feet ground floor area to 15,000 square feet ground floor area. This shall be the only application of TDR available to nonresidential uses in a CVD District and no other zoning standards (e.g., maximum height, allowable use, minimum open space, etc.) may be exceeded through TDR.
3. Any CVD District utilizing the transfer or purchase of development rights must be located within the state designated Urban Services Boundary and meet all applicable nitrogen loading standards of this ordinance.

l. *Fiscal Impact.* The applicant shall submit a fiscal impact analysis demonstrating the potential costs to be incurred by the town for the provision of municipal services to the CVD District and the estimated municipal tax revenue to be generated by the CVD District.

m. *Traffic Impact.* An applicant for any Zoning Map change shall submit a traffic analysis that includes impacts to intersections within one-half mile of the CVD District. Where the proposed CVD District would reduce the level of service (LOS), as defined by the Institute of Traffic Engineers (ITE), either by one level or to a level at or below "D", the applicant shall present an alternatives analysis to illustrate how different traffic control measures within the traffic study area could be used to mitigate impacts and restore LOS to the existing level or to a level "D" or above, as applicable. Use of traffic signals for mitigation is discouraged. Where mitigation measures are not practicable, the Planning Commission shall consider the impacts in its recommendation for a Zoning Map change and for approval of the master plan. The duration of low service levels, the number of intersection approaches negatively affected, and the recurrence interval of unacceptable levels shall be considered by the Planning Commission in its recommendation.

n. *Stormwater Management.* All applications shall be required to meet RIDEM's Stormwater Standards.

o. *Property Ownership.* Parcels in separate ownership may be made part of the same CVD project provided that the owners of all parcels document their commitment to compliance with the land development plan to the satisfaction of the town including, but not limited to, through appropriate deed restrictions as part of the application and approval process.

p. *Dedicated Open Space*. Where a CVD District of ten (10) acres or more is proposed outside of the Rhode Island Statewide Planning Urban Services Boundary, a minimum of twenty five percent (25%) of the total land area shall be dedicated as open space/recreation area and shall be designed as a system of available spaces throughout the development. Where a CVD is proposed within

the Urban Services Boundary, civic spaces, pocket parks or natural areas shall be required and integrated into the CVD in a manner that provides year round accessible open areas, gathering places and/or recreational opportunities.

SECTION 4. ARTICLE VIII. Overlay Districts. Groundwater Overlay provisions. Amend Section 21-186(d) by adding the following subsections:

(4) For the purpose of determining nitrogen loading, where separate commercial and residential operations use the same denitrifying OWTS, the portion of the design flow attributed to residential use shall be assigned a nutrient loading coefficient of 19 mg/L in wastewater effluent. The portion of the design flow attributed to commercial use shall be assigned a nutrient loading coefficient of 35 mg/L.

Section 5. Article VIII. Overlay Districts. Groundwater Overlay provisions. Amend section 21-186(g)(5)by modifying the following table:

(5) Nutrient loading calculations performed as part of any permit submittal shall incorporate the following assumptions:

Loading numbers for nitrogen sources

Activity or Discharge	Nitrogen Loading Coefficient
Effluent from standard OWTS	35 mg/L
Effluent from DEM approved innovative system	19 mg/L
Effluent from centralized wastewater facility	10 mg/L (zero if transported off-site)
Turf fertilization	3.0 lbs per 1,000 square feet with 25% leaching rate to groundwater*
Roof runoff	0.5 mg/L per unit area
Pavement runoff	1.5 mg/L per unit area
Atmospheric Deposition	0.05 mg/L

*For the purposes of any residential lots included in nitrogen loading calculations, any land that is not covered by a structure or other permanent surface as part of the development proposal shall be considered "turf" for the purposes of these calculations unless otherwise determined by the town during review. The burden of proof shall be on the applicant to demonstrate that these areas should be considered something other than turf based on unique site conditions. Conditions that should warrant a different designation for these areas may include, but shall not be limited to, the presence of exposed ledge, wetland, easements or other legal agreements that would specifically preclude the establishment of turf. Physical permanent boundary markers shall be installed to indicate the boundaries of turf and natural areas

SECTION 6. ARTICLE XXIII. TRANSFER OF DEVELOPMENT RIGHTS (TDR). Amend Section 21-622. Applicability by adding subsection (2)(b):

Sec. 21-622. Applicability

(1) Areas that qualify as Sending Areas are delineated by the Sending Area Overlay District pursuant to Section 21-190 of the Zoning Ordinance;

(2) Districts that qualify as potential Receiving Districts for development rights include:

(a) Post Road District

(b) Compact Village Development District as provided for in Section 21-95.

Allenton Village - Existing Conditions

North Kingstown, Rhode Island

Prepared by: Dodson Associates, Ltd.
Date: July 26th, 2011

N

0’ 200’ 400’ 800’

Allenton Village - Proposed

North Kingstown, Rhode Island

Prepared by: Dodson Associates, Ltd.
Date: July 26th, 2011

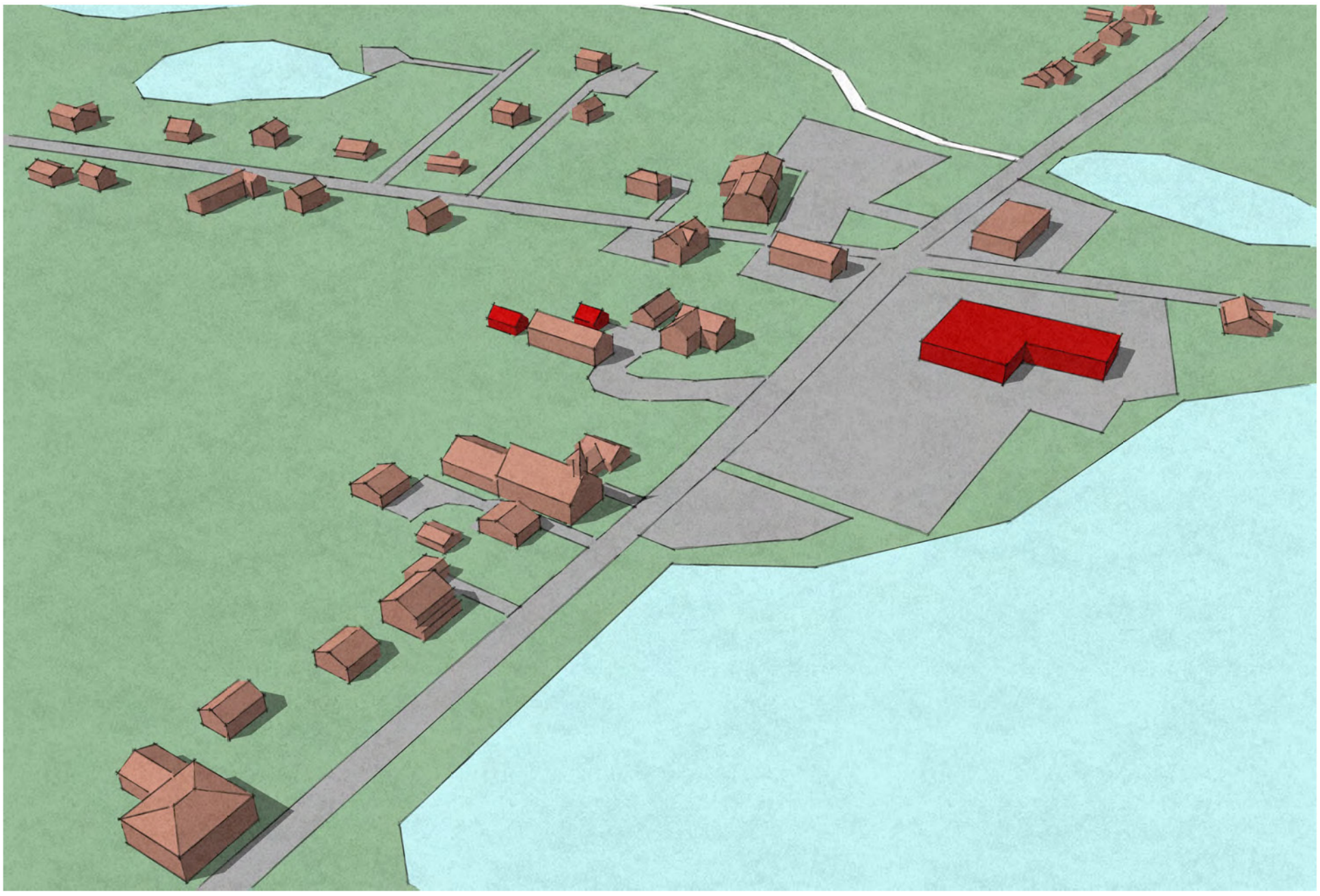
N

0' 200' 400' 800'

Allenton Village - Existing Northeastern Detail Aerial
North Kingstown, Rhode Island

Allenton Village - Proposed Northeastern Detail Aerial
North Kingstown, Rhode Island

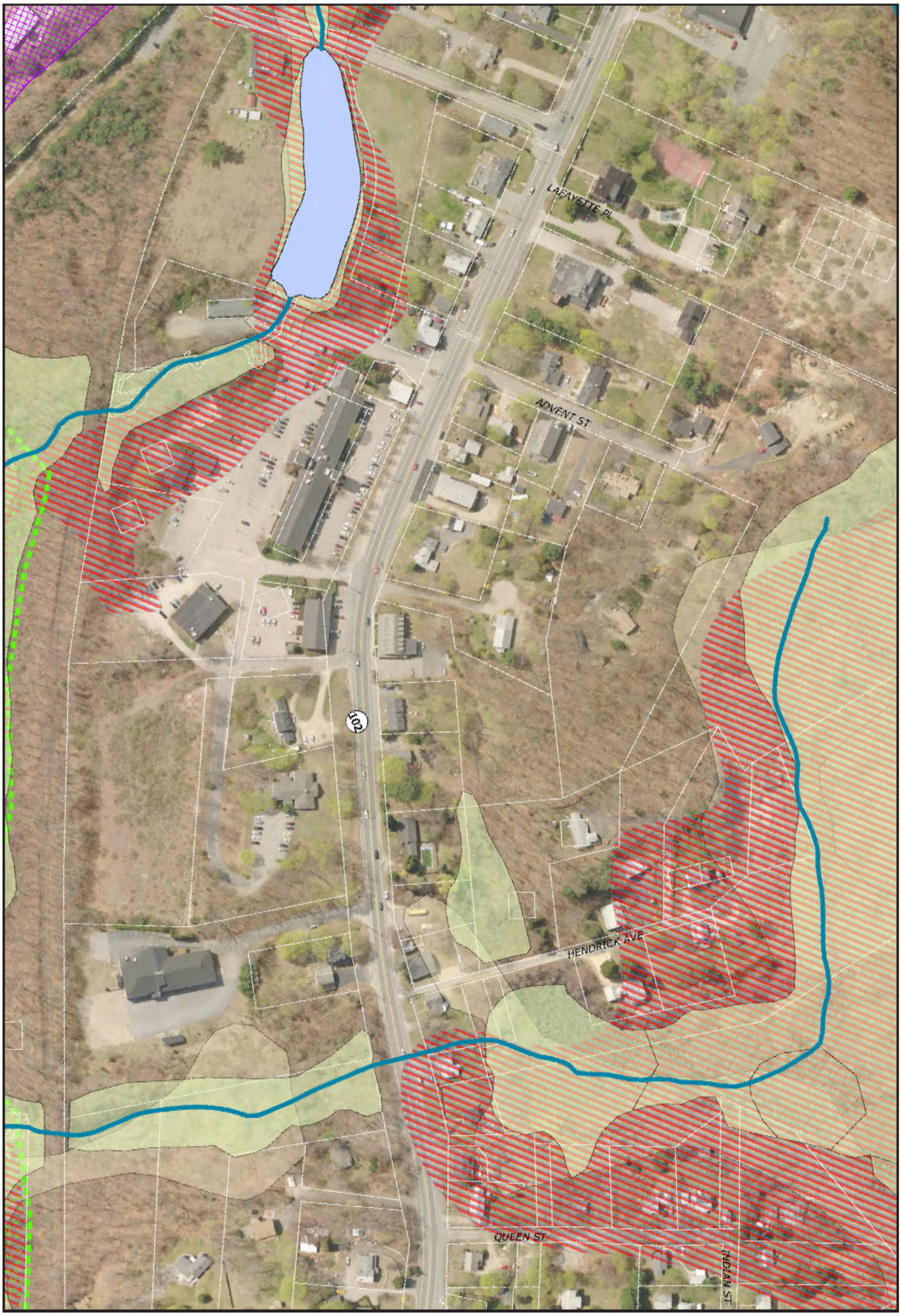
Existing Buildings to be preserved: Brown
Proposed New Buildings: Tan
Existing Buildings to be removed: Red



Allenton Village - Existing Southeastern Aerial
North Kingstown, Rhode Island

Allenton Village - Proposed Southeastern Aerial
North Kingstown, Rhode Island

Existing Buildings to be preserved: Brown
Proposed New Buildings: Tan
Existing Buildings to be removed: Red



Lafayette Village - Existing Conditions

North Kingstown, Rhode Island

Prepared by: Dodson Associates, Ltd.
Date: July 26th, 2011

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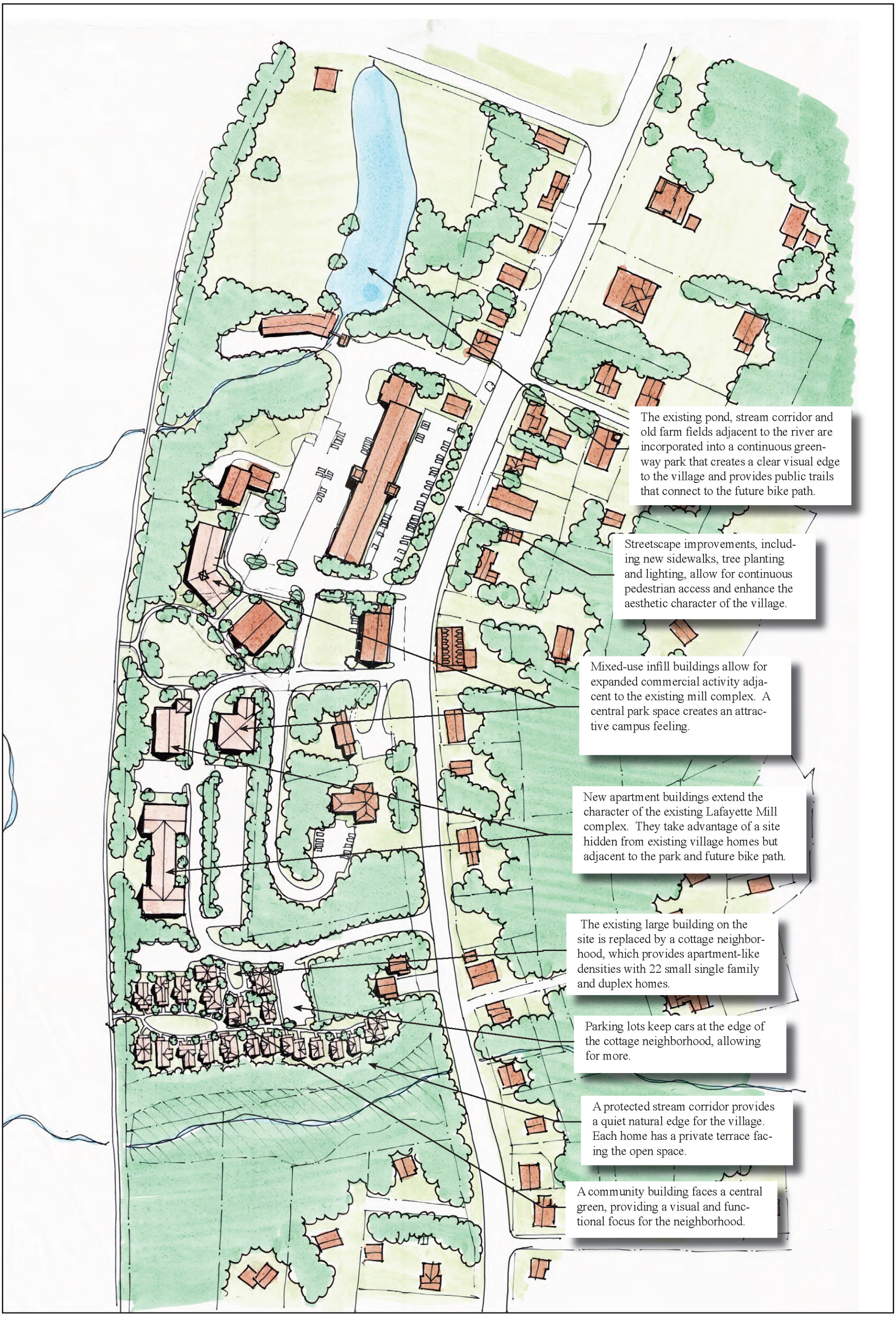

Lafayette Village - Proposed

North Kingstown, Rhode Island

Prepared by: Dodson Associates, Ltd.
Date: July 26th, 2011

N

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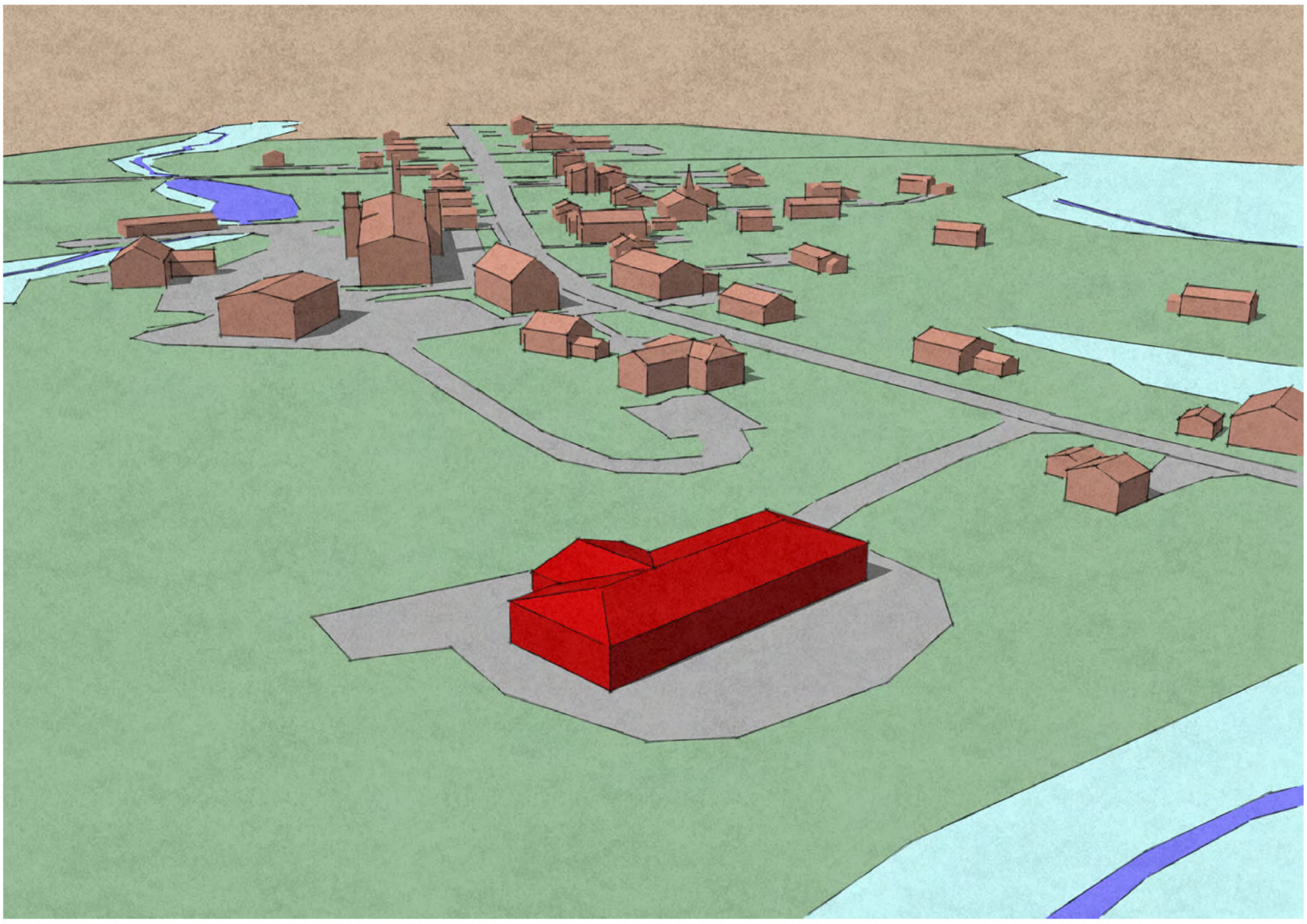
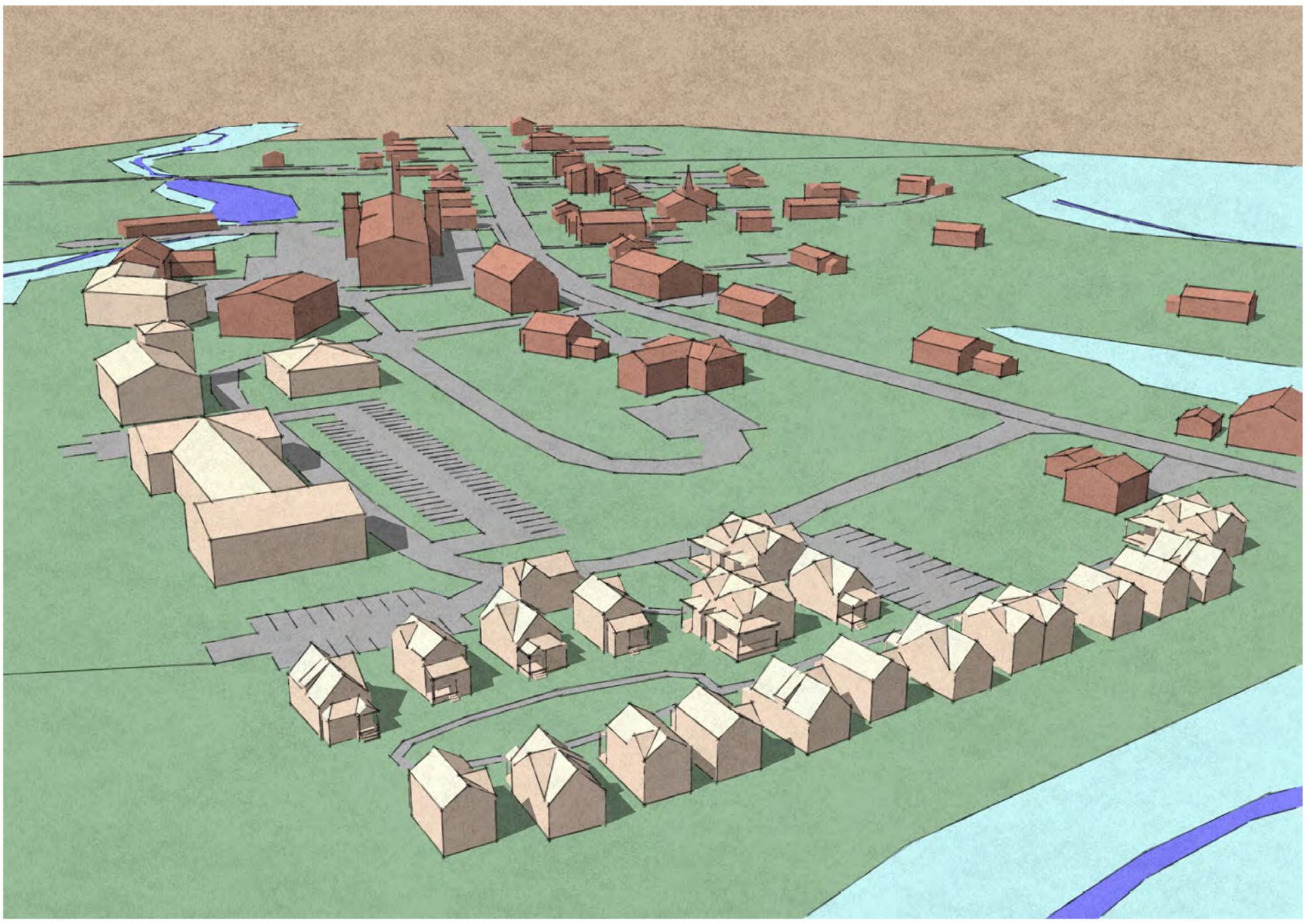


Lafayette Village - Existing Southeastern Detail Aerial
North Kingstown, Rhode Island



Lafayette Village - Proposed Southeastern Detail Aerial
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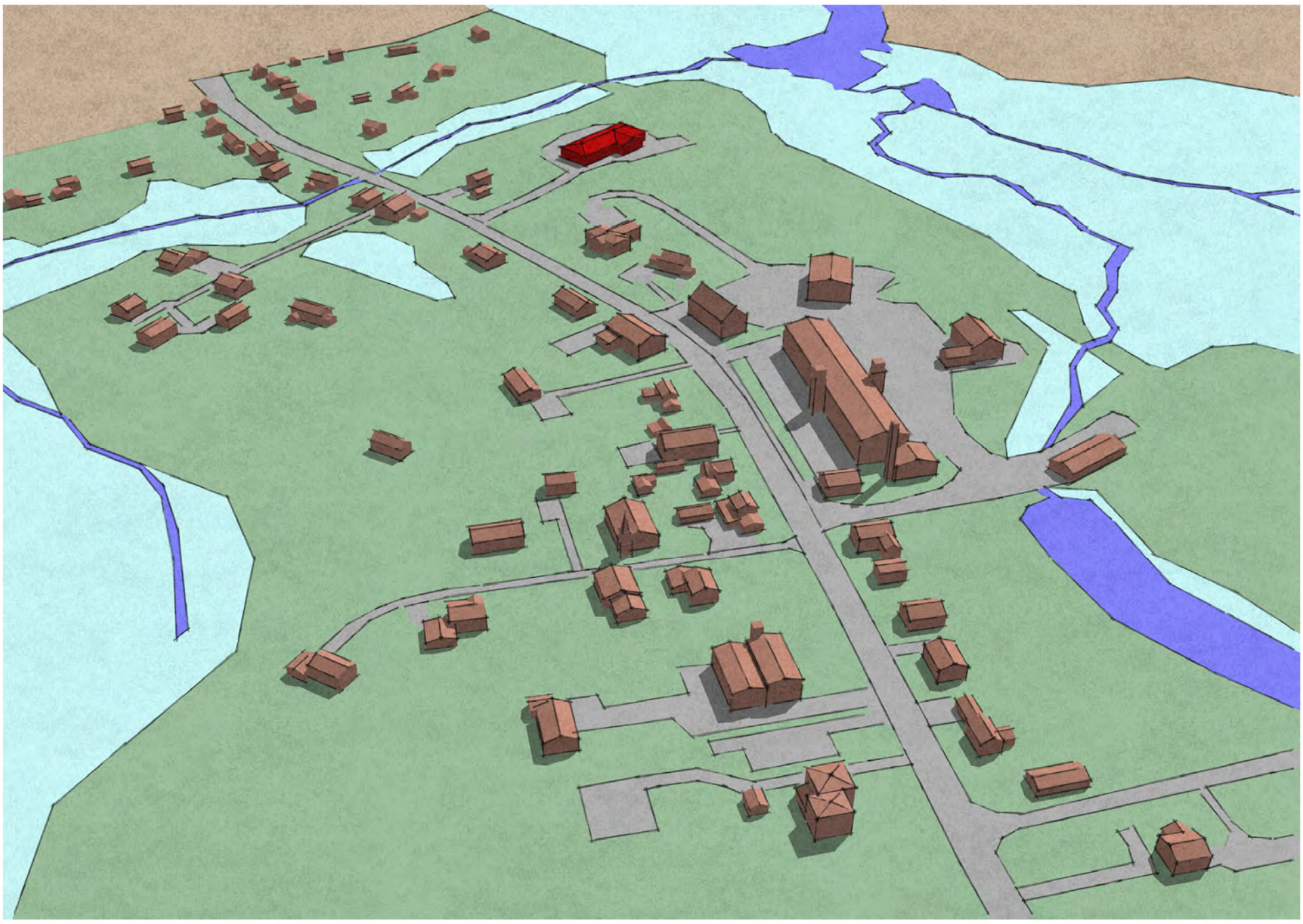
Existing Buildings to be removed: Red



Lafayette Village - Existing Northwestern Aerial
North Kingstown, Rhode Island

Lafayette Village - Proposed Northwestern Aerial
North Kingstown, Rhode Island
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Proposed New Buildings: Tan
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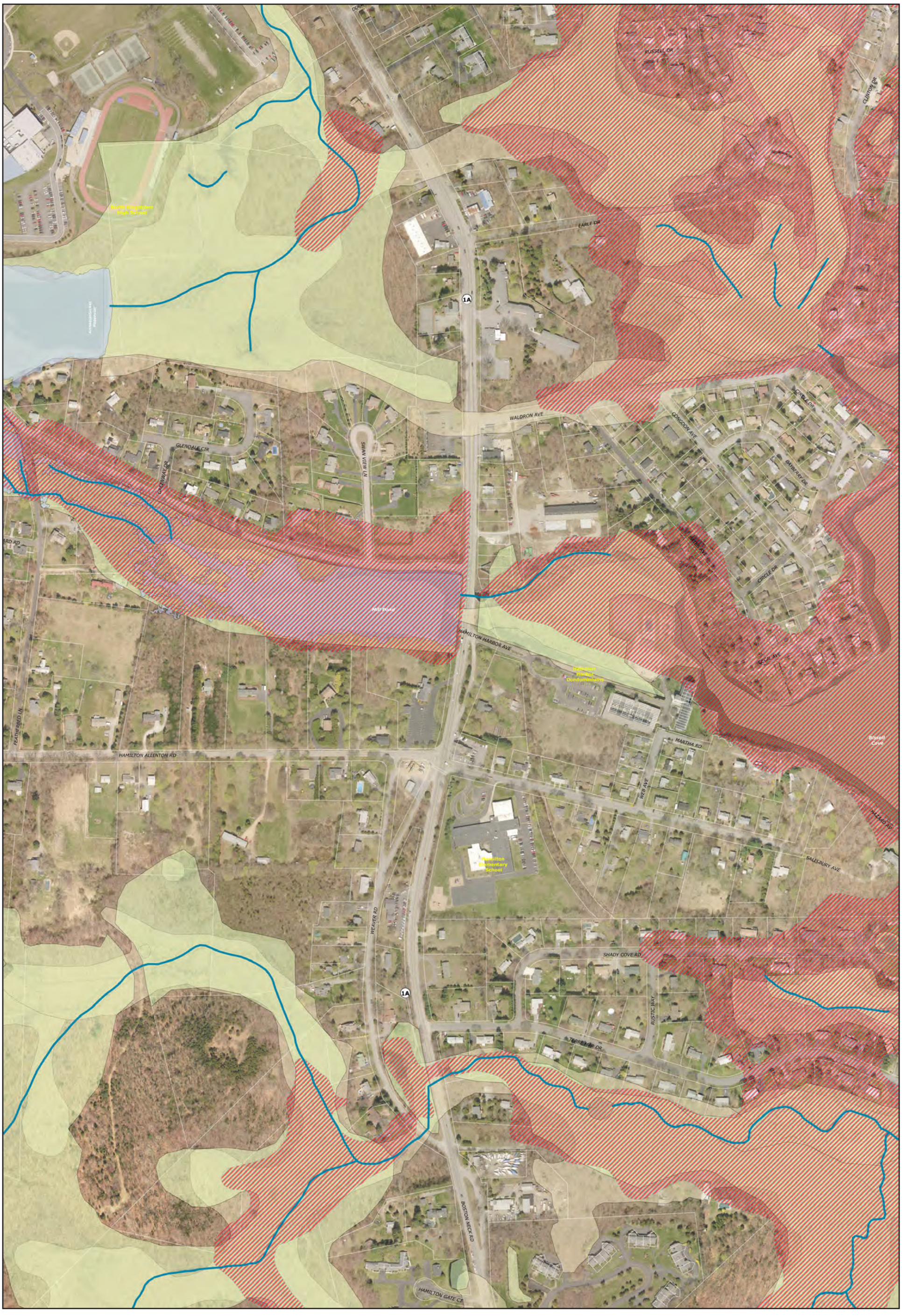


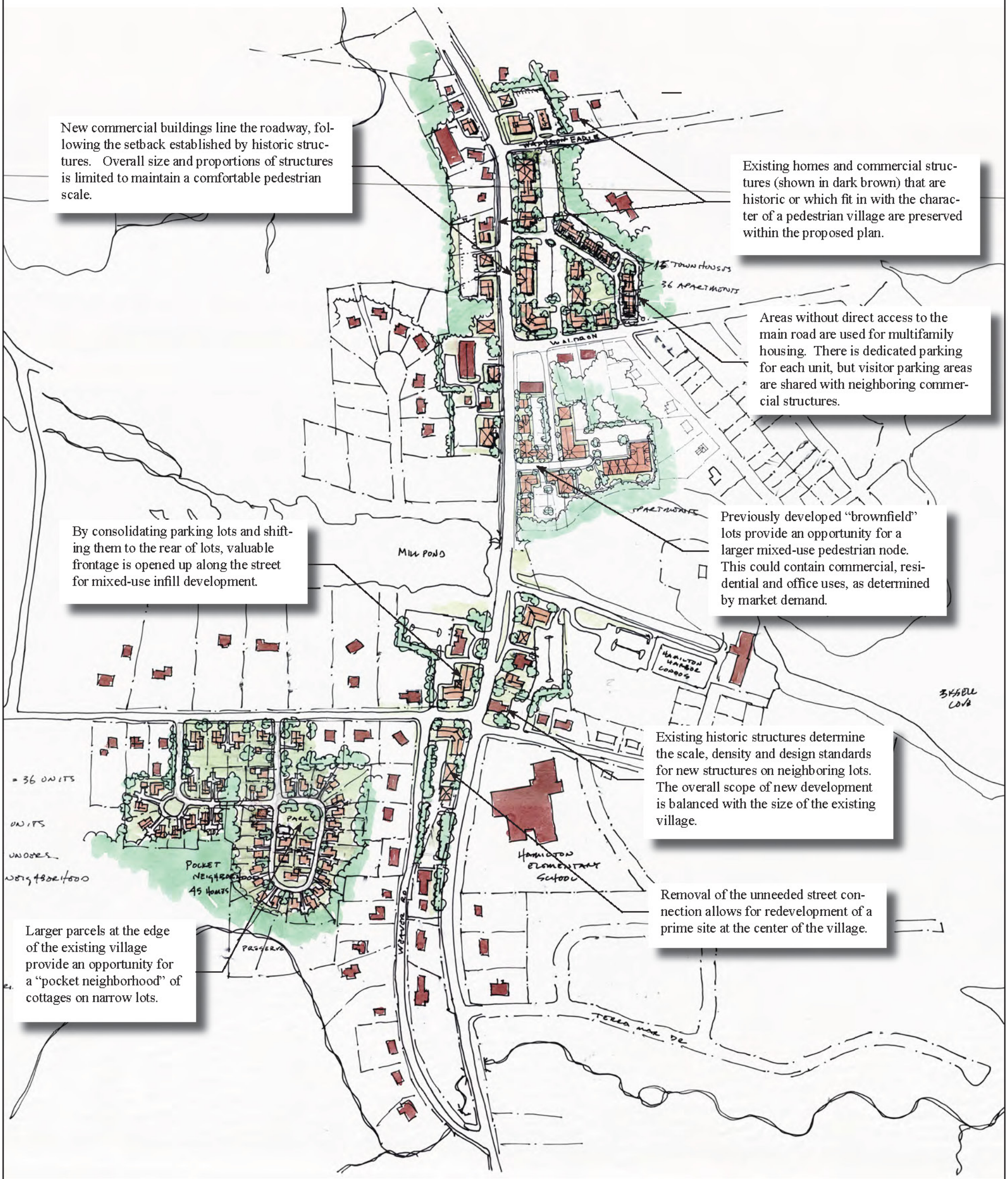
Hamilton Village - Existing Conditions

North Kingstown, Rhode Island

Prepared by: Dodson Associates, Ltd.
Date: July 26th, 2011

N

0' 200' 400' 600' 800' 1000'



Hamilton Village - Proposed

North Kingstown, Rhode Island

Prepared by: Dodson Associates, Ltd.
Date: July 26th, 2011

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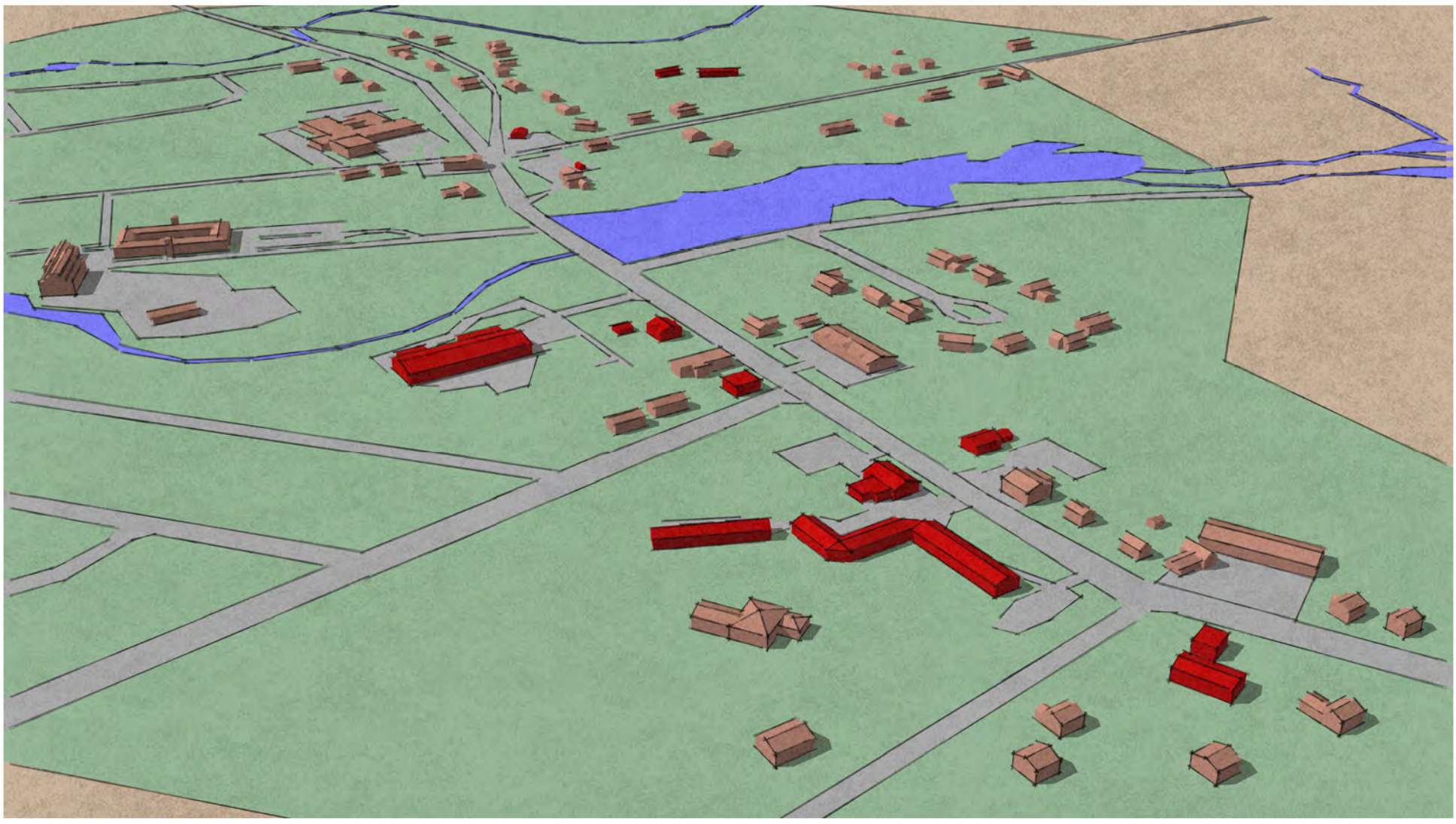


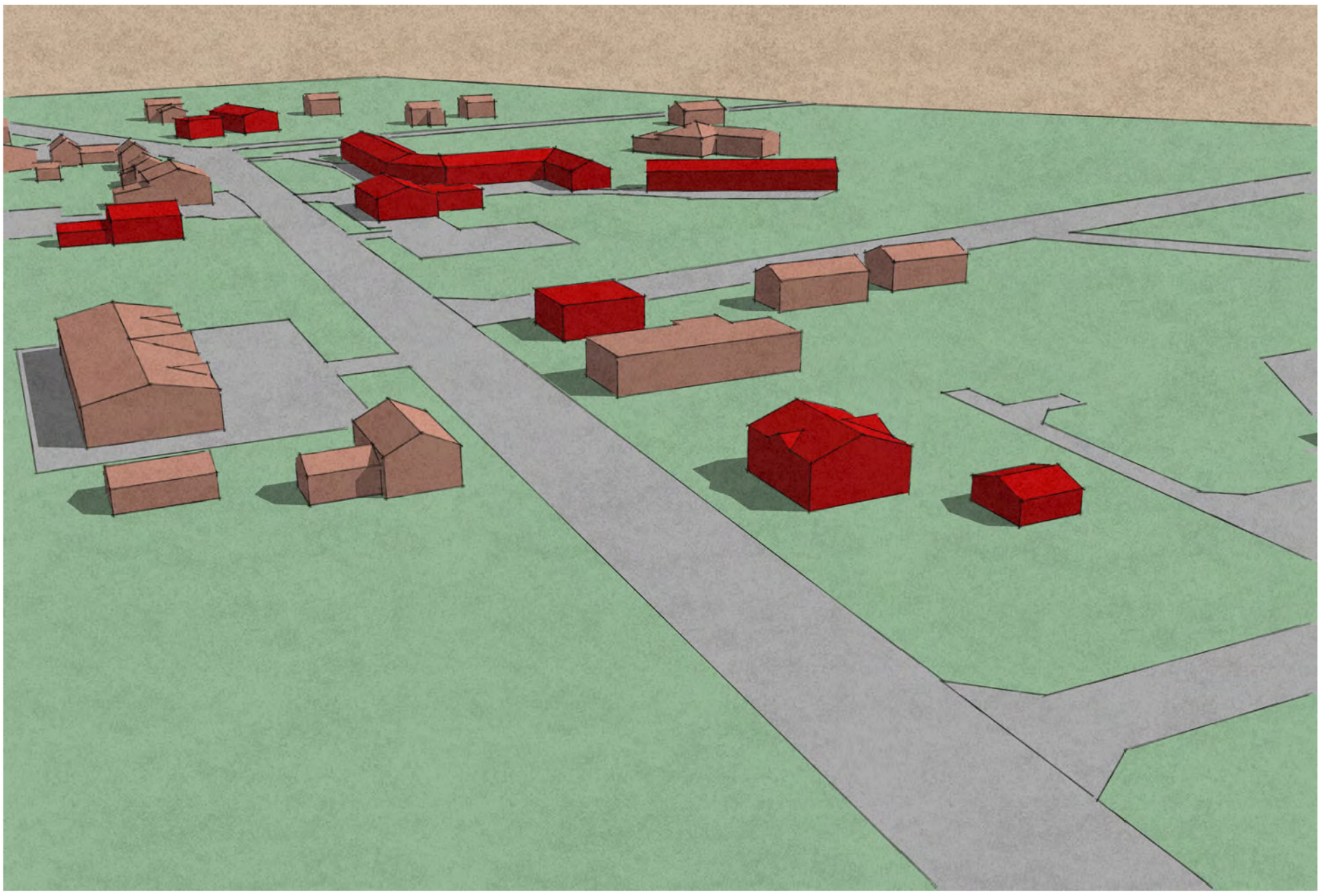
Hamilton Village - Existing Northeastern Aerial

North Kingstown, Rhode Island

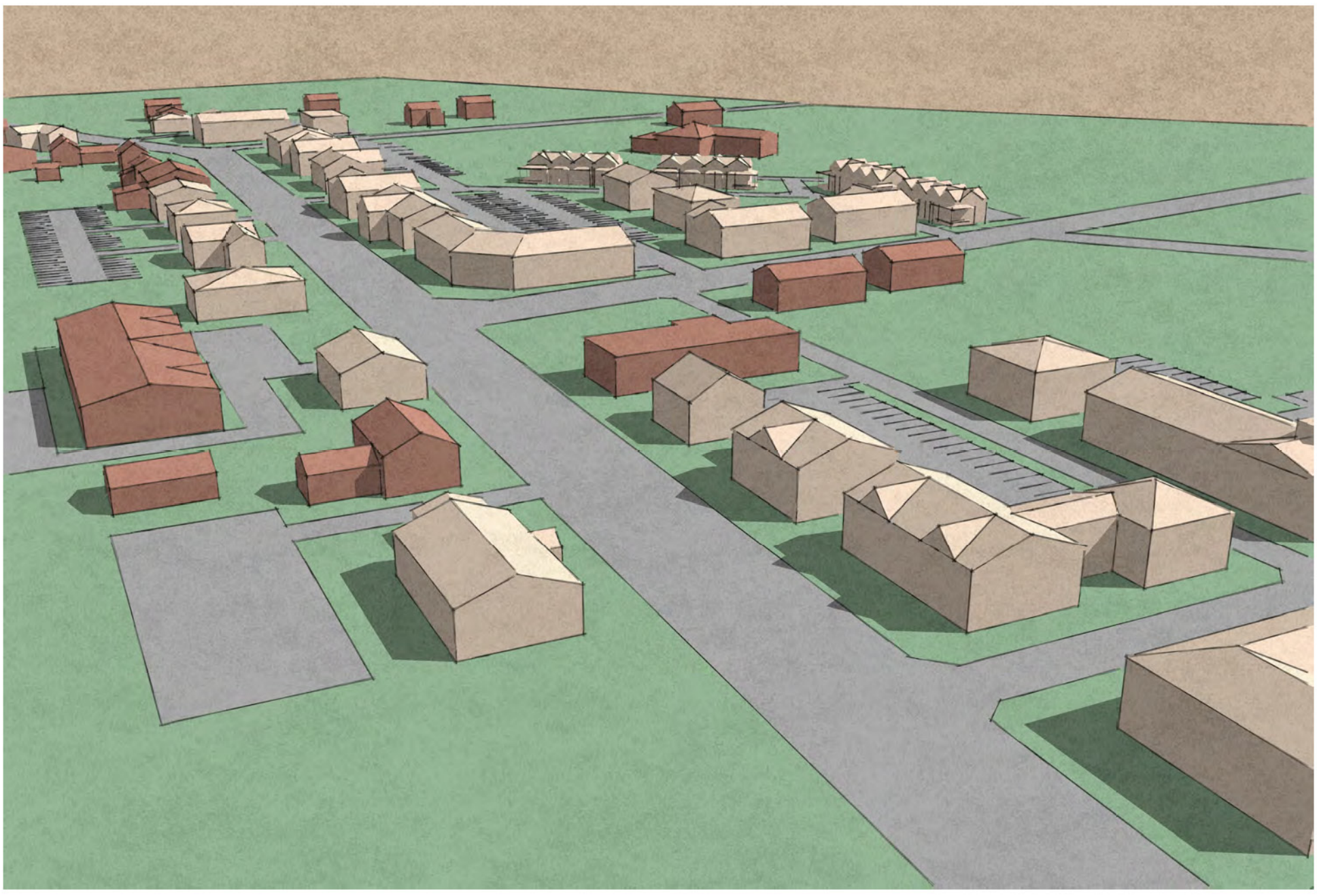
Hamilton Village - Proposed Northeastern Aerial

North Kingstown, Rhode Island

Existing Buildings to be preserved: Brown
Proposed New Buildings: Tan
Existing Buildings to be removed: Red



Hamilton Village - Existing Southwestern Detail Aerial
North Kingstown, Rhode Island



Hamilton Village - Proposed Southwestern Detail Aerial
North Kingstown, Rhode Island

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TOWN OF
NORTH KINGSTOWN, RHODE ISLAND

80 BOSTON NECK ROAD
NORTH KINGSTOWN, R.I. 02852-5762
PHONE: (401) 294-3331
www.northkingstown.org

Date: **November 3, 2011**

To: **Michael Embury, Town Manager**

From: **Planning Department**

Subject: **Comprehensive Plan Excerpts for CVD ordinance**

In preparation for the November 7, 2011 meeting, this memorandum provides specific sections from the North Kingstown Comprehensive Plan that supports the consistency of the Compact Village Development (CVD) ordinance with the existing Plan.

> *To avoid (sub)urban sprawl, the town will promote an integrated mix of residential and commercial uses in existing village centers (and) new commercial and residential growth within designated "growth centers…" (Vision Statement, p. 6)*
>
> *Growth must be supported in a way that respects physical characteristics of the site, protects the surrounding area, and is supported with appropriate municipal services. (Vision Statement, p. 6)*
>
> *Expand and stabilize the tax base, provide quality jobs, and maintain a sustainable environment, as well as a sustainable economy. Mixed uses and higher density development strategies will be considered to meet (this) vision. (Vision Statement, p. 35)*
>
> *The Town of North Kingstown….must develop and implement a systematic approach to the provision of services, development of facilities, protection of assets and long-term planning for growth management which will ensure that necessary municipal services will be available as growth and population shifts occur (Vision Statement, p. 59)*
>
> *….seeking alternative means of achieving open space protection through the use of innovative techniques such as Transfer of Development Rights (TDR) and conservation subdivisions (page 90)*
>
> *…transferring development rights (TDR) within the groundwater protection overlay zone to increase residential / mixed use density while protecting property from development closer to the wellhead protection areas (page 91)*

- Encourage development and redevelopment in existing villages based upon the concept of the traditional compact New England village and work to ensure full accessibility of the village for its occupants and visitors (Objective LU.1.2)
- Continue to encourage designs for new neighborhoods at a scale that supports walking and encourages biking (Action LU.1.3.3)
- Continue to encourage development of diverse neighborhoods with a variety of housing types that serve varied socio-economic levels and age groups as appropriate (Action LU.1.3.5)
- Encourage the use of special design concepts that accomplish the goal of protecting the environment and community character (Objective LU.1.4)
- Consider a Transfer of Development Rights ordinance that could be applied
    - In groundwater protection zones, for transferring development rights from receiving areas closer to the wellhead to receiving areas outside the most sensitive recharge areas to protect water quality;
    - In agricultural areas, using TDR to preserve farm land; and
    - For Village Center, Growth Center, and TOD projects, using TDR to allow an increase in density at the project location, without an increase in the town's total buildout (Action LU.1.4.2)
- Encourage landscape diversity that creates identity and a sense of place, fosters the creation of distinct neighborhoods and villages and respects the natural features of the land. (Objective LU.1.5)
- Encourage opportunities for commercial, office, and industrial land uses to increase local employment and tax income to the town, while protecting the environment (Objective LU.1.6)
- Establish new mixed use centers considering the following:
    - Targeted Growth Centers on Post Road
    - Implementation of the Village Center Zoning
    - TOD at Wickford Junction (Action LU.1.6.1)
- Continue to ensure that economic development is environmentally compatible through zoning performance standards and a site selection and land development review process based on environmental criteria and compatibility with nearby land uses. (Action LU.1.6.5)
- Determine the limit of the town's growth based upon but not limited to the following standards:
    - The amount of land which should be left undeveloped to preserve the town's character and quality of life;
    - The amount of land necessary to support future town facilities;
    - The natural carrying capacity of the land to accommodate development, taking into consideration soil suitability, drainage conditions, wetlands, flood hazard, steep slopes, coastal features, and other environmentally sensitive features;
    - The population that can be served by the town's groundwater resources; and
    - Consideration for the Urban Service Boundary promoted by Statewide Planning (Action LU.4.2.1)

- Limit permitted land uses and residential densities based on the natural carrying capacity of the land. (Objective LU.4.3)

- Continue to review and revise permitted residential densities so that they do not exceed the natural carrying capacity of the land. (Action LU.4.3.1)
- Continue to apply overlay districts (unsuitable soil, wetlands, high water table, flood zones, steep slopes, and sensitive coastal features) uniformly throughout the Town in all zoning districts. (Action LU.4.3.3)
- Consider the use of nutrient loading standards to protect public groundwater supplies. (Action LU.4.3.5)

- Implement actions to promote and encourage the location and development of new businesses in North Kingstown and to maintain and expand existing trade and business within the town as appropriate (Objective ED7.1)

- Protect the integrity of groundwater resources from pollution. (Objective NC.1.3)
  - Continue to use land-planning techniques including cluster, PUD, PDR, TDR, conservation zoning, and easements to protect groundwater aquifers. (Action NC.1.3.1)

- Investigate and pursue techniques to protect and preserve open space. (Objective OS.1.2)
  - Implement program to transfer development rights (TDR) from significant open space areas to growth centers and areas better suited for development. (Action OS.1.2.2)
  - Implement Transfer of Development Rights (TDR) to protect and conserve land close to the wellhead (sending area) while transferring development to areas either further from the wellhead within the Groundwater Protection overlay zone or outside the zone (receiving area). (Action OS.1.2.6)
  - Continue to collaborate with non-profits, state and federal agencies, and private land owners/developers to preserve open space through gift, fee acquisition, purchase of development rights, transfer of development rights, or other innovative strategies. (Action OS.1.2.7)
  - Amend zoning for groundwater overlay protection district to limit the number of bedrooms per acre and not the number of units per acre. This could facilitate a diversity of housing types and encourage construction of smaller housing units and multifamily housing.(Action NC.1.3.6)
  - Amend zoning for groundwater overlay protection district to limit the number of bedrooms per two acres and not the number of units per acre. This would facilitate diversity of housing type and encourage construction of smaller housing units including multifamily housing. (Action NC.1.3.9)

If you have any questions on any of this material, please feel free to contact the Planning Department.

Cc: Planning Commission
Jeannette Alyward, Town Clerk
Nicole Bourassa, Principal Planner

LAND USE ELEMENT

GOAL LU.1 MAINTAIN THE CHARACTER OF NORTH KINGSTOWN WHILE PRESERVING AND ENHANCING ITS SCENIC BEAUTY, NATURAL RESOURCES AND CULTURAL HERITAGE.

Objective LU.1.2 Encourage development and redevelopment in existing and proposed villages based upon the concepts ~~of the traditional compact New England village and work to ensure full accessibility of the village for its occupants and visitors~~and recommendations provided in the three reports associated with the *Transfer of Development Rights and Identification of Village Centers* project (August 2012).

Action LU.1.2.1 Continue a thorough analysis of each village to determine its unique characteristics and qualities, as well as its historic, natural and cultural resources and create specific area plans for each village center to encourage ongoing preservation and to ensure compatible land use and economic development through maintenance or creation of buffers, or other means of land use separation, where appropriate.
Action LU.1.2.2 Consider locations to apply the ~~Village District Ordinance~~Compact Village Development Ordinance (CVD) such as the ~~targeted Growth Centers~~ Allenton, Hamilton, and Lafayette study areas identified in the *Transfer of Development Rights and Identification of Village Centers* project.
Action LU.1.2.3 Continue to ensure that street furniture, lighting, utilities and signage in villages are compatible with the unique character of each village through the application of design standards within local regulations.
Action LU.1.2.4 Continue to encourage the RIDOT to install pedestrian-actuated controls at signalized intersections to improve pedestrian safety.
Action LU.1.2.5 Continue implementing the Wickford Village Plan, and consider the transferable qualities that other village centers could incorporate.
Action LU.1.2.6 Implement a new Wickford Junction District that captures the unique opportunities associated with multimodal transit and highway access.
Action LU.1.2.7 Consider the adoption of Compact Cottage Development (CCD) as a means to increase housing choice in North Kingstown and to transition between village scale development and single family residential neighborhoods.

Action LU.1.3.6 Continue to utilize conservation development techniques, PUDs, CVDs, TDR, conservation easements, and/or preferential tax assessment tools to preserve natural resources, unique landscapes, open space, historic structures and archaeological sites. *(See Open Space, Conservation and Recreation Element, Goal OS.1 and Related Objectives and Actions)*

Objective LU.1.4 Encourage the use of special design concepts that accomplish the goal of protecting the environment and community character.

Action LU.1.4.2 Consider a Transfer of Development Rights (TDR) ordinance that could be applied:

In groundwater protection zones, for transferring development rights from receiving areas closer to the wellhead to receiving areas outside the most sensitive recharge areas to protect water quality;

- In agricultural areas, using TDR to preserve farm land; and
- For ~~Village Center~~Compact Village Development, ~~Growth Center~~Post Road, Compact Cottage Development, ~~and TOD projects~~Wickford Junction, and selected conservation developments, using TDR to allow an increase in density at the project location, ~~without an increase in the Town's total buildout~~within the carrying capacity of the Town's infrastructure and natural resources.

Objective LU.1.6 Encourage opportunities for commercial, office, and industrial land uses to increase local employment and tax income to the Town, while protecting the environment.

Action LU.1.6.1 Establish new mixed use centers considering the following:

- Targeted Growth Centers on Post Road;
- Implementation of ~~the Village Center~~Compact Village Development zoning;
- TOD at Wickford Junction.

CIRCULATION ELEMENT

Objective C.1.4 Promote the use of traffic calming techniques.

Action C.1.4.1 Reduce roadway widths in Land Development Regulations to slow the speed of on-street traffic.
Action C.1.4.2 Identify crossroads where the roadway width should be reduced with neck downs to increase pedestrian safety.
Action C.1.4.3 Use design standards in Compact Village Development, Wickford Junction, and Post Road Zoning to ensure high quality multimodal circulation in new development and redevelopment proposals.

GOAL C.2 IMPROVE THE AVAILABILITY AND UTILIZATION OF ALTERNATIVE TRANSPORTATION MODES.

Objective C.2.1 Encourage a land development pattern that supports the use of alternative modes of transportation.

Action C.2.1.1 Coordinate the Town's transportation and land use policies (for example, concentrating development) so as to make the expanded use of alternative transportation modes more practical and cost effective**.**
Action C.2.1.2 Require linkage of neighborhoods to adjacent destinations and neighborhoods through roadway connections, pedestrian walkways and bicycle paths.
Action C.2.1.3 Amend Town of North Kingstown Land Development Regulations to require construction of adequate sidewalks and bike facilities within proposed developments with extensions to logical destinations or crossroads.

Action C.2.1.4 Enable easy access from residential areas to commercial and employment areas through the use of alternate modes of transportation (e.g., shuttle bus, vanpool, pedestrian walkways, and bicycle paths)
Action C.2.1.5 Designate Compact Village Development and/or Growth Centers in areas with multi-modal transportation options.
Action C.2.1.6 Implement affordable housing projects in areas served by public transportation and other alternatives to private vehicles.

ECONOMIC DEVELOPMENT ELEMENT

GOAL ED.1 PROVIDE ECONOMIC DEVELOPMENT OPPORTUNITIES TO INCREASE THE TAX BASE OF THE TOWN.

Objective ED.1.1 Provide for a compatible mix of commercial, industrial, office facilities, forest/ agriculture/aquaculture, tourist and support services in appropriate locations in accordance with the Land Use Plan map.

Action ED.1.1.1 Continue to allow economic development that is compatible with the land use plan and enhances the character of the Town's villages.
Action ED.1.1.2 Continue to allow the development of environmentally responsible marine-related industries in appropriate locations.
Action ED.1.1.3 Continue to encourage the revitalization of existing industrial and commercial locations in an environmentally sustainable manner that is compatible with adjacent land uses.
Action ED.1.1.4 Consider locations to apply the Compact Village Development Ordinance (CVD) such as the Allenton, Hamilton, and Lafayette study areas identified in the *Villages and Transfer of Development Rights Program Expansion* project.

NATURAL AND CULTURAL RESOURCES ELEMENT

GOAL NC.1 PROTECT, PRESERVE AND, WHERE POSSIBLE, RESTORE THE NATURAL RESOURCES OF NORTH KINGSTOWN.

Objective NC.1.3 Protect the integrity of groundwater resources from pollution. *(See Community Facilities Element Objective CS.6.1)*

Action NC.1.3.1 Continue to use land-planning techniques including cluster, PUD, PDR, TDR, CVD, CCD, conservation zoning, and easements to protect groundwater aquifers.

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BACKGROUND—LAND UNSUITABLE FOR DEVELOPMENT AND "LIMITATIONS" DISTRICTS

As part of the process for drafting revised conservation development language, one of the more challenging issues examined relates to how North Kingstown uses various soil types to regulate development. For the purposes of this report, the following brief discussion deals with:

Zoning Ordinance	
Section 21-22 Definition of "Land Unsuitable for Development"	Defines a variety of physical conditions that are unsuitable for development and does not allow these to count toward minimal lot size.
Section 21-183 Very severe limitations district	Identify individual soil types that present specific challenges to development and limits development accordingly.
Section 21-184 Severe limitations district	
Section 21-185 Steep slope overlay district	
Section 21-188 Special flood hazard overlay district	Uses the flood plain elevation to prescribe limitations and development standards.
Subdivisions and Land Development Regulations ("limitations districts")	
Section 14.1.1.4.c.1 High water table	Identify individual soil types that present specific challenges to development and limits development accordingly.
Section 14.1.1.4.c.2 Flood hazard	
Section 14.1.1.4.c.3 Coastal flood hazard	
Section 14.1.1.4.c.4 Seasonal water table	
Section 14.1.1.4.c.5 Slowly permeable soils	
Section 14.1.1.4.c.6 Extremely stony soils	
Section 14.1.1.4.c.7 Frost heaves	
Section 14.1.1.4.c.8 Steep slope	
Section 14.1.1.4.c.9 Utilities	Limits lot size based on the presence (or absence) of public water supply or sewer service.

An exhaustive analysis of how these different sections of the ordinance relate to each other was beyond the scope of this project. However, as these sections potentially affect conservation development and HW developed draft amendments to that section of the ordinance, several observations are recorded here to help the Town move forward.

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1. There are "soils-based" districts established in both the Zoning Ordinance and the Subdivision and Land Development Regulations (hereafter referred to as the Subdivision Regulations). HW performed a cursory review of these two documents to see if the same soil types were used in the same manner, or if they had the same performance standards from one document to another. In several cases, discrepancies were noted. Soil types found in the Zoning Ordinance are, in some cases, completely absent in the Subdivision Regulations. Further, similar areas such as the "special flood hazard overlay" district in zoning had different standards when compared with the "flood hazard limitations district" in the Subdivision Regulations.
2. The limitations districts in the Subdivision Regulations are used to establish minimum lot sizes. The establishment of lot sizes is a power best exercised in the Zoning Ordinance. Further, in the Subdivision Regulations it is not clear how much of a lot needs to have "limitations" before becoming subject to the minimum lot size requirements.
3. The definition for Land Unsuitable for Development uses physical constraints to expand residential lot size in accordance with the presence of these constraints. For example if the minimum lot size is 40,000 square feet, but a particular lot would contain 5,000 square feet of Land Unsuitable for Development, the lot size would increase to 45,000 square feet. This provides a "sliding scale" that takes site-specific conditions into account. The approach in the Subdivision Regulations uses a much more "blunt" approach and simply dictates a minimum lots size irrespective of how much constrained land is present.

   The definition of Land Unsuitable for Development in the Zoning Ordiance is provided below for reference:

   > *Land unsuitable for development* means land which has severe or very severe limitations for development. When creating new lots for development, land unsuitable for development shall not be counted towards the minimum lot area required. The following regulations shall apply:
   >
   > (1) When calculating the basic maximum number of dwelling units permitted in any residential subdivision or land development project, land included in all of the following categories shall be considered unsuitable for development and shall be deducted from the minimum building acreage of the parcel:
   >
   > a. Freshwater wetlands, except that area of perimeter wetland within 50 feet of the edge of any bog, marsh, swamp, pond or special aquatic site, and also excluding any riverbank, as defined by G.L. § 2-1-20 (1987), as amended, and any definitions contained in the rules and regulations governing the Administration and Enforcement of the Freshwater Wetlands Act, adopted pursuant to G.L. § 2-1-20.1., as amended.
   > b. Water bodies.
   > c. Coastal high hazard areas indicated as V and V 1-30 zones on the latest flood insurance rate map for the town.
   > d. The following types of coastal features as defined in the RI Coastal Resources Management Program, as amended:

CRMP Section	Type of Coastal Feature
210.1	Coastal Beaches
210.2	Barrier Islands and Spits, undeveloped
210.3	Coastal Wetlands
210.4	Coastal Headlands, Bluffs and Cliffs
210.5	Rocky Shores
210.6	Manmade Shorelines
210.7	Dunes

e. The area within the easement right-of-way of an above or below-ground high voltage electrical transmission lines, generally 69 KV or higher; also including subtransmission lines 23KV or greater, and located on a separate right-of-way other than a public street.
f. Any area of the tract proposed to be developed as a public or private street right-of-way.
g. Any area of ledge and/or rock outcrops visible at the land surface.
h. Any area where slopes exceed 25 percent as may be identified in the Soil of Survey of Rhode Island from the United States Department of Agriculture, or as may be identified by more detailed on-site investigation.
i. High Water Table limitation districts and Flood Hazard limitation districts as defined in Article 14 of Subdivision and Land Development Regulations.

(2) Land described in subsections (1)a.—h. above, may be included as part of any lot in any residential subdivision or land development project; provided, however, that land unsuitable for development shall not be counted toward the minimum lot area required in Article IV of the zoning ordinance. This provision shall not apply to any non-residential subdivision or development.

Based on this preliminary review of these different "limitations districts", HW makes the following recommendations for future regulatory amendments:

1. Remove any controls from the Subdivision Regulations that deal with limiting lot size. If these controls are still desired, find the appropriate place in the Zoning Ordinance for them.
2. Consider abandoning the approach in the Subdivision Regulations where rigid minimum lot sizes are set based on the presence of certain soil types. The definition of Land Unsuitable for Development provides a better approach to this issue.
3. Perform a detailed audit of the limitations districts in the Zoning Ordinance and how they compare with those in the Subdivision Regulations. The objectives of this exercise would be to eliminate any discrepancies and possibly to combine all of the limitations and standards into a single document.
4. Consider a departure from using soil types as "districts". As an alternative, the residential subdivision process can be used to identify challenging soils on site plans and enforce development standards appropriately.

CONSERVATION DEVELOPMENT—ZONING ORDINANCE

Definitions

Yield Plan. A plan of a conventional subdivision or land development project (as opposed to a conservation development) that depicts the maximum number of building lots or dwelling units that could reasonably be built by right on a parcel of land under current zoning, state and federal law. Said plans are also subject to any limitations imposed as part of protective zoning overlay districts, conservation development, transfer of development rights, the definition of land unsuitable for development, or other applicable elements of this Zoning Ordinance.

Sec. 21-211. - Purpose of article.

The purposes of conservation developments are:

(1) To conserve open land, including those areas containing unique and sensitive natural features such as woodlands, steep slopes, streams, floodplains, wetlands, aquifers and their recharge areas, and agricultural lands, by setting them aside from development;
(2) To preserve historical and archaeological resources;
(3) To provide greater design flexibility and efficiency in the siting of services and infrastructure, including the opportunity to reduce length of roads, utility runs, and the amount of paving required for residential development;
(4) To provide for a diversity of lot sizes, building densities, and housing choices to accommodate a variety of age and income groups, and residential preferences, so that the population diversity of the community may be maintained;
(5) To implement adopted municipal policies to conserve a variety of irreplaceable and environmentally important resources as set forth in the comprehensive plan;
(6) To provide reasonable incentives for the creation of a greenway system within the town;
(7) To implement adopted land use, transportation and community service policies, as set forth in the comprehensive plan;
(8) To protect areas of the town with productive agricultural soils for continued or future agricultural use by conserving blocks of land large enough to allow for efficient farm operations;
(9) To create neighborhoods with direct visual and/or physical access to open land, with amenities in the form of neighborhood open space, and with a strong neighborhood identity;
(10) To provide for the maintenance of open land set aside for active or passive recreational use, stormwater drainage or conservation lands; and
(11) To conserve and create scenic views and preserve the rural character of the town.

Commentary: The last purpose within the existing ordinance which stated "To provide a buffer between new development and existing streets and neighborhoods." was removed as this is not really a purpose but is a specific design requirement that is better addressed later in the ordinance.

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Sec. 21-212. - Applicability.

(1) An application for conservation subdivision shall be voluntary.
(2) The Planning Commission may approve, as a land development project, a conservation development only in the following zoning districts: VLDR200, LDR120, RR80, NR40, VR20 and PVD.

Sec. 21-213. – Use allowances.

(1) The following uses are permitted (P) in a conservation development:

(a) Single-family dwellings.
(b) Two-family dwellings.
(c) Townhouses, up to a maximum of four (4) dwelling units per building.
(d) Uses customarily accessory and subordinate to residences.
(e) Community centers, recreation facilities and similar structures designed for the use of the residents of the conservation development, and their guests.
(f) Uses allowed within open space areas pursuant to Section 21-220.

Sec. 21-214. - Maximum density for conservation developments.

The maximum density for a conservation development shall not exceed the number of lots (or dwelling units) depicted on a Yield Plan as defined in Section 21-22 herein, except as permitted in accordance with the standards and provisions set forth in Section 21-222. The Planning Commission shall make this determination in accordance with the procedures for submitting a Yield Plan provided in the Subdivision and Land Development Regulations and the conditions and criteria provided below.

(1) The applicant for approval of a conservation development shall have the burden of proof with regard to the reasonableness and feasibility of the design and of the engineering specifications for such yield plan; provided, however, that the Planning Commission's determination of the basic maximum number shall be conclusive. The Planning Commission determination of yield shall occur at the Master Plan approval, but may be amended in subsequent review based on the availability of new or revised information.
(2) Where on-site wastewater treatment systems (OWTS) are used, density shall be further determined by evaluating the number of dwelling units or other uses that could be supported by OWTS on lots in a conventional subdivision. The Planning Commission shall determine the suitability of the parcel to be developed as a conventional subdivision, based on the soils information provided by the applicant, upon observations made during the site visit to the property, and/or upon other evidence available to the commission during the review process.
(3) Pursuant to the definition of Yield Plan provided in Section 21-22, no Yield Plan shall be approved where it shows lots that would require a variance from any RIDEM or RICRMC rules or regulations.

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(4) In developments that require alterations or crossings to be made to freshwater wetlands, the commission may establish an initial basic maximum number contingent upon confirmation by RIDEM that such alterations are permitted under the provisions of the Freshwater Wetlands Act.

(5) Accessory dwelling units shall be excluded from the determination of the number of dwelling units allowed under a yield plan and shall not be counted as dwelling units in the determination of development to subsequently be permitted.

Commentary: The language for the Yield Plan is significantly streamlined when compared with the existing ordinance. Much of the language that is removed deals with how the Yield Plan needs to follow existing zoning standards. This is covered in the revised definition of "Yield Plan".

Sec. 21-215. – Procedures

Conservation development may be permitted by the Planning Commission as part of a Major Land Development application in accordance with the procedures provided in Section 13.2 of the Subdivision and Land Development Regulations.

Sec 21-216. – Design Process.

At the time of the application for a conservation subdivision, applicants shall demonstrate to the Planning Commission that the following design process was performed, specifically in the order so prescribed, by a multidisciplinary team of qualified professionals to determine the layout of proposed streets, house lots, unit placement if treated as a condominium, including designation of all common areas and open space.

(1) Identifying Conservation Areas. Identify conservation areas listed in the land development checklists in the Subdivision and Land Development Regulations. The preferred developable area of the site shall consist of land that does not include these conservation areas.

(2) Locating House Sites. Locate the approximate sites of individual houses within the preferred developable area to the maximum extent practicable and include the delineation of private yards and shared amenities, so as to reflect an integrated neighborhood design.

(3) Buffering. Identify areas where vegetation should be preserved or installed to protect existing or future adjacent development from impacts related to the conservation development.

(4) Aligning the Streets and Trails. Align streets in order to access the house lots or units. Additionally, new trails should be laid out to create internal and external connections to existing and/or potential future streets, sidewalks, and open space networks and trails.

(5) Lot Lines. Draw in the lot lines for each unit, using conceptual lot lines to demonstrate compliance with dimensional standards where the ownership is in condominium, cooperative or other similar form of common ownership.

Sec 21-217. – Dimensional Requirements

A conservation development may be developed with dwelling units on separate lots, a single lot, or a combination thereof. Where dwellings are proposed to be located on individual lots, the following minimum dimensional regulations shall apply.

Use	Lot Area (sq ft)	Lot Frontage and Width (ft.)	Front Yard Depth (ft.)	Rear Yard Depth (ft.)	Side Yard (each side) (ft.)
Principal structures					
Single-family dwelling	10,000	20	25	30	10
Two-family dwelling	15,000	20	25	30	10
3 to 4-family household dwelling	30,000	20	40	40	20
*Accessory structures**					
One-story accessory structure	-	-	30	15	5
Two-story accessory structure	-	-	30	20	10

*No accessory structure shall be located in front of the principal structure to which it is accessory.

Note: The density and dimensional requirements for conservation developments in the planned village district shall be as provided in Section 21-64 of this chapter.

Sec. 21-218. – Open Space Requirement

(1) The open space shall be established as a lot or lots separate and distinct from the lots intended for residential and accessory uses, and distinct from land dedicated as street rights-of-way.

(2) The minimum amount of required open space area shall be based on a percentage of the land suitable for development for each particular zoning district in the entire conservation development as provided in the table below.

Zoning District	**Minimum Amount of Required Open Space**
VLDR/200	75%
LDR/120	65%
RR/R80	60%
NR/R40	50%

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VR/R20	35%
PVD	30%

(3) Land unsuitable for development shall not be allowed in the minimum required open space area.

(4) The minimum required open space area shall be in addition to any open space used for stormwater drainage facilities unless specific best management practices are included pursuant to Section 21-220.

(5) Applicants are encouraged to preserve land unsuitable for development as that is not part of the required minimum open space through the use of conservation easements, covenants, or other legal restrictions. However, land unsuitable for development, as defined in Section 21-22, that lies within dedicated open space shall not be counted toward the required minimum open space.

Sec. 21-219. – Open Space Easements

(1) Open space provided as part of a conservation development for public or common use, shall be protected in perpetuity through a conservation easement. The easement may be:

(a) Conveyed to the town and accepted by the town for any permitted use; or
(b) Conveyed to a nonprofit organization, the principal purpose of which is the conservation of open space or resource protection; or
(c) Conveyed to a corporation or trust owned or to be owned by the owners of lots or units within the conservation development or owners of shares within a cooperative development. If such a corporation or trust is used, ownership shall pass with conveyances of the lots or units; or
(d) Maintained in private (non-common) ownership if the use is limited to agriculture, habitat or forestry, and, in accordance with the comprehensive plan and zoning ordinance, that private ownership is necessary for the preservation and management of the agriculture, habitat or forest resources. The Planning Commission may limit the amount of open space that may remain in private ownership where necessary to contribute to a connecting greenway system or to provide public access to open space, as provided in the comprehensive plan.

(2) In any case where the land is not conveyed to the town, a restriction, in perpetuity, enforceable by the town or by any owner of property in the land development project in which the land is located shall be recorded providing that the land shall be kept in the authorized condition(s) and not be built upon or developed.
(3) Where the town is not named as the primary holder of the easement, it shall be named as the secondary holder to ensure that the property remains protected should the primary holder of the easement cease to exist or otherwise relinquish control of the easement.

(4) All open space, regardless of whether it is conveyed to the town, shall be protected against further development and unauthorized alteration in perpetuity by appropriate deed restrictions, and by the grant of a conservation or preservation restriction to the town, pursuant to RIGL 34-39 as amended. In addition, the perpetual maintenance of all open space shall be guaranteed by appropriate deed restrictions and by the grant of a conservation or preservation easement to the town, pursuant to RIGL 34-39 as amended. The Planning Commission or administrative officer shall approve the form and content of all deed restrictions at the time of final approval of the subdivision. Every deed restriction providing a maintenance guarantee shall contain the following provision:

> "If the owners, or their successors or assigns fail to maintain the open space, the town may perform any necessary maintenance and enforce the payment for such costs, including reasonable attorneys' fees, by an action at law or in equity against the owners or their successors or assigns."

Sec. 21-220. – Open Space Uses

The following use allowances for open space areas associated with a conservation development shall be consistent with the purposes of this ordinance and subject to applicable conditions listed in the Subdivision and Land Development Regulations [CITE SECTION]. Uses permitted within the open space of a conservation design subdivision shall be recorded as part of the development restrictions placed in the conservation easement that is to be granted to the Town or other eligible party. Any waivers or modifications to these use allowances shall require approval by the Town Council accompanied by a positive recommendation from the Planning Commission. If the waivers or modifications are deemed to be major by the administrative officer or Planning Commission, the subdivision or land development project shall reviewed in accordance with the applicable procedures under Section 6.2 of the Subdivision and Land Development Regulations.

(1) Conservation of land and other natural resources;
(2) Landscaped buffers used to screen adjacent properties or uses where appropriate;
(3) Agricultural uses, as provided in article III, land use table of this chapter. The prohibition of any such use (N) or the requirement to obtain a special use permit (S) as provided in this table shall apply;
(4) Community gardens for the use of residents of the subdivision or land development project;
(5) Privately owned and maintained individual or community wells for uses within the conservation development;
(6) Privately owned and maintained individual or community OWTS for uses within the conservation development. The Planning Commission may only allow for the siting of OWTS in open space through a waiver request and where the prohibition of such systems would exact undue hardship because of peculiar conditions pertaining to the land in question or where the allowance of the OWTS is in the best interest of good planning practice or design as evidenced by consistency with the comprehensive plan and this chapter. The development and maintenance of any OWTS in open space shall be subject to the limitations of Section 13.7 of the Subdivision and Land Development Regulations;

Commentary. The above language should be reviewed by the Solicitor to ensure the Planning Commission can exercise this discretion.

(7) Vegetated stormwater treatment facilities subject to the limitations of Section 13.6 of the Subdivision and Land Development Regulations;
(8) Community centers, recreation facilities and similar structures designed for the use of the residents of the conservation development
(9) Buildings, structures, parking areas or other impervious improvements which are accessory to and subordinate to a permitted open space use, may be located on any open space lot provided that, in all cases, they occupy no more than five percent of the total open space area of the conservation development.
(10) In approving an Open Space Use Plan, the Planning Commission may permit grading in designated open space areas where removal of earth materials is required to establish an allowed use. The Planning Commission shall, however, clearly indicate, as a condition of preliminary approval, the approximate quantities of material and the general areas from which earth removal is authorized, and shall only authorize the minimal amount of earth removal required to grade the land for the intended purpose.

Sec. 21-221. – Conservation Development Design Standards.

Compliance with the following design standards is required for any conservation development proposal.

(1) Streets shall be designed and located in such a manner as to maintain and preserve natural topography, significant landmarks, and trees; to minimize cut and fill; and to preserve and enhance views and vistas on or off the subject parcel.
(2) The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal. Any grade changes shall be in keeping with the general appearance of the neighboring developed areas. The orientation of individual building sites shall be such as to maintain maximum natural topography and cover.
(3) The removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.
(4) Networks of pedestrian or bicycle paths within open space areas and accessible by all parcels are encouraged where appropriate.
(5) All open space shall be designed to add to the visual amenities of the area through the siting of houses, the creation of "no-cut" buffers, or some other method.
(6) The open space parcel(s) shall have physical and legal access from a street of not less than twenty (20) feet in width. Such access shall be demarcated by stone bounds to distinguish between the edge of the access and private property. Access from an adjacent parcel may be used to satisfy this requirement.
(7) Open space shall be established and designed to protect and maintain the conservation areas identified as part of the design process prescribed in Section 21-216 and as identified in plans submitted to the Planning Commission.

(8) Open space areas shall be directly accessible to the largest practicable number of lots or dwellings within the development. Non-adjoining lots shall be provided with safe and convenient pedestrian access to open space land.
(9) Where deemed necessary through the design process, open space areas may be used to provide adequate buffers between the proposed development and adjacent parcels.
(10) Open space areas shall be interconnected wherever possible to provide a continuous network of greenway lands within and adjoining the subdivision.
(11) Whenever possible, open space areas shall be undivided by public or private streets, except where necessary for proper traffic circulation as determined by the Planning Commission.

Sec. 21-222. - Zoning incentives.

The Planning Commission may allow an increase to the number of dwelling units in a conservation development beyond the basic maximum number in accordance with the following conditions and requirements.

(1) The maximum number of permitted dwelling units shall not be increased by more than 50% of the basic maximum number except where transfer of development rights is used. Where transfer of development rights is used, the maximum number of permitted dwelling units may be increased by 100% in accordance with Section 21-219(7) below.
(2) Any potential increases calculated using a percentage shall be rounded down to the nearest whole number.
(3) No density increase shall be allowed within the Groundwater Overlay District unless transfer of development rights is used as described in Section 21-219(7).
(4) Units added beyond the basic maximum number may only have a maximum of two bedrooms or, alternatively, must be limited to adults 55 years of age or older, subject to the exceptions set forth in the Federal Fair Housing Act. Dwelling units qualifying as incentives herein shall be subject to deed restrictions approved by the Planning Commission's legal counsel that either limit the number of bedrooms or the qualifying age of the residents as applicable.
(5) Where the Planning Commission determines that the amount of open space area provided in the entire conservation development exceeds the minimum amount as provided in the subdivision and land development regulations, the basic maximum number of permitted dwelling units in the development may be increased by a factor in accordance with the following table:

Amount of Open Space Provided	**Permitted Increase in Density**
>10 to 20 percent more than minimum	5%
>20 – 50 percent more than minimum	10%
>50 percent above minimum	15%

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(6) The Planning Commission may determine that an existing dwelling which is currently located on the property being developed should be preserved for any of the following purposes:

(a) Maintenance of historic or traditional development patterns;
(b) Preservation of streetscape features;
(c) Maintenance of building placement, setback and alignment on the site;
(d) Preservation of historic structures that contribute to the character of an area;
(e) Design of public or common open space; or
(f) Other design or site planning issues identified in the Comprehensive Plan.

In such cases, the Planning Commission may allow the applicant to exceed the basic maximum number of permitted dwelling units in the development by one. Any dwelling granted a zoning incentive under the provisions of this section shall be subject to deed restrictions prohibiting the removal or alteration of the dwelling except as may be approved by the Planning Commission as a condition of approval.

(7) The Planning Commission may authorize the transfer of development rights from any parcel within another residential district into a proposed conservation development under the following conditions:

(a) The preservation of land in the sending parcel is consistent with the purposes of this ordinance as outlined in Section 21-211.
(b) The development rights are being transferred from a residential district with the same or a larger minimum lot size;
(c) The number of development rights on the sending parcel has been determined by the Planning Commission through a process established in the Zoning Ordinance and/or the Subdivision and Land Development Regulations. The Planning Commission shall have the final decision on all applications designed to establish development yield.
(d) The development rights being transferred are extinguished prior to final approval of the conservation development through an easement as described in Article XXIII Sections 21-624;
(e) Where only a portion of the development rights are extinguished from the sending parcel, the owner of said parcel agrees that any future development of retained development rights will use the conservation development process as applicable in that zoning district. This condition shall be recorded as a deed restriction on the sending parcel.
(f) Increases to the basic maximum number of units through transfer of development rights into conservation developments as described in this subsection are not allowed within the Groundwater Overlay Zone 1.
(g) Increases to the basic maximum number of units through transfer of development rights into conservation developments as described in this subsection may be allowed in the Groundwater Overlay Zone 2 subject to the following requirements:

i. The proposed open space and the conservation development shall be located within the same aquifer recharge area.
ii. The dedicated off-site open space can only come from a Groundwater Overlay Zone 1 district.
iii. The dedicated open space shall be land that is not already restricted or protected from development through any easements or restrictions such as but not limited to open space or conservation easements.
iv. The dedicated open space land shall be considered buildable as defined in Section 21-22 and not encumbered by significant physical or environmental constraints.
v. The nutrient loading analysis for the proposed conservation development parcels (not including the open space offset from the sending area) may not show an average concentration of nitrogen that exceeds seven and a half (7.5) mg/L.
vi. The nutrient loading analysis for the conservation development including the open space offset shall not exceed five (5) mg/L.

Sec. 21-223. – Decision Criteria.

The Planning Commission may approve, approve with conditions or deny an application for a conservation development consistent with the Subdivision and Land Development Regulations. The Planning Commission shall consider the following criteria when reviewing any application for a conservation development:

(1) The proposal achieves the purposes of the Zoning Ordinance listed in Section 21-211.
(2) The proposal complies with all other applicable provisions of the Zoning Ordinance and the Subdivision and Land Development Regulations;
(3) The application materials are complete and all materials provided are accurate;
(4) The proposal demonstrates that adjacent uses are adequately protected from potential impacts associated with the conservation development;
(5) The proposal complies with the design standards listed in Section 21-221 of the ordinance.
(6) The proposed design does not create undo risk to public health, safety and welfare.

Sec. 21-224. - Previously approved cluster developments.

Nothing contained in this article shall affect the validity of any cluster development which was given final approval by a decision of the Planning Commission prior to January 11, 1982, and the validity of and uses permitted within such a cluster development shall be governed by the ordinances that were in effect on the date that such final approval was given only if the approved plat or plan and legal documents concerning such development were or are recorded in the records of land evidence of the town no later than six months after January 11, 1982.

Furthermore, nothing contained in this article shall prevent the Planning Commission from giving final approval to any cluster development to which the Planning Commission gave preliminary approval prior to November 23, 1981. If such final approval is given by the Planning

Commission, the validity of and the uses permitted within such a cluster development shall be governed by the ordinances that were in effect on the date that such preliminary approval was given only if the approved plat or plan and legal documents concerning such development or compound are recorded in the records of land evidence of the town no later than one year after January 11, 1982.

Sec. 21-225. – Dimensional requirements for previously approved cluster developments.

(1) Density. The total number of residential dwelling units permitted on any cluster development shall be equal to the number of units allowed at the time of approval by the Planning Commission. Accessory structures including accessory dwelling units shall be permitted in accordance with Article III, land use table, and section 21-325(7) and (16) as applicable.

(2) Dimensions. The minimum lot dimensions shall be in accordance with the following table:

	Type of Unit			
Zoning District	Single-Family Detached	Two-Family Detached	One-Story Accessory	Two-Story Accessory
Very Low Density Residential				
Lot size (square feet)	40,000	—		
Front (feet)	50	—		
Side and rear yard (feet)	25	—	20	25
Low Density Residential				
Lot size (square feet)	30,000	—		
Front (feet)	50	—		
Side and rear yard (feet)	25	—	20	25
Rural Residential				
Lot size (square feet)	20,000	30,000		
Front (feet)	50	50		
Side and rear yard (feet)	15	15	10	15
Neighborhood Residential				
Lot size (square feet)	15,000	20,000		
Front (feet)	50	50		
Side and rear yard (feet)	10	10	10	15
Village Residential				
Lot size (square feet)	12,000	14,000		
Front (feet)	50	50		
Side and rear yard (feet)	10	10	10	15

LAND DEVELOPMENT CHECKLISTS

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PRE-APPLICATION MEETING CHECKLIST FOR CONSERVATION DEVELOPMENT

The applicant shall submit the following number of copies of the pre-application plans listed below:

1. Nine (9) full-size blue or blackline copies
2. Twelve (12) reduced sets of all plans on 11"x17" sheets
3. Digital copy in PDF format. Additional digital copies in AutoCAD .dwg, GIS shapefile, or .dxf file format if possible.

The scale of all plans shall be sufficient to clearly show all of the information required and shall be subject to the approval of the administrative officer. Where applicable, the plans must bear the stamp of the professional land surveyor and professional engineer who prepared them.

At a minimum, the following information shall be provided:

A. Basic Information. The following information shall appear on all materials presented for the pre-application stage where applicable or unless waived by the Planning Commission:

1._____ Name of the proposed subdivision.

2._____ Name and address of property owner and applicant.

3._____ Name, address and telephone number of person or firm preparing pre-application plan and/or materials.

4._____ Date of plan/materials preparation, with revision date(s) (if any).

5._____ Graphic scale and true north arrow on any graphic representations.

6._____ Plat and lot number(s) of the land being subdivided.

7._____ Zoning identified for each parcel on all plan materials and listed in any narrative materials. Zoning district boundary lines must also be shown.

8._____ The locations of all streets with street names labeled.

B. Site Context Plan drawn to a scale of one inch equals 400 feet or as necessary to show the area within one-half mile of the subdivision parcel and superimposed on an aerial photograph. The use of readily available GIS information from the town and the state (RIGIS) is encouraged.

1._____ Basic information from the above checklist.

2._____ Existing lot lines in vicinity of proposed development as determined by the scale of the plan.

3._____ Existing developed areas.

4._____ Open spaces, conservation areas, parks.

5._____ Wetlands, rivers and streams,

6._____ Name of the watershed(s) within which the site lies. Where there is more than one watershed on the site, approximate topographic divides shall be shown.

7._____ For each watershed on the site, the presence of any impairment listing on the most recent national/state 303(d) list of impaired waters.

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8._____ Agricultural areas.

9._____ State natural heritage areas.

10._____ Flood plains or flood hazard areas.

11._____ Public facilities.

12._____ Coastal features and/or SAM plan guidelines as required by CRMC.

13._____ Topography at 10-foot contour intervals shall be shown. The most recent USGS topographic quadrangle shall be acceptable for this requirement, in which case a separate sheet will be provided.

C. Existing Conditions Plan drawn to a scale of one inch equals 100 feet. A different scale may be accepted by the Planning Commission at this early stage as long as features remain consistent and an adequate scale is provided to view the site in a conceptual manner. The use of readily available GIS information from the town and the state (RIGIS) is encouraged.

1._____ Basic information from the above checklist

2._____ Existing lot lines in vicinity of proposed development as determined by the scale of the plan.

3._____ Open spaces, conservation areas, parks.

4._____ Public facilities.

5._____ Location of existing property lines, easements, and rights-of-way within and immediately adjacent to the parcel(s) being developed.

6._____ Perimeter boundary lines of the subdivision, drawn so as to distinguish them from other property lines

7._____ Approximate location of primary constraints as follows:

a._____ Wetlands
b._____ Streams or other surface water bodies
c._____ Coastal high hazard areas
d._____ Coastal features identified by RICRMC program
e._____ Areas within the easement of a high voltage power line
f._____ Areas proposed to be developed as part of a public or private way.
g._____ Vernal pools
h._____ Historic or archaeological sites or structures

Commentary: The list of primary constraints covers all of the elements of "land unsuitable for development" as defined in the Zoning Ordinance, but also adds the perimeter wetlands area, vernal pools, and historic/archaeological sites.

8._____ Approximate location of secondary constraints

a._____ Areas where topographic slope equals or exceed 25%
b._____ Significant trees with a caliper in excess of 18 inches DBH.
c._____ Stone walls
d._____ Significant viewsheds

9._____ Estimated location of land unsuitable for development within 200 feet of the property being subdivided, as available from existing information.

10._____ Location of wooded areas and notation of existing ground cover.

11._____ Location and approximate size of existing buildings or significant above ground structures on or immediately adjacent to the subdivision.

D. Preferred Development Area Plan drawn to a scale of one inch equals 100 feet. A different scale may be accepted by the Planning Commission at this early stage as long as features remain consistent and an adequate scale is provided to view the site in a conceptual manner. The use of readily available GIS information from the Town and the state (RIGIS) is encouraged.

1._____ Basic information from the above checklist

2._____ Site Context Map information from the above checklist.

3._____ Delineation of primary conservation areas (in the aggregate) as a single bold black line

4._____ Delineation of secondary conservation areas (in the aggregate) as a dashed bold black line. Where secondary conservation areas may be coincident with primary conservation areas, the secondary conservation area delineation may be left off of the plan for the sake of readability.

E. Conceptual Yield Plan drawn to a scale of one inch equals 100 feet. A different scale may be accepted by the Planning Commission at this early stage as long as features remain consistent and an adequate scale is provided to view the site in a conceptual manner. The use of readily available GIS information from the town and the state (RIGIS) is encouraged.

1._____ Basic information from the above checklist

2._____ Existing lot lines in vicinity of proposed development as determined by the scale of the plan.

3._____ Open spaces, conservation areas, parks.

4._____ Public facilities.

5._____ Approximate layout and extent of roads

6._____ Approximate layout of lot lines.

7._____ Approximate location of housing units

8._____ Conceptual envelopes for sewage disposal and water supply infrastructure.

F. Conservation Sketch Plan. A diagrammatic sketch plan overlay sheet shall be provided. This sheet shall be prepared to overlay the Preferred Development Area Map. As an alternative, if surveys of the property proposed for development have not been prepared, a separate sketch plan may be submitted.

1._____ Basic information from the above checklist

2._____ Existing lot lines in vicinity of proposed development as determined by the scale of the plan.

3._____ Open spaces, conservation areas, parks.

4._____ Public facilities.

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5._____ Approximate layout and extent of roads

6._____ Approximate layout of lot lines.

7._____ Approximate location of housing units

8._____ Approximate delineated area of dedicated open space with area calculation

9._____ Conceptual envelopes for sewage disposal and water supply infrastructure.

G. Supporting materials. The applicant shall submit to the administrative officer 20 copies of a narrative report providing a general description of the existing physical environment and existing use(s) of the property along with a general description of the uses and type of development proposed by the applicant. The narrative report shall include the following:

1._____ Administrative filing fee: see article 11, section 11.4.4.c.

2._____ Completed application form signed by the applicant and the property owner

3._____ Proof from tax collector that all taxes due on the land have been paid prior to filing the pre-application.

4._____ Such other information as may be requested by the Department of Planning and Development or by the Planning Commission.

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CONCEPTUAL MASTER PLAN CHECKLIST FOR A MAJOR CONSERVATION DEVELOPMENT

The applicant shall submit the following number of copies of the pre-application plans listed below:

1. Nine (9) full-size blue or blackline copies
2. Twelve (12) reduced sets of all plans on 11"x17" sheets
3. Digital copy in PDF format. Additional digital copies in AutoCAD .dwg, GIS shapefile, or .dxf file format if possible.

The scale of all plans shall be sufficient to clearly show all of the information required and shall be subject to the approval of the administrative officer. Where applicable, the plans must bear the stamp of the professional land surveyor and professional engineer who prepared them.

At a minimum, the following information shall be provided:

A. Basic Information. The following information shall appear on all materials presented for the master plan stage unless waived by the Planning Commission. Unless otherwise indicated, plans shall be drawn to a scale of either 1 inch = 100 feet or 1 inch = 200 feet, whichever would best fit on a standard size sheet (24″ × 36″), unless otherwise approved by the administrative officer. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.).

1._____ Name of the proposed development.

2._____ Name and address of property owner and applicant.

3._____ Name, address and telephone number of person or firm preparing master plan and any associated materials.

4._____ Date of plan/materials preparation, with original submission date and revision date(s) (if any).

5._____ Graphic scale and true north arrow on any graphic representations.

6._____ Plat and lot number(s) of the land being subdivided.

7._____ Zoning identified for each parcel on all plan materials and listed in any narrative materials. Zoning boundary lines must also be shown.

8._____ The locations of all streets with street names labeled.

B. Site Context Plan drawn to a scale of one inch equals 400 feet or as necessary to show the area within one-half mile of the subdivision parcel and superimposed on an aerial photograph. The use of readily available GIS information from the town and the state (RIGIS) may be acceptable.

Commentary: Section 13.6 may need to be revised to reflect changes to this section of the checklist.

1._____ Basic information from the above checklist.

2._____ Existing lot lines in the vicinity of the proposed development as determined by the scale of the plan.

3._____ Existing developed areas.

4._____ Open spaces, conservation areas, parks.

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5._____ Wetlands, rivers and streams.

6._____ Name of the watershed(s) within which the site lies. Where there is more than one watershed on the site, approximate topographic divides shall be shown.

7._____ For each watershed on the site, the presence of any impairment listing on the most recent federal/state-level 303(d) list of impaired waters.

8._____ Agricultural areas.

9._____ State natural heritage areas.

10._____ Flood plains or flood hazard areas.

11._____ Public facilities.

12._____ Coastal features and/or SAM plan guidelines as required by CRMC.

13._____ Topography at 10-foot contour intervals shall be shown. The most recent USGS topographic quadrangle shall be acceptable for this requirement in which case a separate sheet will be provided.

C. *Existing Conditions Plan* drawn to a scale of one inch equals 100 feet. A different scale may be accepted by the Planning Commission at this early stage as long as features remain consistent and an adequate scale is provided to view the site in a conceptual manner. The use of readily available GIS information from the town and the state (RIGIS) may be acceptable where surveyed data are not specifically called for at the discretion of the planning commission.

1._____ Basic information from the above checklist.

2._____ Existing lot lines in the vicinity of the proposed development as determined by the scale of the plan.

3._____ Existing developed areas.

4._____ Open spaces, conservation areas, parks.

5._____ Location of existing property lines, easements, and rights-of-way within and immediately adjacent to the parcel(s) being developed as determined as determined through a Class 4 survey (or higher).

6._____ Topographic survey of the site displayed as two-foot contours.

7._____ Vegetative cover map for the complete property according to general cover type including cultivated land, agricultural land, permanent grass land, meadow, pasture, old field, hedgerow, woodland and wetland. Trees with a caliper in excess of 18 inches DBH, if located within an area proposed for disturbance or alteration shall also be indicated. Vegetative types shall be described by plant community, relative age and condition.

8._____ Soil series, types and map units, as mapped by the U.S. Department of Agriculture, Soil Conservation Service in the latest published soil survey for the state, and accompanying data published for each soil relating to its suitability for construction and for septic suitability.

9._____ If available, the location of any test pits and the resulting observations for seasonal high groundwater elevation.

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10._____ Location of primary constraints as follows:

a._____ Wetlands as determined through surveyed field flagging (verification by RIDEM not required for master plan)
b._____ Streams or other surface water bodies as determined through surveyed field flagging (verification by RIDEM not required for master plan)
c._____ 100-year flood zones and velocity zones as identified by flood zone elevations.
d._____ Coastal features identified by RICRMC program
e._____ Areas within the easement of a high voltage power line
f._____ Areas proposed to be developed as part of a public or private way as identified by any deeds or prior plan approvals
g._____ Natural areas of species listed as endangered, threatened, or of special concern, such as those listed in the statewide natural heritage inventory
h._____ Vernal pools
i._____ Soils that comprise Very Severe Limitations as described in the Zoning Ordinance Section 21-184
j._____ Historic or archaeological sites or structures

11._____ Approximate location of secondary constraints

a._____ Areas where topographic slope equals or exceed 25% as determined through the required topographic survey.
b._____ Regulatory setbacks pursuant to all RIDEM and RICRMC regulations
c._____ Significant trees with a caliper in excess of 18 inches DBH.
d._____ Stone walls
e._____ Significant viewsheds

12._____ Estimated location of land unsuitable for development within 200 feet of the property being subdivided, as available from existing information.

13._____ Surveyed location and approximate size of existing buildings, roads or significant aboveground structures on or immediately adjacent to the subdivision.

14._____ Location of trails that have been in public use (pedestrian, equestrian, bicycle, etc.).

15._____ Location of all easements and other encumbrances of property which are or have been filed of record with the land evidence records of the town with associated legal documentation.

D. *Preferred Development Area Plan* drawn to a scale of one inch equals 100 feet. A different scale may be accepted by the Planning Commission at this early stage as long as features remain consistent and an adequate scale is provided to view the site in a conceptual manner. The use of readily available GIS information from the Town and the state (RIGIS) may be allowed at the discretion of the planning commission.

1._____ Basic information from the above checklist.

2._____ Existing lot lines in the vicinity of the proposed development as determined by the scale of the plan.

3._____ Existing developed areas.

4._____ Open spaces, conservation areas, parks.

5._____ Delineation of primary conservation areas (in the aggregate) as a single bold black line

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6._____ Delineation of secondary conservation areas (in the aggregate) as a dashed bold black line. Where secondary conservation areas may be coincident with primary conservation areas, the secondary conservation area delineation may be left off of the plan for the sake of readability.

E. Proposed Yield Plan drawn to a scale of one inch equals 100 feet. A different scale may be accepted by the Planning Commission at this early stage as long as features remain consistent and an adequate scale is provided to view the site in a conceptual manner. The use of readily available GIS information from the town and the state (RIGIS) is encouraged. If transferring development rights is proposed, this plan shall be submitted for the sending area and the receiving area parcels unless the development rights within the sending area have already been certified.

1._____ Basic information from the above checklist.

2._____ Existing lot lines in the vicinity of the proposed development as determined by the scale of the plan.

3._____ Existing developed areas.

4._____ Open spaces, conservation areas, parks.

5._____ Layout and extent of road rights of way and pavement location.

6._____ Layout of lot lines with area of the lot displayed.

7._____ Approximate location of housing units.

8._____ Conceptual location for OWTS with required RIDEM setbacks.

9._____ Conceptual location of water supply infrastructure with required RIDEM setbacks.

10._____ Conceptual stormwater management infrastructure consistent with on-site grading and topography and consistent with stormwater management requirements in the North Kingstown Subdivision and Land Development Rules and Regulations

F. Conservation Sketch Plan. A diagrammatic sketch plan overlay sheet shall be provided which indicates a general concept for land conservation and development. This sheet shall be prepared to overlay the Preferred Development Area Map and at the same scale. As an alternative, if surveys of the property proposed for development have not been prepared, a separate sketch plan may be submitted.

1._____ Basic information from the above checklist.

2._____ Existing lot lines in the vicinity of the proposed development as determined by the scale of the plan.

3._____ Existing developed areas.

4._____ Open spaces, conservation areas, parks.

5._____ Proposed layout and extent of road rights of way

6._____ Proposed layout of lot lines with approximate area of the lot and dimensions displayed. Proposed lot lines shall be drawn in a manner which distinguishes them from existing property lines.

7._____ Location of proposed housing units with depiction of setbacks from lot lines or, where lot lines will not exist in cases of common ownership or condominium arrangements, setbacks from

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adjacent structures that demonstrate compliance with the North Kingstown Zoning Ordinance [INSERT SECTION].

8._____ Location of any structures, trails recreational uses, or other built features that may be allowed in dedicated open space.

9._____ Conceptual location for OWTS with required RIDEM setbacks

10._____ Conceptual location of water supply infrastructure with required RIDEM setbacks.

11._____ Conceptual stormwater management infrastructure consistent with on-site grading and topography and consistent with stormwater management requirements in the Subdivision and Land Development Rules and Regulations

12._____ Calculations of any areas within the open space identified as unsuitable for development demonstrating compliance with Section 21-218(3) of the Zoning Ordinance.

13._____ Location of any areas that may be used as buffers to adjacent properties.

14._____ Identification of any areas that may be altered as part of the development process in the form of landscape restoration, removal of invasive species, fortification of vegetated buffers, regrading to accomplish necessary drainage improvements, or other objectives consistent with the purposes of conservation development.

G. Supplementary Information. The applicant shall submit to the administrative officer twenty (20) copies of a narrative report to provide necessary administrative materials and supplement the plans developed as part of a Master Plan submittal. :

1._____ Narrative summary of Basic Information

2._____ Narrative summary of Existing Conditions

3._____ Narrative summary of proposed yield plan calculations.

4._____ Narrative summary of any proposed density bonuses and associated calculations.

5._____ Narrative summary and any additional documentation of strategy to provide water supply including, when utilizing public water, a statement from the Water Department that town water is available to the development with sufficient volume and pressure to meet fire flow requirements, based on water system model as required by the Water Department. If utilizing public water from another source (ex. Kent County) applicant must demonstrate ability to acquire.

6._____ Narrative summary and any additional documentation of strategy to treat and dispose of wastewater including a description of on-site soils, depth to groundwater throughout the site, and any test pit investigations that may have been performed.

7._____ Narrative summary and any additional documentation of strategy to treat and discharge stormwater and, where applicable, the relationship between the stormwater management strategy and any impairment identified on the watershed 303(d) list.

8._____ Description of proposed phasing (if any)

9._____ Description of compliance with Inclusionary Zoning requirements [cite section]

10._____ Narrative description of the use of the open space including the uses that are proposed, the management structure for the open space, and a description of the restrictions that will be placed upon the open space area.

11._____ Where two-, three-, or four-family units are proposed, architectural schematics and elevations for those structures.

H. Supporting Materials

1._____ Administrative filing fee: see article 11, section 11.4.4.c.

2._____ Completed application form signed by the applicant and the property owner

3._____ Proof from tax collector that all taxes due on the land have been paid prior to filing the master plan.

4._____ Such other information as may be requested by the Department of Planning, Planning Commission, or other applicable town department.

5._____ The names and addresses of owners of all properties, agencies or communities requiring notification as required by the North Kingstown regulations.

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PRELIMINARY PLAN CHECKLIST FOR CONSERVATION DEVELOPMENT.

The applicant shall submit the following number of copies of the pre-application plans listed below:

1. Nine (9) full-size blue or blackline copies
2. Twelve (12) reduced sets of all plans on 11"x17" sheets
3. Digital copy in PDF format, AutoCAD .dwg, GIS shapefile, and .dxf file format.
   Plans shall include a certification that all plans and improvements conform to all existing and amended standards of the State of Rhode Island and Providence Plantations, Board of Registration for Professional Engineers and Board of Registration of Land Surveyors.

A. *Basic Information.* The following information shall appear on all materials presented for the preliminary plan stage unless waived by the Planning Commission. Unless otherwise indicated, plans shall be drawn to a scale of 1 inch = 100 feet, and printed on a standard size sheet (24″ × 36″), unless otherwise approved by the administrative officer. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.).

1._____ Name of the proposed subdivision.

2._____ Name and address of property owner and applicant.

3._____ Name, address and telephone number of person or firm preparing pre-application plan and/or materials.

4._____ Date of plan/materials preparation, with revision date(s) (if any).

5._____ Graphic scale and true north arrow on any graphic representations.

6._____ Plat and lot number(s) of the land being subdivided.

7._____ Zoning identified for each parcel on all plan materials and listed in any narrative materials. Zoning district boundary lines must also be shown.

8._____ Perimeter boundary lines of the subdivision or phase, drawn so as to distinguish them from other property lines.

9._____ Proposed number of buildable lots, dwellings or other proposed improvements.

10._____ Area and dimensions of all lots proposed for development.

11._____ Location and dimensions of existing property lines, easements and rights-of-way within or immediately adjacent to the parcel being subdivided.

12._____ Location, width and names of existing streets within and immediately adjacent to the parcel being subdivided.

13._____ Names of abutting property owners and property owners immediately across any adjacent streets; with plat and lot numbers also indicated.

14._____ Location of proposed permanent stone boundary markers.

15._____ Certification by a Professional Land Surveyor that a perimeter survey of the land being subdivided has been performed and conforms to the survey requirements to a minimum of a Class I survey.

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16._____ Certification of all design professionals associated with the development of the plans as applicable, including but not limited to architects, landscape architects and civil engineers.

B. Site Context Plan. Plan shall be drawn to a scale of one inch equals 400 feet or as necessary to show the area within one-half mile of the subdivision parcel and superimposed on an aerial photograph. The use of readily available GIS information from the town and the state (RIGIS) may be acceptable.

1._____ Basic information from the above checklist.

2._____ The locations of all streets with street names labeled.

3._____ Existing lot lines in the vicinity of the proposed development as determined by the scale of the plan.

4._____ Existing developed areas.

5._____ Open spaces, conservation areas, parks.

6._____ Wetlands, rivers and streams.

7._____ Name of the watershed(s) within which the site lies. Where there is more than one watershed on the site, approximate topographic divides shall be shown.

8._____ For each watershed on the site, the presence of any impairment listing on the most recent federal/state-level 303(d) list of impaired waters.

9._____ Agricultural areas.

10._____ State natural heritage areas.

11._____ Flood plains or flood hazard areas.

12._____ Public facilities.

13._____ Coastal features and/or SAM plan guidelines as required by CRMC.

14._____ Topography at 10-foot contour intervals shall be shown. The most recent USGS topographic quadrangle shall be acceptable for this requirement in which case a separate sheet shall be provided.

C. Existing Conditions Plan. Plans shall be drawn to a scale of 1 inch = 100 feet, and printed on a standard size sheet (24″ × 36″), unless otherwise approved by the administrative officer. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.).

1._____ Basic Information from the above checklist

2._____ Site Context Map information from the above checklist.

3._____ Location of existing property lines, easements, and rights-of-way within and immediately adjacent to the parcel(s) being developed as determined as determined through a Class I survey.

4._____ Topographic survey of the site displayed as two-foot contours.

5._____ Vegetative cover map for the complete property according to general cover type including cultivated land, agricultural land, permanent grass land, meadow, pasture, old field, hedgerow,

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woodland and wetland. Trees with a caliper in excess of 18 inches DBH, if located within an area proposed for disturbance or alteration shall also be indicated. Vegetative types shall be described by plant community, relative age and condition.

6._____ Soil series, types and map units, as mapped by the U.S. Department of Agriculture, Soil Conservation Service in the latest published soil survey for the state, and accompanying data published for each soil relating to its suitability for construction and for septic suitability.

7._____ Location of Primary Constraints as follows:

a._____ Wetlands as determined through surveyed field flagging (verification by RIDEM is required)
b._____ Streams or other surface water bodies as determined through surveyed field flagging (verification by RIDEM is required)
c._____ 100-year flood zones and velocity zones as identified by flood zone elevations.
d._____ Coastal features identified by RICRMC program
e._____ Areas within the easement of a high voltage power line
f._____ Areas proposed to be developed as part of a public or private way
g._____ Vernal pool delineations
h._____ Historic or archaeological sites or structures

8._____ Approximate location of Secondary Constraints

a._____ Areas where topographic slope equals or exceed 25% as determined through the required topographic survey.
b._____ Regulatory setbacks pursuant to all RIDEM and RICRMC regulations
c._____ Significant trees with a caliper in excess of 18 inches DBH.
d._____ Surveyed location of stonewalls
e._____ Significant viewsheds

9._____ Estimated location of land unsuitable for development within 200 feet of the property being subdivided, as available from existing information.

10._____ Surveyed location and approximate size of existing buildings, roads or significant aboveground structures on or immediately adjacent to the subdivision.

11._____ Location of trails that have been in public use (pedestrian, equestrian, bicycle, etc.).

12._____ Location of all easements and other encumbrances of property which are or have been filed of record with the land evidence records of the town.

D. Preferred Development Area Plan. Plans shall be drawn to a scale of 1 inch = 100 feet, and printed on a standard size sheet (24″ × 36″), unless otherwise approved by the administrative officer. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.).

1._____ Applicable Basic Information

2._____ Applicable information from the Site Context Map

3._____ Display of Primary Conservation Areas as a single dark gray shaded polygon.

4._____ Display of Secondary Conservation Areas as a light gray shaded polygon.

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E. Proposed Yield Plan. The Planning Commission may waive the submittal of this plan where the applicant demonstrates that the refined existing conditions plan demonstrates that there will be no substantive change in the yield plan provided as part of the master plan submittal.

1._____ Applicable Basic Information

2._____ Applicable information from the Site Context Map

3._____ Layout and extent of road rights of way and pavement

4._____ Layout of lot lines with area of the lot displayed.

5._____ Approximate location of housing units

6._____ Conceptual location for OWTS with required RIDEM setbacks

7._____ Conceptual location of water supply infrastructure with required RIDEM setbacks.

8._____ Conceptual stormwater management infrastructure consistent with on-site grading and topography and consistent with stormwater management requirements in the Subdivision and Land Development Rules and Regulations

F. Proposed Conservation Plan Set (Site Plans and Construction Plans). Plans shall be drawn to a scale of 1 inch = 100 feet, and printed on a standard size sheet (24″ × 36″), unless otherwise approved by the administrative officer. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.). Where the site must be divided into multiple sheets in order to accommodate scale, a plan key shall be provided.

1._____ Basic information from the above checklist.

2._____ Existing lot lines in the vicinity of the proposed development as determined by the scale of the plan.

3._____ Existing developed areas.

4._____ Open spaces, conservation areas, parks.

5._____ Overall Development Plan.

a._____ Boundary of the Preferred Development Area.
b._____ Location of proposed housing units with depiction of setbacks from lot lines or, where lot lines will not exist in cases of common ownership or condominium arrangements, setbacks from adjacent structures that demonstrate compliance with the North Kingstown Zoning Ordinance [INSERT SECTION].
c._____ Proposed developer's lot numbers.
d._____ Proposed emergency 911 numbers (must request from Engineering Department).
e._____ Proposed assessor's lot numbers (must request from Engineering Department).
f._____ The location of any rights of way, easements, proposed sidewalks or pedestrian ways, and dimensions of pavement.
g._____ The proposed location of all structures and associated setbacks.
h._____ Delineated area of dedicated open space with overall area calculation.
i._____ Location of permanent stone boundary markers or other delineation as determined by the Planning Commission, including markers sufficient to delineate the location of open space areas.
j._____ Calculations of any areas within the open space identified as unsuitable for development demonstrating compliance with Section 21-218(3) of the Zoning Ordinance.

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k._____ Location of any structures, trails recreational uses, or other built features that may be allowed in dedicated open space.

l._____ Location of any areas that may be used as buffers to adjacent properties.

m._____ Identification of any areas that may be altered as part of the development process in the form of landscape restoration, removal of invasive species, fortification of vegetated buffers, regrading to accomplish necessary drainage improvements, or other objectives consistent with the purposes of conservation development.

n._____ Location of any structures, trails recreational uses, or other built features that may be allowed in dedicated open space.

o._____ Location for OWTS with required RIDEM setbacks

p._____ Location of water supply infrastructure with required RIDEM setbacks.

q._____ Location of stormwater management infrastructure consistent with on-site grading and topography and consistent with stormwater management requirements in the Zoning Ordinance and/or Subdivision and Land Development Rules and Regulations

6._____ Clearing and Grading

a._____ Limits of clearing for the entirety of the development demonstrating that clearing in developed areas will be minimized and, in open spaces, avoided to the maximum extent practicable.

b._____ Proposed grading for the entire site in two foot contour intervals.

c._____ Cross sections of all areas of cuts and fills showing existing and proposed surface elevations and verified wet season maximum ground water elevation.

d._____ Calculations for the amount of earth material that will be removed from the site or brought to the site.

e._____ Location and description of all erosion and sedimentation control practices used during the course of construction.

f._____ Location and description of all tree protection practices to be used during construction.

g._____ Location and design of all stormwater management practices including inlets, inverts, conveyance, detention/retention, and discharge points as applicable.

h._____ Location of temporary access roads and other temporary construction activities.

7._____ Landscaping

a._____ Plan demonstrating compliance with applicable sections of Section 21-276 and Section 21-277 of the Zoning Ordinance.

b._____ Location of proposed stump dumps with depth to groundwater.

8._____ Roads and Utilities

a._____ Profiles showing existing and proposed elevations along the centerline of all roads. Where a proposed road intersects an existing road or roads, the elevation along the centerline of the existing road or roads, within one hundred (100) feet of the intersection, shall be shown.

b._____ Plans and profiles showing the location, type and typical section of road pavements, including curbs and gutters, sidewalks, manholes, catch basins, and street lights.

c._____ Street cross-sections, with location of utilities indicated

d._____ Location and dimension of all proposed utilities within and immediately adjacent to the subdivision, including gas, electric, phone, cable TV, fire alarm, hydrants, utility poles, stormwater drainage facilities or other proposed above or underground utilities.

e._____ Proposed street names.

f._____ Proposed pedestrian ways (sidewalks or bike paths).

g._____ Street lighting plan (if required).

h._____ Location of all test pits performed on the site with date and observed or calculated high groundwater elevation.

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i._____ Construction details for all stormwater management practices being proposed for the site.
j._____ Construction details for all OWTS facilities proposed for the site.
k._____ Construction details for all proposed water supply facilities for the site and, where applicable, the location of connection to the municipal water supply.

G. Supplementary Information. The applicant shall submit to the administrative officer twenty (20) copies of a narrative report to provide necessary administrative materials and supplement the plans developed as part of a master plan submittal.

1._____ Narrative summary of basic information (previous submittals may be accepted or an addendum may be submitted).

2._____ Narrative summary of existing conditions (previous submittals may be accepted or an addendum may be submitted).

3._____ Narrative summary of proposed yield calculations and plan (previous submittals may be accepted or an addendum may be submitted).

4._____ Summary of any proposed density bonuses and associated calculations.

5._____ Narrative summary and any additional documentation of strategy to provide water supply including, when utilizing public water, a statement from the Water Department that town water is available to the development with sufficient volume and pressure to meet fire flow requirements, based on water system model as required by the Water Department. If utilizing public water from another source (ex. Kent County) applicant must demonstrate ability to acquire.

6._____ Narrative summary and any additional documentation of strategy to treat and dispose of wastewater including a description of on-site soils, depth to groundwater throughout the site, and any test pit investigations that may have been performed.

7._____ Narrative summary and any additional documentation of strategy to treat and discharge stormwater and, where applicable, the relationship between the stormwater management strategy and any impairment identified on the watershed 303(d) list.

8._____ All documentation for subsurface soil investigations referenced by code or key to locations of testing sites on submitted plans.

9._____ Stormwater flow calculations associated with all best management practices shown on submitted plans including, but not limited to, volume calculations for various storm frequencies, peak discharge rates for various storm frequencies, and soil percolation rates.

10._____ Maintenance plans associated with all on-site utilities, responsible parties, descriptions of associated covenants, and funding sources where applicable.

11._____ The results of any water yield testing or water quality testing performed on-site to determine suitability of soils to provide adequate water supply.

12._____ Calculations associated with wastewater design flows.

13._____ Two (2) copies of RIDEM approvals (written approval and approved plans).

14._____ Description of proposed phasing (if any).

15._____ Description of compliance with inclusionary zoning requirements [cite section].

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16._____ Narrative description of the use of the open space including the uses that are proposed, the management structure for the open space, and a description of the restrictions that will be placed upon the open space area.

17._____ Where two-, three-, or four-family units are proposed, architectural schematics and elevations for those structures.

H. Supporting Materials

1._____ Administrative filing fee: See article 11, section 11.4.4.c.

2._____ Completed application form signed by the applicant and the property owner

3._____ Proof of tax collector that all taxes due on the land have been paid prior to filing the final Plan.

4._____ The names and addresses of owners of all properties, agencies or communities requiring notification as required by these regulations.

5._____ Copies of return receipts for certified mail notices.

6._____ Letters of approval from utility companies (as applicable).

7._____ Letters of approval from the town council or appropriate state or federal agency for the construction of any off-site improvements (if required).

8._____ Written confirmation from the state department of environmental management pursuant to the RIDEM Rules and Regulations Governing the Enforcement of the Freshwater Wetlands Act, and any subsequent amendments thereto, that plans of the proposed subdivision, including any required off-site construction, have been reviewed and indicating that the Wetlands Act either does not apply to the proposed site alteration or that approval has been granted for the proposed site alteration. Two sets of associated plans shall also be submitted.

9._____ Written statement from the town water department that town water is available to the development with sufficient volume and pressure to meet fire flow requirements, based on water system model if required by water department.

10._____ A physical alteration permit (PAP) issued by the state department of transportation for any connection to or construction work within a state highway or other right-of- way (if necessary.

11._____ Preliminary subdivision suitability determination from RIDEM for the use of individual sewage disposal systems (if proposed). Two sets of any associated plans shall also be submitted.

12._____ Final approval from the coastal resources management council (if applicable) with any associated correspondence.

13._____ Approval from the U.S. Army Corps of Engineers (if applicable).

14._____ All other state and federal agency approvals (as applicable).

15._____ The names and addresses of owners of all properties, agencies or communities requiring notification as required by these regulations.

16._____ Two draft copies and one digital copy of all legal documents describing the property, proposed easements and rights-of-way, dedications, restrictions, or other required legal documents.

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Specify:

17._____ Proposed arrangements for completion of the required public improvements, including construction schedule and financial guarantees. See article 7.0.

18._____ Construction cost estimates from the Engineering Department

19._____ Statement identifying any waivers from development standards, zoning variances or special use permits required or requested.

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FINAL PLAN CHECKLIST FOR CONSERVATION DEVELOPMENT

The applicant shall submit to the administrative officer copies of final site plans and supporting materials as indicated below:

1. Three (3) full size blue or blackline copies
2. Digital copy in PDF format, AutoCAD .dwg, GIS shapefile, and .dxf format

The town will review the draft final plan. Once all corrections are made, the Planning Department will request one (1) mylar of the record plan and (4) copies of the record plan and any site/construction plans for final approval and signature.

A. Basic Information. The following information shall appear on all materials presented for the final plan stage unless waived by the Planning Commission. Unless otherwise indicated, plans shall be drawn to a scale of either 1 inch = 100 feet, and printed on a standard size sheet (24″ × 36″), unless otherwise approved by the administrative officer. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.).

1._____ Name of the proposed development.

2._____ Name and address of property owner and applicant.

3._____ Name, address and telephone number of person or firm preparing pre-application plan and/or materials.

4._____ Date of plan/materials preparation, with revision date(s) (if any).

5._____ Graphic scale and true north arrow on any graphic representations.

6._____ Plat and lot number(s) of the land being subdivided.

7._____ Zoning identified for each parcel on all plan materials and listed in any narrative materials. Zoning district boundary lines must also be shown.

8._____ Perimeter boundary lines of the subdivision or phase, drawn so as to distinguish them from other property lines.

9._____ Proposed number of buildable lots, dwellings or other proposed improvements.

10._____ Area, dimensions, and proposed developer's numbers of all lots proposed for development.

11._____ Location and dimensions of existing property lines, easements and rights-of-way within or immediately adjacent to the parcel being subdivided.

12._____ Location, width and names of existing streets within and immediately adjacent to the parcel being subdivided.

13._____ Names of abutting property owners and property owners immediately across any adjacent streets; with plat and lot numbers also indicated.

14._____ Location of proposed permanent stone boundary markers, including markers sufficient to delineate the location of open space areas.

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15._____ Certification by a Professional Land Surveyor that a perimeter survey of the land and all interior and perimeter lot lines and street lines of the land being subdivided has been performed and conforms to the survey requirements to a minimum of a Class I survey.

16._____ Certification of all design professionals associated with the development of the plans as applicable, including but not limited to architects, landscape architects and civil engineers.

17._____ Location and notation of type of proposed open space areas.

18._____ Notation of any special conditions of approval imposed by the planning commission.

19._____ Notation of any permits and agreements w/state and federal reviewing agencies.

20._____ Phasing schedule (if any).

21._____ Stamped and signed approval (endorsement) from the planning commission or administrative officer. See article 6.0

B. Record plan. Record plan scale not to be smaller than 1″ = 100′. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.).

1._____ Basic Information from checklist above.

2._____ Location of all structures and associated setbacks

3._____ Delineated area of dedicated open space with overall area calculation.

4._____ Location of any structures, trails recreational uses, or other built features that may be allowed in dedicated open space.

5._____ Location of any areas that may be used as buffers to adjacent properties.

6._____ Location for OWTS with required RIDEM setbacks

7._____ Location of water supply infrastructure with required RIDEM setbacks.

8._____ Location of stormwater management infrastructure consistent with on-site grading and topography and consistent with stormwater management requirements in the Zoning Ordinance and/or Subdivision and Land Development Rules and Regulations

9._____ Identification of any areas that may be altered as part of the development process in the form of landscape restoration, removal of invasive species, fortification of vegetated buffers, regrading to accomplish necessary drainage improvements, or other objectives consistent with the purposes of conservation development.

C. Construction drawings plan set. Four blue or black line copies of construction plans drawn to a scale not smaller than 1″ = 50′ with street plan and profile not smaller than horizontal 1″ = 50′ and vertical 1″ = 5′. The scale may be modified with the permission of the administrative officer. Each sheet shall be no larger than 24 inches by 36 inches, and a sufficient number of sheets shall be included to clearly show all of the information required. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.).

1._____ Overall Development Plan.

a._____ The location of any rights of way, easements, proposed sidewalks or pedestrian ways, and dimensions of pavement
b._____ Location of all structures and associated setbacks
c._____ Location of any structures, trails recreational uses, or other built features that may be allowed in dedicated open space.
d._____ Location and dimensions of any areas that may be used as buffers to adjacent properties.
e._____ Location of any temporary staging or storage areas that will be used in conjunction with overall construction schedule and/or phasing.
f._____ Location for OWTS with required RIDEM setbacks.
g._____ Location of water supply infrastructure with required RIDEM setbacks.
h._____ Location of stormwater management infrastructure consistent with on-site grading and topography and consistent with stormwater management requirements in the Zoning Ordinance and/or Subdivision and Land Development Rules and Regulations

2._____ Clearing and Grading

a._____ Limits of clearing for the entirety of the development
b._____ Proposed grading for the entire site in two foot contour intervals
c._____ Cross sections of all areas of cuts and fills showing existing and proposed surface elevations.
d._____ Location and description of all erosion and sedimentation control practices used during the course of construction and, where applicable, during different phases.
e._____ Location and description of all tree protection practices to be used during construction.
f._____ Location and design of all stormwater management practices including inlets, inverts, conveyance, detention/retention, and discharge points as applicable.
g._____ Location of temporary access roads and other temporary construction activities.

3._____ Landscaping

a._____ Plan demonstrating compliance with applicable sections of Section 21-276 and Section 21-277 of the Zoning Ordinance.
b._____ Location of stump dumps with depth to groundwater.

4._____ Roads and Utilities

a._____ Profiles showing existing and proposed elevations along the centerline of all roads. Where a proposed road intersects an existing road or roads, the elevation along the centerline of the existing road or roads, within one hundred (100) feet of the intersection, shall be shown.
b._____ Plans and profiles showing the location, type and typical section of road pavements, including curbs and gutters, sidewalks, manholes, catch basins, and street lights.
c._____ Street cross-sections, with location of utilities indicated
d._____ Location and dimension of all proposed utilities within and immediately adjacent to the subdivision, including gas, electric, phone, cable TV, fire alarm, hydrants, utility poles, stormwater drainage facilities or other proposed above or underground utilities.
e._____ Proposed street names.
f._____ Pedestrian ways (sidewalks or bike paths).
g._____ Street lighting plan (if required).
h._____ Construction details for all stormwater management practices being proposed for the site.
i._____ Construction details for all OWTS facilities proposed for the site.
j._____ Construction details for all proposed water supply facilities for the site and, where applicable, the location of connection to the municipal water supply.

D. Supporting materials.

1._____ Administrative fee. See article 11, section 11.4.4.c.

2._____ Certificate of the tax collector showing that all taxes due on the parcel being subdivided have been paid for a period of five years prior to filing of the final plat and that there are no outstanding municipal liens on the parcel.

3._____ One original signed copy of all legal documents describing the property, creating a homeowners' association, proposed easements and rights-of-way, dedications, restrictions or other required legal documents. One copy of the approved legal documents will be recorded by the applicant with the town clerk following final plan approval and signature. A copy of the recorded legal documents will be submitted to the Planning Department prior to any certificates of occupancy.

4._____ One original signed copy of an irrevocable offer to convey to the town all public streets and/or other public improvements, accompanied by a metes and bounds description of said areas.

5._____ Deed transferring land proposed for dedication to the town or other qualified group or agency for open space purposes.

6._____ Letter of approval of all legal documents from the town solicitor.

7._____ 911 emergency numbers.

8._____ Completed application form signed by the applicant and the property owner.

9._____ Such other information as may be required by the planning commission as a condition of final approval.

E. Payment of required fees. Payment of the following fees or posting of financial guarantees, if required, to be prior to endorsement by the planning commission and recording of final plans:

1._____ Administrative fee. See article 11, section 11.4.4.c.

Applicant shall (check one): _____ pay financial guarantee and record plans
_____ request approval for construction purposes only

2._____ Financial guarantees in a form approved by the finance director.
Initial amount _____
Date set by planning commission _____
Date of expiration of surety _____

3._____ Inspection fee - Amount _____

4._____ Maintenance bond for acceptance of public improvements (if applicable).
Amount _____
Date of Council Acceptance _____
Description _____
Date of Expiration of Maintenance Bond _____

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SECTION 1. ARTICLE I. PURPOSES & ADMINISTRATION, Section 21-22 of the Code of Ordinances, Town of North Kingstown, entitled, "Definitions" is hereby amended by adding or amending the following:

Compact Cottage Development (CCD) means a residential development that is authorized pursuant to Section 21-191 of this ordinance and complies with all of the design standards therein.

Habitable Floor Area means the accessible floor area measured from the interior walls of a dwelling unit excluding the following:

- unheated storage space located under the main floor of the dwelling unit;
- architectural projections, such as bay windows, fireplaces or utility closets no greater than eighteen (18) inches in depth or six (6) feet in width;
- attached porches (unenclosed);
- detached garages or carports;
- spaces with ceiling height of six (6) feet or less measured to the exterior walls.

Commentary: The definition of habitable floor area above comes from review of other ordinances. This should be checked with the local building official.

SECTION 2. ARTICLE II, Section 21-191 of the Code of Ordinances, Town of North Kingstown, is hereby amended by adding the following:

21-191 Compact Cottage Development (CCD)

A. Purpose.

The purposes of this section include:

1. To provide housing types that are responsive to changing household demographics (e.g., retirees, small families, single parent households, single person households, dual owner households);
2. To provide opportunities for low to moderate income housing within single-family neighborhoods;
3. To encourage creation of functional usable open space in residential communities;
4. To promote neighborhood interaction and safety through design;
5. To provide an opportunity for the implementation of transfer of development rights to direct growth to appropriate places in the community consistent with the North Kingstown Comprehensive Plan; and
6. To ensure compatibility with neighboring uses.

B. Eligibility

1. CCD is allowable only through Major Land Development application to the Planning Commission. CCD may only be proposed in areas of North Kingstown that are within the Statewide Planning Urban Services Boundary at the time of the adoption of this ordinance [INSERT DATE] and outside of the Groundwater Overlay 1 Zone. Any area proposed for CCD must also meet the following criteria:

    a. The parcel(s) is zoned for residential use with a minimum lot size of 80,000 square feet or less; or
    b. The parcel(s) is zoned CVD as described in Section 21-95 of the Zoning Ordinance. Where a new CVD is proposed, cottage development may be included in that proposal in accordance with the density limitations in Section 21-95.L, the design requirements related to CVD proposals, and the design requirements specific to cottage development; or
    c. The parcel(s) is zoned PRD as described in Section 21-94 of the Zoning Ordinance. Where a development is proposed in the PRD, cottage development may be included in that proposal in accordance with the density limitations in Section 21-94, the design requirements related to the PRD, and the design requirements specific to cottage development.

2. Where a lot is split by any of the zones or delineations described above, only the portion of the lot that is fully eligible may be proposed as part of a CCD. The Planning Commission shall make the final determination relative to the location of the Urban Services Boundary and any approved CCD.
3. Where the Statewide Planning Urban Service Boundary may be amended by the State, North Kingstown may amend this section of the Zoning Ordinance to include the changes to the boundary through petition to Town Council.

C. Application

Applications for CCD approval shall be made in accordance with the following:

1. Where a proposal for a cottage development is part of a newly proposed CVD, the cottage development shall be reviewed as part of the CVD proposal procedures.

Commentary: The CCD will be incorporated into the CVD development proposal and the benefit to this comes from the fact that we will exempt cottages from the dimensional requirements in the CVD. Leaving behind the 4,000 sq foot minimum lot size will provide greater flexibility and then provide an even higher level of design for the individual structures.

2. Where a proposal for a cottage development is not part of a newly proposed CVD or PRD, the proposal shall be reviewed as a Major Land Development Project in

accordance with the procedures found in the Subdivision and Land Development Regulations.

D. Inclusionary Zoning

All housing which is included in the CCD shall have a minimum of 10 percent of all units deemed affordable as defined in Section 21-22. All of the provisions of Article XXII. Inclusionary Zoning shall apply except for those provisions that grant additional lot density bonuses for affordable housing units.

E. Density Requirements

1. Where a cottage development is proposed as part of a new or established PRD or CVD, residential density shall be limited in accordance with Section 21-94 or 21-96, respectively.

Commentary: By allowing this type of housing in the CVD, the PRD and in residential districts, a variety of housing types can be incorporated into new and existing developments.

2. Where a cottage development is proposed where the underlying zoning district is residential (not CVD or PRD), the following shall apply:

    a. The maximum density shall be twelve (12) cottage units per acre of land not defined as land unsuitable for development in Section 21-22.

Commentary: Most cottage communities fall in the range of 12-20 units per acre. "Cottages on Green" in East Greenwich is reported to be 18 units per acre. Given the potential limitations that arise from wastewater disposal, 12 units per acre is a reasonable number.

    b. The development of a cottage development that would exceed the potential yield of the underlying residential district shall require the use of transfer of development rights as described in Section 21-191F.
    c. An individual cottage development shall contain a minimum of six (6) dwelling units and may contain a maximum of thirty (30) dwelling units.
    d. When determining the yield associated with underlying zoning districts or the proposed density of a cottage development, the limitations associated with the Groundwater Overlay Zone shall apply including, but not limited to, the requirement to meet the nitrate loading standard of five (5) mg/L as set forth in Article VI, ("Groundwater Reservoirs and Recharge Areas") of the Zoning Ordinance according to the requirements of 21-186(f)(5).

3. None of the provisions of this subsection shall be interpreted as removing any density limitations or nutrient loading limitations that may be required by RIDEM or RICRMC for specific areas.

F. Transfer of Development Rights for Cottage Communities

Pursuant to Section 21-97.E, transfer of development rights is required to develop a cottage development where the underlying zoning district(s) is residential. The following standards and procedures shall apply:

1. Any development rights used to create a cottage development shall be transferred from the Sending Area Overlay District and shall be certified in accordance with Article XXIII.
2. The number of development rights required for the proposed cottage development shall be determined first by subtracting the yield of the property in the underlying zoning by the number of proposed cottages. Property yield for the underlying zoning shall be determined through the submittal of a Yield Plan in accordance with the Subdivision and Land Development Regulations.

   Hypothetical Calculation:

   a. A Yield Plan in the NR40 District shows that two homes could be developed on three acres of land.
   b. Based on existing site conditions, an applicant proposes 24 cottage units.
   c. The number of units proposed exceeds the yield by 20 units.
   d. The applicant must therefore purchase enough development rights to cover the 20 units beyond the existing site yield.

3. The number of development rights needed to increase the density from conventional to cottage development shall then be determined using the applicable transferable development rights schedules in accordance with Sections 16.5 and 16.6 of the Subdivision and Land Development Regulations.
4. Development rights used to create a cottage development within a Groundwater Overlay Zone 2 are subject to the following requirements:

   a. Development rights used to increase the allowable density shall come from Sending Area land that will be maintained as natural open space (not agricultural use) and will be located within the Groundwater Overlay Zone 1 and in the same aquifer;
   b. Pursuant to Section 21-186, nitrogen loading calculations for the CCD site shall not exceed 5.0 mg/L.
   c. At their discretion, the Planning Commission may allow the nitrogen loading calculations for the CCD site to go as high as 7.5 mg/L. This may only occur where the applicant can demonstrate that adding the preserved land in the Sending Area into the nitrogen loading calculations will reduce the resulting concentration to 5.0 mg/L or less.

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d. Where the applicant cannot show that the addition of Sending Area land into the nutrient loading calculations will result in a concentration that meets the 5.0 mg/L standard, the applicant may propose to preserve additional land to offset the remaining balance. This additional land shall also be preserved as natural open space, and shall be located in the Groundwater Overlay Zone 1 and in the same aquifer.

G. Dimensional Requirements

1. A CCD may be developed with dwelling units on separate lots, a single lot, or a combination thereof.
2. No detached accessory buildings shall be allowed except as development facilities such as storage sheds, garages, utility structures, or similar common facilities.
3. Dwelling units shall be separated by a minimum of ten (10) feet from the side edge of one building to another. Where attached architectural features such as eaves, window bays, bulkheads, etc. project into the space between residences, the ten (10) foot separation shall be measured from the outside edge of these features.
4. Dwelling units not abutting or oriented towards a right-of-way shall have a front yard oriented towards the common open space.
5. The total habitable floor area, as defined in Section 21-22 of the Zoning Ordinance, of each cottage unit shall not exceed 1,200 square feet. No building footprint, excluding any enclosed porch area, shall exceed 900 square feet. Habitable floor area in a two story cottage for the second floor shall not exceed 350 square feet.
6. The distance between the front building edge and the right of way or the edge of the common space shall be at least fifteen (15) feet.
7. The building height for all structures shall not exceed eighteen (18) feet.
8. Where a cottage community is proposed adjacent to any residential district, the nearest building in the cottage community shall not be closer than 50 feet from that residential district boundary.
9. Accessory dwelling units are not allowed within a CCD.
10. Dwelling units shall have no more than 2 bedrooms per unit.

H. Common Open Space

1. A minimum of 250 square feet of common open space shall be provided per dwelling. However, not less than 3,000 square feet of common area shall be provided regardless of number of dwelling units.
2. No dimension of a common open space area used to satisfy the minimum square footage requirement shall be less than 20 feet, unless part of a pathway or trail.
3. Required common open space shall be divided into no more than two separate areas per cluster of dwelling units.
4. Common open spaces shall have dwelling units that face each other across the common open space.
5. Common open space shall be designed for passive or active recreational use. Examples may include but are not limited to courtyards, orchards, landscaped picnic

areas, or gardens. Common open space shall include amenities such as seating, landscaping, trails, gazebos, outdoor cooking facilities, covered shelters, or ornamental water features.

6. Stormwater management facilities shall not be located in a common open space area.
7. All dwelling units shall have dedicated access ways to the common open spaces.

I. Cottage Building Design Standards

In addition to the dimension requirements in Section 21-191G, the following building design standards shall apply:

1. Variety in Building Design.

   The same combination of building elements, features and treatments shall not be repeated on individual dwelling units for more than twenty (20) percent of the total dwelling units in a cottage housing development. Dwelling units with the same combination of features and treatments shall not be located adjacent to each other. A minimum of five (5) of the following building elements, features, and treatments shall be provided in a manner that creates visual variety between adjacent structures and within clusters of cottage units:

   a. Variation in general architectural elevation and size;
   b. Variation in roof or building colors and materials, such as brick, stone or other masonry as accents (vinyl or cementitious materials are prohibited);
   c. Varying roof shapes or gables between adjacent structures;
   d. Windows with visible trim and mullions;
   e. Roof brackets;
   f. Dormers;
   g. Fascia boards;
   h. Bay windows;
   i. Entry enhancement such as a well detailed door (multi-panel or glass insert), window adjacent to front door, or roof extension;
   j. Trellis;
   k. Modulation;
   l. Chimney (shown on the exterior of the house);
   m. Other building elements, treatments, features, or site designs approved by the code administrator that provide variety and visual interest;
   n. Additional porches and patios (required porch not included);
   o. Both the PRD and the CVD design standards may be used for guidance on overall building style and design.

2. Porches

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a. Cottage housing units shall have a covered porch over the primary entrance at least sixty (60) square feet in size with a minimum dimension of six feet on any side.
b. Cottage housing units shall have the covered porches of the main entry oriented to the common open space or the public street right of way as applicable.

3. All fences interior to the development shall be no more than thirty-six (36) inches in height and shall be made of natural materials.

J. Parking

1. A minimum of 1.5 spaces per dwelling unit shall be provided for the entire cottage community. Parking spaces located within garages and driveways may count towards this requirement.
2. Parking for individual dwelling units shall be combined into an individual facility or into parking clusters in order to facilitate housing clusters that are oriented to common open space areas.
3. Garage doors shall not be oriented towards a public right-of-way with the exception of an alley or walkway.
4. Garages and carports shall not be located between the common open space and the dwelling units.
5. Surface parking lots shall be broken into sub-lots of no more than fifteen (15) parking spaces.
6. Parking in the form of garages, carports, or surface lots may occupy no more than 40 percent of site frontage on a public right-of-way, except in the case of an alley, in which case no restriction applies.
7. Surface parking lots shall be set back twenty (20) feet from the outside perimeter of the cottage community. Where cottage community parking is approved as part of a CVD, and is interior to the CVD district, no minimum setback shall be enforced other than what may be required to meet the design standards associated with a particular CVD.
8. Parking shall be set back a minimum of twenty (20) feet from a public street.
9. Surface parking lots of more than four (4) spaces, visible from a public right-of-way (not including alleys) or adjacent single-family uses or zones shall be screened by landscaping and/or architectural features.
10. A pitched roof design is required for any enclosed parking structures.

K. Common Area Maintenance

1. Cottage developments shall be required to implement a mechanism that ensures the continued care and maintenance of common areas. All common areas shall be protected against further development and unauthorized alteration in perpetuity by appropriate deed restrictions. The Planning Commission shall approve the form and content of all deed restrictions at the time of final approval of the subdivision. Every

deed restriction providing a maintenance guarantee shall contain the following provision:

"If the owners, or their successors or assigns fail to maintain the common area, the Town of North Kingstown may perform any necessary maintenance and enforce the payment for such costs, including reasonable attorneys' fees, by an action at law or in equity against the owners or their successors or assigns."

2. Ownership of the common area shall be conveyed to a corporation or trust owned or to be owned by the owners of lots or units within the cottage development or owners of shares within a cooperative development. If such a corporation or trust is used, ownership shall pass with conveyances of the lots or units. A typical example would be creation of a homeowner's association or condominium association with authority and funding necessary to maintain the common areas.

L. Stormwater Management

All applications shall be required to meet RIDEM's Stormwater Standards.

SECTION 3. ARTICLE II, Section 21-95 of the Code of Ordinances, Town of North Kingstown, entitled, "Compact Village Development" is hereby amended by changing the following subsection as indicated:

d. *Allowable uses.* A CVD project must include both a residential use and a nonresidential use. Use allowances within a CVD District shall follow the use allowances specified for the Neighborhood Business District with the exceptions, additions or alterations provided below.

1. The following residential uses shall be allowed by right:
   a. Single-family dwellings
   b. Two-family dwellings
   c. Multi-family dwellings including townhouses
   d. <u>Cottage community development subject to Section 21-191 of the Zoning Ordinance</u>
   e. Dwelling units above nonresidential use
   f. Home occupation within a dwelling in accordance with Section 21-320 of the Zoning Ordinance
   g. Nursing home or convalescent home
   h. Accessory dwelling units
2. Farm markets shall be allowed by right.
3. The following recreational uses shall be allowed by right:
   a. Golf courses with associated facilities
   b. Health and fitness facilities.

4. All additional restrictions on use provided for in the groundwater or other overlay districts shall apply if the parcel is located in said overlay districts.

e. *Dimensional Requirements*. The dimensional regulations for the CVD are provided herein. For any portion of a CVD that is proposed for cottage community development pursuant to Section 21-191 of the Zoning Ordinance, the dimensional requirements for compact cottage development shall apply to the housing units therein.

SECTION 4. ARTICLE XXIII. TRANSFER OF DEVELOPMENT RIGHTS (TDR). Amend Section 21-622. Applicability by adding subsection (2)(b):

Sec. 21-622. Applicability

(1) Areas that qualify as Sending Areas are delineated by the Sending Area Overlay District pursuant to Section 21-190 of the Zoning Ordinance;
(2) Districts that qualify as potential Receiving Districts, or development activities ~~for~~ that may receive development rights include:

(a) Post Road District
(b) Compact Village Development District as provided for in Section 21-95.
(c) Compact Cottage Development (CCD) as provided for in Section 21-191.

DRAFT

DRAFT AMENDMENTS TO TDR REGULATIONS TO ACCOMMODATE NEW COMPACT COTTAGE DEVELOPMENT ORDINANCE

Sec. 16.1. - General.

Transfer of development rights (TDR) is permitted in the town subject to all provisions within article XXIII of the zoning ordinance and applicable provisions within these regulations. The purpose of TDR is to focus redevelopment and new development in the designated receiving zones identified in the zoning ordinance, and to protect the most valuable lands from an agricultural and preservation perspective.
(Amd. of 2-17-2009)

Sec. 16.2. - Certificate of development rights.

16.2.1. Issuance and Maintenance

Upon master plan approval of a TDR sending area land development application, the planning commission shall authorize the issuance of a certificate of development rights and, if applicable, a certificate of retained development rights from the director of planning. Issuance and maintenance of these certificates shall be as follows:

1. Barring any appeals, the certificate of development rights and/or the certificate of retained development rights shall be issued within ten days of the expiration of the appeal period following the planning commission's approval pursuant to section 21-609 of the zoning ordinance.
2. The certificate shall be signed by the owner of the development rights and the administrative officer and stamped by the town clerk.
3. Copies of the original certificate shall be kept on file with the administrative officer and the town clerk.
4. The sale, transfer, conveyance or extinguishing of development rights shall be recorded with the director of planning. Revised certificates shall be issued upon change of ownership or upon the reduction of development rights vested in a certificate.
5. The original number of development rights vested in a certificate of development rights shall be based on the plans approved by the planning commission as described in section 21-609 of the zoning ordinance. Changes to the zoning ordinance or any other federal, state or local regulation that occur after the vesting of those rights shall not increase or decrease the number of rights originally approved by the planning commission. Development rights shall be considered viable as long as the easement that was established as part of their approval remains intact. However, development rights are the property of the bearer of the certificate and the town bears no responsibility as to the market value of these rights, the feasibility of landing those rights in a receiving area, or the feasibility of developing any retained development rights.

(Amd. of 2-17-2009)

Sec. 16.3. - Allowable TDR transactions.

Pursuant to section 21-611 of article XXIII of the zoning ordinance, once the development rights have been approved by the planning commission and a certificate of development rights has been issued by the director of planning, the development rights may be transferred to a receiving area according to the transfer of development rights schedules for agricultural and conservation lands provided in these regulations. The transfer of development rights can occur using any of the following four individual approaches or combinations of these approaches as may be appropriate:

1. Development rights associated with single family homes may be used to develop multi-family homes in the receiving area.
2. Development rights associated with single family homes may be used to develop allowable non-residential uses in the receiving area.
3. Development rights associated with office space may be used to develop multi-family homes in the receiving area.
4. Development rights associated with office space may be used to develop allowable non-residential uses in the receiving area.

Development rights vested in a certificate of development rights may only be used for TDR transactions in the receiving area. These development rights may not be used as part of any future subdivision or land development application associated with the sending area parcel(s). Only those development rights associated with a certificate of retained development rights may be used for future development within the sending area.
(Amd. of 2-17-2009)

Sec. 16.4. - Development right transfer capacity.

1. Certified development rights have different capacities to yield density bonuses in receiving area districts. The differing capacity of each development right shall depend on its status as "agricultural" or "conservation", and its score pursuant to the regulations.

    a. Land owners in the sending area overlay district cannot obtain a TDR sending area land development permit without establishing a score for their property.

Sec. 16.5. - Scoring agricultural lands.

16.5.1 Role of the state agricultural lands preservation commission.

Agricultural lands shall receive a score from the agricultural lands preservation commission (ALPC) through an application to that office pursuant to the Farmland Preservation Act, Title 42, chapter 82 of the Rhode Island General Laws as amended. This score shall serve as the basis for determining the available density bonuses in the receiving area. Agricultural operations not eligible to apply to ALPC because they contain less than five acres shall be eligible for TDR in accordance with the density bonus schedule contained in these regulations.

16.5.2 Transferable Development Rights Schedule for Agricultural Lands.

Once the ALPC score is issued to the property owner, the Planning Commission shall use the score to determine the density bonuses that shall be allowable for each development right in accordance with the following schedules:

1. Using development rights associated with single family homes to yield multi-family dwellings as defined in the zoning ordinance 21-22

ALPC Score	Number of Multi-Family Units Allowable for Each Development Right*
Not Eligible for ALPC (less than five acres)	4
0—24	4
25—34	5
35—44	6
45—55	7
Above 55	8

*One single family home is equal to one development right.

2. Using development rights associated with single family homes to yield cottage community units.

ALPC Score	Number of Cottage Community Units Allowable for Each Development Right*
Not Eligible for ALPC (less than five acres)	2
0—34	2
35—55	3
Above 55	4

*One single family home is equal to one development right.

3. Using development rights associated with single family homes to yield non-residential use.

ALPC Score	Additional Non-Residential Use Allowable for Each Development Right*
Not Eligible for ALPC (less than five acres)	2,000 square feet
0—24	2,000 square feet
25—34	2,250 square feet
35—44	2,500 square feet
45—55	2,750 square feet
Above 55	3,000 square feet

*One single family home is equal to one development right.

4. Using development rights associated with office space to yield multi-family dwellings as defined in the zoning ordinance 21-22

ALPC Score	Number of Multi-Family Units Allowable for Each Development Right*
Not Eligible for ALPC (less than five acres)	4
0—24	4
25—34	5
35—44	6
45—55	7
Above 55	8

*4,000 square feet of office use (gross floor area) is equal to one development right. No fractions of a development right shall be allowed.

5. Using development rights associated with office space to yield cottage community units.

ALPC Score	Number of Cottage Community Units Allowable for Each Development Right*
Not Eligible for ALPC (less than five acres)	2
0—34	2
35—55	3
Above 55	4

*4,000 square feet of office use (gross floor area) is equal to one development right. No fractions of a development right shall be allowed.

6. Using development rights associated with office space to yield non-residential use

ALPC Score	Additional Non-Residential Use Allowable for Each Development Right*
Not Eligible for ALPC (less than five acres)	4,000 square feet
0—24	4,000 square feet
25—34	4,500 square feet
35—44	5,000 square feet
45—55	5,500 square feet
Above 55	6,000 square feet

*4,000 square feet of office use (gross floor area) is equal to one development right. No fractions of a development right shall be allowed.

Sec. 16.6. - Scoring conservation lands.

16.6.1. Standard procedures.

Lands proposed to be set aside as "conservation lands" as part of the TDR program shall receive a score from the Planning Commission. This scoring process shall take place as part of an application for a TDR Sending Area Land Development project.

16.6.2. Conservation Land Score Checklist and Administrative Officer Review.

A property owner that wishes to make conservation lands eligible for TDR shall receive a property score from the Planning Commission by including a proposed Conservation Land Score Checklist, as provided for in these regulations, with his application for a TDR Sending Area Land Development permit. The applicant shall also submit a copy of the checklist to the Administrative Officer who shall provide a formal letter of review to the Planning Commission for its consideration.

16.6.3. Site Visit for Scoring Conservation Lands.

The Planning Commission shall schedule a site visit in accordance with the procedures and requirements of Section 5.3.4.e of Article 3 provided that the site visit shall be conducted before the Master Plan hearing. Notification of the site visit shall be conducted in accordance with Section 5.3.4.d except that notification within the notice radius as specified in Section 5.3.5.t., which shall not be required.

16.6.4. Criteria for scoring conservation lands.

The applicant shall use the following criteria and associated scoring system when developing a conservation lands score checklist.

	Criteria	0	5	10
1.	Size of Parcel	less than ten acres	at least ten acres, but less than 30 acres	greater than or equal to 30 acres
2.	Location relative to the most recently amended groundwater protection areas map in the zoning ordinance*	Contains no designated areas	50% or less of the site or less than or equal to ten acres of land within the district, whichever is less	More than 50% of the site or more than ten acres of land within the district, whichever is less
3.	Closest proximity to other protected lands	greater than ½ mile	Less than ½ mile but non-contiguous.	Contiguous
4.	Supports or is capable of supporting rare or endangered species	No	May not fall w/in a heritage area, but exhibits qualities that could support rare species as evidenced by field data collected by a	Falls w/in the heritage area of special concern

			professional biologist	
5.	Location relative to the most recently amended historic and scenic resources map in the comprehensive plan	Contains no historic or scenic resources	50% or less of the property is located in a designated area or the site includes a state or federally recognized historic structure	More than 50% of the property is located in a designated area
6.	Location relative to the Rhode Island Urban Service Boundary as referenced in the comprehensive plan	Completely inside the urban service boundary	Contains some developable land outside the urban service boundary	Completely outside the urban service boundary
7.	Location relative to the most recently amended water service area in the comprehensive plan	Completely inside the water service area	Contains some developable land outside the water service area	Completely outside the water service area

*Applicant shall apply the scores to the Zone 2 as designated on the Groundwater Protection Map. Parcels containing Zone 1 Areas shall be scored in the same manner but the score values shall be doubled. Where a property contains both Zone 1 and Zone 2 areas, the scores shall be cumulative.

16.6.5 Transferable development rights schedule for conservation lands.

1. Using development rights associated with single family homes to yield multi-family units.

Conservation Lands Score	Number of Multi-Family Units Allowable for Each Development Right*
0—35	4
40—45	5
50—55	6
60—65	7
70 and over	8

*One single family home is equal to one development right.

2. Using development rights associated with single family homes to yield cottage community units.

Conservation Lands Score	Number of Cottage Community Units Allowable for Each Development Right*
0—45	2
50—70	3
70 and over	4

*One single family home is equal to one development right.

3. Using development rights associated with single family homes to yield non-residential use.

Conservation Lands Score	Additional Non-Residential Use Allowable for Each Development Right*
0—30	2,000 square feet
35—40	2,250 square feet
45—50	2,500 square feet
55—60	2,750 square feet
65 and over	3,000 square feet

*One single family home is equal to one development right.

4. Using development rights associated with office space to yield multi-family units.

Conservation Lands Score	Number of Multi-Family Units Allowable for Each Development Right*
0—30	4
35—40	5
45—50	6
55—60	7
65 and over	8

*4,000 square feet of office use (gross floor area) is equal to one development right. No fractions of a development right shall be allowed.

5. Using development rights associated with office space to yield cottage community units.

Conservation Lands Score	Number of Cottage Community Units Allowable for Each Development Right*
0—45	2
50—70	3
70 and over	4

*4,000 square feet of office use (gross floor area) is equal to one development right. No fractions of a development right shall be allowed.

6. Using development rights associated with office space to yield non-residential use.

Conservation Lands Score	Additional Non-Residential Use Allowable for Each Development Right*
0—30	4,000 square feet
35—40	4,500 square feet
45—50	5,000 square feet

55—60	5,500 square feet
65 and over	6,000 square feet

*4,000 square feet of office use (gross floor area) is equal to one development right. No fractions of a development right shall be allowed.

16.6.6. Scoring conservation lands with prior approvals.
Where a property owner has received prior master plan, preliminary plan or final plan approvals, is eligible, and applies to participate in the TDR program pursuant to section 21-609(10) of the zoning ordinance, the planning commission shall score the property as part of a TDR sending area land development permit. The planning commission may combine the pre-application and master plan phases of this review into a single review. The applicant shall only be required to submit evidence of the prior approval and a completed TDR conservation land score checklist for the tract of land. A site visit and a review of the checklist by the administrative officer shall be performed in accordance with sections 16.6.2 and 16.6.3 of these regulations.

Sec. 16.7. - Partial preservation of larger tract of agricultural land for which an ALPC score has been issued.

16.7.1. General.
The town recognizes the possibility that property owners may wish to preserve a portion of farm land that is part of a larger tract which previously received a score from ALPC. The planning commission may allow this to occur subject to the following conditions:

1. The smaller tract of land shall be completely contained within the larger tract that was previously scored by ALPC.
2. The agricultural value of the smaller tract is determined relative to the larger tract as provided for in Section 16.7.2.

16.7.2. Using the relative agricultural value (RAV) of soils to compare the value of the smaller tract to the larger tract of agricultural land.

The planning commission may allow the property owner to apply the overall ALPC score to the smaller tract if the weighted average relative agricultural value (RAV) score for the entire site does not exceed the weighted average RAV score for the proposed smaller tract by more than ten percent. If the weighted average RAV score for the entire parcel does exceed the score of the smaller tract by more than ten percent and the applicant does not wish to amend the application, the smaller tract shall yield the lowest density bonus available with the section 16.5.2 of these regulations.

16.7.3. Completing the preservation of a larger tract.

If the smaller tract of agricultural land in question represents the last remaining piece of the larger tract needed to completely preserve the area previously scored by ALPC, the planning commission shall waive any requirement to analyze RAV numbers and shall apply the original ALPC score to the remaining land.

DRAFT

AN ORDINANCE IN AMENDMENT OF CHAPTER 21 OF THE CODE OF ORDINANCES OF THE TOWN OF NORTH KINGSTOWN, ENTITLED "ZONING"

The Town Council of the Town of North Kingstown hereby ordains:

ARTICLE I Subsection 21-22, titled Definitions of the Code, is hereby amended as follows:

Sharrow means a sign placed (usually painted) on the pavement of a travel lane depicting a bicycle in tandem with an arrow pointing in the direction of traffic flow thereby indicating that the travel lane is to be shared by motorists and bicyclists.

ARTICLE II titled Zoning Districts of the Code is hereby amended by adding the following:

21-96. Wickford Junction District

A. Purpose and Intent. The Wickford Junction (WJ) District is established as a mixed use, transit-oriented, economic development center. Because of the available transit infrastructure within and around the district, development shall be designed to provide a mix of commercial and residential uses at higher densities than what is permitted in most of the other zoning districts in the Town. Density bonuses shall be made available through transfer of development rights and/or nutrient loading offsets to encourage environmentally friendly and bicycle and pedestrian-oriented site design practices and the incorporation of diverse housing types into mixed use environments. Better site design practices shall be encouraged in the district to facilitate the development of pedestrian friendly environments, to leverage environmental improvements, to increase property values, to promote commercial development, and to improve the general aesthetic appeal of the area.

B. General Requirements

(1) Ground Floor Uses. Ground floor uses in the WJ District shall be restricted according to the following provisions:

(a) Ground floor uses along arterial roads shall be limited to non-residential uses.

(b) Where a structure is located within two hundred (200) feet of Ten Rod Road or Quaker Lane, ground floor uses shall be limited to non-residential use. The distance from Ten Rod Road or Quaker Lane shall be measured from the nearest point of the proposed building in question to the nearest point of the Ten Rod Road or Quaker Lane right of way. The Planning Commission may reduce this restriction to one hundred (100) feet where the residential ground floor uses are not visible to pedestrians from Ten Rod Road or Quaker Lane and are part of a larger coordinated development proposal with multiple primary buildings sited in a manner that is consistent with the goals of the district.

(c) Ground floor uses on local roads or other small private ways internal to developed areas may include any of the uses allowed in the WJ District in accordance with the Use Table (Article III) as long as compliance with Subsection B(1)(b) above is maintained.

(2) Nutrient Loading Limitations.

(a) Development proposals in the WJ District that lie within the Groundwater Recharge and Wellhead Protection Overlay District shall not discharge nitrogen to groundwater at an average site-wide concentration beyond 5 mg/L except as may be provided for below. Nitrogen loading calculations shall incorporate those standards listed in Section 21-186(g)(5) of the Zoning Ordinance.

(b) Where a proposed WJ district development in a Groundwater Zone 2 overlay district would create average nitrogen concentrations within the district that exceed five (5) mg/L, an applicant may propose to offset the difference between the five (5) mg/L and the predicted concentration by adding dedicated offsite open space into the nutrient loading calculations in accordance with the assumptions for nitrogen loading and natural recharge found in Section 21-186. The following shall apply:

i. Dedicated off-site open space is only eligible for offsetting nutrient loads in the WJ District if the open space and the development proposal are located within the same aquifer recharge area.
ii. The dedicated off-site open space can only come from a Zone 1 groundwater protection areas.
iii. The open space shall be land that is not restricted or protected from development through any easements or restrictions including, but not limited to, open space or conservation easements.
iv. The open space land shall be considered buildable as defined in Section 21-22 and not encumbered by significant physical or environmental constraints.
v. The original nutrient loading analysis for the proposed development site may not show an average concentration of nitrogen that exceeds seven and a half (7.5) mg/L. Land used and protected as part of a transfer of development rights transaction for the proposed development may also be used to offset nitrogen loading provided it meets all of the other criteria for this subsection listed above. The nutrient loading analysis including the open space offset shall not exceed five (5) mg/L.

Commentary: The applicant may use land outside the Zone 1 for TDR for zoning density increases and more land inside the Zone 1 for nutrient offset.

The TDR piece should be in place now in case a better wastewater solution is identified for Wickford Junction.

(3) Stormwater Management. All applications shall be required to meet RIDEM's Stormwater Standards.

(4) Non-Conformity. Pre-existing non-conforming land or structures shall be governed by those provisions listed in Article XII of the Zoning Ordinance. In addition to those requirements, the following shall apply:

(a) The relocation or reconstruction of any building that may be allowed pursuant to Article XII shall require compliance with all Post Road District/WJ District Design Guidelines listed in the Subdivision and Land Development Regulations;

(b) Where a building is non-conforming by dimension, and any addition, enlargement, expansion or change of use is proposed, such activity shall require conformance with those standards specifically identified for these non-conforming situations in the WJ District Design Guidelines. In the case of a change of use, the entirety of the building design may, at the discretion of the Planning Commission, require full compliance with the Design Guidelines.

C. Specific Requirements

(1) Residential Use

(a) One unit of residential use shall be allowed for each two acres of buildable land by right.

(c) For projects that apply transfer of development rights as described in Article XXIII of this ordinance, the Planning Commission may increase the allowable residential density to thirty (30) units per buildable acre provided all applicable performance standards are met.

(d) The average bedroom count per unit for any residential development in the WJ district shall not exceed two (2) bedrooms per unit.

(e) All housing which is included in the WJ district shall have a minimum of fifteen (15) percent of all units deemed affordable as defined in Section 21-22. The provisions of Article XXII. Inclusionary Zoning shall apply except for those provisions that grant additional lot density bonuses for affordable housing units.

(2) Commercial Use. The intensity of commercial uses allowed in the WJ District is subject to the basic dimensional requirements of each site and any other site constraints that may be present. Increases in the intensity of commercial uses beyond what is customarily permitted by right may be allowed by the Planning Commission through a transfer of development rights as described in Article XXIII of this ordinance. These increases in commercial use intensity beyond what is customarily allowed shall occur as the result of increases in the allowable height of buildings pursuant to Article IV, Table 2B Standard Dimensional

Regulations for Business Districts, Note 6. Increases in the intensity of uses shall require compliance with all other applicable provisions of the Zoning Ordinance including, but not limited to, allowable uses, parking requirements, design standards, and signage.

(3) Buffers. Landscaping shall be required between non-residential uses or mixed use developments and existing residential districts. Buffer zones shall occupy the entire specified setback area in Table 2B of Article IV and shall substantially screen the site from view in accordance with the standards listed in Section 21-277 of the Zoning Ordinance. Fences may be used as part of screening but shall not be constructed from materials incongruent with the design goals of the WJ District as determined by the Planning Commission. These requirements shall not apply to non-residential or mixed use development that are interior to any development in the district or that are designed to integrate existing or future neighboring residences into the site through the use of walkways, bicycle paths or other pedestrian amenities.

(4) Multi-modal Circulation. Development proposals shall demonstrate circulation oriented design as follows:

(a) Development proposals must show a clear, contiguous pedestrian and non-motorized vehicle circulation network within the development and leading to and from the site.

(b) Sites directly adjacent to public transit stations shall clearly demonstrate that the pedestrian and non-motorized network connects to the public transit station.

(c) Bicycle parking facilities shall be provided along the front or side edge of each primary structure. These may include bicycle racks or dedicated bicycle parking areas that have racks or other structures designed for securing bicycles. Four bicycle spaces shall be provided at a minimum for each primary structure, with an additional space for every ten (10) automobile parking spaces required.

(d) Travel lanes and driveways developed interior to the site shall show a dedicated bicycle lane(s) distinct from automobile travel lanes, at a minimum of four (4) feet in width and indicated with striping. This lane shall provide access into the site, to the required bicycle parking facility, and exiting the site. The Planning Commission or the Director may allow the use of sharrows at their discretion where traffic control measures such as speed bumps are incorporated into the travel lane.

(e) Pedestrian connections between buildings shall be provided as safe, broad and easily identifiable ways of walking through areas that may also be occupied by automobiles. These walkways shall be designed to clearly show the space is primarily dedicated to pedestrian traffic through the use of raised or alternative surfaces, signage or raised landscaped islands that may serve as a safe resting area for pedestrians between automobile travel lanes.

(5) Design Guidelines. All proposed development in the WJ District shall comply with the Post Road/Wickford Junction District Design Guidelines and Standards listed in the Subdivision and Land Development Regulations.

DRAFT

ARTICLE III of the Code titled Land Use Table is hereby amended as follows:

ARTICLE III. LAND USE TABLE*

***Editor's note--**See editor's note to art. II of this chapter.

Any use not expressly permitted by this chapter shall be deemed to be prohibited. However, any list of prohibited uses contained in any section of this chapter shall be deemed to be illustrative only, not exhaustive.

List of districts for use table:

Residential:

Rural (RR/R-80)
Pojac Point (PP)
Neighborhood (NR/R-40)
Village (VR/R-20)
Multifamily (MF)
Planned village (PV)
Very low density residential (VLDR-200)
Low density residential (LDR-120)

Business:

Neighborhood (NB)
Waterfront (WB)
General (GB)
Heavy (HB)
Planned (PB)
Institutional/office (IO)
Wickford Village Center (WVC)
Post Road District (PR)
Wickford Junction (WJ)

Commentary: Wickford Junction District is added to the Business Districts above.

Industrial:

Light industrial (LI)
General industrial (GI)
Waterfront industrial (WI)

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Other:

Open space (OS)
Public (P)

Abbreviations:

Y = Yes, use is permitted
N = No, use is prohibited
S = Special use permit is required for use
A = Use is an accessory use

Commentary: The Use Table below only shows the GB, PB, PR and the new WJ districts. These five districts were chosen so the Planning Commission would be able to view the new WJ District allowances next to other business uses. All other Districts in the Use Table would remain unchanged.

Uses		**GB**	**PB**	**PR**	**WJ**
Agricultural					
1.	Agricultural and crop farming	Y	Y	N	N
2.	Raising of livestock	N	N	N	N
3.	Commercial greenhouse or nursery	Y	Y	S/A	S/A
4.	Noncommercial greenhouse	A	A	A	A
5.	The sale of farm, garden and/or nursery products grown on site	A	A	A	A
6.	The sale of animals raised on the premises	N	N	N	N
7.	Wildlife management	Y	Y	Y	Y
8.	Forest management	Y	Y	Y	Y
9.	Aquaculture	N	N	N	N
Residential					
1.	Single-family dwelling	N	N	Y(6)	Y(7)
2.	Two-family dwelling*	N	N	Y(6)	Y(7)
3.	Multifamily dwelling*(1)	N	Y/S	Y(6)	Y(7)
4.	Community dwelling	N	N	N	N
5.	Accessory family dwelling unit	N	N	N	N
6.	One accessory dwelling unit	N	N	N	N
7.	Residential associated with Mixed Use	S	S	Y	Y
8.	Mobile home	N	N	N	N
9.	Mobile home park	N	N	N	N
10.	Nursing home or convalescent home	N	N	S	S
11.	Not more than 2 rooms rented or table/board furnished incidental to a single-family residential use	N	N	N	N

Uses			GB	PB	PR	WJ
12.	Home occupation:					
	a.	Within a dwelling	N	N	Y	Y
	b.	Within an accessory structure	N	N	N	N
Public and Semipublic						
1.	Public or private park		Y	Y	Y	Y
2.	Conservation or recreation		Y	Y	Y	Y
3.	Museum		Y	Y	Y	Y
4.	Libraries, art galleries, art centers (incl. assoc. educational and instructional activities):					
	a.	Located within a building having a gross floor area not exceeding 3,500 square feet	Y	Y	Y	Y
	b.	Located within any permissible structure	Y	Y	Y	Y
5.	Religious institutions (incl. assoc. resid. structures and assoc. bldgs. for religious personnel, but not including elementary or secondary school buildings)		Y	Y	Y	Y
6.	Noncommercial clubs or fraternities		Y	Y	Y	Y
7.	Hospital		Y	Y	S	S
8.	Medical clinic		Y	Y	Y	Y
9.	Municipal facilities		Y	Y	Y	Y
10.	Post office		Y	Y	Y	Y
11.	Cemetery		N	N	N	N
Utilities						
1.	Communications services and broadcasting offices		Y	Y	Y	Y
2.	Communications tower		Y	Y	S	S
3.	Electric substation		S	S	S	S
4.	Electric and steam power generation		N	N	N	N
5.	Electric transmission towers		N	N	N	N
6.	Public utilities not otherwise listed		S	S	S	S
Educational						
1.	Family day care		Y	Y	Y	Y
2.	Day care center		Y	Y	Y	Y
3.	Nursery school		Y	Y	Y	Y
4.	Elementary and secondary schools		N	N	S	S
5.	Trade or vocational school		S	S	S	S
6.	Colleges, universities, community colleges		S	S	S	S
7.	School conducted as a private gainful business entirely within a building (i.e., music, dance)		Y	Y	Y	Y
8.	Educational and training center		Y	Y	Y	Y
Retail Business						
1.	Sales of food (excluding fish and shellfish), drugs, clothing, jewelry, stationery, or similar personal or specialty items		Y	Y	Y	Y

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Uses			GB	PB	PR	WJ
2.	Sales or rental of general merchandise, furniture, household goods, supplies and appliances, sporting goods, automotive accessories, or other similar retail products		Y	Y	Y	Y
3.	Sale of fish and shellfish		Y	Y	Y	Y
4.	Shop for custom work, shop for making or restoring articles or products to be sold at retail:					
	a.	With outside storage	N	Y	N	N
	b.	Without outside storage	Y	Y	Y	Y
5.	Open air markets, such as farm and craft markets, flea markets, or produce markets		S	S	S	S
6.	Sale of motor vehicles, trailers, building supplies or machinery:					
	a.	With repair and/or outside storage	S	S	N	N
	b.	Without repair and/or outside storage	Y	Y	S	N
7.	Sales of boats and trailers:					
	a.	With repair and outside storage	S	S	S	N
	b.	Without repair and outside storage	Y	Y	S	S
8.	Sales or display areas within wholesale/manufacturing establishments limited to 1,000 square feet of net floor area		N	N	N	N
Personal Convenience Services						
1.	Services such as barbershop, hairdresser, tailor shop, dressmaker, laundry and dry cleaning services, home appliance repair, shoe repair		Y	Y	Y	Y
Professional and Business Services						
1.	Professional offices		Y	Y	Y	Y
2.	Mortuary or funeral homes		Y	Y	Y	Y
3.	Bank or credit union		Y	Y	Y	Y
General Services Business						
1.	Animal hospital		Y	Y	Y	Y
2.	Animal board kennel		Y	N	S	S
3.	Clinical veterinary services		Y	Y	Y	Y
4.	Heavy equipment and machinery repair		N	N	N	N
5.	Dry cleaning plants		N	N	N	N
6.	Rental of motor vehicles, tools and machinery		Y	Y	Y	Y
7.	Material equipment storage and lay down yard		N	N	N	N
8.	Drive-in windows (accessory):					
	a.	Food services	S	S	S	S
	b.	All other services	S	S	S	S
9.	Ministorage facilities		Y	Y	N	N
10.	Automobile service station		Y	Y	S	N
11.	Automobile services		S	S	S	S

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Uses			GB	PB	PR	WJ
Restaurant and Entertainment						
1.	Carryout food services		Y	Y	Y	Y
2.	Fast-food restaurant:					
	a.	Greater than 1,500 square feet	Y	Y	S	Y
	b.	Less than or equal to 1,500 square feet	Y	Y	S	Y
3.	Restaurant		Y	Y	Y	Y
4.	Motion picture theater, maximum 500 seats		Y	Y	Y	Y
5.	Theater, auditorium, lecture hall or conference center		Y	Y	Y	Y
Recreation						
1.	Indoor commercial recreation		Y	Y	Y	Y
2.	Outdoor commercial recreation		Y	Y	Y	Y
3.	Commercial establishments whose principal purpose is the furnishing for use and for a profit coin-operated amusement devices		S	S	S	S
4.	Golf courses with associated facilities		N	N	N	N
5.	Health and fitness facility		S	S	Y	Y
Tourism						
1.	Travel trailer park		N	N	N	N
2.	Camping area		N	N	N	N
3.	Hotel; Motel; Inn, (Inn may be within a building previously occupied as a residence)		Y	Y	Y	Y
4.	Bed and breakfast		N	N	S	Y
Marine Business						
1.	Marine and oceanographic research labs		N	N	S	S
2.	Marinas		N	N	N	N
3.	Marine-oriented clubs, i.e., boating, swimming		N	N	N	N
4.	Boat building or boat restoration		N	N	N	N
5.	On-land boat storage during non-boating season		S	N	N	N
6.	Agency for rental of boat and marine equipment		Y	N	S	S
Marine Industrial						
1.	Commercial fishing docks and facilities		N	N	N	N
2.	Commercial fish processing		N	N	N	N
3.	Wholesale fish and shellfish establishment		N	N	N	N
4.	Waterfront terminal operations		N	N	N	N
5.	Vessel towing services		N	N	N	N
6.	Marine salvage		N	N	N	N
Industrial						
1.	Earth removal		N	N	N	N
2.	Commercial salvage yard		N	N	N	N
3.	Processing of sand and gravel		N	N	N	N
4.	Recycling facilities		N	N	N	N
5.	Manufacturing, fabrication or processing		N	N	N	N

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Uses			GB	PB	PR	WJ
6.	Assembly or packaging		N	N	N	N
7.	Printing and publishing plant		N	N	N	N
8.	Distribution center, parcel delivery center, delivery warehouse		N	N	N	N
9.	Millwork		N	N	N	N
10.	Research and development facilities		N	N	S	S
11.	Wholesaling and warehousing		N	N	N	N
12.	Custom work or restoration:					
	a.	With outside operations and storage	N	N	N	N
	b.	Without outside operations and storage	N	N	Y	Y
13.	Business incubator, no one use to exceed 2,500 square feet in size		N	N	Y	Y
Transportation						
1.	Bus or Rail terminal		N	N	Y	Y
2.	Freight terminal		N	N	N	N
3.	Helistop		N	N	N	N
4.	Maritime Passenger terminal		N	N	N	N

NOTES:

(1) Except as permitted under Article IX.

(2) Subject to limitations on the size of uses and structures as stated in section 21-93, Wickford Village district, general provisions, paragraph (2).

(3) Sales of kayaks, canoes, or other non-motorized small craft shall be allowed with a special use permit.

(4) Any carry-out window shall be located in such a manner that it is accessible only from the property upon which the business is located. No interference with the public right-of-way shall be allowed.

(5) Operation of a boat brokerage shall be a permitted use.

(6) Subject to restrictions listed in 21-94.B

(7) Subject to restrictions listed in 21-96.B

* Notwithstanding the provisions of Article IX of this chapter.

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ARTICLE IV of the Code titled Dimensional Regulations is hereby amended to read as follows:

ARTICLE IV. DIMENSIONAL REGULATIONS*

TABLE 2B. BUSINESS DISTRICTS

Commentary: The Dimensional Regulations table below only shows the GB, PB, PR and the new WJ District. These four districts were chosen so the Planning Commission could review proposals for the WJ District beside those standards for other business districts.

STANDARD DIMENSIONAL REGULATIONS FOR BUSINESS DISTRICTS

	GB		PB		PR		WJ	
	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX
Lot area	20,000 sf	--	5 acres	--	5,000 sf	--	5,000 sf	--
Lot width	200’	--	400’	--	40’	--	40’	--
Lot frontage	200’	--	400’	--	40’(12)	--	40’(12)	--
Building setbacks:								
Front	25’	--	25’	--	10’(7)	20’	10’(7)	20’
Side	15’	--	65’	--	0’	--	0’	--
Corner side	25’	--	25’	--	0’	--	0’	--
Rear	25’	--	50’	--	0’	--	0’	--

	GB		PB		PR		WJ	
From residential district	50’	--	65’	--	20’(8)	--	20’(8)	--
Building stories	1	3	2	4	2(9)	3(6)	1	3(6)
Building height	15’	35’	25’	50’	25’(9)	38’(6)	25’(9)	38’(6)
Ground floor area	--	50,000 sf	--	(3)	--	20,000 sf (10)	--	50,000 sf (10,11)
Building width	--	--	--	--	--	2.5 x bldg. hgt.	--	--
Building depth	--	--	--	--	--	3.5 x bldg. hgt.	--	--
Impervious lot coverage	--	90%	--	80%	--	90%	--	90%

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NOTES:

(1) See subsection 21-87(b).

(2) Zero feet if attached; 15 feet if not attached.

(3) For land parcels comprised of five to 15 acres, the maximum size of any one building footprint shall not exceed the lesser of 50,000 square feet or 25 percent of the area of land suitable for development. For land parcels more than 15 acres, the maximum size of any one building footprint shall not exceed the lesser of 85,000 square feet or ten percent of the area of land suitable for development, nor shall there be more than one building in excess of 50,000 square feet in any single master plan or site plan in a planned business district.

(4) Zero feet if attached; ten feet if not attached.

(5) The maximum building height for single story structures shall be 25 feet and the roof shall have a slope or pitch of at least one foot vertical rise for each two feet of horizontal distance.

(6) Where density bonuses are allowed by the Planning Commission for the inclusion of affordable housing or the use of Transfer of Development Rights, building stories may be increased to four (4) and building height may be increased to fifty (50) feet.

(7) Where lots do not front Post Road, Ten Rod Road, Quaker Lane or another arterial road within the PR or WJ Districts as applicable, the minimum front yard setback may be zero (0) so long as pedestrian access remains uninterrupted across the front of the building(s).

(8) Minimum of 20 feet or equal to the height of the building, whichever is greater.

(9) Single story restaurants may be allowed so long as no more than 5,000 square feet of floor space is contained within the single story area. Further, these restaurants shall only be allowed if they directly join a multi-story building on at least one side and are architecturally integrated with the adjoining structure. The minimum height of the single story structure shall be 16'.

(10) Ground floor area per commercial operation.

(11) Any proposal that received Master Plan approval for a commercial operation that exceeds this maximum in advance of the adoption of this provision shall be considered "conforming" with regard to this standard.

(12) As part of the master planning of an entire development project, the Planning Commission may reduce the frontage requirement for newly created lots within the district to zero (0) in instances where this frontage reduction would promote better site design and buildings are sited in a manner that is consistent with the goals of the district.

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