

ORDINANCE NO. 14-14
(UNCODIFIED)

AN ORDINANCE IN AMENDMENT OF THE NORTH KINGSTOWN COMPREHENSIVE PLAN

The Town Council of the Town of North Kingstown hereby ordains:

Underlined text to be added, Strikeout text to be deleted. Other text not underlined or strikethrough is there for editing clarification and context purposes. (Editors note* Many of the changes listed below are subject to the previous agenda item being approved for internal consistency purposes).

SECTION 1. That the North Kingstown Comprehensive Plan is hereby amended as follows:

II. LAND USE ELEMENT

Page 2.

State of Rhode Island Land Use Planning Initiatives

(Editors note* Second paragraph, 3rd sentence begins with the following, and insert underlined text).

The areas within the Urban Services Boundary are identified as optimal areas for accommodating the majority of the State's development needs through 2025. In North Kingstown, any areas identified outside of the USB that are proposed for village development, such as the Rural Gateway, shall take into consideration the previous zoning on the parcel, and the ability to concentrate growth into a compact area, through zoning tools such as the Compact Village Development District.

Most of the land identified outside of the Urban Services Boundary is better suited for conservation. The town may study and analyze the growth patterns of areas outside of the USB, and after careful consideration of the existing zoning, may propose alternative styles of development to preserve the character of the surrounding areas. In North Kingstown, the urban services boundary covers most land east of Routes 1 and 4. Land to the west of these highways is identified as better suited for conservation, low density development, or targeted development in areas where commercial or industrial zoning currently exists.

(Editors note*Page 4, add text below as new section under A after Conservation Development Regulations)**

Transfer of Development Rights and Identification of Village Centers project

The goal of the "Transfer of Development Rights and Identification of Village Centers" study, a project funded in part by the RI Statewide Planning Program, was 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." In 2010, eight potential study areas were screened at the first stage and schematic design and ordinance revisions were part of the second stage.

Six existing village areas – Allenton, Davisville, Hamilton, Lafayette, Saunderstown, and Wickford Village were assessed. Wickford Junction - the site of the new MBTA train station – was included as a potential village area as well as the general vicinity of the land in the area of the intersection of Routes 2 and 102 close to the Exeter town line. Four of the eight potential villages were selected for further TDR implementation (Hamilton, Allenton, Lafayette, and Wickford Junction). It was determined that the three villages of Davisville, Saunderstown, and Wickford Village would not gain from the TDR program. The eighth village, at the intersection of Routes 2 and 102 and informally known as the “Rolling Greens/Bald Hill Nursery,” did not qualify for study at the time of the project but was determined to require a public process with input from North Kingstown, Exeter, property owners and abutters to determine the appropriate direction for the area. The report indicated “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.”

In 2012, an Interim Report to Town Council (Phase II Report), provided to the town by its consultants, reviewed wastewater design, nutrient loading, streetscape conditions and the zoning of the four different village areas. This report included vision illustrations for the four areas depicting what village style development could look like by using a zoning ordinance amendment to shape the development. In the final phase of this project – Phase III - four ordinances were designed: a revised conservation development ordinance which allows for same district TDR transfer, a cottage community zoning ordinance, and a new Wickford Junction TOD district.

(Editors note*Page 5, add text below as new section under B after existing text in that section)**

B. Public Visioning and Survey

Western Route 2 & 102 Stakeholder Visioning Process

In 2012, additional public visioning occurred regarding the westernmost intersection of Routes 2 and 102: a somewhat rural, less developed area on the western edge of town near Route 4, the new Wickford Junction train station, and rural Exeter. Existing zoning at the time of the public visioning allowed an extensive build out. The North Kingstown Town Council convened a 16 member multi-stakeholder group consisting of town residents and business owners, including two adhoc members from the Town of Exeter, to seek a joint vision for the future of the area, thereby resolving different expectations and trying to find a workable solution. The group explored interests, increased understanding, and sought agreement on what should happen in the area of the western Rt. 2/102 intersection.

During the process, a public survey was conducted and numerous open house format forums took place to gain public input outside the stakeholder group. The stakeholder group discussions included but were not limited to the zoning and comprehensive plan designations for the intersection, the character of the intersection, traffic impacts, water quality/quantity, in-process roadway improvements, pedestrian improvements, open space and farmland preservation, and impacts to abutting communities and surrounding development patterns.

A number of emerging and underlying issues play important roles in molding the future growth patterns of the Route 2/102 intersection. The existing zoning patterns promote a sprawling development pattern. The Towns of North Kingstown and Exeter have targeted parcels in this vicinity, and at this intersection for preservation; however, due primarily to existing commercial businesses and existing zoning, but also because the Wickford Junction commuter rail station was recently completed due east and the roadways are a well utilized path to the University of Rhode Island, this intersection has seen a tremendous increase in the amount of traffic, with over 25,000 car trips on a daily basis. Due to the traffic volumes and safety concerns, the State of Rhode Island Department of Transportation is in the design phase for construction of a roundabout at Routes 2/102. This intersection area is serviced by RIPTA bus routes, mostly heading to the University of Rhode Island. The recommendations of the stakeholder group led to the creation of a final report with recommended changes to the comprehensive plan and zoning map for the intersection. The consensus was to establish this area as a new emerging village with a Compact Village District zone. The stakeholder process was controversial, but did result in a consensus of the group, with numerous detailed recommendations that can be found in the final report for the process.

From the information gained through the stakeholder process, the North Kingstown Planning Commission revised the existing Compact Village Development (CVD) ordinance to an entirely new district with its own applicability standards, design standards, and requirements for the provisions of building footprints, roadways, and non-vehicular connection within and to adjacent properties. The ordinance is specific on how allowed residential and non-residential density for a site is determined and includes parameters to ensure an appropriate balance of uses based on the location of the proposed district. Dedicated open space is mandatory and the limited use of TDRs is allowed to ensure consistency with the comprehensive plan. The goal of the ordinance is to concentrate growth in areas that can support development and preserving land in other areas of town.

E. LAND USE DESCRIPTIONS

(Editors note* The below Rural Gateway designation is not underlined as it is proposed to be recommended for adoption in the public hearing and changes of the previous agenda item).

Rural Gateway

This area includes parcels surrounding the intersection of Routes 2 and 102 due west of Route 4 as shown on the Future Land Use Map. The land use goal of this area is to allow for a mix of planned commercial, residential, and agricultural uses that effectively transition from the more intense retail/transit oriented development east of Route 4 to the rural landscapes north, south and west of the intersection. In order to protect the adjacent residential neighborhoods, and overall rural character, tools and techniques appropriate to this area may include Compact Village Development, Transfer of Development Rights, Conservation Development, purchase of development rights, special provisions for agricultural operations, and the application of strict design standards. The boundaries of this district were carefully selected, and expanding these boundaries to convert additional residential land use designations outside the existing boundaries

to commercial shall be contrary to the purposes of this designation. (*Editors note, underlined text above was added from comments take at 4/15/2014 Planning Commission meeting).

Transit Oriented Development (TOD)

The TOD designation is established to facilitate the development of a mixed use, transit-oriented, economic development center. Because of the available transit infrastructure within and around this area, 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. 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.

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

(Editors note* The below objective was already adopted as part of the Wickford Junction TOD changes to the Comprehensive Plan. The term proposed in the first sentence below was added from the changes in the previous agenda item of 4/15/14).

Objective LU.1.2 Encourage development and redevelopment in existing and proposed villages based upon the concepts and recommendations provided in the three reports associated with the Transfer of Development Rights and Identification of Village Centers project including: *Transfer of Development Rights and Identification of Village Centers Phase I (March 2011), Transfer of Development Rights and Identification of Village Centers Interim Report to Town Council (January 2012) and Transfer of Development Rights and Identification of Village Centers Final Report (August 2012).*

(Editors note* The below action item is not underlined as it is proposed to be adopted in the public hearing and changes in the previous agenda item (#3 of 4/15/14). It is listed within this document for purposes of giving context to the rest of the text below).

Action LU.1.2.2 Consider appropriate locations to apply the Compact Village Development Ordinance (CVD) such as the Rural Gateway, and the Allenton, Hamilton, and Lafayette study areas identified in the *Transfer of Development Rights and Identification of Village Centers project including: Transfer of Development Rights and Identification of Village Centers Phase I, Transfer of Development Rights and Identification of Village Centers Interim Report to Town Council and Transfer of Development Rights and Identification of Village Centers Final Report.*

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 as identified in the villages reports 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.1.4.1 Continue to consider ordinances that encourage private retention of open space for agricultural, recreational, and forestry purposes.

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 as an option to preserve farm land; and
- For Compact Village Development, Post Road, Compact Cottage Development, Wickford Junction, and selected conservation developments, using TDR to allow an increase in density at the project location, provided that the carrying capacity of the Town's infrastructure and natural resources not be exceeded.

Action LU.1.4.7 Where permitted, private properties located in TDR sending areas may be developed consistent with the town's village design principles.

Objective LU.1.5 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. *(See Open Space, Conservation and Recreation Element Goal OS.1, and related Objectives and Actions)*

Action LU.1.5.1 Encourage village design concepts, especially such as those outlined in the Rural Gateway district, and the Allenton, Hamilton, and Lafayette study areas identified in the Transfer of Development Rights and Identification of Village Centers project including: Transfer of Development Rights and Identification of Village Centers

Phase I, Transfer of Development Rights and Identification of Village Centers Interim Report to Town Council and Transfer of Development Rights and Identification of Village Centers Final Report.

Action LU1.5.2 Discourage development which adheres to conventional development techniques, and instead continue to utilize land-planning techniques including cluster, PUD, PDR, PRD, TDR, CVD, CCD, TOD, and conservation zoning.

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.

(Editors note* The below action item had the statement “Implementation of Compact Village Development (CVD)” proposed to be adopted in the public hearing and changes in the previous agenda item (#3 on 4/15/14). The additional text will make it more internally consistent with the larger villages project).

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

- Targeted Growth Centers on Post Road
- Implementation of the Village Center Zoning
- TOD at Wickford Junction
- Implementation of Compact Village Development (“CVD”) at the Rural Gateway, and the Allenton, Hamilton, and Lafayette study areas identified in the *Transfer of Development Rights and Identification of Village Centers project including: Transfer of Development Rights and Identification of Village Centers Phase I, Transfer of Development Rights and Identification of Village Centers Interim Report to Town Council and Transfer of Development Rights and Identification of Village Centers Final Report.*

Objective LU.1.8 Preserve and protect the town’s scenic resources.

Action LU1.8.5 Where permitted, the Town should encourage the development of, private properties designated as a scenic resource in the Comprehensive Plan in a manner that maintains the scenic quality of the property and the surrounding area.

Objective LU.3.2 Manage the rate, timing and location of growth so that it is compatible with the natural carrying capacity of the land and the town’s ability to provide adequate public facilities and services in an efficient and cost effective manner.

Action LU.4.2.2 Modify the water service area to align with the town’s policy of encouraging village design concepts, especially such as those outlined in the Post Road district, Wickford TOD district, Rural Gateway district, and the Allenton, Hamilton, and Lafayette study areas identified in the *Transfer of Development Rights and Identification of Village Centers project including: Transfer of Development Rights and Identification of Village Centers Phase I, Transfer of Development Rights and Identification of Village*

Centers Interim Report to Town Council and Transfer of Development Rights and Identification of Village Centers Final Report.

Action LU.4.2.3 Request that RI Statewide Planning review the location and delineation of the Urban Services Boundary ~~not only at the Route 2/102 intersection but~~ throughout North Kingstown due to modification of the water service area.

VI. COMMUNITY SERVICES AND FACILITIES

(Editors notePage 56, after Water System Evaluation, insert the following)**

Water Service Area

The Town of North Kingstown has over the course of the past twenty years seen a drastic increase in the need for and use of its potable water resources. The town has been proactive by adopting numerous provisions to reduce the impacts of the overall water demand. The first of these provisions in the late 1990s and early 2000s included the establishment of a Water Service Area. This water service area dictates where water mains can be extended for future water use. This intention of the water service area is to control infrastructure expansion relating to new development, mostly residential, by addressing both peak water use and demand. In addition, the town adopted an odd/even day watering schedule in the summer months, and began an extensive outreach and education effort focusing on reducing peak water use.

In 2008, the town completed an updated build out analysis to project future water use utilizing the considerations of the current water service area and projected demands with existing zoning. The projected use at average day and at peak was at levels that were unsustainable for the town's current pumping capacity and did not align with future goals for water use. Since those projections were performed, the town has adopted a number of measures including an inclining block water rate structure, a two times per week lawn watering ordinance for the summer peak use months, and an extensive education effort to reduce water use. The existing WSA has not proven to be fully effective in reducing peak demand associated with the water use patterns of newer residential housing. To this end, North Kingstown has determined that the water service area should be reduced to direct development specifically to future and planned areas for growth.

The amended water service area includes only those areas targeted for future growth and development such as growth centers, existing or emerging village centers, and our commercial and industrial areas of town. The amended area includes, but is not limited to:

Villages of Lafayette, Hamilton, Wickford, and Allenton
Growth Centers of Post Road and Wickford Junction TOD
Rural Gateway
Commercial areas of Quaker Lane
Industrial area of Dry Bridge Road

Reducing the water service area to these limited growth locations will benefit the town's water resources and ensures that there is available water for the future proposed development which

aligns with the comprehensive plan's growth management principles. Any areas that are outside of the Statewide Planning Urban Services Boundary, should be discussed with Rhode Island Statewide Planning to determine any future need to modify the Urban Services Boundary delineation within North Kingstown boundaries.

Objective CS.8.3 Ensure that sufficient water volume and pressure are available throughout the water service area to provide adequate domestic supply and fire protection.

Action CS.8.3.5 Reduce the size of the Water Service Area to direct future development to planned village, growth and commercial areas.

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 the Wickford Junction, Post Road, and Rural Gateway districts in all Compact Village developments, and in the Allenton, Hamilton, and Lafayette study areas identified in the Transfer of Development Rights and Identification of Village Centers project including: *Transfer of Development Rights and Identification of Village Centers Phase 1, Transfer of Development Rights and Identification of Village Centers Interim Report to Town Council and Transfer of Development Rights and Identification of Village Centers Final Report* 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), especially within Wickford Junction, Post Road,

and Rural Gateway districts in all Compact Village developments, and in the Allenton, Hamilton, and Lafayette study areas identified in the Transfer of Development Rights and Identification of Village Centers project including: *Transfer of Development Rights and Identification of Village Centers Phase 1, Transfer of Development Rights and Identification of Village Centers Interim Report to Town Council and Transfer of Development Rights and Identification of Village Centers Final Report*

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 Rural Gateway district, and the Allenton, Hamilton, and Lafayette study areas identified in the *Transfer of Development Rights and Identification of Village Centers 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, PRD, TDR, CVD, CCD, TOD, conservation zoning, and easements to protect groundwater aquifers.

SECTION 2. This Ordinance shall take effect upon passage and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

First Read at the Town Council Meeting of June 2, 2014 and referred to the Town Council Meeting of June 23, 2014 for Second Reading and Consideration of Adoption.

Adopted at the Town Council Meeting of June 23, 2014.

Jeannette Alyward
Town Clerk