



July 27, 2012

Mr. Jonathan Reiner, AICP
Director of Planning
Town Hall Annex
55 Brown Street
North Kingstown, RI 02852

Re: Services for Developing a Vision for the Route 2/102 Area

Dear Mr. Reiner:

The following proposal is based upon the Proposed Stakeholder Process (draft for review) developed by the Consensus Building Institute (CBI) and described in their July 23, 2012 memorandum. The memorandum is attached to this proposal as a supplement. The Horsley Witten Group (HW) is prepared to adjust this proposal in accordance with direction from Town Council. Dodson & Flinker (Dodson) is also a member of the consultant team and will provide facilitation and design services as described below.

Task 1. Interviews, Findings and Process Development

This task is essentially complete and was funded through the money allocated as part of the original consensus building process. The remaining budget from that original approval was \$5,402.72 and is not part of this change order/proposal. The attached budget matrix will show where this remaining budget was used to fund current efforts.

Task 2. Development of Stakeholder Group

Under this task, CBI will solicit membership in the stakeholder group as described in the July 23 memorandum and will review the basic expectation and logistics of the process. Membership of the stakeholder group will be announced via the Town's website.

CBI Labor Fee:	\$920
Dodson Labor Fee:	\$0
HW Labor Fee:	\$0

Task 3. Stakeholder Group Meetings

At the outset of the project, three (3) stakeholder group meetings are anticipated including a site visit with the stakeholder group. As described in the CBI memorandum, this group will talk through concerns and ideas, and will develop options to share in the public workshop setting. This group will also guide the format of the two public workshops and review the results of those sessions at a final stakeholder meeting. All group meetings will be facilitated by CBI. HW and Dodson will provide support in the form of facilitation, map development, zoning analysis, or other necessary technical support. Written summaries of each meeting will be provided by CBI. CBI will also work with the committee between meetings, track action items, coordinate materials development, and plan meeting agendas.

CBI Labor Fee:	\$7,590
Dodson Labor Fee:	\$4,680
HW Labor Fee:	\$2,600

Task 4. Public Workshops and Neighborhood Group Meetings

Two public workshops will be conducted during the course of the project. As mentioned under Task 3, the development of workshop materials and procedures will be performed in coordination with the stakeholder group. Milestones under this task will likely include:

- Prepare revised site analysis and assessment and preliminary buildout of project site.
- Develop and deploy web-based medium for public feedback (e.g., Survey Monkey, etc.)
- Revise site analysis and buildout in preparation for public workshops.
- Assist in planning and facilitating public workshop on problems and opportunities.
- Prepare preliminary site development alternatives and Sketchup models based on the first workshop.
- Keypad polling.
- Revise preliminary site development alternatives and models based on discussions with the stakeholder group.
- Prepare plans and PowerPoint for presentation at second public workshop.
- Assist with facilitation of group discussion and breakout groups.
- Convene and facilitate two neighborhood focus group meetings.

CBI Labor Fee:	\$11,790
Dodson Labor Fee:	\$9,000
HW Labor Fee:	\$5,200

Task 5. Development of Final Concepts

Under this final Task, the consultant team will finalize the results of the outreach process as follows:

- Meet with stakeholder group up to three times to coordinate the development of workshops and review results.
- Meeting with the Planning Commission to present the results of the public workshops.
- Prepare final concept plan drawing; scan and color render.
- Prepare annotated overlays and format for distribution and/or display.
- Prepare final perspective illustrations; scan and color render.
- Work with stakeholder group to draft and finalize their common understanding.
- Develop amendments to Comprehensive Plan.
- Present results of the process to Town Council.

CBI Labor Fee:	\$2,515
Dodson Labor Fee:	\$2,880
HW Labor Fee:	\$3,120

Total fees (including direct costs)

Total CBI Fee: \$24,815
Total Dodson Fee: \$18,000
Total HW Fee: \$11,320

Total Consultant Team fee: \$54,135

Assumptions

The scope and budget developed above is based on the following assumptions. Should any of these assumptions prove to be false due to changing conditions within the project, the consultant team may require the opportunity to revise our scope and subsequent fee.

- 1) The number of meetings associated with the stakeholder group is assumed to be up to six (6) for the full duration of the process.
- 2) The number of public workshops shall be two (2).
- 3) The number of neighborhood focus groups is assumed to be up to two (2).
- 4) Work with individual members of the stakeholder group between initial stakeholder group and/or public meetings shall not require more than eight (8) hours of CBI's time per meeting.
- 5) CBI will attend one (1) meeting with the Planning Commission to present the results of the public workshops.
- 6) Development of sketches and models from Dodson will not require the use of software or rendering techniques beyond those specified in the proposal.
- 7) Meeting logistics, refreshments and audio/visual equipment shall be provided by the Town.
- 8) Comprehensive Plan language will be delivered to the Town in draft format and revised as part of the adoption process. HW will attend two (2) Planning Commission meetings and one (1) Town Council meeting as part of the adoption process.

The HW team is prepared to begin work on this contract as soon as we have approval from the Town. Please do not hesitate to call me with any questions regarding this proposal at (401) 272-1717.

Sincerely,
HORSLEY WITTEN GROUP, INC.



Nathan E. Kelly, AICP

Approved by,

Michael Embury
Town Manager
Date:

**Western Route 2/102 Intersection Area, North Kingstown, RI
Proposed Stakeholder Visioning Process**

FOR REVIEW BY THE NORTH KINGSTOWN TOWN COUNCIL

Drafted by the Consensus Building Institute
Revised July 27, 2012

1. Overview

This document proposes an approach to creating a joint vision for the future of the westernmost Route 2/102 Intersection in North Kingstown, RI. In early July, the North Kingstown Town Council asked Ona Ferguson at the Consensus Building Institute (CBI), a non-profit mediation and facilitation organization based in Cambridge, MA to scope and design a process for a stakeholder group to work together on this topic.

Since that time, Ona Ferguson of CBI (author of this memo) has spoken with many people from the area to better understand the situation and to get feedback on what type of visioning effort might make sense. Those conversations with people of varied and diverse perspectives have shaped the proposal put forward in this document. Prior to putting out a draft version of this document on July 23, I spoke via formal phone interview or informal call with: Tom Brandt, David Caldwell, Jr., David Campanella, Frank Digregorio, Liz Dolan, Jerry Duffy, Alan Goulart, Mark Hawkins, Kevin Maloney, Steve Moran, Vaughn Oatley, Colin O'Sullivan, Chip Palmer, Jon Reiner, Rit Schartner and Jeff Zucchi. Some of these conversations were brief, many were lengthy. I asked people about their understanding of current zoning, what they hope for the area, their thoughts on the proposed process, and their suggestions for who should be part of a stakeholder group. Many thanks to everyone who took the time to talk with me about how to make this process work best.

On July 23, I released a draft version of this to the public for feedback. I got feedback via email, voicemail and phone call from 36 people. The major themes of that feedback are listed here. I've done my best to address this feedback and other suggestions through revisions to this document and its recommendations.

- 16 people indicated support for the process as proposed. A few other people expressed concern that this process is designed to lead to a particular outcome.
- Several people thought that a decision was being made on Monday July 30 about how the Rt. 2/102 intersection should be zoned. *[This is not the case.]*
- About a quarter of the respondents had specific suggestions for how they'd like the intersection developed and what types of issues should be discussed by the stakeholder group.
- A few people indicated concerns about possible threats to property rights.
- Many people had comments and suggestions about the proposed participants in the stakeholder group and the balance among different interests. See final section of this document for more detail.

- Some people described various sources of mistrust among different stakeholders and among stakeholders and different town and state bodies based on experiences in the past few years.
- A couple of people expressed a desire for this effort to be part of a broad North Kingstown Master Planning process including a review of where North Kingstown is investing resources.
- Several people noted concern about the short turnaround time for public feedback on the draft document and expressed their hope that public involvement during the process will provide more time for the community to meaningfully participate.
- Someone suggested an executive summary of the situation and how this process would help, which I haven't written due to limited available time and the complexity of the situation.

What happens next? This revised document will be made public, and on July 30 the North Kingstown Town Council will decide whether this process should continue as proposed.

2. Proposed Stakeholder Group Process

A. Interview Findings

This section describes what I heard when I talked with people before July 23. Many of these points were echoed by people who gave feedback on this approach between July 23-26.

People said that it does make sense to take some time to talk together about what should happen at this intersection – to plan deliberately together. People generally think there is a need to resolve several different issues related to the Rt. 2/102 intersection and that it might be the right time to try to work through them by jointly developing a shared vision.

Cohesive Decision Making - They raised many concerns about how planning and zoning decisions have been made in the past in North Kingstown and in that intersection in particular. People talked about practices they perceive as problematic, when one community investment or decision counteracts another, such as development efforts in different areas working in opposition instead of in concert with one another. People also talked about fairness and the need for planning decisions to be made in a unified and cohesive way for the benefit of the community as a whole. I heard several examples in which people felt decisions were made not based on a system or shared plan but on individual circumstances. People would like clear guidelines for future decisions to be made so they can trust that decisions are fairly made. People also discussed the fact that North Kingstown's Comprehensive Plan is not currently in compliance with the Rhode Island Plan because of a question related to what the town wants to see at this intersection, and said that could mean a loss of funds from the state until North Kingstown is again coordinated with the state. Many said that zoning changes should be made only for the benefit of the community. People also expressed concern that some of the current planning tools such as Transfer of Development Rights and the Compact Village District zoning either aren't working as anticipated or may not work as planned.

Multiple Interests - The people I talked with shared a suite of different hopes for what will happen to the area near the intersection based on the varied contexts from which they experience the activities at the intersection. These aspirations and concerns were focused on protecting their hopes and dreams for their homes, businesses and community. People also

talked about their legal rights and their expectations for how things are likely to proceed. People's interests included a focus on:

- The quality of life of the people living near the intersection today and in the future related to traffic and impacts on residential home values
- The tax and financial impacts of development in this area to the whole town.
- The rate of development in North Kingstown over the last decade and a desire to be systematic in investments across the town.
- The financial investments of people who own parcels in the intersection.
- Adequate infrastructure (water/sewer) at Rt. 2/102 and water supply for the whole town.

Relationships and an Appropriate Process - There is a great deal of distrust among many different individuals and groups with a stake or say in what happens at the Rt. 2/102 intersection based on past history. In order for any process to move forward, the vast majority of people who review the approach will need to trust it and believe it to be a legitimate effort to work together. There was concern from many different sides of efforts to "stack the deck" by having an imbalance of members representing one of several different interests. There are also some relationships that are especially charged among certain individuals and groups that will likely make it challenging for people to work together. Most people indicated that a collaborative process in which everyone at the table was honestly trying to come to a shared outcome, with some give and take, could lead to a positive result. They also talked about the many different ways they will otherwise continue to advance their interests away from a collaborative visioning effort.

Input on Process - I described a draft process to the people I spoke with, and they generally thought it made sense and was a sound approach. Many people noted regarding timing that it is more important to do it right than to do it quickly, indicating their concern that the timing seemed aggressive, while some indicated that it should be as efficient as possible so that people can move on with clarity about the intersection. Several noted that there are people with incentives to slow the process down so that the Town Council makes its final decision on this after the November election. Others noted that there is some incentive for the current Town Council to want to move too quickly on this so they can make the decision while in office.

The initial proposed process included a small planning team to design the process in the second half of July, but people expressed concern about a lack of transparency of this approach. Based on that feedback, this proposal was instead shared in written form with the public for feedback from anyone who chose to give it. Several people noted that the Town Council must commit to seriously considering and/or adopting their recommendation if a multi-party stakeholder group reaches agreement. Several individuals described their alternative to participating in a collaborative process such as the town continuing to lose money for being out of compliance with state planning, lawsuits, or building out parcels as currently allowed.

B. Proposed Process

This is what I propose as a way forward. The goal is for this process to be sound enough that people from different perspectives are willing to come to the table to try to jointly develop a vision for the Rt. 2/102 intersection. Its outcomes will need to be workable within state and

local law, specifically consistent with Land Use 2025 and the North Kingstown Comprehensive Plan, and coherent with planning guidelines.

This process includes numerous ways for people to participate. For those who are most intimately involved, have time and are able to represent key perspectives, there will be a stakeholder group that will meet multiple times to try to work through differences and develop some joint options for a future vision. This will be a representative body of a few people who are seen as legitimately able to represent the major interests in what happens in the area near the intersection. This will take a commitment of time and willingness to listen and try to work together to get an outcome that is better than any one participant or group could get by themselves. These meetings will be designed for participant participation, but will be open to the public.

For those who want to weigh in and give their opinions in other formats, there will be likely two public workshops that the stakeholder group would help plan and I would run. The purpose of the workshops would be to first gather information from the public about what they hope to see and to then build on their input with some responses and options and again get their input. There will also be a way to give input online for people who are not able to attend public meetings or prefer to participate online. Finally, there will likely be at least one focus group in the neighborhood(s) nearby at which neighbors have an opportunity to give their input. At any time during the process, anyone would be welcome to contact me with questions or concerns.

The table below describes the proposed activities and timeline in greater detail.

Purpose of Stakeholder Group and Process

The stakeholder group will need a clear purpose to its work. The stakeholder group will seek input and agreement on what should happen in the area by the western Rt. 2/102 intersection in North Kingstown, RI. They will be asked to (a) seek public input and (b) seek agreement and write up comprehensive plan language that can be adopted by the Town Council about:

- How growth should be managed at the Rt. 2/102 intersection
- The appropriate scale of development
- The appropriate intensity of development

PROPOSED PROCESS STEPS		
Approx. Dates (2012)	Activity	Detail
2nd half of July	Test draft process with the public for feedback	Share the draft process and draft stakeholder group participant list (this document) with the public to get feedback and suggestions
July 30 Joint Planning Commission and Town Council meeting	Update Town Council & seek approval of stakeholder group process & membership	Provide recommendations and discuss next steps with Town Council. Town Council decide whether to approve the process and appoint the stakeholder group
Aug – mid-Sept	Convene stakeholder group and meet several times	Stakeholder group meet a limited number of times in person (2-3?) to talk through concerns, ideas, and develop options to share in public workshops. Begin with joint learning about

		what is currently possible, what tools exist, legal and regulatory context, and other related topics.
Sept. 15 – early Oct	Public workshops	Public engagement in a few forms, likely: <ul style="list-style-type: none"> • A couple of public workshops open to everyone. Likely two different meetings where participants first review ideas and discuss concerns and issues then come back to see revisions or refinements. Purpose is a significant amount of engagement and review of options in a discrete amount of time. • Some online engagement for people unable to attend the public meetings. • Possibly joining people at their own meetings (focus groups with neighborhood associations).
Oct – Nov	Stakeholder group seek agreement on recommendation	Stakeholder group meet 2-3 more times to work with results from public workshops, consider public input and seek agreement on what they think the development option at this intersection should look like and why. Develop recommendations and forward to the Town Council, possibly with a description of areas where consensus cannot be reached.
Nov	North Kingstown Planning Process Review	Town Council review the stakeholder group recommendations at a workshop meeting. Town Council then forward to the Planning Commission for a recommendation at a public hearing. Then Town Council review and decide about approving the recommendation at a public hearing.

Other Process Details and Recommendations

- All meetings would be open to the public.
- Meeting notes will be written by the facilitator, without attribution, to assist the group in its work.
- The facilitator is neutral on the content of the outcome, and will work to manage a fair and appropriate process in which participants can work productively.
- The stakeholder group will develop groundrules / operating procedures at the first meeting.
- Stakeholder group participants will determine their decision rule early in the process, possibly something such as a 75% agreement (seeking “overwhelming agreement”) rather than unanimity or majority + 1.
- The Planning Commission and Town Council will be kept updated throughout process.

- The Town Council retains final decision making authority in this process, but must commit to take any agreement the group reaches under serious consideration.

Roles & Support

For this process to be efficient and effective, the stakeholder group will need several types of supporting resources. We believe these are in place, and that the stakeholder group will have the support of:

- North Kingstown Planning Department – Planning Department staff will support the process, participating in all project planning and all stakeholder group meetings and advising/supporting Horsley Witten in writing any final plan language. Planning Department staff will create GIS maps, compile data and help manage meeting logistics.
- Horsley Witten – Horsley Witten to be a co-lead for the process, participating in all project planning and supporting all stakeholder group meetings, helping write up any comprehensive plan language and any other text or language, assisting in producing materials for the stakeholder group and public engagement effort including technical GIS mapping as needed. Horsley Witten has worked on multiple past projects for North Kingstown including Healthy Places by Design, Transfer of Development Rights, Planning for the Post Road Corridor, Villages and Transfer of Development Rights and modifying.
- Consensus Building Institute – CBI to be a co-lead for the process, facilitating all stakeholder group meetings, producing meeting summaries and tracking next steps, working to plan stakeholder group meetings between meetings, and assisting the stakeholder group to write up its final recommendations. CBI has limited past project experience in North Kingstown; a former CBI employee worked with the Town of Exeter’s Heart and Soul project, and I did an initial assessment of this conflict and visioning potential in May 2011.
- Dodson and Associates – Dodson and Associates to assist by generating representations of the intersection and area under different development scenarios for the stakeholder group and the public to work with. Dodson’s past projects in the area include the above mentioned Villages and Transfer of Development Rights project.

C. Public Feedback

During the public comment period, people didn’t generally express many concerns about the process itself as described here beyond those described in the Overview. A few people suggested it might take longer than indicated here. Some asked about the process for making decisions in the stakeholder group, and someone noted the Town Council’s ultimate authority to make a final decision. A few other people suggested giving more information in a few places, which I have sought to do.

3. Proposed Stakeholder Group Participation

A. Interview Findings

In the initial interviews before July 23, people indicated a variety of thoughts about who should make up the stakeholder group. This section describes that process. Among the opinions

expressed were that it is important that members of the stakeholder group include the following.

- A significant number of people who live in the area and can articulate the rural/residential perspective.
- A significant number of people who can articulate the business/development perspective on behalf of those who own land at or near the intersection.
- People who can articulate some general town-wide issues and interests.
- People who can speak for Exeter, which is also affected by the Rt. 2/102 intersection.
- People who are able to legitimately represent their constituencies.
- People who can speak for the nearby neighborhood associations (Wickford Highlands Home Owners' Association, Mountain Laurel Home Owners Association and Heritage Hills).
- People who would be affected by the outcome.
- People who are knowledgeable about the area and the process to date.

I began my conversations with a very rough draft list of possible participants, and adjusted it over the course of the interviews to address concerns people raised. People gave feedback of all kinds about the list of proposed participants on (a) the balance of different voices at the table, and (b) the individuals proposed. Many wanted to ensure that those at the table represent the perspective they are intended to represent. I heard arguments for and against including all different types of perspectives, but for the most part people were trying to be sure those voices they thought were most important were adequately represented (rather than trying to get people representing other interests removed). The list of proposed participants has changed numerous times. While it is always likely to be seen as imperfect, those I talked with before July 23rd indicated that the balance and people proposed were just about right.

From an initial list, intended to provide people a starting point for conversation, I reduced the number of people who are planners or have a background serving on the planning commission, as people thought there were a disproportionately high percentage of such people proposed. I reduced the number of developers so that all developers (I think) are now in the Business/Development seats. I increased both the Rural/Residential and the Business/Development seats to number six each for balance, and decreased the proposed number of seats representing other village wide activities.

There was significant discussion about the fact that some of the people most intimately involved in the discussion about this site are also running for Town Council, namely Mark Hawkins, Kevin Maloney and Colin O'Sullivan. I tested with interviewees both the option of keeping them on the stakeholder group, as they are now, because they have such obvious interest and knowledge about the intersection, and removing them, as some were concerned that their participation would politicize the work of the stakeholder group. In the end, they are included in this proposed list of participants because they are so intimately involved, because there was a desire for some of the most local large landowners to be at the table, and because two of these individuals have been selected by their neighborhood associations as representatives on this issue.

During interviews, people said the group was generally the right size and if anything could be a bit smaller. They want the stakeholder group to be small enough so participants can really learn from each other and work hard together.

B. Public Feedback

I heard many different comments and perspectives about the stakeholder group during the public review of this document. Many are hopeful that the right people coming together to solve problems for the benefit of the community could lead to a positive outcome, while some raised concerns about who the best representatives would be. Some of the feedback on the proposed stakeholder group included the following.

- Many gave feedback on the individuals proposed in the stakeholder group. 5 indicated their support for the current make-up of the stakeholder group as proposed. 8 indicated support in particular for the residential representatives proposed. Several local business owners indicated a need to be added to the stakeholder group (see more on this below).
- There was a request to know more about the proposed stakeholder group members (their affiliations) and a concern about possible conflicts of interest. I have indicated general affiliations the table below, though the affiliations have not been vetted.
- Others reflected on the balance of participants on the proposed list. Three people indicated their support specifically for the balance of seats proposed. Someone requested more women on the stakeholder group. A couple of people suggested the need for more residents to represent the perspectives of other parts of town, while many indicated that it is appropriate to have the local community work on creating the local vision with the broader public weighing in through the public workshops. Several people felt very strongly that there should be more people representing the immediate landowners from the intersection on the stakeholder group.
- Many people shared divergent views about who has or does not have a real stake in the outcome.
- Someone suggested that the group be smaller in order to work more effectively.

Given all of this feedback, I think much of the proposed list of participants in the table below works for people generally. I've made the following changes:

- Indicated that the Business / Development names still need to be finalized (see discussion that follows in section 3D).
- Added affiliations to the extent that I know them, but haven't yet vetted them as listed with anyone due to time constraints.
- Adjusted the list of available experts.
- Corrected a misspelled name.
- Combined the two village-wide committee members into one category.

C. Proposed Stakeholder Group Membership

Here is the proposed membership list for the stakeholder group as it stands, including 16 members plus four ad-hoc, non-voting members. *Note that there is a question about how to best represent the Business / Development interests that needs to be resolved, described in Section 3D below.*

Proposed Stakeholder Group Membership		
Total #	Interest Represented	Proposed Representatives with affiliation in parenthesis (note some may have multiple affiliations)
FULL MEMBERS		
6	Business / Development	To Be Determined. Those suggested in the July 23 draft were Mike Baker (Lafayette Mill), Mark Hawkins (Rolling Greens), Steve Moran (Meadows Business Park), Vaughn Oatley (Oatley's), Martha Pugh (NK Chamber of Commerce) and Rit Schartner Sr (Schartner Farms)
2	Conservation	Ahren Cohen (Conservation Commission) and Meg Kerr (environmental professional)
6	Rural / Residential	Bob Beatty (Mountain Laurel Home Owners Assn), Jerry Duffy (MLHOA), Tom Kolling (MLHOA), Kevin Maloney (Wickford Highlands Home Owners' Assn), Colin O'Sullivan (MLHOA) and Jeff Zucchi (Heritage Hills)
2	Healthy Places Working Groups	John Nosatch (walk/bike workgroup) and Ted Walls (walk/bike workgroup)
NON-VOTING / AD-HOC MEMBERS		
2	Exeter Planning	David Schweid (Planner), TBD (Planning Commission)
2	N. Kingstown Planning	Jon Reiner (Planner) and Paul Dion (Planning Commission)
16 Voting Members + 4 Non-Voting / Ad-Hoc Members = 20 Total Participants		

Other Expertise – People indicated that it might make sense to have some people with other expertise available to the stakeholder group as it does its work. Ideally, any experts the group consults will be people who are widely trusted and seen as able to answer technical questions in a credible way. Among the suggestions of types of expertise and who might be able to provide such input were:

- Strategic and Long-Range Land Use Planning
- RI Aquifers: Ken Burke (RI Water Resources Board), Prof Urich (retired URI professor)
- Water: Susan Licardi (North Kingstown), Tim Cranston (North Kingstown)
- Nitrate Loading: Russel Chateaufneuf (Division of Wetlands and Septic Systems at DEM)
- Scenic Highways: Myrna George (South County Tourism Council)

D. Business / Development Membership Question

There is one outstanding issue that needs to be addressed for this visioning process to move forward: the selection of individuals to represent the Business / Development seats at the table. I heard from several local land owners who feel very strongly that the proposed list does not include enough of the business / land owners who own land right at the Rt. 2/102 intersection and that without more of these voices they feel that the group is weighed against them. Some of them said that all of the land owners in the area under discussion ought to have their own seats at the table and suggested replacing a few of the proposed people in that category who do not own land that is immediately adjacent to the intersection. Of the people who own land

right near the intersection, Rich Schartner II was insistent that he would like a seat on the stakeholder group in addition to that his father was proposed to occupy. Chet Matteson and Matt Richardson also indicated concerns about the process and proposed group, but we never had a chance to talk to explore their concerns in depth and to discuss how they would want to participate. Other local landowners seem comfortable with representation as proposed.

Principles - Given this situation, here are the principles that I think need to be weighed in developing this stakeholder group:

- Balance – The stakeholder group needs to be balanced among different interests in a way that makes sense to people from diverse backgrounds. (Currently many people have indicated an appropriate balance while some on the local business/development perspective want more representation.)
- Size – The stakeholder group should be designed to be small enough that people can work together effectively in a limited window of time. (I think it can't get much bigger than its proposed size or it will start to be unwieldy.)
- Representation – The point of a multi-stakeholder group is to have the core interests under discussion represented by a group of people that can be widely seen as appropriately representing those interests. (Currently a few people from one specific perspective who feel inadequately represented.)

Options - Here are some options for consideration by the North Kingstown Town Council:

1. *Ask representatives from the local business community caucus to select the six people they feel can best represent their interests in this process.* I recommend including in that conversation at least the people listed in the July 23 draft proposal (Mike Baker (Lafayette Mill), Mark Hawkins (Rolling Greens), Steve Moran (Meadows Business Park), Vaughn Oatley (Oatley's), Martha Pugh (NK Chamber of Commerce), Rit Schartner Sr (Schartner Farms)) plus Matt Richardson (tree farm south of Bald Hill Nursery), Chet Matteson (Corner Tavern Restaurant), Ronn Mann (Bald Hill Garden Center) and Rich Schartner Jr. (Schartner Farms)). They should think about what group of individuals can best represent the range of key views within this interest group while working effectively with people with other perspectives. Once the process is underway, it might also be productive for people in this interest group (and the others) to meet between meetings to think and prepare together.

I think this is probably the best approach to moving forward. It may not be the perfect solution, and ideally I would have had more time to discuss the options with people, but it has the benefit of allowing people in this interest group to determine who they are most comfortable having representing them. The downside is that it could take a little more time to get the group up and running.

2. *Enable participants to have alternates.* Each seat could have the option of having both a member and an alternate. Meetings will be open to the public, so having an alternate who, if the member is absent, is fully up to speed on the issue and is able to sit at the table on behalf of the member is one way that two people with similar interests can participate together in multi-stakeholder groups such as this one. This is most common in processes when there are only a very small number of people (1-3) at the table representing each interest area, whereas this process already has six people

representing two different groups, so its possible those other five individuals could be trusted to represent the sixth person when needed. While this might theoretically work to combine two people with similar interests, this option seems not to meet Rich Schartner II's needs.

3. *Add another seat to the Business / Development representatives*, potentially to give Rich Schartner II a seat at the table. If this happened, I expect another seat would need to be added to the Rural / Residential perspective for balance, and at this time it isn't clear who would be next in line to join that interest group. While the advantage of doing this would be that it would allow Rich onto the committee, the disadvantages are that (a) it isn't clear at this time whether there are more people with a similar interest and perspective who would also want to join the committee, (b) the group is likely to start getting unwieldy with two additional seats and certainly with any more. Ideally this stakeholder group should be a small, well-rounded stakeholder group that can focus and get a lot of work done. At some point its size will make it increasingly difficult to accomplish discrete tasks together effectively in a limited period of time.
4. *Leave final membership to the stakeholder group to finalize at their first meeting*. This would mean likely going with the membership proposed in the July 23 draft and letting that group decide at its first meeting whether its membership needs to be adjusted. The advantage of this is it lets the group do a bit of its own business. The disadvantage is that there is uncertainty and that resolving this membership issue could take up valuable time in which the group could be discussing issues and interests.

Again, the next steps to move this forward are now for the Town Council to make a decision on July 30 on how to proceed.

Proposal to North Kingstown, RI

Route 2/102 Visioning

Estimated project period: July 1-November 15, 2012

Task	Description	CBI			Dodson		HW
		Senior Associate	Advisor	Graduate Associate	Principal	Staff Planner	Senior Planner
	Rate per hour	\$115	\$140	\$25	\$120	\$75	\$130
1	Coordination & Management Draft scope and process outline with HW & planning department Informational Calls with 6-10 people Synthesize feedback and revise proposed approach for July 16 TC meeting Revise approach & stakeholder group membership for Town Council	This work is essentially complete and hours were drawn down against the remaining budget from the original CBI project. Any remaining funds from that original budget will be drawn down completely before new funding is tapped.					
2	Convene stakeholder group (invite people, answer questions, etc)	8					
TASK SUBTOTAL		\$920	\$0	\$0	\$0	\$0	\$0
3	Prepare for and facilitate three meetings up to four hours each Work with committee between meetings, track action items, coordinate materials development, plan meeting agendas Plan charrette process with stakeholder group and planning department, including drafting publicity / outreach plan, coordinating logistics, etc.	20 24 16		20 2 1	16 2 6	8 8 8	12 8
TASK SUBTOTAL		\$6,900	\$140	\$550	\$2,880	\$1,800	\$2,600
4	Develop and Facilitate Workshops Create & deploy online survey Design and lead up to two focus groups Synthesize results from charrettes, focus groups and survey / online input Facilitate 2 stakeholder group meetings Work with stakeholder group between meetings, track action items, assist with development of recommendation/agreement, plan meeting agendas	30 6 12 6 12 18		30 6 6 12 4	24 12 16 8	8 8 8	20 12 8
TASK SUBTOTAL		\$9,660	\$280	\$1,850	\$7,200	\$1,800	\$5,200
5	Facilitate development of final stakeholder group consensus Presentation to the Planning Commission Develop final recommendations in narrative and illustrated format Attend presentation with stakeholder group to Town Council Develop draft Comprehensive Plan language	8 6 4 3		4	24		4 20
TASK SUBTOTAL		\$2,415	\$0	\$100	\$2,880	\$0	\$3,120
TOTAL HOURS		173	3	100	108	48	84
TOTAL COST		\$19,895	\$420	\$2,500	\$12,960	\$3,600	\$10,920
SUBTOTAL FOR LABOR				\$22,815		\$16,560	\$10,920

Direct Costs	\$2,000	\$1,440	\$400
Subtotal for each consultant	\$24,815	\$18,000	\$11,320
PROJECT TOTAL			\$54,135



TOWN OF
NORTH KINGSTOWN, RHODE ISLAND

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

To: Michael Embury, Town Manager

From: Jonathan J. Reiner, Director of Planning

Date: July 27, 2012

Re: Change Order #3 to TDR and Village Project – Visioning process for the western intersection of Route 2/102

The Transfer of Development Rights and Identification of Village Centers Phase I Assessment completed by the Horsley Witten Group, dated March 4, 2011 stated “The Town of North Kingstown, with input from the Town of Exeter, property owners and abutters, should determine the appropriate direction for this area (*western Route 2/102 intersection*) 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.” To this end, the Town Council recently directed planning staff to work with our consultants for the village’s project to develop a scope of work and the necessary change order to facilitate a transparent, publicly led stakeholders process to create a vision for the future development options for this intersection in conjunction with the recommendations of the villages report.

Enclosed is Change Order Number 3 to the TDR and Village Planning Project that was originally awarded to the Horsley Witten Group and its sub-consultants Dodson and Associates and Mapping and Planning Services. This proposed change order will establish and create a process to complete a visioning process and implement those recommendations in the North Kingstown Comprehensive Plan for the western route 2 and 102 intersection. This process will be driven by a stakeholder group with necessary technical support and facilitation resources to be provided by the consultant firms included in the change order. This stakeholder group will hold numerous public meetings and workshops to understand and analyze the planning, zoning, environmental, and other opportunities and constraints for planning and the future development of this intersection. This group will then make recommendations to be discussed at public workshops, and eventually the group will make a formal recommendation to the Town Council. The suggested names and makeup of the list in enclosed as part of the scope of work.

The Planning Department is requesting that the Town Council authorize a change order request for this project in the amount of \$54,135. This funding is being requested out of the undesignated fund balance. The project team will be comprised of the three consulting firms: Horsley Witten Group (\$11,320 of the contract award), the Consensus Building Institute (\$24,815 of the contract award) and Dodson and Associates (\$18,000 of the contract award). The Consensus Building Institute (CBI) will be facilitating all of the meetings and workshops to ensure that the process is transparent, equitable. CBI is charged with ensuring that all parties are able to be heard and that their thoughts are incorporated into the dialogue that will formulate the recommendations for this intersection. Dodson and Associates will assist in the facilitation of the meetings, but will mostly be focusing on the technical content of designing different development scenarios and options for the intersection based upon the current land use and multiple suggestions for future land use scenarios. The architectural drawings and designs will assist the stakeholder group in developing its recommendations. The Horsley Witten Group will be a co-lead on

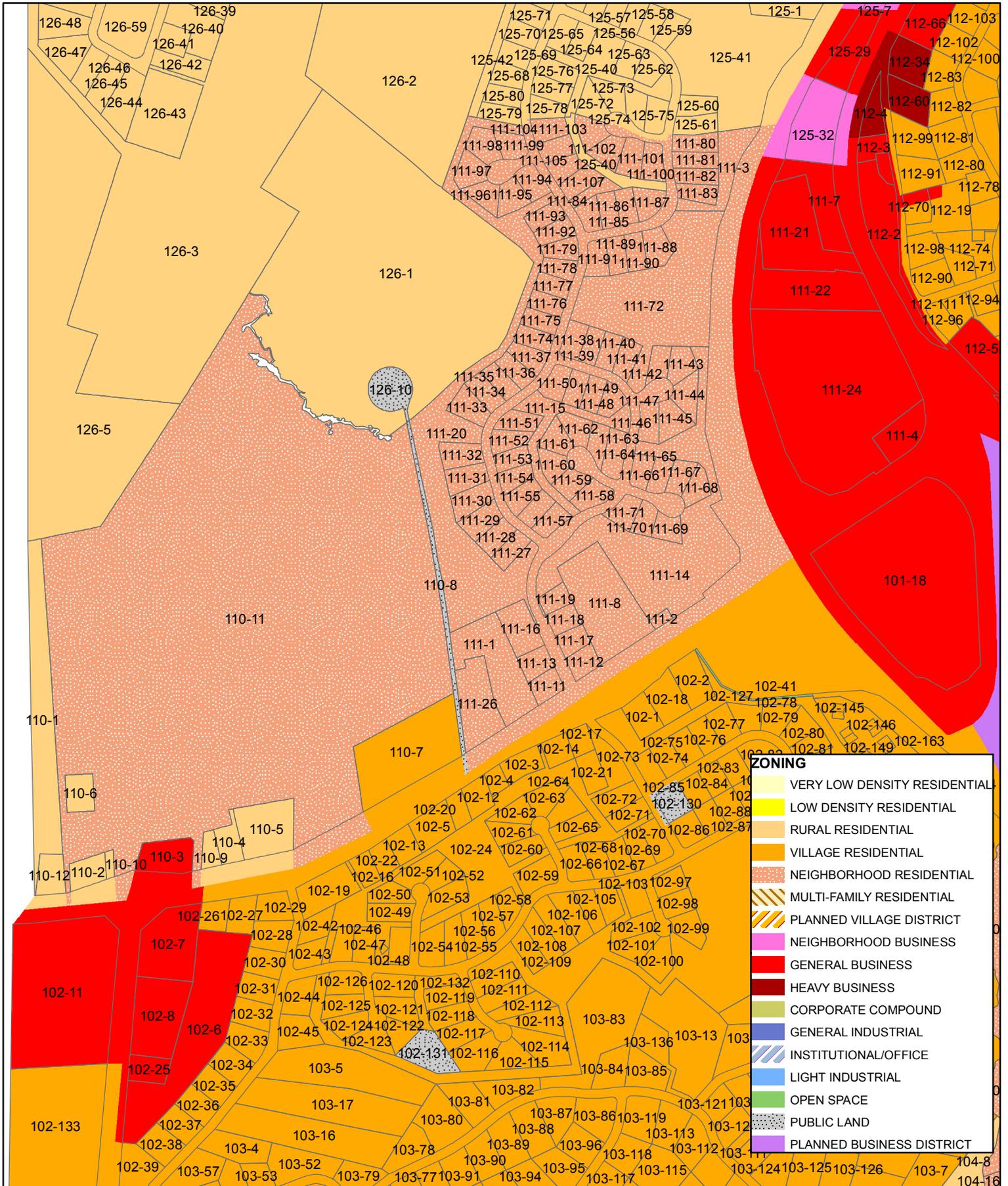
the project, but its main role will be to assist in compiling any technical materials needed for the stakeholder group, giving professional planning advice, as well as crafting the draft and final recommendations from the stakeholder group, and ultimately to and from the Town Council and Planning Commission for the project.

The history of the bidding and award of the original project contract is as follows: on September 15, 2010, the town awarded a contract to the Horsley Witten Group, Inc. (HW) from Providence, RI in the amount of \$74,866 to complete a study of our existing villages and provide revisions to the zoning ordinance, specifically to aid in further development of our transfer of development rights program and in, the adoption of village zoning standards and the development of design guidelines for those villages. Funding for the initial stages of the project was comprised in part by \$70,000 from the Rhode Island Statewide Planning Challenge Grant and \$4,866 from the North Kingstown Planning Department Special Projects budget from FY 2010. The Town Council authorized change order #1 to this project on April 6, 2011 in the amount of \$19,350 to conduct a visioning process for the Route 2/102 intersection. This process was not completed due to a vote by the Planning Commission to stop the project on May 17, 2011 (see attached meeting minutes). The original village project has been recently completed, with a final report expected to be available in the next few days. Change Order Number 2 to this project was authorized by the Town Council on June 25, 2012 in the amount of \$8,000 to reformat and reorganize the entire North Kingstown zoning ordinance.

If this change order is approved, the results of this visioning study and recommendation will greatly assist in the re-writing of the North Kingstown Comprehensive Plan which is required to be completed by December 15, 2013. Staff believes that this is a very worthwhile effort which will help to finally develop a cohesive development vision for this intersection. If you should have any questions about this change order request, please feel free to contact the planning department at extension 310.

cc: Alyward, Sunderland, Planning Commission, Bourassa, Kelly, Schweid, Stakeholder Group

North Kingstown Zoning Map



ZONING

	VERY LOW DENSITY RESIDENTIAL
	LOW DENSITY RESIDENTIAL
	RURAL RESIDENTIAL
	VILLAGE RESIDENTIAL
	NEIGHBORHOOD RESIDENTIAL
	MULTI-FAMILY RESIDENTIAL
	PLANNED VILLAGE DISTRICT
	NEIGHBORHOOD BUSINESS
	GENERAL BUSINESS
	HEAVY BUSINESS
	CORPORATE COMPOUND
	GENERAL INDUSTRIAL
	INSTITUTIONAL/OFFICE
	LIGHT INDUSTRIAL
	OPEN SPACE
	PUBLIC LAND
	PLANNED BUSINESS DISTRICT

0 0.03 0.06 0.12 0.18 0.24 Miles



Route 2 and 102 Corridor North Kingstown, Rhode Island



0 235 470 940 1,410 1,880 Feet

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Future Land Use Map

North Kingstown, Rhode Island

Future Land Use
FUTURE LAND USE CATEGORIES

- HIGH DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- VERY LOW DENSITY RESIDENTIAL
- NEIGHBORHOOD COMMERCIAL
- COMMERCIAL
- HIGH DENSITY MIXED USE
- QUONSET MIXED USE
- WATERFRONT COMMERCIAL
- WATERFRONT INDUSTRIAL
- LIGHT INDUSTRIAL
- GENERAL INDUSTRIAL
- PUBLIC
- OPEN SPACE
- CORPORATE COMPOUND
- Airport
- Water

0 170 340 680 1,020 1,360
 Feet

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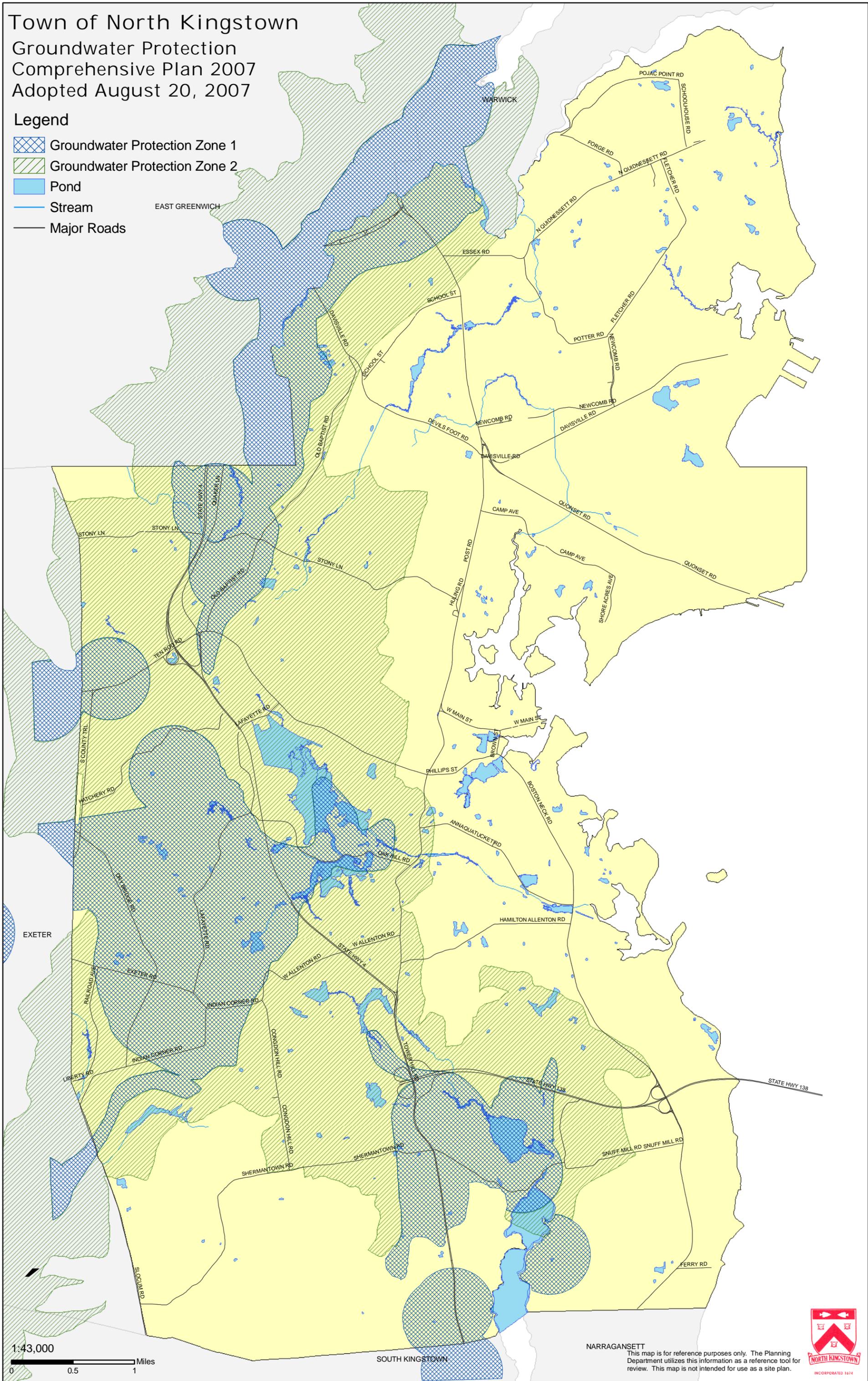
Town of North Kingstown

Groundwater Protection Comprehensive Plan 2007

Adopted August 20, 2007

Legend

-  Groundwater Protection Zone 1
-  Groundwater Protection Zone 2
-  Pond
-  Stream
-  Major Roads



1:43,000

0 0.5 1 Miles

NARRAGANSETT

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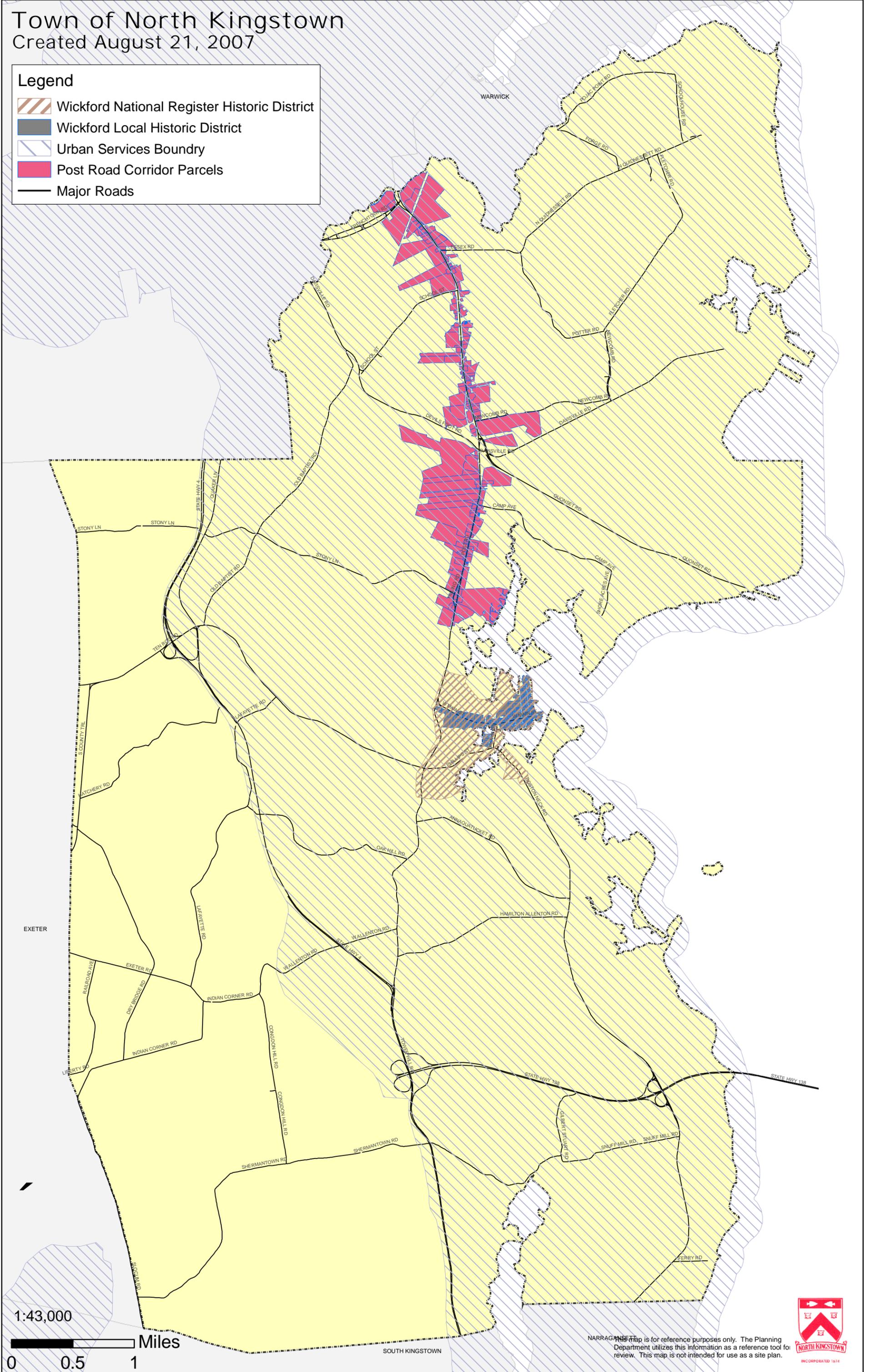


Town of North Kingstown

Created August 21, 2007

Legend

-  Wickford National Register Historic District
-  Wickford Local Historic District
-  Urban Services Boundry
-  Post Road Corridor Parcels
-  Major Roads

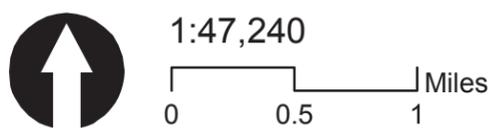
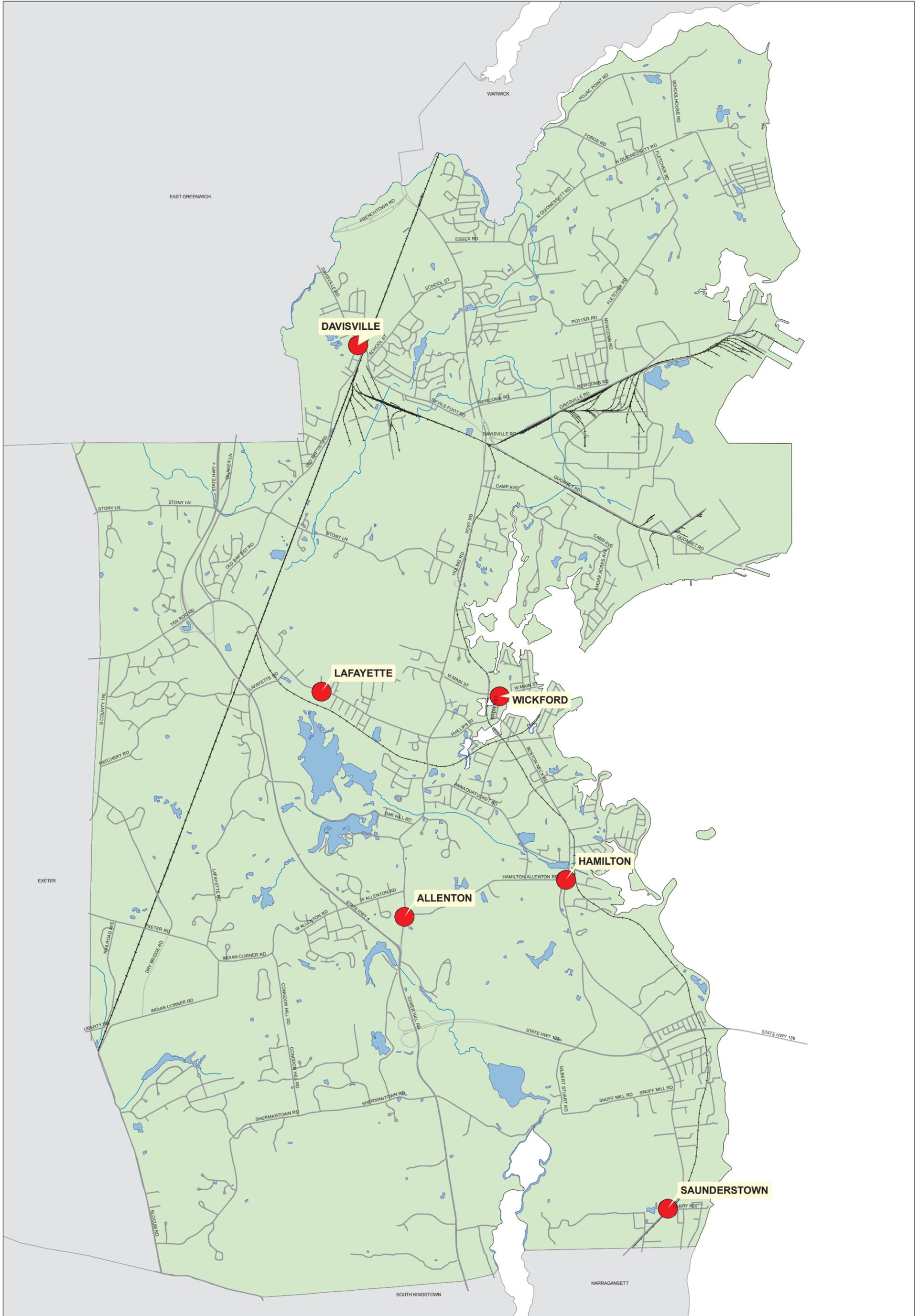


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Legend

- Village Center
- Pond
- Stream
- Roads
- Rail

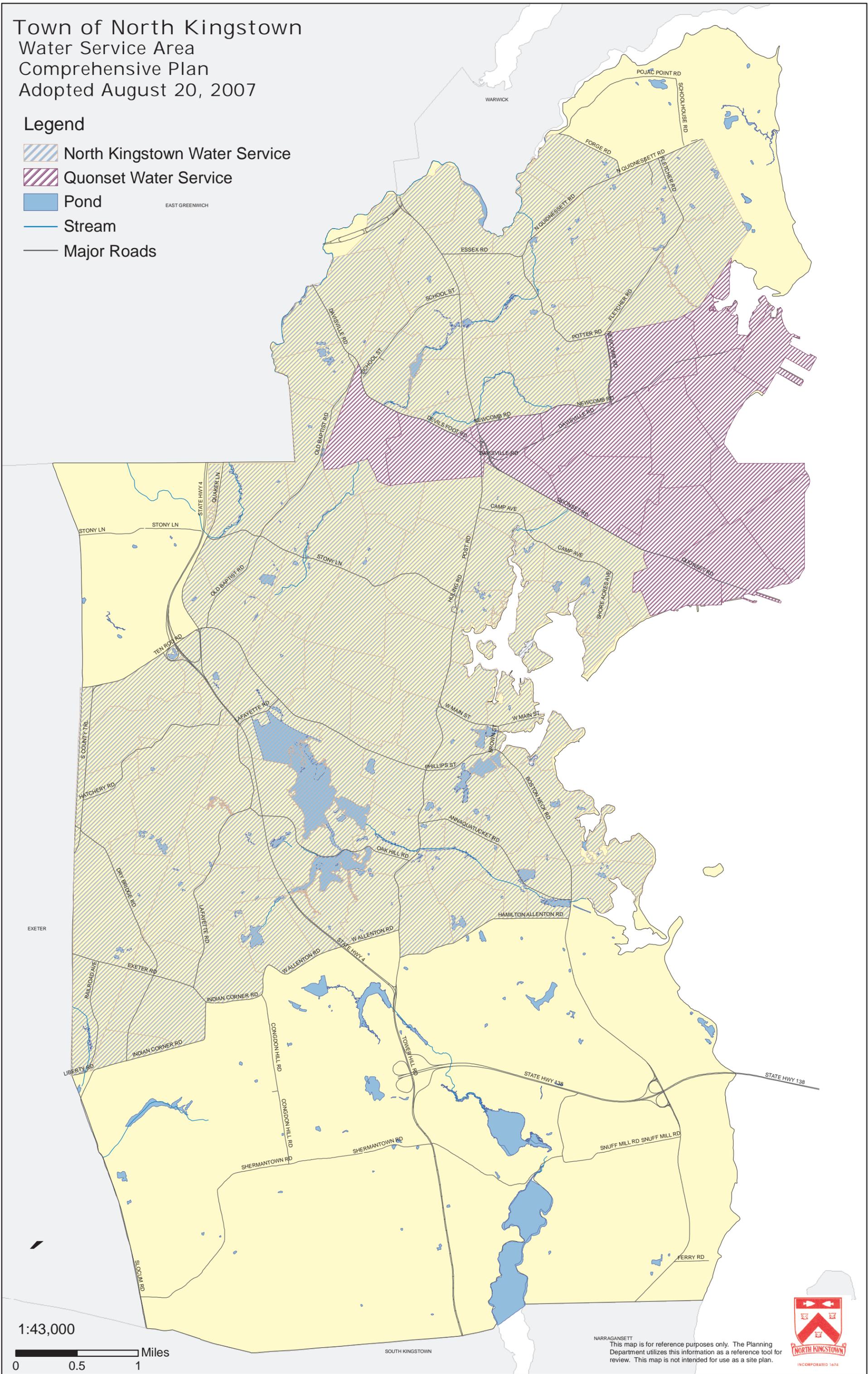
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Town of North Kingstown
 Water Service Area
 Comprehensive Plan
 Adopted August 20, 2007

Legend

-  North Kingstown Water Service
-  Quonset Water Service
-  Pond
-  Stream
-  Major Roads

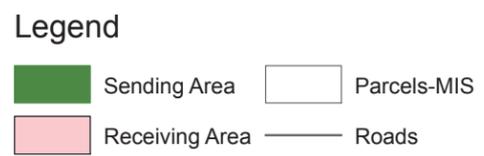
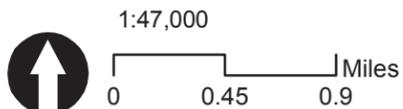
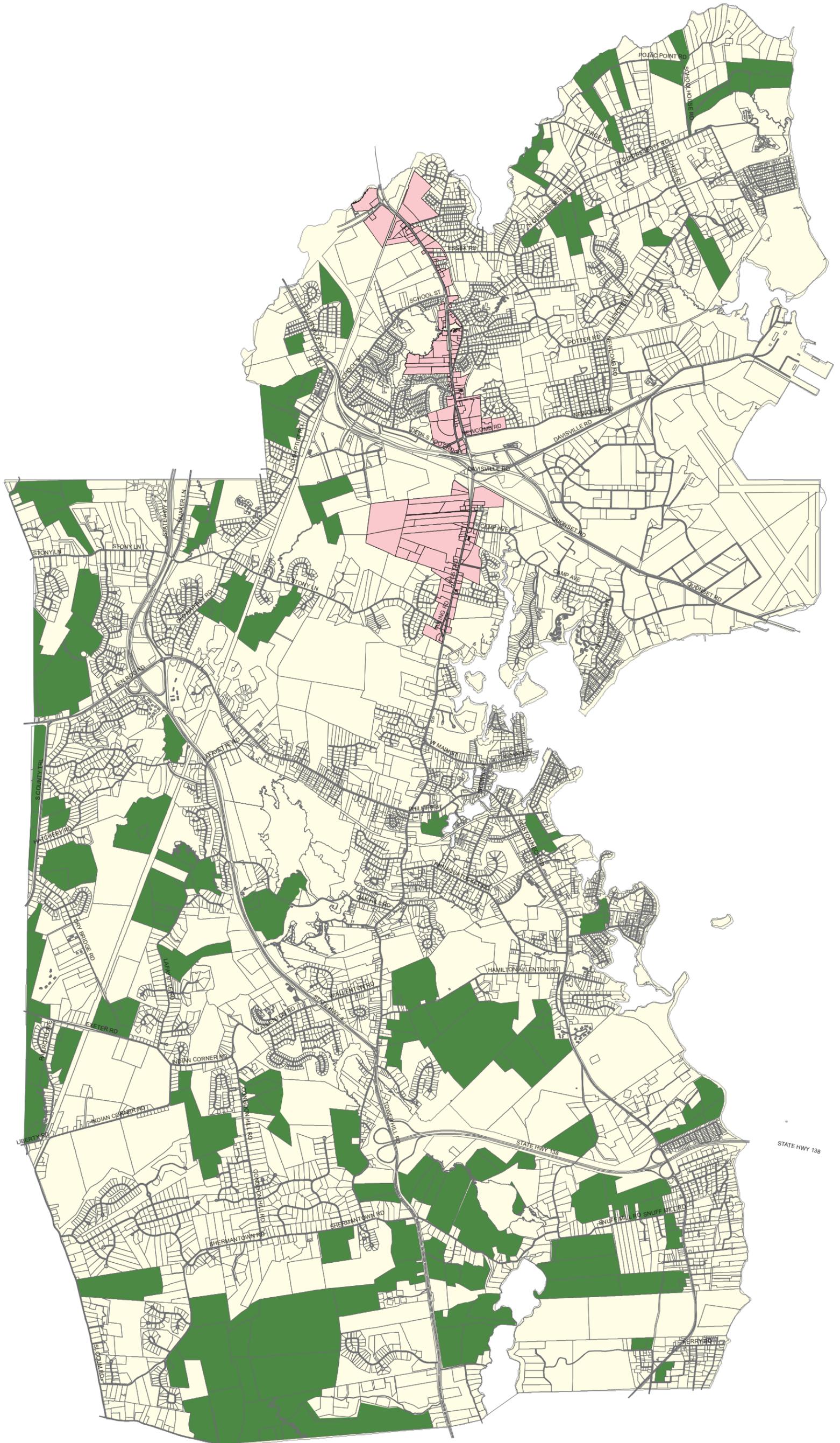


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NARRAGANSETT
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TOWN OF
NORTH KINGSTOWN, RHODE ISLAND

80 BOSTON NECK ROAD
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PHONE: (401) 294-3331
www.northkingstown.org

Date: November 3, 2011

To: Michael Embury, Town Manager

From: Planning Department

Subject: Continued Study and Application of TDR in North Kingstown

In preparation for the November 7, 2011 Town Council meeting, this memorandum provides a framework for the ongoing *Transfer of Development Rights and Identification of Village Centers* study (village study) and describes the transfer of development rights (TDR) concepts we are exploring.

BACKGROUND

The Comprehensive Plan

The TDR program in North Kingstown has its roots in the North Kingstown Comprehensive Plan, most notably the Post Road Corridor Element. This element of the plan was added as an appendix to the 2001 Comprehensive Plan over 6 years ago recognizing that Post Road was not living up to its economic potential. The element repeatedly called for revitalization of the area, which traditionally had been zoned for “General Business” development. The traditional zoning of the Post Road corridor did not create a cohesive vision for the area and opened the door to unsatisfactory and fragmented patterns of development that still exist today. The corridor is characterized by sprawling single-story strip developments that dedicate more land to parking lots than to actual economic activity. Properties generally do not connect to each other by any other means than automobile travel along Post Road. There is no residential mixed use and adjacent residential neighborhoods cannot safely access any of the businesses along the corridor on bicycle or on foot.

Post Road Corridor Plan

Following up on repeated calls for revitalization of the Post Road Corridor, the formal Post Road Corridor Plan (hereafter referred to as “the Corridor Plan”) was drafted. This document, adopted by both the Planning Commission and Town Council as an appendix to the 2001 Comprehensive Plan, provides a more detailed examination of the opportunities and limitations facing Post Road in North Kingstown. Recommendations within the plan call for adjustments to roadway configuration, streetscape improvements, and amendments to

the North Kingstown Zoning Ordinance that allow for mixed use and village-style development. When the town adopted a new comprehensive plan in 2008, the recommendations of the Post Road Corridor Plan were integrated throughout and included an updated Post Road Corridor Element.

Post Road Corridor Zoning

Implementation of the Post Road Corridor Plan began in earnest in 2006 with a zoning and outreach project funded through a Rhode Island Statewide Planning Program Planning Challenge Grant. This project took place over the course of almost three years (with additional funding from the state and the town) and set the stage for examining growth patterns in North Kingstown on a town-wide basis. As part of the process, the Planning Department and its consultant engaged multiple stakeholders including property owners, the Chamber of Commerce, local banks/lenders, local political groups, land conservation groups, and residents.

The final result of the project was the adoption of numerous regulatory reforms that applied to the Post Road Corridor and, where appropriate, to the entire town. These reforms (and others that followed later) included:

1. Creating the Post Road District zoning to replace what was primarily General Business zoning in the area;
2. Eliminating the need for a special use permit for those uses that are most desirable in the corridor;
3. Adopting town-wide innovative parking strategies that allow for reductions in impervious surface and shared parking;
4. Incorporating stormwater management standards consistent with current best practices;
5. Establishing standards for sustainable landscape installation and maintenance; and
6. Instituting design guidelines for the Post Road District that ensure that redevelopment produces high quality structures and sites consistent with the historic character of North Kingstown.

Transfer of Development Rights

As a final but critical piece for the Post Road District, the town adopted the Rhode Island's first TDR regulatory program. As with other efforts related to Post Road, the development of the ordinances and regulations associated with TDR was funded through a Planning Challenge Grant from the state. Consistent with the North Kingstown Comprehensive Plan, the Post Road Corridor Plan and the town's Affordable Housing Plan, this regulatory tool was put in place as the final regulatory mechanism for unlocking the development potential of Post Road. Key elements of the TDR program include:

1. Identification of "sending areas" in undeveloped or agricultural lands that are targets for preservation. These properties can "send" their development rights to designated "receiving areas";
2. Identification of the new Post Road District as a TDR receiving area;
3. Allowances for the use of TDR on Post Road to increase residential density from four (4) units per acre to thirty (30) units per acre;

4. Requirement for affordable housing to be included in any development that takes advantages of density incentives; and
5. Adherence to the design guidelines previously developed for the district.

TDR AND IDENTIFICATION OF VILLAGE CENTERS

In 2010, the Planning Department applied for and was subsequently awarded another Rhode Island Statewide Planning Challenge Grant to look at other potential applications for TDR in North Kingstown consistent with the North Kingstown Comprehensive Plan. The study shifts the focus from Post Road to other historic or emerging economic centers in the community and the surrounding environs. The goals of the study include:

1. Screening eight different existing or emerging village sites in North Kingstown for potential increased levels of development;
2. Assessing the feasibility of applying TDR to selected study areas;
3. Identifying the proper TDR mechanisms and incentives to apply to the selected study areas;
4. Developing zoning ordinance language to implement the appropriate incentives; and
5. Developing design guidelines for the selected study areas.

The town's consultant has presented preliminary findings to the Planning Commission and will be presenting an update of its work in the near future. At this juncture in the project, the town's consultant has recommended four different focus areas for this study: Wickford Junction, Lafayette, Hamilton, and Allenton. Unlike the Post Road Corridor, these study areas are clearly not suited to the aggressive development incentives provided as part of the existing Post Road TDR program; therefore, the next step for the consultant is to either adjust the Post Road TDR program to suit these areas or to identify completely different approaches that are better suited to a smaller scale TDR program. Approaches that will be explored as part of this project include:

1. Requiring TDR as part of any application for "up-zoning" in the village areas. This could also be easily applied to other areas of town outside the village areas if that were deemed appropriate.
2. Using TDR to allow for increases in building footprint size, increases in impervious cover, or other smaller incentives as environmental constraints would allow.
3. Using TDR in conjunction with conservation subdivisions to allow for increases in single-family residential density surrounding village core areas. This approach could provide a two-fold benefit that preserves more open space and also provides "transitional areas" of residential use between densely developed villages and outlying rural areas.
4. Developing a "fee-in-lieu" approach to TDR where a developer may gain access to certain incentives by paying into a dedicated preservation fund, which can be used to purchase development rights.

There are numerous provisions within the North Kingstown Comprehensive Plan that speak to future development of existing villages and concentrating future development to existing and proposed villages. The Comprehensive Plan also speaks to utilizing TDRs for the increase of

density in other areas in town outside of the Post Road Corridor District. For example, the TDR program could be utilized within groundwater overlay zones for both sending and receiving areas, with the receiving zones being placed further away from the wellhead protection zones and sending areas being set in place to better protect water quality. TDRs are a concept that is wholly embraced within the North Kingstown Comprehensive Plan for implementation through numerous mechanisms that will further the overall goals of the town and its plan.

Transfer of development rights is another voluntary planning tool that can further implement many of the goals and policies of the comprehensive plan and have a positive fiscal impact on the town through better development patterns and open space preservation with limited use of taxpayer funds.

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
Nathan Kelly, Horsley Witten Group

Town of North Kingstown, Rhode Island



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North Kingstown, RI 02852-5762
Phone: (401) 294-3331
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Web: www.northkingstown.org

TO: Michael Embury, Town Manager

FROM: Jonathan J. Reiner, Director of Planning 

DATE: May 21, 2012

RE: Meeting with Statewide Planning for Route 102/2 Intersection

cc: Planning Commission
Jeannette Alyward, Town Clerk

On May 14, 2012 James Reilly, Town Solicitor; Nicole Bourassa, Principal Planner; and I met with representatives of Rhode Island Statewide Planning (SWP) including Kevin Flynn, Associate Director; Jared Rhodes, Chief of Statewide Planning; Kevin Nelson, Supervising Planner; and Chelsea Seifert, Principal Planner to discuss the Route 2/102 intersection in relation to the recent denial of Schartner Bald Hill amendment and the recent application for a development at Rolling Greens Golf Course. The purpose of the meeting was to clarify the process for moving forward with coordinated development options in the intersection area and answer questions regarding the denial and next steps.

The Planning Department forwarded the memo dated May 2, 2012 to the Town Manager discussing options for this intersection to SWP prior to the staff-level meeting on May 14, 2012. As you are aware, Rhode Island Statewide Planning denied the comprehensive plan amendment to Bald Hill Nursery from high density residential to commercial, specifically stating that the change was inconsistent with Land Use 2025 because the land was located outside of the Urban Services Boundary (USB).

SWP suggested two possible paths if North Kingstown decided to move forward with a coordinated development pattern for this intersection. The intersection could be established as a growth center or an Urban Services Boundary (USB) amendment could be requested. Each option has its own process which the town will need to complete for SWP consideration. The options are outlined below.

Requesting an amendment to the Urban Services Boundary

A request to amend the Urban Services Boundary is the most tenuous option. Extending the USB further into the Town would indicate to the state and developers that it is the intention of the town to develop into these fringe areas into the future, and to possibly further invest in infrastructure improvements in these areas. The boundary does not just exclude this area but most of the western side of the town and we will need to take a broad look at changes to the future development patterns for the town. In addition, the idea of the USB is that properties within its borders are serviced by infrastructure. Our Water Service Area (WSA) delineates where water infrastructure (an integral piece of the development puzzle) is allowed and does not match such an amendment as there are portions of this area that are in and outside of the WSA. The WSA would also have to be reviewed to prove to SWP that moving the boundary meets the intentions of the town's already existing growth management tools and the state's requirement of not exceeding the safe withdrawal capacity for our water resources.

Requesting that this area be indicated as a Growth Center

The designation of this area as a growth center (or any areas either inside or outside the urban services boundary) is always an option for any municipality. Delineating areas as a growth center would indicate that the town would like to see future development concentrated into that center, and for infrastructure expansion to not go outside of the borders of the growth center. Attached for your review is a section from Statewide Planning's Handbook 16, specifically stating the requirements for a growth center.

Not all properties within a growth center need to have the same zoning designation; however, the zoning should be complementary, and relate to the other proposed zoning designations in the proposed center.

The following items were indicated as the required minimum components of a growth center request for this location:

- Parcel map mapping of the entire area;
- The current and proposed zoning of the area;
- A summary of the mixes of uses proposed for the area;
- A build out analysis of all of the properties located within the proposed growth center;
- The total amount of commercial development proposed with specific breakdowns of retail/commercial;

- Total number of residential units and variety of the types of units;
- The available infrastructure and utilizes as well as planned infrastructure and utilities (i.e. water, sewer, etc...);
- Coordination of growth center development with the Town of Exeter as the intersection is on the North Kingstown/Exeter town line; Plans for alternative non-motorized connection(s) for access from this intersection to the Wickford Junction Growth center.

It is important that North Kingstown decide the best course of action for moving forward soon, as the Planning Department recently received a revised application from Rolling Greens for a compact village development (CVD). At the next level of review, the Rolling Greens application will need to include a comprehensive plan amendment and a zoning ordinance amendment.

If you should have any questions or require additional information, please feel free to contact me at jreiner@northkingstown.org or 268-1570.

Attachement

It is expected that this land use plan map will show features from other comprehensive plan elements such as open space, recreation, economic development, community facilities, natural areas and others that project the allocation of land or special treatment.

A useful feature of the Land Use Plan would be a brief analysis of the general effect on the municipality to be brought about by the implementation of this plan element.

Recognizing that the regulation of the use and development of land is primarily a municipal function granted by enabling legislation, the Act sets forth an eighteen-month period after plan adoption for zoning compliance with the plan. The Act specifically requires that all land use plan elements contain an analysis of inconsistencies between the plan and the existing zoning ordinance and map. The analysis must consider zoning district boundaries and the standards and use requirements for these districts compared to land use goals and policies. The Act also requires that the municipality include within this element an outline and schedule of the process that it contemplates to amend or replace its zoning ordinance and map to achieve consistency with its land use goals and policies. Since the zoning ordinance and map are the principal instruments of implementation for local and state land use policy, it is important to provide an accurate and valid comparative analysis and schedule for zoning action.

GROWTH CENTERS

State Guide Plan Element 121: Land Use 2010 encourages “*development of new growth centers or villages that incorporate the concepts of this land use plan. Those concepts include: encouraging compact, mixed-use development; preserving open space; conserving natural resources; fitting the type of development to the capability of the land to support development and to the availability of infrastructure; and promoting a sense of community.*”

More recently, *A Report of the Governor’s Growth Planning Council – Growth Centers: Recommendations for Encouraging Growth and Investment in Economically and Environmentally Sound Locations in Rhode Island* (<http://www.planning.ri.gov/gpc/pdf/gpc.pdf>) defined these areas as “*dynamic and efficient centers for development that have a core of commercial and community services, residential development, and natural and built landmarks and boundaries that provide a sense of place.*” The report outlines a process where communities may volunteer to identify and the state approves growth centers. Communities benefit by identifying where they want growth to occur and, at the same time, directing growth away from areas where it should not be encouraged. The state and other levels of government benefit by identifying areas where they can best leverage investment of limited resources.

It is intended that state recognition of local growth centers will facilitate better access to the resources and technical assistance necessary to implement this land use option. Communities are encouraged, as an option, to identify and designate growth centers in their land use elements that are consistent with the above definition and, as applicable to the selected approach, to the following criteria.

1. Strengthen and encourage growth in existing centers
Criteria: The preferred locations for growth centers are areas with existing infrastructure and public services. <i>"Infrastructure" is defined here as adequate public water service, public sewerage system or wastewater management district, and transportation facilities and/or services.</i>
Infill projects, reuse of brownfields sites, and conversion of underutilized structures have priority over greenfields sites.

2. Scale new infrastructure to support compact growth
Criteria: Planned infrastructure is sized to support designated compact growth, not a sprawl development pattern.
New growth centers have adequate infrastructure either in place, or planned for a time-frame to coincide with development of the new center, as documented in the Facilities and Services Element of the local Comprehensive Plan.
Compact design minimizes the amount of land consumed on a per capita, per dwelling, and per job basis.

3. Include mixed land uses
Criteria: Centers include a mix of housing, significant employment opportunities, schools, commercial and industrial uses, and civic/public spaces and buildings.
Single-use developments, such as industrial parks, are appropriate within growth centers if they represent one component of a mix of land uses within that center.
Community comprehensive plan and zoning ordinances allow a mix of land uses to coexist within a center.

4. Create a range of housing opportunities and choices

Criteria:

Residential housing includes a range of housing opportunities, including single-family and multiple-household units for purchase or rental, and should cover a range of prices to address a full spectrum of income levels.

Community comprehensive plan and zoning ordinances allow and encourage a mix of housing types in centers.

5. Protect and enhance critical environmental resources

Criteria:

The center avoids converting working lands, such as prime farmland and forestland, into development.

The center avoids fragmenting existing greenspace, especially natural habitats and forests. Centers provide community green spaces designed for multiple uses (such as parks, sports fields, walking, biking, greenways, and water sports), and contribute to creating community/statewide, inter-connected greenspace/greenway networks wherever possible.

The center protects the local watershed and/or does not negatively impact critical and/or resource areas

Critical Resource areas are defined as Public water supply watersheds; Groundwater aquifers; Wellhead Protection Areas; Rare/unique habitat; High value recreational waters; Critical habitat for economically and/or ecologically valuable species.

The center does not negatively impact unique cultural resource areas.

Unique resource areas are defined as scenic vistas; archeological/historic sites; unfragmented forestland.

6. Provide a variety of transportation choices

Criteria:

Locations with convenient access to mass transit (existing or planned) are preferred. Centers are encouraged to include public transit hubs/stations to connect local routes.

Center layout, density, and design should encourage public transit, walking, and biking over automobile use for local trips

Automobile traffic is accommodated by inter-connected street patterns providing multiple routes to minimize congestion.

7. Promote community design that contributes to a sense of place

Criteria:

Community design within the centers encourages interactions among people, facilitate vibrant and safe street life, and maximize a strong sense of local community in harmony with the natural setting.

The streets have been designed with sidewalks and walkways, appropriate lighting, and connectedness, to promote easy and safe walking.

The center has committed to using older and historic buildings.

Centers exhibit several or all of the characteristics of walkable communities: physical indicators of where the neighborhood begins and ends, relatively narrow streets with sidewalks, residential buildings in close proximity to commercial destinations, non-residential buildings with many windows and doors set close to the street, building entrances accessible to sidewalks, on-street parking, trees and/or architectural elements that protect pedestrians from weather, use of traffic calming devices including right-angled street corners, grid street pattern with connectivity to adjoining neighborhoods, and streetscapes that include amenities such as benches, good lighting, informative signage, and plantings.

8. Encourage growth in appropriately scaled centers

Criteria:

While the configuration of an identified growth center will vary from community to community, in accordance with community character and type of center desired by the municipality, growth centers should be small enough to be comfortably walked. Except in the state's five historic urban core communities¹, municipally-identified growth centers should be no larger than an area with an approximately ¼ to ½ mile radius from its center to its edge in all directions (approximately ½ square mile to maximum of 1 square mile area).

Local governments can identify growth centers through the existing comprehensive planning process, either through the regularly-scheduled five-year comprehensive plan update, or through a comprehensive plan amendment. In order to be considered for state level approval, the identification by a local government of a growth center within its jurisdiction should include updates or amendments of all applicable elements of the community's comprehensive plan needed to incorporate the growth center as part of the plan and ensure internal consistency of all elements with regard to the addition of the growth center. The growth center amendment must include:

- A map depicting the proposed growth center boundaries in relation to the municipal jurisdiction, and showing existing development and land uses in the proposed growth center;

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¹ Providence, Woonsocket, Central Falls, Pawtucket, and Newport.

- A narrative section describing the characteristics of the proposed growth center, and how the proposal fits the definitions and meets the criteria of growth centers enumerated above;
- A vision statement for the proposed growth center;
- Proposed amendments of applicable elements of the community's comprehensive plan and future land use map, including all necessary revisions to Plan to ensure internal consistency.;
- Proposed amendment of the implementation element of the comprehensive plan that describes a list of action steps the local government proposes to take to direct development, redevelopment and/or other investments to the proposed growth center. Such steps could include waiver of local license and permit fees for development within the growth center, expedited local government permitting, prioritization of local infrastructure spending within the growth center, adoption of zoning overlays or "smart growth" codes and ordinances to promote growth in targeted areas;
- A statement discussing whether and how the implementation of the proposed growth center will impact development and investment patterns outside of the growth center;

Whether submitted as a comprehensive plan amendment or as part of a five-year plan update, the proposed growth center will be reviewed by the Statewide Planning Program in conjunction with other agencies as appropriate, and will be reviewed and acted on in accordance with the comprehensive plan regulations by the Director of the Department of Administration. This review process will ensure that the identified growth area is consistent with existing statutes and policies and with the State Guide Plan, and that the proposed growth center is consistent with the definition and criteria described above. Upon acceptance of a proposed growth center by the Director as an amendment to the local comprehensive plan, the municipality may then petition the Governor's Growth Planning Council for designation as a state growth center. If determined that the proposed growth center is not consistent with the applicable criteria described above but is consistent with the State Guide Plan the amendment may be accepted by the Director but shall not be considered by the Growth Planning Council.

Upon designation by the Growth Planning Council, the Council will cause those state agencies identified as having resources and/or technical assistance necessary for the successful implementation of the growth center concept to meet with the appropriate local officials. The Growth Planning Council shall monitor state agency response to the needs of the growth center.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration
DIVISION OF PLANNING
One Capitol Hill
Providence, RI 02908-5870

March 26, 2012

Mr. Jonathan J. Reiner, AICP
Planning Director
55 Brown Street
North Kingstown, Rhode Island 02852

Subject: Shartner Farm Comprehensive Plan Amendment. Referral Number: NK-07-02

Dear Mr. Reiner:

The above cited Amendment changed the Comprehensive Plan Land Use Map designation for a portion of Assessor's Plat 102, Lot 11 (Schartner Farms) from High Density Residential to Commercial (the Amendment). I am in receipt of your notification that the "Town anticipates a new application for development in this area within the coming weeks" and that it is likely that an additional comprehensive plan amendment would be needed. You further state, "The Town expects that this process could take upwards of another 6 months to review and make a decision". While I am sympathetic to the "moving target" that towns often face in their planning, and commend North Kingstown for its dedication in wanting to ensure that the intersection of Routes 2 and 102 is developed in a responsible manner, I cannot agree to another extension to issue a decision on this Amendment. I base this decision on the following factors.

- This Amendment was received for State review on September 20, 2007.
- We notified you in a letter dated December 19, 2007, that we were concerned that the Amendment appears to conflict with State Guide Plan Element 121, *Land Use 2025: State Land Use Policies and Plan* and requested that you provide us with additional information that may address our concerns and/or propose revisions to the Amendment.
- On four previous occasions the Town requested, and we granted, additional time to conduct studies of the Route 2/102 intersection and to "refine" the Amendment.
- Our last correspondence, dated September 22, 2011, granted the Town an additional six months to complete any studies and submit revisions to the Amendment. In that letter we specifically stated that "no further extensions will be granted".
- Having a comprehensive plan amendment that is neither approved nor denied by the State well beyond the timeline envisioned by the Comprehensive Planning Act creates a level of uncertainty that is not to the benefit of either the State or Town.

Therefore the remainder of this correspondence constitutes my findings and decision.

Findings

In completing the State review, I am charged with ensuring that comprehensive plans and amendments thereto, comply with the requirements of the Comprehensive Planning and Land Use Regulation Act (the Act) as listed in § 45-22.2-9(d). Therefore, pursuant to these requirements, I hereby find:

- 1) The intent and goals of the Act as stated in § 45-22.2-3(b)(1) and (c)(1)through (11) have been met.
- 2) The Plan as amended is internally consistent and complete as required by § 45-22.2-6.
- 3) The Amendment is not consistent with the State Guide Plan and does not embody the goals and policies of the State and its departments and agencies. Specifically, the Amendment is not consistent with State Guide Plan Element 121: *Land Use 2025: Rhode Island's Land Use Policies and Plan*, Goal LU1a – Focus growth within the urban services boundary and in centers of different sizes and types; support traditional centers over new development.

This finding is based on the fact that the area re-designated from High Density Residential to Commercial is outside the Urban Services Boundary established by *Land Use 2025*.

Furthermore, the Town has not provided information that the subject site is part of a planned municipal center for growth.

- 4) Municipal planning activities have been coordinated according to the provisions of section 45-22.2-7.
- 5) The Amendment has been officially adopted and submitted for review in accordance with §45-22.2-8 and other applicable procedures;
- 6) The Town has complied with the rules and regulations adopted by the State Planning Council.
- 7) Adequate, uniform, and valid data have been used in preparing the Amendment.

Decision

Based upon the above findings, specifically finding 3), I am compelled to issue a formal denial of State approval to the Comprehensive Plan Amendment to changing the Land Use Map designation for a portion of Assessor's Plat 102, Lot 11 (Schartner Farms) from High Density Residential to Commercial. In accordance with § 45-22.2-9(g), this disapproval applies to the amendment only and does not affect the validity of the previously approved sections of the Comprehensive Plan.

It is important to note although this Amendment does not have State approval, it remains a valid municipal tool for land use decisions. However, the Amendment is not binding on the actions of State agencies. Additionally, having a portion of the Comprehensive Plan without State approval could put the Town at a disadvantage in certain State grant programs.

I believe it is in the best interests of both the Town and the State for North Kingstown to have its Comprehensive Plan fully State-approved. Therefore, I strongly encourage the Town to

complete any additional studies and revise the Amendment as appropriate. Upon completion of the revisions, I look forward to your expressed intent to engage our office for a preliminary review prior to Town Council action.

Please feel free to contact Jared Rhodes, Chief, or Kevin Nelson, Supervising Planner, if you have any questions, concerns, or requests for assistance. Mr. Rhodes can be reached at 222-5772 or jared.rhodes@doa.ri.gov; Mr. Nelson can be reached at 222-2093 or kevin.nelson@doa.ri.gov.

Yours truly,

A handwritten signature in black ink, appearing to read "Kevin M. Flynn". The signature is fluid and cursive, with the first name "Kevin" being the most prominent.

Kevin M. Flynn,
Assoc. Dir. Division of Planning

copy: Jared Rhodes
Kevin Nelson