

Town of North Kingstown, Rhode Island



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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.