

LAND USE

INTRODUCTION

This element studies the physical layout of Charlestown: the density and appearance of developed areas and the types and mix of land use. The density, appearance, type, and mixture of developed and undeveloped land combine to form a picture of the town for residents and visitors. The types of land use affect how the community functions - where people are employed or shop and where they go for recreation and services.

The land use element is closely related to the other elements:

- o The amount and type of land use affects the tax base and the need for sewer, water, schools, fire/police protection, and other municipal services. The presence of these services can spur or hinder the rate of development;
- o The density and type of land use affects the protection or use of natural and cultural resources. The effect of land use on water quality has been a concern in Charlestown for many years: dense development may threaten water quality of the groundwater and salt ponds with septic system leachate and stormwater runoff;
- o The historic resources of Charlestown contribute to the character of the community. It is important to plan for land uses compatible with these resources in order to protect the historic qualities of the sites;
- o The economy of a community depends on the land available for use and the population living and working nearby;
- o The town's tourism industry is largely based on distinctive scenic resources such as the coastal pond areas and inland woods and fresh water systems. Protecting these resources from development has provided natural areas that attract many visitors to the town.

Many of the recommendations that are developed in other elements of the comprehensive plan will be integrated into the land use element and implemented through zoning and other land use controls.

Organization of This Chapter

- o Goals and Policies - developed by Charlestown residents and officials and state agencies.

- o Existing Conditions - an inventory of existing land use in Charlestown, historic trends, planned developments, and the general patterns of land use in tribal lands and neighboring communities.
- o Existing Land Use Controls and Regulations - a discussion of current land use controls, including non-regulatory tools, such as ownership and tax incentives, and regulatory controls, such as zoning and subdivision regulations.
- o Recommendations/Implementation.

GOALS AND POLICIES

Goals and Policies of the Town of Charlestown

The goals of Charlestown's residents and officials provide the direction for the comprehensive plan. Goals describe in general terms the qualities that town should strive for or achieve in the future. Policies are guidelines for achieving the goals and refer to relatively specific concerns.

The following preliminary goals and policies have been developed from a survey commissioned by the town and discussions with the Comprehensive Plan Citizens Advisory Committee (CPCAC), town officials, and the general public.

Major Goal

To protect the natural and cultural resources and rural character of the town while providing the housing, economic base, and services necessary for the broad range of residents to enjoy the high quality of life associated with the town.

Major Supporting Policies

- Preserve the visual qualities of the villages, shorelines, important natural features, historic areas, scenic roads, and major collectors and arterials;
- Preserve vegetated buffers between land uses and roads, streams and wetlands;
- Maintain the current general patterns, scale, and densities of development, with the most dense development occurring in villages and generally low density development occurring outside the village areas;
- Maintain Old Post Road from Town Dock Road east to the South Kingstown town line as the center of business;
- Manage growth and development to reflect the natural characteristics (resources and constraints) of the land;
 - Ensure that town staff and the boards and commissions that review land development proposals have adequate mapping to make well-considered land use decisions, including zoning, property, and resources/constraints.
- Provide flexibility in land use management tools where appropriate based on natural constraints to encourage alternative land use developments;
- Discourage incompatible uses in Charlestown;

- Work with neighboring communities, including the Narragansett Tribe, to ensure that land uses along the common borders of communities are compatible.

Goals of the State of Rhode Island

This Comprehensive Plan includes consideration of state goals and policies to ensure consistency between local and state plans.

The following goals concerning land use were summarized in the State Guide Plan Overview (State Guide Plan Element 010).

- o To create and maintain within the State of Rhode Island conditions under which man and nature can exist in productive harmony in order that present and future generations may enjoy clean air and water, productive land, and other natural resources with which this state has been endowed.
- o Relate state land use policies to anticipated population growth in a manner that will maintain the distinction between urban and rural, and inland and shore environments.
- o Facilitate land use and development that will sustain and promote economic growth consistent with the state's characteristics and environmental objectives.
- o Guide the development of land and water to produce a healthful, efficient, and aesthetically pleasing environment.

EXISTING CONDITIONS

Regional Setting

The town of Charlestown is located along the southern shore of Rhode Island approximately equidistant from Groton/New London, Connecticut, and Providence, Rhode Island, each a drive of approximately 40 minutes (see Figure 1). Charlestown is bounded to the west by the towns of Westerly and Hopkinton. In Westerly, the village of Bradford is located near the Charlestown border, and in Hopkinton, the villages of Burdickville and Ashaway are near Charlestown. Charlestown's neighbor to the east is the town of South Kingstown, containing the villages of Peace Dale and Wakefield further from the border. To the north is the town of Richmond, with which Charlestown shares the villages of Carolina and Shannock. The Richmond villages of Wood River Junction and Alton are also located near Charlestown. The lands of the Narragansett Tribe of Indians, approximately 1,900 acres, are almost entirely surrounded by Charlestown and adjoin Richmond to the north. These lands comprise a community separate from Charlestown.

The town landscape is divided by a ridge of steeply rolling hills (glacial moraine) that run north of U.S. Route 1 parallel to the shore (see Figure 2). The flat sandy coastal area extends roughly from Route 1 south to Block Island Sound. North of the moraine, the terrain is more gentle with large wetlands such as the Cedar Swamp and open water bodies such as Watchaug, Schoolhouse, and Pasquisset Ponds. The northern boundary of the town is defined by the Pawcatuck River.

Most salient landmarks within the town reflect natural features and historic use: the breachways, the ponds, Quonochontaug, the former Naval Air Station (Ninigret Park and Wildlife Refuge) and the Old Post Road, Cross Mills, and Arnolda, for example. The tribal lands, designated in a recent settlement, reflect the historic presence of the Narragansetts.

The town contains several natural resource features that define its character. The unusually large amount of conservation and recreation land in Charlestown reflects the amount of important natural resources in the town. Burlingame State Park, Ninigret Wildlife Refuge, Ninigret Park, and East Beach comprise approximately 20 percent of the total land area of the town and protect wetlands, fresh and salt ponds, a barrier beach system, and other valuable habitats. Charlestown contains a considerable amount of fresh water wetlands, including the Pawcatuck River, three sizable ponds, smaller "kettle" ponds, and many swamps and marshes. Ninigret Pond and Quonochontaug Pond are coastal salt ponds located behind a barrier beach system. They are connected to the ocean by natural (but maintained) breachways. The coastal ponds, fronted by barrier beaches, provide a recreational resource for the state as well as the town, attracting visitors and serving as focal points for development.

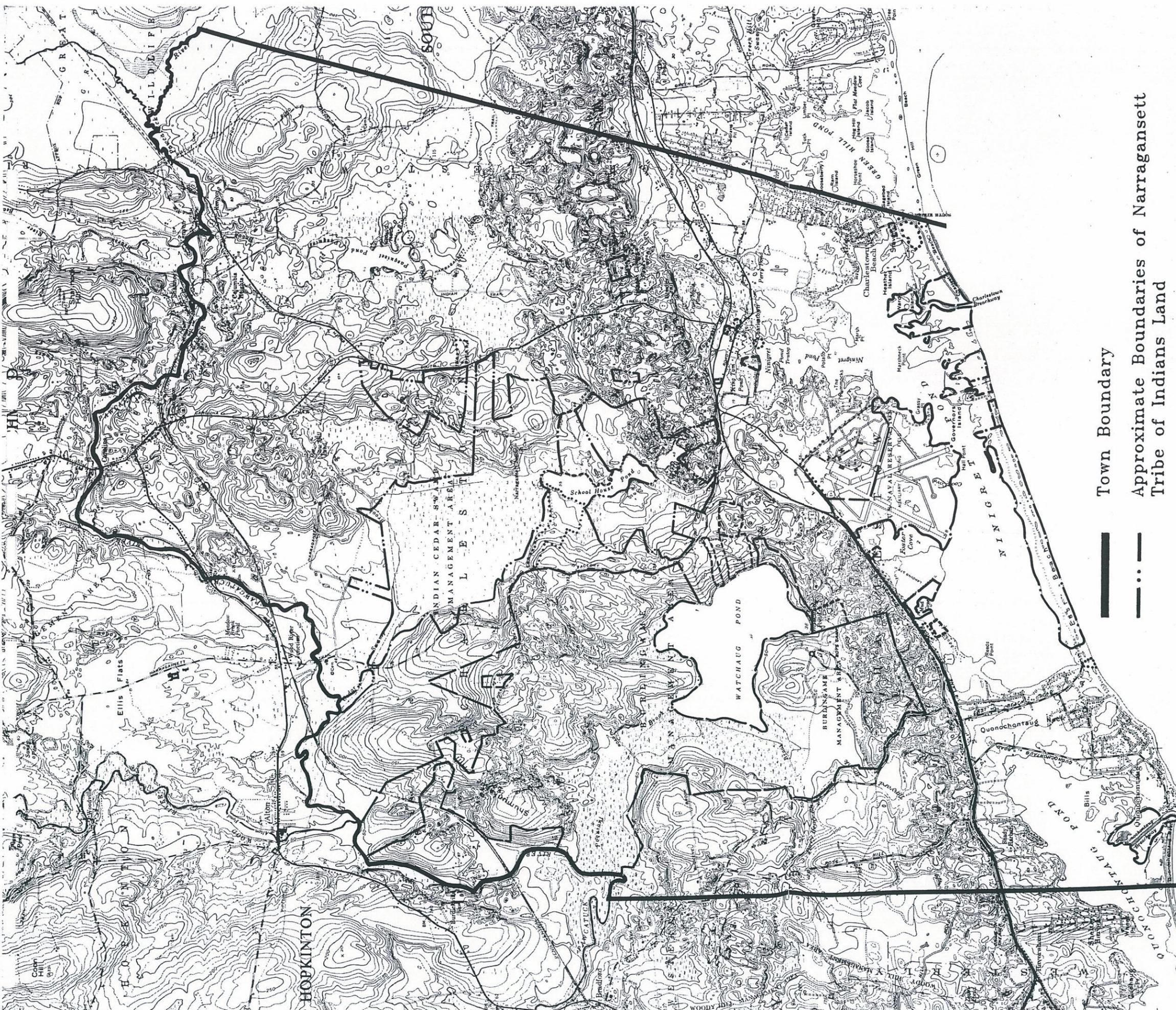


ATLANTIC OCEAN

Vanasse Hangen Brustlin, Inc.

Figure 1
Regional Setting

Comprehensive Plan
Charlestown, R.I.



Town Boundary

Approximate Boundaries of Narragansett Tribe of Indians Land

Approximate Boundaries of State Land

Approximate Boundaries of Federal Land

Approximate Boundaries of Town-Owned Land

Approximate Boundaries of Private Recreation/Conservation Land



NOTE: ALSO SEE OPEN SPACE AND RECREATION ELEMENT, AND SERVICES AND FACILITIES ELEMENT FOR ADDITIONAL PROPERTIES

United States Geological Survey 7 1/2 Minute Topographic Maps

TOPOGRAPHY, PUBLIC LAND AND PRIVATE RECREATION/CONSERVATION LAND Figure 2 CHARLESTOWN COMPREHENSIVE PLAN - 1991

Land Use in Charlestown

The existing land use in Charlestown was determined from several sources. A recent study (IEP, 1989) created an inventory of land use by lot from tax assessor's records and aerial photographs. The inventoried land uses were mapped onto an assessor's map of lots and compared with aerial photographs (1988), field observations, and discussion with town officials. Land use was mapped by the area of use, rather than by property lines. The resulting Land Use Map is shown in Figure 3. Table 1 presents the amounts of each land use type.

Table 1

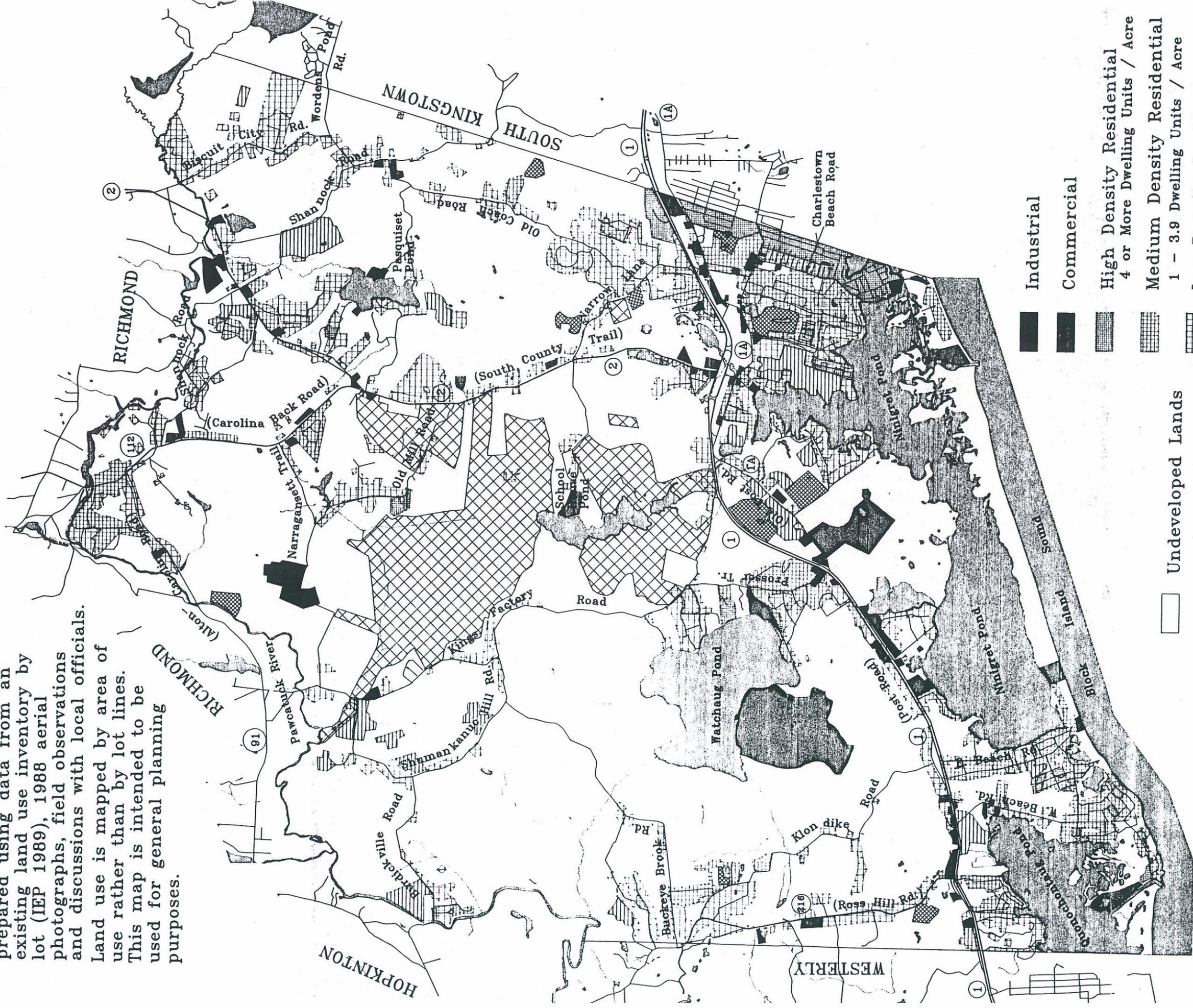
Existing Land Use

	Acres	Percent
Total land in Charlestown	21,075*	100%
Low density residential (<1 dwelling unit/acre)	1,584	7.5%
Moderate density residential (1-3.9 dwelling units/acre)	1,166	5.5%
High density residential (≥4 dwelling units/acre)	290	1.4%
Multi-family residential	34	<0.1%
Commercial	145	0.6%
Agriculture	475	2.2%
Public Lands	4,930	23.4%
Private Conservation/Recreation	156	0.7%
Developed Recreation Lands**	280	1.3%
Gravel Pits/Junkyards/Landfill	65	0.3%
Undeveloped	12,797	60.7%

*Approx. land area in town, Tribal lands (1,957 ac.) excluded

** For instance, camps, ballfields

Note: This Land Use Map was prepared using data from an existing land use inventory by lot (IEP 1989), 1988 aerial photographs, field observations and discussions with local officials. Land use is mapped by area of use rather than by lot lines. This map is intended to be used for general planning purposes.



0 4000
Scale in Feet

Data Source: Map prepared by Vanasse Hangen Brustlin, Inc. from Town of Charlestown and RIGIS data.

-  Undeveloped Lands
-  Narragansett Indian Tribe Lands
-  Water
-  Industrial
-  Commercial
-  High Density Residential
4 or More Dwelling Units / Acre
-  Medium Density Residential
1 - 3.9 Dwelling Units / Acre
-  Low Density Residential
<1 Dwelling Unit / Acre
-  Agricultural
-  Developed Recreation
-  Quarry / Landfill / Salt Pile / Junkyard

EXISTING LAND USE
CHARLESTOWN COMPREHENSIVE PLAN - 1991

Figure 3

General Patterns

The town of Charlestown has a distinctive rural character. The town contains several small villages or settlements located at the extreme northern and southern ends of the town, rather than a centralized town locus. Between the settlements, most of Charlestown is undeveloped or developed only sparsely along the roads. Table 1 shows the approximate proportions of various land uses, as well as the public land held for conservation and other purposes. Generally, the development that has occurred preserves the rural character of the town. Most development consists of single family homes scattered along the town's roads. The rolling topography of much of the town and the generally large wooded lots have kept the homes unobtrusive. More densely developed residential areas tend to occur as compact neighborhoods or settlements.

Very few commercial or industrial uses occur in the town. Most of the commercial uses are small businesses occurring in the village of Cross Mills or scattered along Route 1 (Post Road), Route 2 (South County Trail), and Route 112 (Carolina Back Road). The industrial uses include Kenyon Piece and Dye Works, along Route 2 in northernmost Charlestown, and the United Nuclear Corp. facility (presently closed) accessed off of Route 112.

The town relies entirely on Individual Sewage Disposal Systems (ISDS), with the exception of a package sewage treatment system at Kingsland Apartments. Most homes receive water from private wells, with the exceptions of Shady Harbor, East Beach, the apartment buildings and mobile home parks, and a few connected to the South Kingstown water supply. The reliance on ISDS and private wells limits the density and location of development due to health and environmental concerns. Development is generally prohibited in areas with a high water table, because the soils do not allow ISDS to function. The density of development is limited due to the reliance on ISDS and wells: because of health concerns, wells generally must be located a minimum of 100 feet from septic systems. In excessively well drained soils in the salt ponds watershed, the limit is extended to 150 feet. In addition, the density of land use allowed along the south shore has been reduced in order to protect the salt ponds and groundwater from bacterial contamination and excessive nutrients resulting from septic system leachate.

The land use patterns generally can be discussed in terms of location relative to Route 1. The difference between land use in northern and southern Charlestown is due largely to the land features in the two areas and the resulting historic growth patterns. Southern Charlestown is flat with well drained soils and encompasses the salt ponds. This area was the location of early plantations and the adjacent village of Cross Mills. Later, due to the shore access, the area became the focus of settlements of summer houses. The south shore has continued to be a popular location for development. It is the most heavily developed area of Charlestown, with numerous residential settlements and supporting businesses.

Northern Charlestown is much hillier than the south shore area, often with winding narrow roads. The soils tend to present greater constraints to development than in the south, being rockier and poorly drained. Northern Charlestown was slow to develop and is still generally only sparsely developed. However, the Pawcatuck River, the northern border of the town, provided power and served as a focus for several mill villages that were built during the Industrial Revolution and remain as densely developed settlements today.

Land Use by General Location in Charlestown

The following is a brief discussion of land uses in Charlestown by general location in the town, proceeding from north to south.

Northern Charlestown - historic villages area. Shannock, Carolina, and Kenyon were built as villages to house workers at mills in the three locations. Shannock and Carolina are shared with the town of Richmond across the Pawcatuck River. While several historic structures still survive, Shannock and Carolina are presently more dense settlements of homes than mixed-use villages. Shannock contains a church, a small convenience store, a post office, and a fire station. The village is also associated with the residential community of Columbia Heights to the south. In Carolina, historic and more recent homes line the road. Carolina contains a few small businesses. Kenyon contains a small variety of uses along Route 2 in northern Charlestown. The mill still functions, and the area also contains a post office and some homes. A few subdivisions of low to moderate density have been developed near the villages.

Northeastern Charlestown. Roughly, the area described here extends east from Pasquisset Pond and south from the northern border to just south of the landfill. The roads in this part of town are generally sparsely developed with the exceptions of a few residential subdivisions of low to moderate density. The northeastern part of town contains very few commercial uses, including two restaurants. Some agricultural land is found off Old Shannock Road. A portion of the state Great Swamp Management Area is located at the northeast corner of the town. The town landfill and dog pound are located off Old Coach Road.

Northwestern Charlestown. The northwestern part of town along Shumankanuc, Kings Factory, and Burdickville Roads, is also sparsely developed. Low to moderate density residential development has occurred along Shumankanuc and Burdickville Roads, and a small subdivision of moderate density has been developed at the northwestern edge of town. This area contains some small agricultural uses including a horse farm along the Pawcatuck River.

Central Charlestown. Much of the center of Charlestown, extending roughly from Old Mill Road to Schoolhouse Pond and Watchaug Pond, is permanent open space held by the State of Rhode Island in Burlingame Park. The Narragansett tribal lands are found in this area. These lands are largely surrounded by Charlestown; however, they are not part of the town.

Routes 2 and 112. Routes 2 and 112 are major roads connecting northern and southern Charlestown and are more heavily developed than surrounding areas. Along Route 112 is found scattered residential development, a subdivision of moderate density, and the United Nuclear site, which is comprised of more than 1,100 acres and extends to the Pawcatuck River. Kenyon Piece and Dye and its associated mill houses and a post office are located along the northern part of Route 2. Along Route 2, low to moderate density residential development is found in bands of frontage lots (residential lots cut from larger lots along the road) interspersed with undeveloped land. A few small commercial uses are scattered along Route 2, including a gas station, a liquor store, a restaurant, and two auto salvage yards. The town offices are located about halfway between northern and southern Charlestown, and the Tribal headquarters is about a quarter-mile north of the Town Hall. A mobile home park, a small commercial

complex with gift shops and a restaurant, a home improvement store, and a dentist's office are found at the southern end of Route 2. The development is more visible along Route 2 than in the interior sections due to relatively small lot sizes (approximately 1 acre) and the relatively gentle topography of the road.

North - South Transition: Large Developments North of Route 1

Ross Hill Road, Watchaug Pond, and the Narrow Lane-Old Coach Road areas represent a transition between the land uses of northern and southern Charlestown, connecting directly to the south shore area via Route 1. In these areas, rather large subdivisions of low to moderate density have been developed. Ross Hill Road contains relatively large bands of low-density residential frontage lots in addition to subdivisions. Along the southern and eastern shores of Watchaug Pond, moderate to high density development occurs along Sanctuary Road and in a densely developed settlement along Prosser Trail. In spite of the size or density of these developments, they retain the rural qualities characteristic of northern Charlestown, with vegetation and topography separating land uses from each other.

Route 1. Route 1 (Post Road) is a divided four-lane highway, but even this well travelled road is not heavily developed. In eastern Charlestown the road is a limited access highway as far as Prosser Trail, passing through otherwise undisturbed woods and hills. Two low-story apartment complexes are located off Route 1 in eastern Charlestown. A few businesses from Cross Mills are visible along Route 1. West of Tamanaco Drive, Post Road is no longer a limited access highway. Beginning at about Route 2, a few businesses occur along the road. Many of these are gift shops, motels, and restaurants. Toward western Charlestown, the number of roadside businesses increases, including a convenience store and two gas stations.

Southern Charlestown: Cross Mills/Charlestown Breachway Road. The southern part of Charlestown is the historic and present focus of much of the activity in Charlestown. Cross Mills and Charlestown Breachway Road function as a multi-use village. The area contains a variety of businesses including restaurants, grocery stores, real estate agencies, a bank, a motel, and marine businesses. Cross Mills also contains a post office, the town library, a marina, and churches, in addition to many homes.

Southern Charlestown: Around the Salt Ponds. In addition to Cross Mills, several residential communities form the nuclei for south shore residential developments, including Arnolda, north of Ninigret Pond, the Charlestown Breachway Road communities and Quonochontaug (including East Beach and West Beach Roads). Many of these began as summer colonies and since have been converted to year round use. Many of the areas, albeit densely developed, give the image of quiet, seaside communities. Areas around the salt ponds continue to be developed. Former potato fields have been converted to residential uses with no trees to provide concealment. In other cases, houses have been built directly on the barrier beaches, with new homes having special construction to minimize flood damage from storm waves.

Such dense development around the salt ponds has raised concerns of pollutants travelling into the groundwater and salt ponds. Also, development on the barrier beaches has raised concern over property erosion and flood damage from coastal storms.

Much of the land around the salt ponds is owned by federal, state, or local government agencies. The largest parcels include Ninigret Wildlife Refuge and Park, Charlestown Beach and parking lot, Ninigret Beach, and the Quonochontaug Breachway state park. Smaller publicly owned parcels, such as the town dock and Fort Ninigret monument provide additional access to the ponds. Most of these areas are used for beach activities, boating, fishing, and shellfishing. Ninigret Refuge is a wildlife sanctuary, and Ninigret Park has various facilities for passive and active recreation.

Land Use in Adjacent Communities

By addressing the land use in adjacent communities, the Comprehensive Plan can help ensure compatibility of land use between communities.

Use of Lands Held by the Narragansett Tribe of Indians

The Narragansett Tribe holds approximately 1,900 acres of land within Charlestown, derived from a settlement with the federal government in 1985. Under the terms of the settlement, half the area was acquired from public lands, and the other half from privately owned parcels. The public settlement lands were derived from the state owned land of the Indian Cedar Swamp Management area, the Indian Burial Hill, and the Deep Pond Area. This land, amounting to about 900 acres, is to remain perpetually as a conservation area. The private settlement lands were derived from privately owned lands that were condemned for transferral to the Tribe. This land is also a 900 acre parcel, 675 acres of which is to remain as a conservation area. The remaining 225 acres may be developed after the Narragansetts adopt a land use plan for the settlement area, and the Town and State accept the plan. The location of the developable land has not been determined.

The State has reserved access to Deep Pond and the Pawcatuck River, and the settlement provides the Providence Boys Club with a perpetual access to its holdings in the area if necessary. The Tribe retains a 45 foot wide right of way through State land in order to access Watchaug Pond from Kings Factory Road.

Land Use in Surrounding Communities

Generally the land use patterns in surrounding communities are similar to those in the same vicinity in Charlestown.

South Kingstown. Similar to Charlestown, South Kingstown changes from very rural land use patterns in the north to a densely developed south shore residential and recreational area near Charlestown. Near the northern end of Charlestown, South Kingstown contains the Great Swamp reserve and Wordens Pond Road, a continuation of one of Charlestown's rural roads. The area between Wordens Pond Road and Route 1 is very sparsely developed. Route 1 itself is undeveloped near Charlestown. Along the south shore Route 1A leaves Cross Mills to become a quiet residential road. Dense neighborhoods surrounding Green Hill Pond and along the Green Hill (barrier) Beach contain many homes. Like Charlestown, South Kingstown has a protected salt pond/barrier beach in Trustom Pond and Moonstone Beach. Unlike Charlestown, South Kingstown has extended sewers to its coastal communities. Further from Charlestown, South Kingstown's land use becomes different. The University of Rhode Island and the

village of Kingston are located in northern South Kingstown. The village of Wakefield is quite large and together with northern Narragansett provides food markets, department stores, gas stations, professional services, state government offices, and newspapers.

Richmond. Charlestown shares a regional school with its two rural neighbors, Richmond and Hopkinton. The town of Richmond is quite similar to the rural northern part of Charlestown. The two towns share the historic villages of Shannock and Carolina and a fire station. Kings Factory Road in Charlestown crosses the river and leads to the village of Wood River Junction, a settlement with historic houses and a few small businesses. On the southern border of Richmond and Hopkinton near Charlestown is the village of Alton, which contains an active mill. A short distance north of the Pawcatuck River along Route 2, Richmond has large turf farms.

Hopkinton. Like Richmond, Hopkinton is a largely rural community with scattered villages. Residential development associated with Burdickville continues from Charlestown to the village center in Hopkinton. This is mostly a residential area with one or two small businesses such as convenience markets. The town is sparsely developed between Charlestown and the village of Ashaway to the northwest, where the Hopkinton town offices are. Further from the border, northern Hopkinton is also quite rural, containing the villages of Rockville, Centerville, and Moscow, as well as state management areas.

Westerly. Westerly grades from a relatively rural north to a densely developed south. In the north, the village of Bradford spills over into Charlestown. This area is mostly a residential settlement with one or two convenience marts and services. Bradford also contains some larger commercial and industrial uses. The relatively dense development along Route 216 in Charlestown continues in Westerly, but west of Route 216 is the sparsely developed Woody Hill Management area. Route 1 in Westerly becomes increasingly developed proceeding west. A short distance from the Charlestown border, Route 1 is characterized by dense residential (suburban) development and considerable commercial development along much of the road (commercial strip development). Along the shore, nearby development is similar to Charlestown's with residential neighborhoods of varying density around the salt ponds. Quonochontaug Beach is undeveloped. Further west, the land use intensifies on the shore at the Misquamicut resort/amusement area. At the Connecticut border, downtown Westerly is a large mixed use town center, with similar or greater opportunities for shopping, employment, and services as in Wakefield. Along the shore, the community of Watch Hill is a densely developed historic seaside resort, known for its stately homes near Watch Hill Beach.

CURRENT LAND USE MANAGEMENT TOOLS AND REGULATIONS

Several methods are used to manage land use:

- o Ownership - public or nonprofit organizations' ownership of the land or development rights can limit the types of uses that occur. Deed restrictions and conservation easements can also be used to manage land use.
- o Fiscal strategies - Preservation of undeveloped land can be encouraged through tax incentives.
- o Limited Access Highways - Access by curb cuts is not permitted along limited access highways. Without alternative access, the land cannot be developed.
- o Regulatory measures - include zoning and subdivision regulations. Certain requirements of environmental regulations also manage land use.

Ownership

As shown on Figure 2 and Table 2, a considerable amount of land in Charlestown is owned by government agencies. The Burlingame Park/Management Area represents over 3,762 acres in central and northern Charlestown that will be used for conservation and recreation. In addition, another 500 acres of recreation and conservation land is held by private organizations such as various campgrounds and the Audubon Society. Access to fresh and salt water bodies is ensured by town and state ownership of land next to Watchaug Pond, School House Pond, Ninigret Pond (several areas on both sides of the pond), and along the Quonochontaug Breachway. The public ownership of land along the fresh ponds and Ninigret Pond and on the barrier beach ensures that land use will be controlled in these areas.

The Tribal lands are outside the Town's boundaries. All but 225 acres of the 1,900 held by the tribe will be used for low-intensity uses such as agriculture and conservation.

Table 2

Public Land and Private Recreation/Conservation Land*

	Acres
Federal:	
Ninigret Wildlife Refuge	381
Barrier Beach and Islands	182
State:	
Burlingame Management Area	3,762
Charlestown Management Area	79
Quonochontaug Fishing Area	22
Barrier Beach and Island	49
Grandpre Park	3
Other	54
Boat Launch Ramps (3)	--
Local:	
Charlestown School, Field	21
Charlestown Town Beach & Environs	16
Ninigret Park	227
Town Hall	13
Columbia Heights Playground	2
Blue Shutters	3
Schoolhouse Pond	100
Town Driving Range	7
Boat Launch Ramps (2)	7
Former Town Landfill	9
Subtotal Public land	4,930
Private Conservation/Recreation	
Camp Davis	65
YMCA Camp	48
R.I. Boy Scouts	10
Kimball Wildlife Refuge, Audubon	30
Marinas	3
Subtotal Private Recreation	156
Total	5,086

* Table shows approximate amounts of land that will likely remain as conservation/recreation land. A complete list is presented in the Open Space/Recreation Element.

Fiscal Strategies: Farm, Forest and Open Space Taxation

State legislation provides for property tax discounts on farms, managed forests, and certain types of open space in order to reduce the pressure to develop these lands.

- o Farms of 10 acres or greater are eligible as long as they are actively farmed.
- o Forests of 10 acres or greater are eligible as long as they are managed according to a plan accepted by the state.
- o Open space of 10 acres or greater is eligible if it contains characteristics such as extremely shallow depth to bedrock, a seasonally high water table four feet or less from the surface, or significant wildlife habitats. Other categories of open space are eligible regardless of size, including major floodplains, aquifer recharge areas, and state regulated wetlands. These are all discussed in the Natural and Cultural Resources element.

The farm, forest, and open space tax discount requires periodic documentation of the status of the land. Removal from the classification can result in a use transfer fee of up to 10 percent of the property value.

Limited Access Highways

The Rhode Island Department of Transportation has designated Route 1 east of Prosser Trail as a limited access highway, prohibiting curb cuts and in essence restricting the use of the adjacent land. This process involved a formal condemnation, wherein the government took property rights along Route 1 and compensated the owners for the taking. Land cannot be accessed from this section of Route 1. However, west of Prosser Trail, the highway is not designated as limited access and may be developed.

Regulatory Measures: Zoning

Charlestown currently has nine zoning designations divided into five residential uses and four business/industrial uses. Excluding federal, state, and the Narragansett Settlement Area land; the zones and approximate areas of each are shown in Table 3.

Table 3

Charlestown Zoning Designations

Zoning Designation	Approx. Percent	Acres*
R20 - 20,000 square foot residential lots**	1	238
R40 - 40,000 square foot residential lots**	14	3,002
R80 - 2 acre residential lots	22	4,641
R3A - 3 acre residential lots	47	9,955
R5A - 5 acre residential lots	6	1,212
B-General Business	3	533
PB-Planned Business	0.6	125
RD-Industrial Research and Development	6	1,330
I-Industrial	0.3	61

* This table shows the relative amounts of the zone designations in Charlestown. Acreage of zones is approximate, based on the percent measured using a reduced draft zoning map.

** R20 and R40 lots are slightly less than one-half acre and one acre lots, respectively, as an acre equals 43,560 square feet.

The zoning designations were mapped and officially adopted by the Charlestown Town Council in 1984 (see Figure 4) as amendments to the 1964 zoning map. The changes to the zoning map directly reflected recommendations of the 1984 Comprehensive Plan, which focused on protecting groundwater quality and the salt ponds. Subsequent changes to the zoning ordinance and subdivision review process strengthened the town's environmental protection. For instance, a cluster provision was added to the zoning ordinance, which allows developers to group buildings closer together than in standard developments in order to protect natural resources and preserve open space on the site. Such changes were directly related to the recommendations of the Comprehensive Plan as well as the Coastal Ponds Special Area Management Plan (SAM Plan) adopted in 1984 by the Rhode Island Coastal Resources Management Council (CRMC).

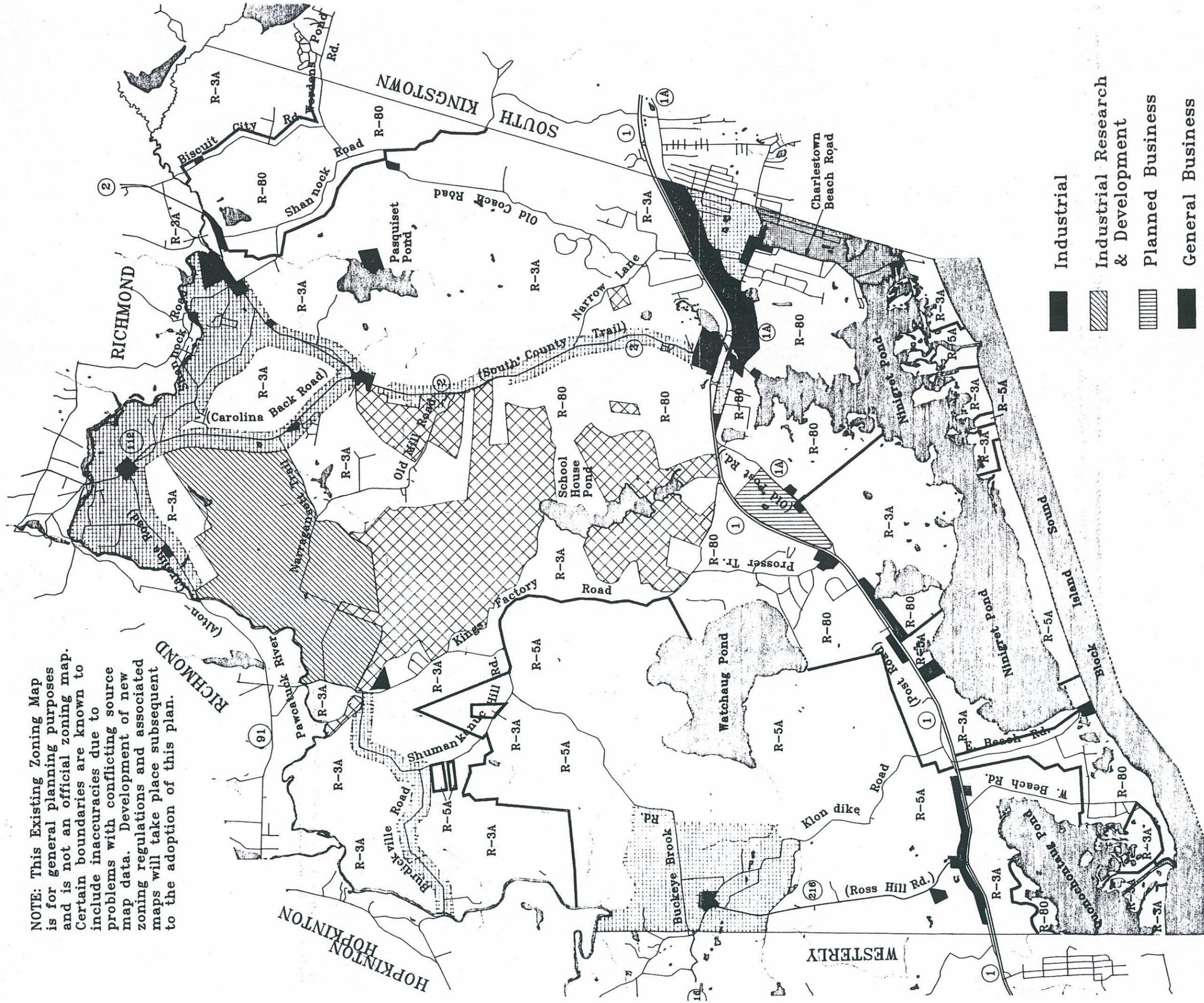
The zoning designations are discussed below, with most extensive zones discussed first.

Low Density Residential Zones (R3A, R5A, R80)

These zones were established to protect groundwater and the salt ponds from pollution resulting from over-development. In 1984, much of the town was "down zoned" from R40 or R80 zoning to these less intensive uses. The Coastal Ponds Special Area Management Plan recommended that critical areas around the salt ponds be zoned for two acre residential use. The current zoning requires two acre or three acre residential lots in these areas.

The majority of the area north of Route 1 is zoned for three acre lots and larger (five acre lots east of Route 216) including a vast area east of Route 2. The only exceptions to the R3A zoning in the northeast portion of Charlestown are the Nordic Lodge and the Rathskeller restaurants, both of which are zoned for General Business (GB). South of Route 1, the Ninigret Park & Wildlife Refuge and several areas adjacent to the salt ponds have been designated R3A.

NOTE: This Existing Zoning Map is for general planning purposes and is not an official zoning map. Certain boundaries are known to include inaccuracies due to problems with conflicting source map data. Development of new zoning regulations and associated maps will take place subsequent to the adoption of this plan.



0 4000

Scale in Feet



Narragansett Indian
Tribe Lands

Water

Industrial



Industrial Research
& Development



Planned Business



General Business



Residence R-20



Residence R-40



Residence R-80



Residence 3 Acres



Residence 5 Acres



Data Source: Map prepared by Vanasse Hangen Brustlin, Inc. from Town of Charlestown and RGIS data.

Figure 4

EXISTING ZONING

CHARLESTOWN COMPREHENSIVE PLAN - 1991

A large portion of the land in the southern part of town is designated R80, including the entire residential area surrounding Fort Neck Pond (Arnolda) and the western shores of Foster Cove. A corridor of R80 runs along East Beach Road extending south into the neighborhood of East Beach and expanding toward Quonochontaug Pond. A portion of the northern border of this pond is designated R80 also. A large area north of Route 1 near Windswept Farms Motel and south and east of Watchaug Pond is zoned R80, as is the area toward the northeastern corner of Charlestown bounded by the old Shannock Road (Rathskeller Road) and Biscuit City Road near South Kingstown.

High Density Residential Zones (R20, R40)

These areas were zoned at a relatively high density (R20-R40) for several reasons. The 1984 Plan recommended making the new zoning compatible with existing uses in some cases to minimize the administrative problems of legally non-conforming uses and substandard lots of record. The high density areas were also designated to encourage residential development in existing centers and along roads, avoiding uncontrolled growth in subdivisions.

High density areas of the R40 designation occur throughout the town, being generally distributed around the periphery, along the major corridors of Route 1 and 2, west of Green Hill (South Kingstown), and within and near the villages of Carolina and Shannock. A corridor along Burdickville Road, is also designated for 40,000 sq. foot residential lots.

The single R20 designation area occurs southeast of the intersection of Matunuck School House Road and Charlestown Beach Road near Green Hill Pond.

Industrial Research and Development (RD) and Industrial Zones (I)

West of the Old Carolina Back Road (Route 112) is the 1,100+ acre parcel containing the United Nuclear Corporation (UNC) site, which extends west to the Pawcatuck River and is currently zoned for Industrial Research and Development (RD). The parcel is accessible from Route 91 (Alton Carolina Road), King's Factory Road, and Old Mill Road off of Route 112. The UNC property abuts Route 112 but is zoned for residential use along the road. The designation of these areas was amended in 1984 from standard Industrial. Kenyon Piece and Dye Co. is located on Route 2 on a parcel zoned for Industrial use (I). Other standard Industrial designations occur off Kings Factory Road at its intersection with Shumankanuc Hill Road and off Route 216. Apparently many of the small isolated industrial zones were designated Industrial to be consistent with existing land uses.

Business Zones (B, PB)

The 1984 Comprehensive Plan recommended few changes to the General Business (B) zone designations. The designation of Route 1 as a limited access highway removed the possibility of access (curb cuts) to the land zoned for General Business. The Plan recommended the Business zone in Cross Mills be extended to provide additional space for commercial growth. Some additional land in northern Charlestown was designated for General Business to allow commercial use in that part of town. The Plan also recommended establishing a Planned Business Zone. All of these changes were made in the 1984 revisions to the zoning map.

Small areas of General Business designation are distributed throughout the town, including several bands along Route 1. Other localized business designations occur in Cross Mills near the General Stanton Inn and Mickey G's restaurant and at the fork of Routes 2 and 112. As with the Industrial designations many of the isolated Business designations were delineated to reflect existing uses. The land across from the Fantastic Umbrella Factory between Route 1 and Old Post Road has been designated Planned Business (PB).

Cluster Zoning

Since 1984, the town has adopted two additional measures into its zoning ordinance that strengthens the town's protection of natural resources. The first is a provision for cluster zoning, recommended in the 1984 Plan. It allows developers to cluster units on relatively small lots in low density zones to avoid natural resources and other site constraints and minimize utility costs. However, the developer is required to dedicate a certain amount of land as permanent open space and must provide a vegetated buffer around the development as a visual screen. The overall density of the development cannot exceed the density allowed by zoning. Tamanaco Farms, west of Prosser Trail off Route 1, is being developed as a cluster development, and others are in the review process.

Site Plan Review

In 1984, the town adopted a provision for a site plan review for commercial, industrial, and multi-family developments, providing for control over these projects. The review is conducted by the Planning Department for small developments (less than 1-1/2 acres, less than 2,000 square feet, and fewer than 20 parking spaces) that have minimal impacts on the community. Larger projects or ones that would present significant impacts are reviewed by the Planning Commission. The site plan review includes a detailed review of the proposed project. Standards used in the review include preservation of the natural landscape, aesthetics, vehicular access and traffic impacts, water quality protection, erosion control, utilities, waste disposal, and protection of unique areas.

Regulatory Measures: Subdivision Regulations

In order for subdivision lots to be sold legally, the subdivision must be formally approved by the Planning Commission. Subdivision involves three types of division and review: frontage lots, standard subdivisions, and resubdivision.

Frontage Lots

"Frontage lots" are lots that have been subdivided along public roads. It is important to note that these lots are approved without formal subdivision review if four conditions are met, described in general terms below. The conditions are specifically described in the town Subdivision Regulations, based on the state Zoning Enabling Legislation.

1. Each resulting lot must have an area and dimensions at least equal to that required by the zoning ordinance.

2. Each lot must have frontage on an existing public street or on a private street where an existing association has been active from 1982, established for the maintenance of streets. Frontage must meet the minimum requirements of front lot lines in the zoning ordinance.
3. Frontage at the minimum setback line must be at least 75 percent of the required frontage at the street line.
4. If the subdivision isolates any lots from the road, access must be provided through reservation of outlots or designation of a mapped street.

The ease of subdividing frontage lots essentially encourages this type of development.

Standard Subdivisions/Resubdivision

Subdivision regulations are developed by the town Planning Commission. These regulations can be a powerful tool in controlling land use, specifying in detail the requirements that developers must meet in dividing land into lots. Subdivision regulations can include requirements such as dedication of land to the town, erosion control, pavement standards, and drainage. The regulations must be clearly written and justifiable to avoid confusion and possible litigation.

The current subdivision regulations were adopted in February 1989 and amended in April 1989. Prior to this set, subdivision regulations were adopted in 1982, 1976, 1974, and, for the first time, in 1963. The major revisions of these regulations and subsequent amendments reflect the town's increased desire to manage development.

The Subdivision Application process requires certain general conditions and proceeds through three stages, taking a total of several months. The general conditions are that one owner of title must desire to subdivide an area of land greater than two acres. The stages of the application process are (1) Pre-application, (2) Preliminary Application, and (3) Final Application. Each stage involves a deadline for completing required steps or the next stage. Any substantial change to the map of an existing subdivision is considered resubdivision and is subject to the full subdivision process. Such changes would include changes affecting the layout of streets, lots, or public open space, or extending infrastructure service to additional lots.

The general subdivision procedure is as follows:

Pre-Application Stage. This stage of the subdivision process allows for the development of issues and the discussion of conceptual problem areas between the developer and the town. Town officials explore the characteristics of the site at a conceptual level and provide comments and opinion on the general project and its alternatives. The materials necessary to move on to the next stage are identified, such as maps and documentation.

Preliminary Application Stage. During this stage, a timed schedule is begun upon filing of the Preliminary Application, a detailed plan of the proposed project. The proposal is considered "filed" when the Planning Commission determines that all the necessary materials have been submitted for review. The Planning Commission reviews the application, and an interdepartmental review

occurs, which allows coordination with the Building Official, Planning staff, and Public Works. A public hearing is held during this stage, and the Planning Commission thereafter arrives at a preliminary decision regarding the proposal.

Final Application Stage. This stage begins with the submission of a final application that includes all the corrections and modifications required by the town. Upon approval, the developer begins the necessary preliminary site work, which the Town inspects. Upon the town's endorsement, the Final Plat is filed and recorded by the Town Clerk. At this point, the developer may begin to sell lots.

Each of these stages is broken down into specific increments that are described in detail within the Subdivision Regulations. These steps are meticulous and outlined thoroughly to avoid the frustration that may be generated by a misunderstanding of the process for approval.

Charlestown's subdivision regulations contain a section devoted exclusively to the treatment of the problem of maintaining environmental quality while allowing development to occur. In response to such physical indicators as soil type, slope, the presence of an underlying aquifer, a federally designated floodplain or coastal or freshwater wetland, the Town may require an Environmental Analysis to be completed. The scope of this document is determined by the Planning Commission and may be complex or relatively brief. Along these lines a Soil Erosion and Stormwater Runoff Plan must also be submitted. In conjunction with design and construction standards that must be upheld, and consultation with the R.I. Department of Environmental Management, the above requirements reduce the adverse environmental impacts of such development.

Federal and State Regulations

Several sets of environmental protection regulations affect land use and are discussed briefly here. Several are presented in greater detail in the Natural Resources Element.

Wetlands - Rhode Island Department of Environmental Management (RIDEM) regulations prohibit issuing permits for structures or Individual Sewage Disposal Systems (ISDS) in soils with a high water table less than 18 inches from the surface. These areas are usually considered wetlands by state and federal agencies and generally are not buildable. State regulations also limit land use within buffer zones of regulated wetlands. Development within wetlands is also regulated by the U.S. Army Corps of Engineers pursuant to the Clean Water Act.

ISDS - Certain land uses are not permitted on ISDS, such as laundromats. The state generally requires a separation of 100 feet between a private well and a septic system leaching field. The required separation is extended to 150 feet in certain circumstances, including excessively permeable soils in the watershed of the salt ponds.

Floodplains - federal regulations restrict certain uses from floodways, including prisons, hospitals, and schools.

Coastal Ponds Special Area Management (SAM) Plan

In 1984 the Rhode Island Coastal Resources Management Council (CRMC) adopted a special plan for coping with environmental deterioration within the salt ponds along the southern shore of the State. This report cited a major source of pollution as nitrates in groundwater originating from old, dysfunctional, or overcrowded ISDS on high density residential lots. Parts of Ninigret Pond and Green Hill Pond are particularly at risk as a result of high-density development in Ocean Ridge and the Arnolda area. A large portion of town south of Route 1 was determined to be developed beyond the capacity of the soils to handle ISDS wastewater. The entire area south of Route 1 was determined to be an area of critical concern.

The CRMC developed several recommendations to counter the accelerating water quality problem in this area. A two-acre minimum zoning was recommended, as well as the maintenance and upgrading of ISDS. Buffer zones and denitrification systems were recommended also. As a state regulatory agency, these recommendations carry the import of actual management polices and regulations, superseding town regulations where the two conflict. Subdivisions and moderate or large commercial uses that are developed within the SAM Plan area are subject to a coordinated review by various agencies in the state, including the CRMC and U.S.D.A. Soil Conservation Service. Certain uses, such as underground fuel storage tanks, are prohibited in the SAM plan area.

To address the issues identified by the SAM Plan and its supporting studies, the Town of Charlestown has increased the minimum lot size in R80 zoning designations from 80,000 square feet to 2 acres, and the covenants of certain subdivisions currently require inspection and pumping of ISDS holding tanks every two years. However, the problem of aged and disfunctional septic systems has not been entirely addressed. The town has been investigating designation of Waste Water Management District that would delineate areas of concern and schedule appropriate action. Ultimate disposal of the septage is currently an issue.

State Land Use Legislation

State Zoning Enabling Legislation. During the compilation of this Plan, the state legislature passed a new Zoning Enabling Act, which defines the powers that municipalities have to manage land use. The new Act empowers communities to use innovative land use management tools as they are developed, including measures to protect natural, scenic, and historic resources, and provisions for site plan review, cluster developments, and planned development districts. Communities must develop zoning that is consistent with their Comprehensive Plans and must clearly define the objectives, procedures, and standards of their zoning ordinance. The new Act allows three types of residential uses in any district unless specifically exempted for health or safety reasons: single household dwelling units, family day care (e.g. children or elderly) and community residences (i.e. group homes - not halfway houses).

Low and Moderate Income Housing Act

This Act allows non-profit or public agencies to propose low to moderate income housing¹ as a special use in any district in cities and towns that have less than 10 percent subsidized housing. Such proposals are reviewed in a single stage review similar to site plan review or planned development and must also be consistent with the municipality's Comprehensive Plan. If the proposal is rejected, the agency may appeal the decision to a State Housing Appeals Board, which reviews the municipality's decision in light of the Comprehensive Plan and the municipality's other land use decisions. Private developers may use this process for housing that will remain as low to moderate income rental housing for 30 years or more.

Regulations and Land Use Plan for the Narragansett Settlement Area

The land is held in trust for the tribe by the federal government. The tribe may not sell the land, but the land is subject to state and federal condemnation for rights of way, etc.

Until a land use plan is adopted by the Narragansetts and is accepted by the Town and State, the private Settlement Lands essentially remain un-zoned. Most of these lands (675 acres) will remain as conservation/agricultural land, and the remaining 225 acres will be used in accordance with the plan. However, the location of the uses cannot be determined as yet.

^{1/} Low to moderate income housing is defined in the Act as housing that has received state or federal subsidy construction or rehabilitation.

ANALYSIS OF LAND USE AND ZONING

Non-Conforming Uses

Residential Uses

The recent zoning map and its subsequent ordinance changes have been in effect for only a few years. Because so much of the town was down-zoned to less intensive uses, the majority of the subdivisions and individual lots do not conform to the existing zoning. Most non-conforming residential lots are located in southern Charlestown, where many residential lots are as small as 5,000 square feet. The zoning of the Charlestown Beach area at R3A creates many non-conforming lots seaward of Charlestown Beach Road, where the land is not wide enough to accommodate three-acre lots or the 50 foot front yard setback required in R3A zones.

The future development patterns are apparent in developments that have followed the zoning revisions. For example, Tamanaco Farms is a low density clustered development, leaving a large parcel of land undeveloped. In comparing developments from before and after the zoning revisions, it is quite apparent that the new zoning has decreased the density of development and has provided the flexibility to preserve open space and protect natural resources.

Commercial and Industrial Uses

The commercial and industrial uses in town are generally in conformance with the zoning. The commercial and industrial zones were designated around existing uses.

Conservation/Recreation Areas

Generally, conservation and recreation areas in town are zoned R3A or R5A. In addition to low-density residential use, these zone designations allow uses compatible with conservation/recreation areas, such as agriculture, conservation, camps, and wildlife reserves.

Issues

Because zoning designations define how land could be developed, it is crucial that the zoning reflect the town's goals for land use:

Low Density Residential Zones

Environmental protection by land use control is well under way in Charlestown. The recent revisions to the zoning and subdivision regulations were based on minimizing the adverse impacts of development on surface water and groundwater resources. The town has continued to enact strict controls on the environmental impacts of development and may continue to refine these controls to protect specific areas.

In developing this Comprehensive Plan, it is important to determine if the zoning and other land use controls accomplish other goals of the town such as protecting the rural character. For example, large-lot residential zoning in itself does not necessarily protect the rural qualities if entire lots are cleared or if long stretches of frontage lots are developed to the maximum extent possible under the current regulations.

Substandard Lots of Record

The substandard lots are legal lots that were recorded before the current environmentally based zoning was developed. They are of concern because in many cases they would allow development densities considered harmful to natural resources such as salt ponds. Development generally cannot be restricted on these lots, although the small size of some of the lots may prevent the owners from receiving permits for wells and septic systems.

Roadside Residential (R40) and Commercial Zoning

Town residents have expressed a deep dislike for dense roadside development outside the villages. Several areas in town are currently zoned in bands along major roads for 1-acre residential lots or commercial use: Route 1, Route 2, Burdickville Road, and Shamunkanuc Hill Road. As they are zoned, they may be developed into strips of residential or commercial use that may be considered undesirably dense.

Residential Development. The R40 zone was designated along Route 2 and 112 to discourage uncontrolled growth in subdivisions. However, because the town has since developed a rigorous subdivision review process it may be generally desirable to encourage subdivision development rather than large amounts of roadside ("frontage") development.

Alternatively, the town may wish to retain relatively dense development in certain areas to allow for more affordable housing. Small frontage lots may be appropriate near village centers, and the simple approval process of frontage lot subdivision would help reduce the costs of development.

Zoning in Cross Mills

The village of Cross Mills plays an important role in the town, providing a center for shopping, banking, and other activities. The commercial uses need not be adjacent to each other. Rather, villages are often characterized by a mix of uses. The commercial zones in Cross Mills occur in large bands and do not allow residential uses. These may promote uninterrupted blocks of commercial development rather than a variety of uses in keeping with the village character.

Industrial Zones

Isolated parcels. The isolated parcels in town zoned for industrial use were designated to reflect existing uses. However, should the uses change, the zoning would allow industrial uses to re-establish in the same areas.

Route 91 & Kings Factory Industrial/Research & Development Zone. Part of this Plan will be determining the appropriate use for the land west of Route 112 zoned for Industrial Research and Development. More than 1,100 acres is currently unused. This land includes the United Nuclear Corporation site, which is presently closed but is expected to become usable again in the future.

Proposed State Landfill

The R.I. Solid Waste Management Corporation has identified land along Route 216 north of the current Industrial zone as a potential site for a new state landfill. This location is considered an inappropriate location for the following reasons:

- o Poor regional highway access to the site;
- o Surrounding low and medium density residential uses;
- o Hydric soils on-site indicate the potential for sizable wetlands;
- o The proposed site is located in two groundwater drainage basins draining south to the coastal ponds and north to the Wood Pawcatuck sole source aquifer, both of which are recognized by federal, state and local agencies as significant natural resources.

The Land Use Plan and Other Elements

The land use plan will provide a means to integrate the other elements of the plan. As these elements are developed, issues will be identified that the land use plan must reflect, such as protection of natural resources, provision of a balance of housing, economic development, and open space and recreation. The goals and policies of each element must be consistent with each other. For instance, a policy of encouraging development in existing villages must also allow for protecting important natural resources, such as the water quality of the salt ponds and Pawcatuck River.

Planning with Adjacent Communities

It is important for the Town to work with neighboring communities to promote compatible land use near the borders. Traffic and impacts to natural resources occur on a regional scale, and an inappropriate mix of land uses across town borders would be counter to many of the goals of each town.

The need for communities to work together to resolve issues is emphasized between the Town and the Narragansett Tribe of Indians. The two communities share an extensive border and a large amount of natural and cultural resources.

RECOMMENDATIONS/IMPLEMENTATION

Prioritized Recommendations

General Changes

High Priority.

1. Amend zoning and subdivision regulations to comply with Zoning Enabling Act requirements that take effect January 1, 1992.
2. Develop adequate mapping, with highest priority given to developing a reproducible zoning map (described in Zoning Changes below).
3. Work with adjacent communities and the Tribe to define the appropriate character of key resources and to cooperate in protecting them.

Medium priority.

4. Develop a land trust for conservation purposes.

Lower Priority.

5. Continue to evaluate the need for transferable development rights and other land use management tools to preserve the rural character of development in Charlestown.

Zoning Amendments/Changes

High Priority.

Develop a reproducible zoning map with clearly marked dimensions and boundaries and revise the zoning ordinance to incorporate the general changes listed below. Encourage public participation throughout the process, including the business community, interest groups, and other concurrent residents. Consider involving the CPCAC or a newly formed bipartisan citizens group.

During the process of revising zoning ordinance and map, specific definitions, standards, and boundaries will be developed. The following revisions to the zoning map and ordinance are recommended:

- Overlay districts in which to specify aesthetic design standards or natural resource protection standards;
 - Groundwater protection overlay
 - Village districts
 - Roadside design standards
 - Scenic road design standards
 - Historic districts

- Rezone the Research & Development/Industrial zoned land west of Route 112 (United Nuclear Parcel) and current Planned Business district to allow less intensive uses while providing flexibility in development;
- Commercial Zones. Focus general business commercial zoning in the existing commercial zone east of the historic Cross Mills area. Encourage village/neighborhood commercial uses in existing GB zones within villages. Encourage tourist/visitor related commercial uses in existing GB zones along Route 1;
- Consider deepening commercial zones;
- In order to encourage commercial development that is appropriate to the surrounding areas, develop several commercial zones, each with different intensities and types of commercial use allowed;
- Eliminate or modify "spot" zones, which may allow redevelopment that is inconsistent with surrounding land uses and natural resources;
- Re-zone the 5-acre residential zone to 3-acre residential;
- Change the zoning along Route 2 to 2 acre lots;
- Create municipal use zones to apply to town-owned parcels;
- Rezone all conservation lands held by public agencies to open space/conservation/recreation.

5 YEAR IMPLEMENTATION PLAN

General Changes

1. **Amend zoning and subdivision regulations to comply with Zoning Enabling Act requirements that take effect January 1, 1992:**
 - Define the stage in the development process at which developers' rights are vested (i.e., at which the development is "essentially complete").
 - Change zoning language to allow single household residential uses, family day care facilities, and group homes uses in all zones except: Industrial and certain Commercial for health and safety reasons and publicly owned Open Space/Conservation/Recreation districts.

Time Frame: Immediate

Responsible Parties: Town Planner, Building Official, Town Solicitor, Planning Commission, Zoning Board of Review, Town Council

Resources Needed:

Administrative function requiring review by Town staff and the Planning Commission and/or Town Council; advertisement required to amend zoning ordinance and subdivision regulations.

Estimated Capital Costs: \$5,000

2. **Develop adequate mapping**, with highest priority given to developing a reproducible zoning map (described in Zoning Changes below). Use the resource maps developed in this plan as a first step.

Time Frame:

- Zoning. Required by July 1, 1993.
- Other mapping.

Tribal lands - obtain copies of surveyed boundaries as they are available (1991-1992).

Property map - as time and budget allow.

Natural resources - state mapping available immediately, included in this Plan.

Resources Needed:

- Zoning map: see below
- Tribal lands: may require purchase of copies
- Property map - developed by private company with review and coordination by Town staff. Cost varies depending on map type (digital or mechanically drafted) and level of detail. Could involve large scale photogrammetry and intensive deed research.
- Natural resources. The Town has obtained mapping at 1 inch = 2,000 feet, adequate for general planning purposes and identification of potential resource/constraint areas. Lot-specific analyses would still require site visits for verification. Additional copies are available from the State Division of Planning at a cost of \$100 or less for each map for digital maps or prints.

3. **Work with adjacent communities, including the Tribe, to define the appropriate character of key resources and to cooperate in protecting them:**

- Rural lands shared by Tribe and Charlestown
- Villages of Shannock and Carolina, visible from both sides of the river
- Village of Burdickville
- Route 1 and shore communities

Time Frame: On-going

Responsible Parties: Town Planner, Town Administrator, Planning Commission, Tribal land use planner, and other officials.

Resources Needed:

- Monthly meetings of South County Planners
- Regular meetings (e.g., quarterly) of Tribe and Town officials
- Possibility for effective village Association(s) - volunteer organizations with some administrative assistance or other promotion by town.

Medium priority

4. Develop a land trust for conservation purposes.

- **Consider the use of a land transfer fee** or other measures to fund land trust purchases.

Time Frame: 3-5 years

Responsible Parties: Town Planner, Planning Commission, Conservation Commission, Town Council. Administered by Board of Directors (to be determined.)

Estimated Capital Costs: \$0

Lower Priority

5. Continue to evaluate the need for transferable development rights and other land use management tools to preserve the rural character of development in Charlestown.

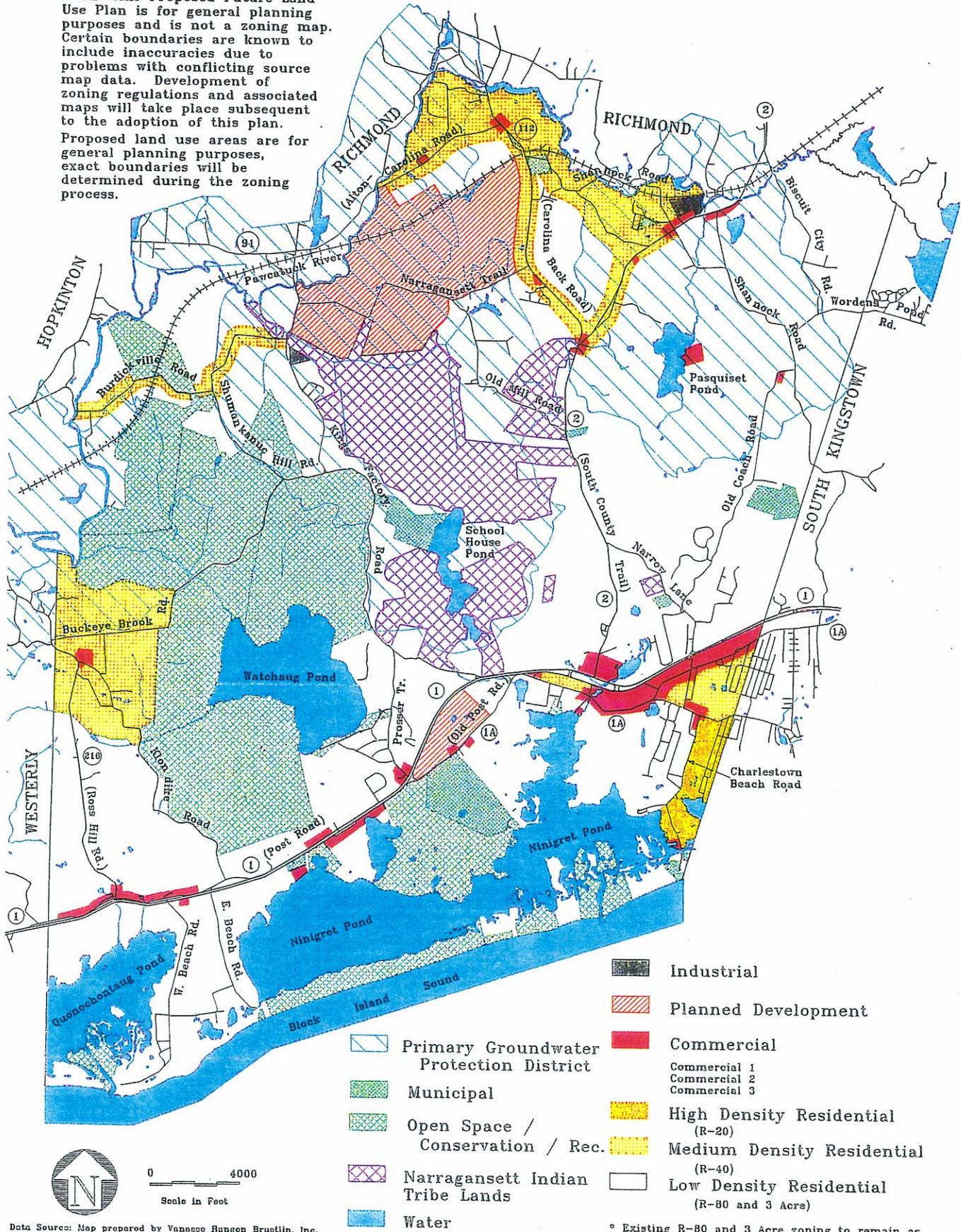
Time Frame: Explore during update of zoning map and ordinance. Re-evaluate in subsequent years.

Zoning Amendments/Changes

Develop a reproducible zoning map with clearly marked dimensions and boundaries and **revise the zoning ordinance** to incorporate the changes described generally below.

Note: The zoning boundaries, definitions, and standards will be defined specifically during the process of amending the zoning map and ordinance. The process of revising the Town's zoning involves a series of public workshops, at which participation by the business community, interest groups, and all concerned residents is encouraged. The town should consider involving the CPCAC regularly or a newly developed bipartisan citizens group in developing and reviewing proposed changes.

NOTE: This Proposed Future Land Use Plan is for general planning purposes and is not a zoning map. Certain boundaries are known to include inaccuracies due to problems with conflicting source map data. Development of zoning regulations and associated maps will take place subsequent to the adoption of this plan. Proposed land use areas are for general planning purposes, exact boundaries will be determined during the zoning process.



0 4000
Scale in Foot

Data Source: Map prepared by Vanessa Hungen Bruotlin, Inc. from Town of Charlestown and RIGIS data.

- Existing R-80 and 3 Acre zoning to remain as currently zoned.
- Ross Hill Road area as shown on plan to be rezoned from 5 Acre to 3 Acre zoning.
- South County Trail frontage to be R-80 from the southern end of Route 2 to intersection of Route 2 and Route 112.

Figure 5
PROPOSED FUTURE LAND USE PLAN

The zoning revisions should incorporate the following:

- Develop overlay districts in which to specify aesthetic design standards or natural resource protection standards.
 - Groundwater protection overlay - 2 districts: high protection (mapped reservoirs and recharge areas) and moderate protection (rest of town) using land use controls and performance standards. (Scituate Reservoir Management Plan model, see attached.)
 - Aesthetic design standards must be reasonable and objective
 - Village districts - designate districts around current villages in which design standards reflect village character. (Unobtrusive signage, sidewalks or pedestrian ways, buildings in keeping with surrounding village in regard to roof line, building materials, architectural style, ornamentation, etc.)
 - Roadsides (major collectors and arterials) - require vegetated screening across most of frontage, buildings in keeping with neighboring ones. Encourage preservation of important views.
 - Scenic roads - standards would include vegetated buffers, preservation of stone walls, preservation of narrow, winding roads where possible from a safety standpoint, with a possible reduction in speed limits
 - Historic districts: Shannock, Carolina, Cross Mills.
- Planned Development district. Re-zone the Research & Development/Industrial zoned land west of Route 112 (United Nuclear Parcel) and current Planned Business district to Planned Development, which would include standards to address the town's concerns for aesthetics, open space, overall density, and environmental protection. The purpose would be to allow a low intensity mixture of uses, providing developers more flexibility in selecting the types and location of uses while providing the Town with control over the ultimate development of a large parcel. Development in the Planned Development zone would be reviewed as a master plan by the Planning Commission.

Some uses that are not considered appropriate include raising livestock, trade schools or colleges, hospitals, funeral homes, automobile repair shops, gas stations, airports, freight terminals, or manufacturing.

- Commercial Zones. Focus general business commercial zoning in the existing commercial zone east of the historic Cross Mills area and the eastern side of Route 2 at its intersection with Route 1. Encourage village/neighborhood commercial uses in existing GB zones in the Cross Mills area and along Route 2, 91, 216 and 112. Encourage tourist/visitor related commercial uses in existing GB zones along Route 1.
- Consider deepening commercial zones, to encourage the use of vegetative screening and parking in the rear of the buildings.

- Develop 3 commercial zones in order to encourage commercial development that is appropriate to the surrounding areas, preserving the character of the town and the value of residential and commercial properties:
 - Commercial 1. This district is characterized by businesses that depend mainly on local vehicular and pedestrian traffic and that are compatible with a village or neighborhood area, such as but not limited to, retail, professional, and service businesses. The district is designed to provide convenient local shopping services, to promote public safety for both pedestrian and vehicular traffic, and to have minimal adverse impact on neighboring residential properties or the character of residential areas. Such districts are most appropriately located in the current GB zones in the Cross Mills area, along Routes 2, 91, 216, and 112, and other areas currently zoned GB north of Route 1 and its contiguous properties.
 - Commercial 2. This district is characterized by businesses that depend on a great volume of vehicular and pedestrian traffic, such as but not limited to, businesses that primarily provide for the retailing of commodities and furnishing of services. The district is designed to concentrate services for the convenience of the motoring and pedestrian public, to prevent an unsafe mixture of commercial uses and inappropriate residential uses. Such intensely used areas should be buffered from residential areas and other low-intensity areas. Such districts are most appropriately located in the current GB commercial areas east of Cross Mills and the eastern side of Route 2 at its intersection with Route 1. Current GB areas north of the Route 1 properties are not considered appropriate for Commercial 2 uses due to the residential nature of the nearby properties.
 - Commercial 3. This district is characterized by businesses that depend on a large volume of vehicular traffic and proximity to major highways, such as but not limited to retail establishments, restaurants, gasoline stations, transportation firms, and motels. The district is designed to concentrate such services for the convenience of the motoring public, to prevent an unsafe mixture of commercial and residential uses. Such uses should be buffered from residential uses and other low-intensity uses. Such districts are most appropriately located on U.S. Route 1 (Post Road) in current GB zoned areas, with the exception of the eastern side of the intersection of Routes 1 and 2, described above as appropriate for a Commercial 1 area. The current GB districts north of the Route 1 properties are not considered appropriate for Commercial 3 uses due to the residential nature of surrounding properties.

Design standards would apply to each according to the overlay district in which they are found.

- Eliminate the following "spot" zones, which may allow redevelopment that is inconsistent with surrounding land uses and natural resources:
 - Industrial zones along Biscuit City Road, and Route 216.

- Easternmost portion of commercial zone at eastern end of Matunuck School House Road.
- Commercial zone on Shannock Road.

Note: The existing uses would be allowed to continue and expand to a certain extent.

- Re-zone the 5-acre residential zone located in the Ross Hill Road area to 3-acre residential.
- Change the zoning along Route 2 south of its intersection with Route 112 to 2 acre lots.
- Create municipal use zones to apply to town-owned parcels, which would allow uses that meet the town's goals, including provision of services, recreation, affordable/alternative housing, and natural resources protection.
- Rezone all recreation, open space, and conservation lands held by public agencies to open space/conservation/recreation.
- Define the seaward setbacks along the barrier beach communities to be the most severe erosional dune scarp (edge), i.e., the erosional scarp from the blizzard of 1978 or more severe erosion after 1978.

Time Frame: Adopted by July 1, 1993.

Responsible Parties: Town Planner, Building Official, Town Solicitor, Planning Commission, Zoning Board of Review, Town Council. Outside assistance probably needed for mapping and possibly drafting of zoning language. Administered by Building Official, Zoning Board of Review, Town Planner, Planning Commission.

Resources Needed:

Developing Map and Ordinance

- Private firm to do mapping, produce reproducible maps
- Board/Commission/Staff time to develop and review ordinance (a considerable amount of time will be involved)
- Review by land use attorney throughout process
- Legal advertisement of zoning map and revisions
- Costs to codify new ordinance

Implementing new ordinance

- Staff/board and commission time to review

- Reproducible copies of zoning maps regularly updated when changed.
- Natural resources mapping for identification of groundwater recharge zone (primary protection zone)
- Design review may require design review board

Estimated Capital Costs: Map - \$5,000-\$50,000; Zoning ordinance - \$10,000-\$30,000

20-YEAR IMPLEMENTATION PROGRAM

1. Amend zoning and subdivision regulations to comply with Zoning Enabling Act (and other) requirements.

Monitor changes to Comprehensive Plan Act, Zoning Enabling Act, Low and Moderate Income Housing Act and other potential legislative changes, e.g., pertaining to subdivisions. Update ordinances and regulations as required to comply.

Time Frame: On-going; yearly monitoring

Resources Needed:

- Staff time to monitor legislative changes.
- Time of staff/boards/commissions to recommend and develop changes to regulations.
- Services of attorneys, and private firms as noted in 5 year program for modifying maps, ordinances, and regulations.

Review and update Comprehensive Plan regularly.

- Regular public hearings should be held to determine whether the goals and objectives of the Plan are being achieved and whether the Plan should be updated or amended to reflect new situations.

Time Frame:

- Plan update is required every 5 years; the Plan may be amended every year.
- Yearly public hearings are suggested to assess the progress of achieving the Plan's goals.

Resources Needed:

Each time the Comprehensive Plan is updated, the State requires public participation, public hearings, and review by state departments. Amendments to the Plan will require review by citizens and Town officials. Changes to the Land Use Plan must be reflected in the Zoning ordinance and map and would

require the additional process of amending the zoning map/ordinance. The Plan should thus be amended only as necessary.

2. Develop adequate mapping.

The Town staff, boards, and commissions should periodically re-evaluate their mapping needs. It may be desirable in the medium to long-term future to develop more detailed natural resources mapping and/or develop computerized mapping/Geographic Information Systems capability.

Time Frame: On-going after development of zoning map.

Resources Needed:

- Detailed natural resources mapping would involve specific studies, including for instance photogrammetric mapping or interpretation by a private firm.
 - Some State programs and studies may involve detailed natural resources mapping, e.g., wellhead protection studies. The mapping may be available to the town for minimal cost or as part of the state programs.
 - Computer mapping capability would require hardware (computer, printer, monitor, digitizing tablet), software (GIS program), staff training, and staff time for data entry and program maintenance.
- 3. Work with adjacent communities and the Tribe to define the appropriate character of key resources and to cooperate in protecting them.**

Time Frame: On-going.

Lower priority

- 4. Continue to evaluate the need for transferable development rights and other land use management tools to preserve the rural character of development in Charlestown.**

Time Frame: On-going.