



**TOWN OF SOUTH KINGSTOWN
PLANNING DEPARTMENT
MEMORANDUM**

TO: Members of the Planning Board
FROM: Jay Parker - Interim Planning Director
SUBJECT: Shepherd's Run – Special Management District Considerations
DATE: August 25, 2020

At your July 28th, 2020 Regular Session meeting, Planning Board members requested information pertaining to the uses allowed within the Route 1 Special Management District (SMD) in consideration of the applicant's request for amendments of the Comprehensive Plan and the Zoning Ordinance. Pertinent language from Section 605 of the Zoning Ordinance in regard to the Route 1 SMD and the applicant's request is presented below:

605.5. Permitted uses. All uses listed in [Section 301](#), Schedule of Use Regulations Table, except those uses specifically prohibited in subsection 605.6, below, are permitted.

The following uses require a special use permit:

- a restaurant serving alcohol (Use Code 56.1),
- accessory entertainment to restaurant or bar (Use Code 56.3) and
- liquor stores (Use Code 55.3).

The Planning Board shall determine that the proposed use is consistent with the Comprehensive Community Plan;

The Planning Board may not approve any use listed as a Prohibited Use in subsection 605.6., below.

Changes in use of land or buildings shall be reviewed by the Administrative Officer as provided in Article VI, Section D of the Subdivision Regulations.

The Planning Board shall apply such controls and restrictions as may be necessary to achieve the provisions of the Comprehensive Plan with regard to the proportion of buildable land which is devoted to different uses.

The Board shall require that 50 percent of the buildable land in the entire District be used for office, institutional, light industrial or similar nonretail business use.

Within the southern portion of the District the Board may allow a greater percentage of buildable land (>50 percent) to be devoted to low-impact residential development provided such development is:

- at a scale and density appropriate to the southern District setting;
- provides adequate buffers to existing land uses in the vicinity; and
- is not visually intrusive from Route 1.

In making this determination regarding development in the southern part of the District, the Planning Board shall make affirmative findings during the Conceptual Master Plan review that:

1. The proposed use will have no or very limited impact on those Town capacities that are critical in constraining the Town's current six-year capacity, as provided in [Article 11](#), Section 1102.4.D of the Zoning Ordinance;
2. The applicant has demonstrated that the site planning methodology, standards and techniques utilized in the preparation of the site plan are consistent with the "South Kingstown Residential Design Manual", (Subdivision Regulations, Article IV, A.4.a - e);
3. The design and scale of the project preserves and enhances the Route 1 viewshed by providing:
 - adequate buffers;
 - building yard setbacks that meet the requirements of adjacent residentially zoned properties; and
 - open space that meets the requirements of [Article 6, Section 605](#), without the inclusion of required highway buffer areas; and
4. The density of the proposed development is appropriate to the southern district setting.

At least 15 percent of the buildable land area in the entire District shall be set aside for open space.

NOTE: The existing language within the SMD allows for all uses listed in Section 301 (Schedule of Use Regulations Table) except for those listed in Section 605.6 which are expressly prohibited.

605.6. Prohibited uses. The following uses are prohibited in the Route 1 Special Management District:

1. Residential dwellings of any type having more than two bedrooms per dwelling;
2. Drive-up windows for any use except a bank;
3. Open lot storage and sales of materials or products of any kind;
4. Noxious or heavy commercial or industrial uses or any use, activity or operation exceeding the performance standards set forth in subsection 605.23., below; and
5. Any of the following uses or Use Code categories:

Use Code	Prohibited Uses
15.1	Halfway house
16	Single mobile or manufactured home or transient trailer
25.1	Prison or correctional institution
32.2	Casino
33.6	Outdoor entertainment <i>(Use Code Description = "Amusement park, drive in movie, fairground, driving range, miniature golf or similar uses.")</i>
45	Automobile or gasoline service station
51.1	General warehouse
51.2	Self-storage facility
53	Wholesale or retail trade of petroleum products, up to 100,000 gallons
53.1	Wholesale or retail trade of petroleum products, more than 100,000 gallons
53.2	Wholesale or retail trade of liquefied gas
55.4	Retail trade of automotive products
55.5	Retail trade of marine products
57	Adult entertainment

57.1	Adult entertainment with alcohol
61	Transportation center
61.1	Motor vehicle rental service
62	Freight terminal
63	Aircraft transportation including maintenance
65.2 - 65.7	Transmitters and towers, including cellular or other communications towers
66.2	Incinerators
67	Landfill
67.1	Waste tire storage facility
71	Fish processing
73.1	Paper products manufacturing, but permitting printing and publishing
74	Chemicals products manufacturing
74.2	Rubber and rubber products manufacturing, but permitting plastic products manufacturing
75.1	Paving and building materials manufacturing
77.1	Junk yard, including screened outdoor storage, salvage yards, wrecking yards and recycling facilities
78	Primary metals industries, including smelters
82.2	Leather and fur tanning and finishing
86	Petroleum refining
88	Lime, gypsum or plaster-of-paris manufacturing
90, 91, 92	Any use in Use Code Category 9.0 - Extractive industries
100, 101, 102	Any use in Use Code Category 10 - Marijuana-Related Uses
N/A	Swimming pool (commercial, outdoor)
N/A	Indoor riding school or academy
N/A	Dance hall, pinball or game room, including video arcade, massage parlor
N/A	Bow and gun range
N/A	Supermarket, or any retail establishment, the principal activity of which is selling food, and which has a gross leasable floor area of 5,000 square feet or more
N/A	Injection well

Section 301 (Schedule of Use Regulations Table) and Section 605 (Route 1 Special Management District) of the Zoning Ordinance is attached for your information and use.