

INTRODUCTORY STATEMENT

BWJW, LLC ("Applicant") has retained the professional land use planning and zoning consulting services of Pimentel Consulting, Inc. ("Consultant"), for the express purpose of evaluating the appropriateness of a proposed uniquely crafted Special Management District, necessary to ensure successful redevelopment of well under-utilized commercially oriented property, albeit historically zoned in a residential manner. The proposed Special Management District necessitates the authoring of requisite regulations, in addition to a change to the official zoning map and Comprehensive Plan - Future Land Use Map ("FLUM"). The reason for engaging in such regulatory action is to realize land use flexibility, and intensity of said land usage.

In preparation for authoring the Special Management District and supporting map amendment(s), this Consultant has thoroughly reviewed the following regulatory documents for the express purpose of assuring Comprehensive Plan 'consistency' and regulatory 'compliance':

- o Town of South Kingstown, Comprehensive Community Plan, 2021 - Adopted, South Kingstown Town Council: 24 May 2021 ("Comprehensive Plan");
- o Town of South Kingstown, RI, Zoning Ordinance ("Ordinance");
- o Subdivision & Land Development Regulations ("LD Regulations"); and
- o Review of pertinent Rhode Island General Law ("RIGL") and case law.

The following analysis entails rendering a determination as to the appropriateness of creating a Special Management District for the subject property, in light of respective Comprehensive Plan - Goals and Objectives. In addition, special provisions to realize greater flexibility in land usage and intensity of said usage, are being pursued to ensure redevelopment success. The report will ultimately evidence the appropriateness of authoring the new 'Peacedale Preserve Special Management District'; rendering permissible such needed land uses as self storage and motel space.

Land Use Goal 2: *"A sustainable rate of development will be maintained, which is consistent with the ability of the Town to provide essential services, to achieve a stable tax rate, to protect environmental, historic, and cultural resources, and to provide a healthy environment."* [Page 59]

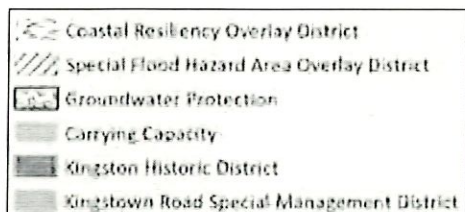
Economic Development Goal 2: *"Local economic development assets will be identified that the Town, local boards and commissions, the local business community, and/ or future investors can build upon together."* [Page 121]

GENERAL PROPERTY DESCRIPTION

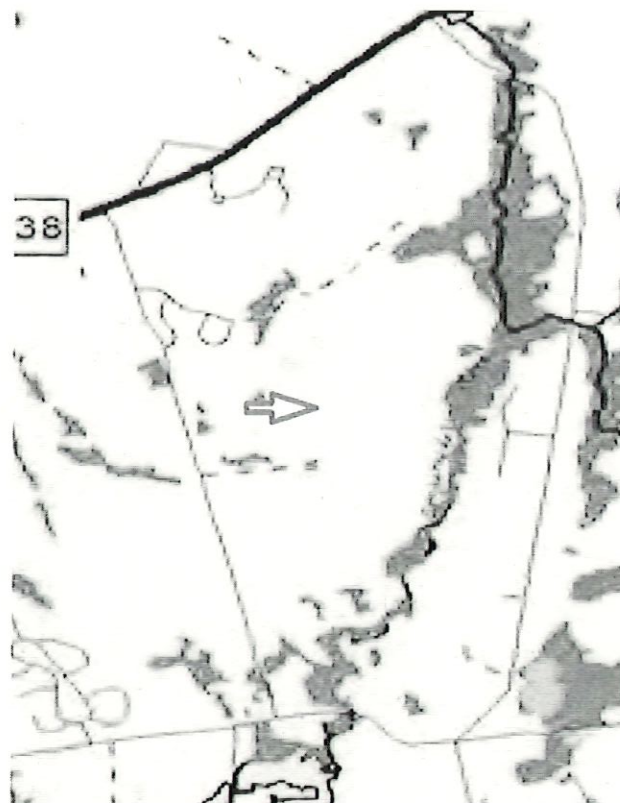
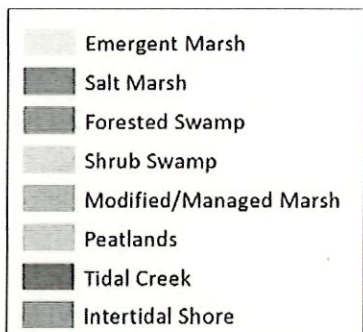
The property that is the focus of the proposed Special Management District amendment is a well recognized recreational asset, having historically been utilized for clay shooting and similar outdoor activities, in addition to an approved indoor gun range. The subject property is addressed 371 Rose Hill Road, further identified as Assessor's Plat 33, Lot 30, and situated directly off of Rose Hill Road ("Property"). The Property contains approximately 122-acres of total land area, and is improved with a well recognized recreational asset, having historically been utilized for clay shooting and similar outdoor activities, in addition to a more recently approved indoor gun range. The property is also improved with several accessory structures serving the storage and other needs of the referenced land uses, to include a recently improved storage facility that accommodates rooftop solar; necessary to off-set a portion of the operation's energy needs. The stated accessory structures are situated along the far southerly property boundary. The property is accessed via Pearls Way, which is directly connected to Rose Hill Drive.

The Property is almost literally free of any development constraints, with only a small wetlands area running the length of the property in a north-to-south direction along the far easterly property boundary. There is also visible topographical changes throughout. The developable nature of the subject property, being predominantly free of any environmental and/or sensitive features, are well corroborated throughout the Comprehensive Plan, as evidenced by the following excerpted series of Maps:

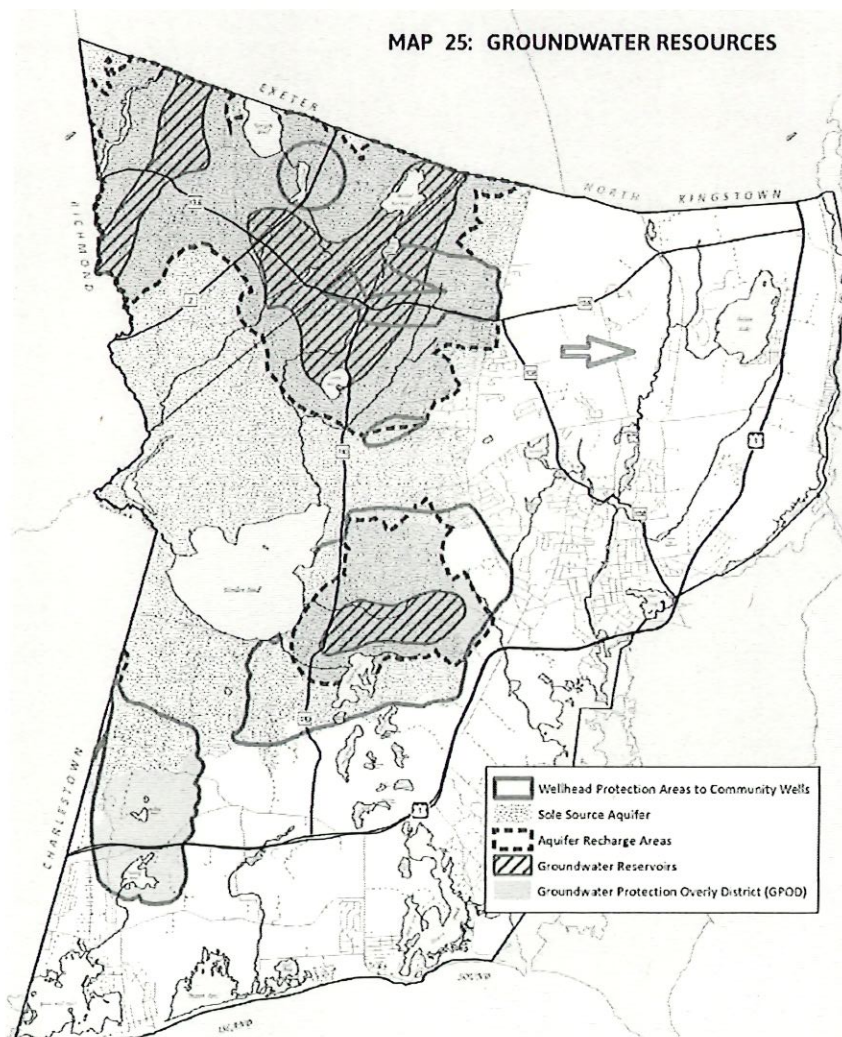
Map 6 'Zoning Overlay Districts' [Page 40] Illustrates that other than the minimal presence of the Special Flood Hazard Area, there are no other impositions.



Map 22 'Wetlands' [Page 167] illustrates that other than along the far easterly side of the Property, free of any such constraint.

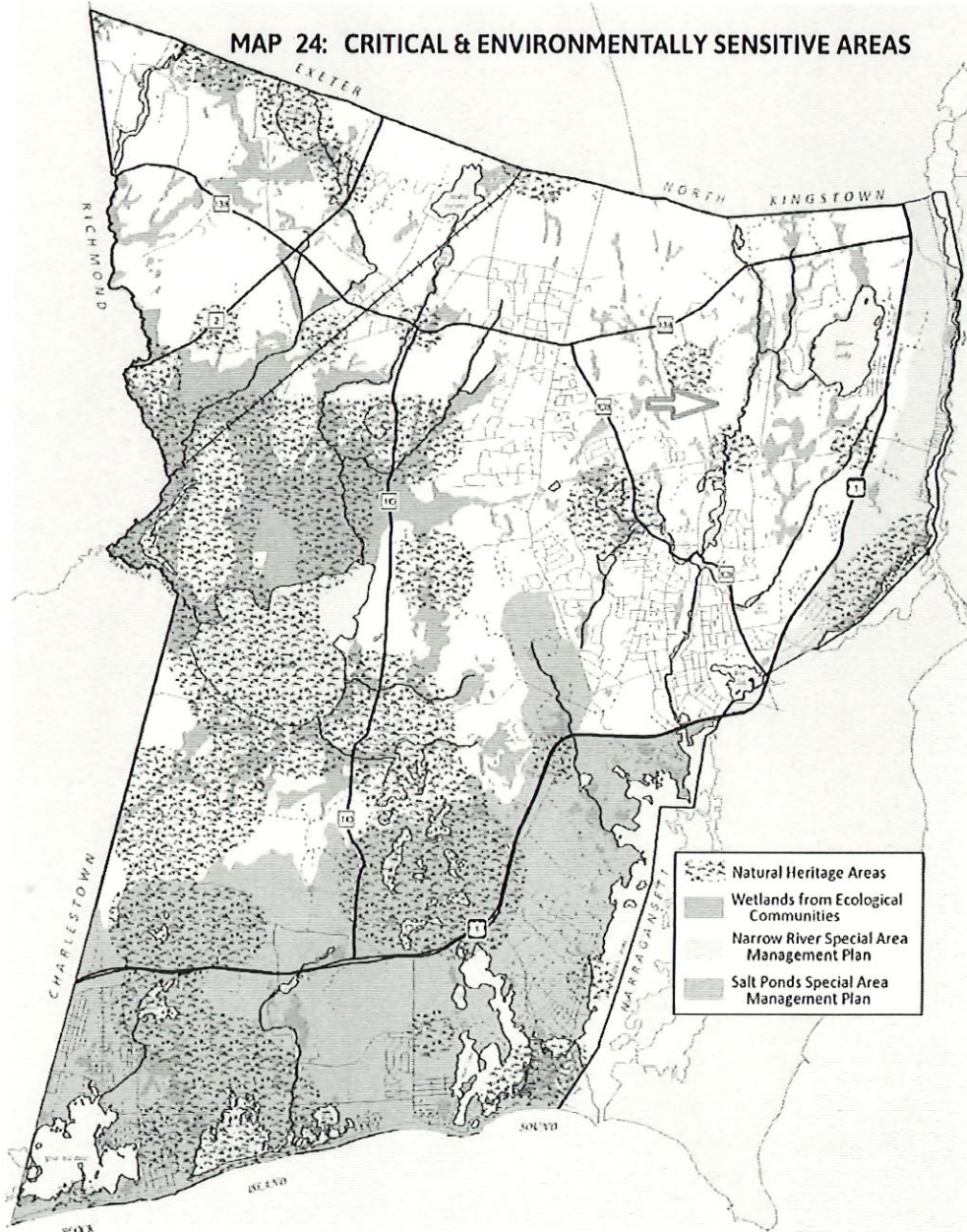


Map 25 'Groundwater Resources' [Page 170] illustrates that the majority of the community is situated over such important resources.]



Map 24 'Critical & Environmentally Sensitive Areas' [Page 169]

Perhaps one of the most important maps, because it details just how limited are the land resources that are literally free of any development concerns. A very important consideration when pursuing development, to the fullest tax-generating extent possible, such limited resources.



Albeit the Property is residentially zoned, there is vast surrounding acreage dedicated to non-residential land usage, being primarily industrial oriented. For example, the Regional Transfer Station is situated to the south of the Property along Rose Hill Drive, handling multi-thousands tons of solid waste on an annual basis. There are also now-closed landfill sites that will never be utilized for residential purposes. These land uses are corroborated by the Comprehensive Plan.

Solid Waste Management and Recycling - *"The Town operates the Rose Hill Regional Transfer Station under contract with Waste Haulers, Inc. to provide solid waste and recycling management for South Kingstown and neighboring Narragansett. For Fiscal 2017-2018 the Town sent 7,987 tons of municipal solid waste to RIRRC. The total of residential recyclables sent to RIRCC was 5,279 tons. In terms of recycling, the Rose Hill Transfer Station is a "single stream" program, whereby all recyclables are co-mingled into a single recycling container. It is felt this system will bolster our community recycling rate percentage. In cooperation with the RI Resource Recovery Corporation the Town has also hosted annual "Hazardous Waste Collection Days". This program has been very effective in providing safe and convenient disposal of hazardous materials for Town residents."* [Pages 236 - 237]

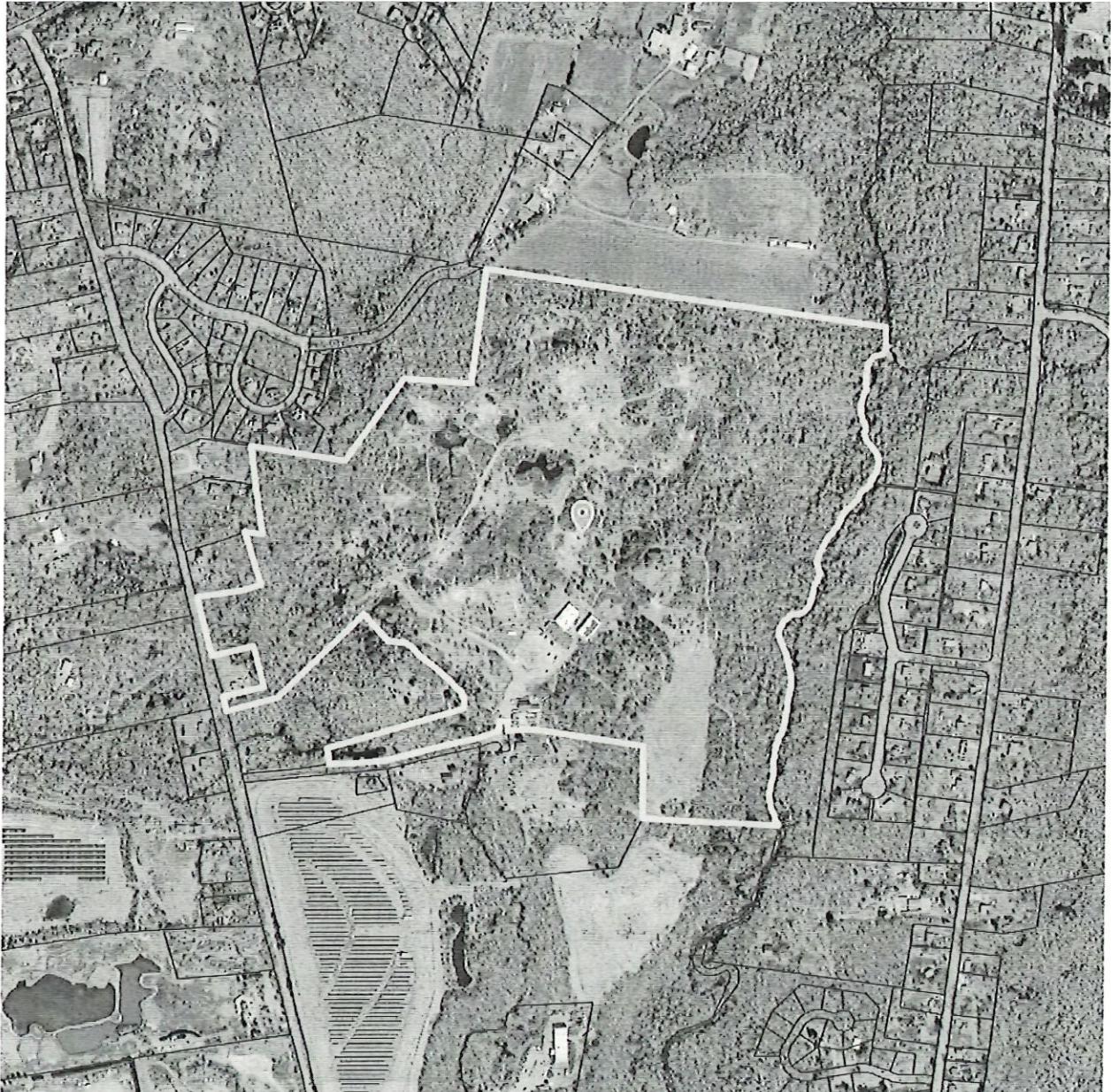
Solid Waste Management and Recycling [Page 227]

- o *"The Town is responsible for implementing the long-term monitoring plans for the closed landfills at the Rose Hill Solid Waste Area and the West Kingston Solid Waste Area."*
- o *"The Town continues to follow the terms of the January 3, 2003 Consent Decree for the Rose Hill Solid Waste Area, with U.S. Environmental Protection Agency (EPA) and RI Department of Environmental Management (RIDEM) as required."*

An additional pertinent point evidencing non-residential development appropriateness is in regard to the present vast mature treed landscaping, particularly along the Property perimeter. The Property is surrounded by sparse residential neighborhood. The sole two (2) immediate residential neighborhoods, which include Ridgewood Lane to the northwest and Erin Drive to the east, are equally situated in excess of 1,400 linear feet from the central portion of the subject property. Therefore, any non-residential development of the Property that respects appropriate setbacks and maintains the vast mature treed landscaping, will ensure that immediate residences are properly protected. Current neighborhood conditions are well-detailed by the illustration on the following page, as excerpted from the Town's GIS.

The subject property, and all properties situated to the north, are zoned 'R40 - Medium Density Residential District' ("R-40 District"). Directly to the west, across Rose Hill Road, is a vast swath of acreage zoned 'IND-2: Industrial Two' ("I-2 District"). And finally, to the immediate south is vast acreage zoned 'Government and Institutional' ("GI District"). This is all corroborated by the Comprehensive Plan - Map 5: 'Current Zoning' [Page 39] Use P. The R-40 District is defined

pursuant to Section 101.A 'Zoning Districts - Residential' of the Ordinance, in the following manner:



R40 - Medium Density Residential District - *"This district allows a residential density of up to 1 dwelling per acre. The minimum lot size for single-household detached dwellings is 40,000 square feet. Residential compounds will be the preferred type of residential development because they have low visual and environmental impact and fit the rural landscape. This district presently includes large estates, farms and large single-household residential lots, and the character of these lands should be maintained. Any intensive development here is not recommended. However, if major subdivision activity is proposed, cluster zoning techniques should be encouraged. Public water and public sewer service may be available but are not*

required. In addition, topographic and soil conditions in some portions of this district make large-scale development impractical. These areas may be environmentally sensitive and may contain much of the Town's wetlands and prime agricultural areas."

The reference to **'These areas topographic and soil conditions in some portions of this district make large-scale development impractical. These areas may be environmentally sensitive and may contain much of the Town's wetlands and prime agricultural areas'**, albeit a consideration in much of the R-40 District, thereby rendering larger-scale development inappropriate, is not applicable to the Property.

Alternatively, the 'I-2 District' and the 'GI District', are defined pursuant to Sections 101.C and 101.D of the Ordinance, respectively, as follows:

Ind-2 - Industrial Two - **"This district is established to cover proposed activities designated on the west side of Rose Hill Road and is created to provide for certain businesses and/or industrial operations that do not require traditional industrial park or commercial district locations. Such uses exhibit characteristics of both industrial operations as well as retail or wholesale business uses. They include automotive-related repair and service, outdoor yard storage, warehousing, multi-purpose trade centers, wholesale and retail sales of landscape and building materials and the like. Extractive operations, including the storage of sand and gravel would be permitted, but processing of these materials from either on site or off site sources, or the manufacture of concrete or asphalt and similar operations would be prohibited. Industries should be well screened from adjacent public streets and buffered from surrounding residential uses. Public water and sewer service is not a prerequisite but may be provided."**

GI - Government and Institutional - **"This district includes land holdings of the Town, State and Federal governments or their agencies, major semi-public institutions, fire districts, and land designated under CERCLA. It also includes land of the University of Rhode Island, the largest institution in the Town of South Kingstown, and South County Hospital. The purpose of this district is to recognize the extent of public and semi-public land holdings and to provide guidance to utilization of these lands should they be sold or otherwise transferred to private ownership. Any significant use of land in the areas shown within this district for proprietary purposes or uses by nongovernmental entities, other than health care institutions, shall require rezoning to an appropriate zoning district."**

The referenced zoning districts are further substantiated by the Comprehensive Plan - Map 4: 'FLUM' (Page 37), which illustrates that the Property and surrounding land resources are classified in corresponding manner to their current zoning. It also necessitates emphasizing that the Property is literally on the border of the 'Urban Services Boundary'. The FLUM illustrates the following:

The subject Property and all parcels situated to the north, up through Route 138, and immediate east are classified 'Residential Medium Density'. Directly to the west, across Rose Hill Road, is a vast swath of acreage classified 'Industrial - 2'. And finally, directly abutting to the south and southwest, is vast acreage classified 'Government / Institutional'.

Therefore, given all of the Property's unique conditions, it is most appropriate to realize greater development and address town-wide needs. It has been conveyed to this Consultant that there is need for self-storage, hotel / motel accommodations, variety of recreational endeavors (e.g., indoor pickleball courts), in addition to other non-residentially compatible land uses. The unique Property conditions include the following:

- o Most notably, historical non-residential land usage - Clay shooting, Indoor Gun Range, Accessory Storage and Rooftop Solar, Etc.;
- o Sizeable acreage, upwards of 122-acres, of which the vast majority is 'upland resources'.
- o Surrounding neighborhood non-residential character. Considerable non-residentially zoned acreage dedicated to some rather intensive land usage (industrial, etc.).
- o Surrounding sparse residential presence, and ability to properly buffer and screen by means of extensive separation (setbacks) and maintenance of thick mature (treed) vegetation.

GENERAL REDEVELOPMENT APPROPRIATENESS

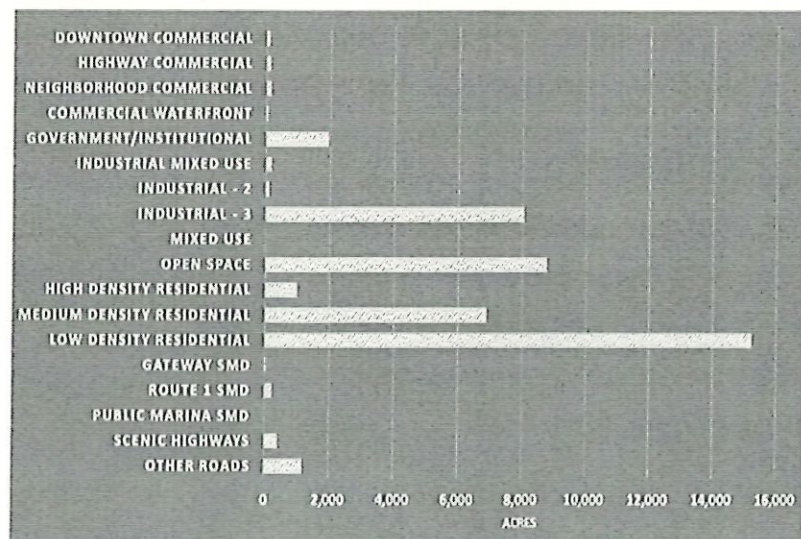
It is abundantly clear that the Town of South Kingstown understands the need for a stable tax-base to off-set unsustainable reliance and undue burden on the Town's citizenry. This is corroborated by the Comprehensive Plan [Page 107].

"The Town of South Kingstown will continue to value and support its business community as a source of jobs and as a means to provide the goods and services required by residents and tourists alike...The Town will support current businesses and properly-sized expansion of commercial and light industrial development, while protecting the quality of the Town's finite natural and cultural resources, as this may relieve the current tax burden on residential land use while providing additional tax revenue for municipal services."

However, such a worthy endeavor is most difficult given the limited quantity of acreage dedicated to commercial and industrial land usage, as evidenced by the Comprehensive Plan -

Figure 22 [Page 38], illustrated to the right. Therefore, additional resources that can be properly developed in a manner that incorporates requisite site design guidelines, and is considerate of the environment and surrounding land uses, should be well received and supported.

FIGURE 22: FUTURE LAND USE MAP CATEGORIES



COMPREHENSIVE PLAN AMENDMENT: RESIDENTIAL MEDIUM DENSITY
to
THE 'PEACEDALE PRESERVE' SPECIAL MANAGEMENT DISTRICT

The Applicant is required by law to evidence consistency with the respective goals and objectives of the Comprehensive Plan, and equally important the 'Future Land Use Map' ("FLUM"). R.I.G.L. 45-24-50 – "Consistency with Comprehensive Plan", specifically grants local communities the authority to amend their Ordinances, when it is done so for the purpose of promoting the public health, safety, morals and general welfare. An Ordinance amendment, including change to the official zoning map, must first evidence consistency with the Comprehensive Plan. In addition, it must be evidenced that there is consistency with the FLUM, which reflects, "...the preferred or acceptable patterns of land use..." Evidence of this consistency must be satisfied, otherwise RIGL mandates a Comprehensive Plan amendment. This report has already concluded that a zone change is absolutely mandatory in order to realize successful redevelopment, addressing documented town wide needs, and operational flexibility. It is also the professional opinion of this Consultant that there is Comprehensive Plan - Textual Consistency, as has been detailed throughout this report. However, in order to assure absolute 'consistency', an amendment to the Comprehensive Plan - Map 4: FLUM [Page 37] is necessary. The amendment in question will reclassify the Property a 'Residential Medium Density' land use classification to the 'Peace Preserve Special Management District'.

ZONE CHANGE: R40 - MEDIUM DENSITY RESIDENTIAL DISTRICT
to
THE 'PEACEDALE PRESERVE' SPECIAL MANAGEMENT DISTRICT

A zone change is absolutely mandatory in order to realize successful redevelopment; realizing necessary land usage and operational flexibility. The proposed redevelopment is in its infancy stage, eventually resulting in appropriate usage of vast acreage, of which the majority constitutes 'upland resources'. However, in order for the Applicant to pursue such an arduous and costly endeavor, he first needs some regulatory assurances. He is therefore first pursuing the requisite amendment(s). This is appropriately regulatory recognized by the Comprehensive Plan [Page 58], as evidenced by the following:

Goal 1: *"Land use policies will be consistent with "Land Use 2025: Rhode Island's Land Use Policies and Plan", and to maintain continuity with the 1992 South Kingstown Comprehensive Plan and previous Plan updates."*

Action 1-1: *"Amend the Comprehensive Plan in accordance with state level requirements or in accordance with the needs of the community."*

Action 1-2: "Establish procedures to ensure that the goals of each element of this Plan are implemented and that any modification to goals or policies is evaluated for its conformity with the balance of the Plan."

It is therefore requested that amendment(s) to the Comprehensive Plan, specifically Map 5: Current Zoning', and Map 6: Zoning Overlay Districts', be likewise pursued. The referenced amendment(s) will change the present zoning designation from R40 District to the Peacedale Preserve Special Management District in regard to Map 5, and superimpose the newly created Overlay District in regard to Map 6.

ZONING TEXT AMENDMENT - ESTABLISHING THE PEACEDALE PRESERVE SPECIAL MANAGEMENT DISTRICT with RESPECTIVE APPROPRIATE LAND USES and OPERATIONAL (DIMENSIONAL) FLEXIBILITY

The referenced Ordinance language changes are as follows - said language changes, deletions, and/or additions being **bolded, italicized, and underlined**:

1. Language addition:

Article 1. Establishment of Districts and Official Zoning Map

Section 102. - Overlay and special management districts

I. Peacedale Preserve Special Management District. Recognizing the unique characteristics of Property identified as Tax Assessor's Map 33, Lot 30; Property being designated for new or expanded light industrial, commercial, recreational and renewable land usage.

2. Language addition:

Article 6. Overlay Zones, Special Zones and Special Management Districts

Section 610. - Peacedale Preserve Special Management District

Section 610.1. Conformity to Comprehensive Plan

All development within the Peacedale Preserve Special Management District shall conform to the policies and design guidelines as set forth in this Zoning Ordinance. In order to demonstrate such conformity, the applicant shall be required to submit a description of all proposed development with the planning board. This description shall be a statement, in text, maps, illustrations or other media of communication that is designed to provide a basis for rational decision making regarding the long-term physical development of the Special Management District.

Section 610.2. Purpose

The purpose of the Peacedale Preserve Special Management District is to provide an area for economic and recreational development in the community according to prescribed review and approval procedures, and according to design standards particular to the district. The district is intended to provide for a diversity of compatible land uses and development densities.

Section 610.3. Applicability

Provisions of this section shall apply only to property located in the zoning district entitled Peacedale Preserve Special Management District, or PPSMD, as shown on the official zoning map.

Section 610.4. Procedure for approval

For new uses on undeveloped land, development within the Peacedale Preserve Special Management District shall be reviewed and approved by the planning board as a major land development project, and as further provided herein. In order to expedite the review and approval of major land development projects within the district, the planning board may combine the stages of review as provided in section V.C.4 of the subdivision and land development regulations.

Existing conforming uses seeking approval for enlargement or significant expansion, or change to another permitted use code category shall be reviewed as new uses. Existing nonconforming uses within the district may be continued as provided in article 2.

Section 610.5. Permitted Uses

All uses listed below with respective Use Code pursuant to section 301 Schedule of Use Regulation, and corresponding Use Code Descriptions pursuant to Appendix A, will be permitted as a matter-of-right within the Peacedale Preserve Special Management District.

Appendix A 'Use Code Descriptions'

Apricultural 0.0

Agricultural 01 'Crop Farm' - "Includes Horticultural Nursery and Forestry."

Agricultural 02 'Livestock Farm' - No Definition

Agricultural 03 'Pig Farm' - "Raising of pigs with more than 1 adult pig per acre of land."

Agricultural 04 'Fish Hatchery' - No Definition

Agricultural 05 'Boarding Animals' - "Kennel or boarding of animals, including accessory retail sales."

Agricultural 05.1 'Pet Day Care Facility' - "A facility providing day care and associated services for domestic pets (dogs, cats and the like) for all or part of the day. Services provided may include: walking/exercise, obedience classes, training, grooming, or behavioral counseling, providing that overnight boarding is not permitted. Accessory retail sales of pet food, pet accessories and toys may be permitted incidental to the principal use."

Residential 1.0

Residential 10 'Single-Household Detached Structure' - "Structure containing a single dwelling unit, occupied by a single-household, with accessory use and home occupation."

Residential 11 'Two-Household Detached Structure' - "Structure containing 2 dwelling units, with accessory use and home occupation."

Residential 12 'Multi-Household Detached Structure, up to 12 units, Land Development Project (LDP)' - "A small single structure multi-household residential building designed to provide multiple residential occupancy. Such structures shall contain only multi-household residential uses and uses accessory thereto in a single structure not to exceed 12 units per structure."

Residential 12.1 'Multi-Household Land Development Project' - "Land development project (as defined in and subject to the subdivision and land development regulations) containing either more than 12 dwelling units, or containing more than 1 principal structure containing dwelling units on a single lot, and as set forth in section 304 of this ordinance, and which are planned, developed and managed as a unit, with required open spaces, recreation areas, off-street parking facilities and accessory uses, designed as a part of the entire project and primarily intended for the use of the occupants of the project. A store, or stores, selling items of convenience solely for the use of the occupants of such project may be including in the land development project, subject to planning board approval, as an accessory use."

Residential 12.4 'Residential Cluster Development/Residential Compound' - "Residential Cluster Development/Residential Compound (as defined in and subject to the subdivision and land development regulations) and as set forth in section 304 of this ordinance."

Residential 12.6 'Mixed Use Detached Structure' - "A detached mixed-use building designed to provide residential occupancy on its uppermost story with commercial uses (use code categories 4 and 5 as allowed in the zone) on the ground level and second story. Such structures shall not contain more than 12 residential units. Residential uses shall be confined to the third story. It is the intent of this use code that the primary uses within the structure shall be of a commercial nature. Notwithstanding, the planning board may, at its sole discretion and subject to the granting of a waiver per article VIII of the subdivision and land development regulations, allow residential uses on the second story of a mixed-use detached structure. Such allowance shall be contingent upon the planning board making affirmative findings of fact, as follows: that residential usage on the second story will be compatible with planned or potential commercial uses on the first floor of the structure, that the design of the building and use mixture proposed is consistent with the context of the area, that the use is properly supported by infrastructure and parking provisions will accommodate all uses without adverse impacts to the surrounding vicinity."

Residential 12.7 'Mixed-Use Detached Structure (elderly residential occupancy only)' - "A detached mixed-use building designed to provide residential occupancy with commercial uses (use code categories 4 and 5 as allowed in the zone) on the ground level/first floor and second story. Such structures shall not contain more than 12 residential units. Residential uses shall be confined to the third story. It is the intent of this use code that the primary uses within the structure shall be of a commercial nature. Notwithstanding, the planning board may, at its sole discretion and subject to the granting of a waiver per article VIII of the subdivision regulations, allow residential uses on the second story of a mixed-use detached structure. Such allowance shall be contingent upon the planning board making affirmative findings of fact, as follows: that residential usage on the second story will be compatible with planned or potential commercial uses on the first floor of the structure, that the design of the building and use mixture proposed is consistent with the context of the area, that the use is properly supported by infrastructure and parking provisions will accommodate all uses without adverse impacts to the surrounding vicinity."

NOTE: "Access stairways and mechanical systems servicing the residential units would not be prohibited from being located below the third story of these structures."

Residential 13 'Loft, Commercial Artist' - "A combined dwelling unit and work space for an artist, where arts and/or crafts are produced in small quantities, without benefit of mass production techniques, and with not more than 1 nonresident employee, and which may include incidental retail sales."

Residential 15 'Community Residence' - "See "community residence" definition [in article 12]."

Residential 15.1 'Halfway House' - "See "halfway house" definition [in article 12]."

Residential 15.2 'Transient Residential Facility' - "See "transient residential facility" definition [in article 12]."

Residential 16 'Single Mobile or Manufactured Home' - "Single mobile home, manufactured home, located on a single lot and used as, or capable of being use as a dwelling unit."

Residential 16.1 'Mobile or Manufactured Home Park Land Development Project' - No Definition

Residential 16.2 'Senior Residential Community - LDP (Land Development Project) - Elderly Only' - "Definition see section 501.7."

Institutional and Governmental Services 2.0

Institutional and Governmental Services 24.3 'Veterinarian Office' - "No boarding of healthy animals. For "boarding of animals" see use code 05."

Institutional and Governmental Services 24.3.1 'Veterinary Hospital' - "Medical and dental services as well as preventive and other related services, including the boarding and grooming of animals."

Cultural, Entertainment and Recreation Services 3.0

Cultural, Entertainment and Recreation Services 31 'Nonprofit Museum or Library' - *"Museum, art gallery and library owned or operated by a nonprofit entity."*

Cultural, Entertainment and Recreation Services 33 'Outdoor Recreation Facility' - *"Camps (excluding tent camps), riding academy, or playground."*

Cultural, Entertainment and Recreation Services 33.1 'Outdoor Shooting Range' - *"An outdoor area operated for commercial purposes specially designed for the safe discharge and use of rifles, shotguns, pistols, or any similar firearm for the purpose of target shooting or military/law enforcement training. This use code does not include a bow and arrow range/clay shooting or non-commercial ranges used for recreational purposes by the resident or owner of the premises which operate in conformity with applicable state law."*

Cultural, Entertainment and Recreation Services 33.1.1 'Bow and Arrow Range/Clay Shooting' - *"An outdoor facility that may include buildings or structures used for target practice with bows and arrows; or an outdoor facility specially designed for shooting at flying targets."*

Cultural, Entertainment and Recreation Services 33.1.2 'Indoor Shooting Range' - *"A facility designed or used for shooting at targets with rifles, pistols, or shotguns, and which is completely enclosed within a building or structure."*

Cultural, Entertainment and Recreation Services 33.1.3 'Field Trials' - *"A competitive event for hunting dogs, which may include shooting."*

Cultural, Entertainment and Recreation Services 33.2 'Country Club' - *"Golf course, unlighted, with accessory uses such as clubhouse, office, cart rental, pro shop, maintenance facilities, swimming pool, and tennis courts. Food and nonalcoholic beverages may be served to golfers and their guests."*

Cultural, Entertainment and Recreation Services 33.2 'Country Club' - *"Golf course, unlighted, with accessory uses such as clubhouse, office, cart rental, pro shop, maintenance facilities, swimming pool, and tennis courts. Food and nonalcoholic beverages may be served to golfers and their guests."*

Cultural, Entertainment and Recreation Services 33.3 'Tennis Courts' - *"Unlighted tennis courts."*

Cultural, Entertainment and Recreation Services 33.6 'Outdoor Entertainment' - *"Amusement park, drive in movie, fairground, driving range, miniature golf or similar uses."*

Cultural, Entertainment and Recreation Services 33.12 'Golf Course, with Alcohol' - *"Golf course, unlighted, with accessory uses such as a clubhouse, office, cart rental, pro shop, and maintenance facilities. Food and alcoholic beverages may be served to golfers and their guests only. A restaurant that caters to the general public is prohibited. The floor area of a clubhouse shall not exceed 3,000 s.f. GLFA. Accessory structures, such as cart rental and maintenance facilities where the public is not allowed may be constructed, subject to the approval of the planning board at the time of development plan review."*

Cultural, Entertainment and Recreation Services 34 'Indoor Sports Facility' - *"Bath house, public bathing, bowling, billiards and like sports; boxing arena; dance hall; gymnasium and indoor swimming pool; ice and roller skating rink; indoor tennis, squash and racquet ball court; video arcade; including accessory restaurant for users of the facility."*

Cultural, Entertainment and Recreation Services 35.2 'Nonprofit Fraternal Organization' - **No Definition**

Cultural, Entertainment and Recreation Services 36 'Wildlife Refuge' - **No Definition**

General Services 4.0

General Services 40.2 'Motel or Hotel, Over 20 Rooms' - *"Motel, hotel, inn, or resort, or bed and breakfast with over 20 rooms, providing transient lodging, generally for stays of less than 30 days. See section 501.9."*

General Services 40.3 'Transient Trailer Park Land Development Project' - *"See section 501.8."*

General Services 41 'Office, Personal and Limited Business Service, up to 10,000 s.f. GLFA/use' - *"Banking and bank-related functions, credit services, savings and loan association and credit union; insurance carrier, personal credit agency; real estate agent, real estate developer, security and commodity trading service, architectural and engineering service; legal service; trade or professional school for the instruction of service listed herein; apparel repair, alteration and cleaning pickup service; barber and beauty service; massage parlor, tanning salon; photographic service; self service laundry and drop-off cleaning service (maximum of two 60 pound dry cleaning machines allowed); shoe repair service; interior designer; photocopy, duplication, mailing and stenographic service; private employment service; research and development of related activities; watch, clock and jewelry repair service; electrical and computer repair and service, physical therapy and health related services, emergency counseling services."*

General Services 44 'General Business Service, up to 10,000 s.f. GLFA/use' - *"Blue printing and copying service; building maintenance service; catering service; cleaning establishment, including on premises dry cleaning; pawn shop; upholstery or re-upholstery and furniture repair service; retail sales of home furnishings and appliances by nonprofit organizations; trade school for the instruction of general business service; and wholesale merchandise broker excluding wholesale storage; taxidermy establishment."*

General Services 44.1 'General Business Service, 10,001 - 50,000 s.f. GLFA/use' - **No Definition**

General Services 46 'Construction Service' - *"Cabinet-making shop, carpenter service; electrical contractor; job shop; painting, paper hanging and decorating service."*

General Services 46.1 'Artisan Workshop' - *"A workshop for artisans and craftsmen engaged in an applied art and having skill, ability and workmanship; including artists skilled in pottery, sculpting, painting, glass blowing, etc., or craftsmen skilled in activities such as tinsmithing, stone masonry, furniture or cabinet making, etc., up to 5000 s.f. GLFA/use, including retail sales for products made on the premises, with no outdoor storage."*

General Services 47 'Heavy Construction Service' - *"Concrete, masonry or plastering service; general contract construction service; plumbing, heating and air conditioning service; roofing and sheet metal service; well drilling service."*

Trade 5.0

Trade 51.1 'General Warehouse' - No Definition

Trade 51.2 'Self Storage Facility' - *"A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers, designed to be used for the dead storage of excess personal property of an individual or family, not including the storage of any merchandise, stock, furnishings, or vehicles of a business of any kind."*

Trade 52.1 'Boat Storage' - *"Boat storage as a commercial use."*

Trade 55 'Retail Trade, up to 10,000 s.f. GLFA/use' - *"Apparel and accessories; household appliances; art supply; bakeries; books, newspapers and periodicals (new or used); cameras and photographic supplies (new or used); confectionery; coin or stamp shop (new or used); custom tailoring; dairy products; drug store; fabric store; floor covering-retail; florist; fruits and vegetables-retail; gift shop; groceries and delicatessens-retail; hobby shops; home furnishings and equipment; jewelry-retail; meat and fish-retail; musical instruments and supplies-retail; office supplies or equipment, stationery or art supplies; pet store; radio, television, audio/video and computer equipment, sales and/or rental; shoe store; sporting goods and bicycles; variety store, interior sale of marine supplies and equipment."*

Trade 55.1 'Retail Trade, up to 10,001 - 50,000 s.f. GLFA/use' - No Definition

Trade 56.2 'Brewpub' - No Definition

Trade 56.4 'Mobile Food Establishment' - *"A food service operation that is operated from a movable motor-driven or propelled vehicle, portable structure, or watercraft that can change location; but not including food service operations that remain stationary in a single location for no more than 15 minutes at a time."*

Trade 56.5 'Mobile Food Court' - *"More than 1 mobile food establishment proposed for operation on property. Development of a mobile food court on a property with 1 or more existing uses shall not constitute a major land development project for the purposes of this ordinance."*

Trade 56.6 'Brewery' - No Definition

Transportation, Communication and Utilities 6.0

Transportation, Communication and Utilities 65.5 'Private Cellular Communications Tower' - *"See section 508. Also subject to development plan review."*

Transportation, Communication and Utilities 68 'Off-premises Sign' - *"Outdoor advertising - Billboards (freestanding or on building). See "sign, off-premises" definition [in section 801]."*

Industrial 7.0

Industrial 74.1 'Agricultural Products Manufacturing'

Section 610.6. Buffering from adjacent residential uses

Buffering of uses proposed to be developed within the district shall be governed by the applicable provisions of the subdivision and land development regulations. Provided, however that in reviewing any new use proposed to be developed within the district adjacent to existing residential uses, the planning board may require additional screening, landscaping or buffering, including, but not limited to, the construction of fences, walls or other architectural barriers the purpose of which is to mitigate any adverse impacts upon adjacent residential property.

Section 610.7. Dimensional and density standards - Conventional Subdivision.

In the instance of a conventional subdivision, the requisite R-40 District Dimensional Criteria detailed in Section 401 Schedule of Dimensional Regulations shall be applicable.

Section 610.8. Dimensional and density standards - Mixed-use development.

In the instance of usage of the entire land resources for a mixture of land uses, the following dimensional criteria shall be applicable:

Section 610.81. Dimensional Criteria.

Maximum Setbacks, to include front, side and rear-yards: 25-feet.

Maximum Building Coverage, to include all principal and accessory land uses: 20%.

Maximum Impervious Lot Coverage: 30%.

Maximum Building Height: 40-feet.

Maximum No. of Stories - Four.

Minimum Open Space: 50%.

Section 610.82. Off-Street Parking.

As detailed in Article 7 Standards for Parking Lots and Loading Facilities.

Section 610.83. Signage.

One (1) or more wall mounted sign(s) for each main building shall be permitted, the total of which does not exceed one (1) square foot for each lineal foot of the building frontage on which the sign is located, not to exceed seventy-five (75) feet.

In addition to permitted wall mounted signs for main buildings above, there may be one (1) individual wall mounted sign or projecting sign on each side of the building to identify each individual use in a multiple use building. An individual use may place said signs only on those sides of the building that are contiguous to the use. Such signs shall not exceed ten (10) square feet in area per use and shall be located at or near any entrance open to the public.

In addition to permitted wall-mounted signs, there shall also be allowed one (1) freestanding sign for each main building or use not to exceed forty (40) square feet per side. Such freestanding signs shall not exceed twenty (20) feet in height above the ground. No such freestanding sign shall be erected in such a manner as to materially impede vision or obstruct access to or from any public or private street, sidewalk, driveway, off-street parking or loading facility or any other access required by this ordinance.

The entire development shall be permitted one (1) off-premises sign.

Section 610.83. Lighting.

The development shall be Dark Sky compliant.

Section 610.83. Lighting.

The development shall be Dark Sky compliant.

Section 610.834 Trash storage and disposal.

Appropriate quantity of trash disposal facilities shall be provided.. All trash storage facilities shall be screened on all sides by opaque fencing material that is a minimum . Trash storage facilities shall not be located within the requisite front-yard setback, and shall be setback a minimum of ten-feet off the side and rear-yard setbacks.

CONCLUSION

It is the professional opinion of this Consultant that the proposed Map Amendment(s) and Zoning Ordinance Text Amendment is very appropriate, because it is clearly furthers the intent of the community to permit reasonable commercial growth in an area capable of accommodating said growth. The locale in question is clearly appropriate for the respective mixture of commercial uses, given the character of surrounding area and ability properly buffer

and screen Property development. The following Comprehensive Plan language [Page 54] is generally supportive of the proposed land usage, and therefore, requested zone change,

"Less than 1% of land in South Kingstown is zoned for commercial activity. As such, existing opportunities for new commercial development and expansion are limited. The Town needs to assess existing commercial uses and zoning districts in order to provide additional opportunities for properly located, appropriately sized, and well-designed commercial and mixed-use development that builds upon historic development patterns. Additional needs and opportunities are listed by specific village or commercial area."