

THE CITY OF CRANSTON

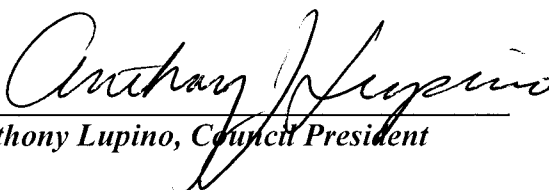
ORDINANCE OF THE CITY COUNCIL
IN AMENDMENT OF CHAPTER 17.84 OF THE CODE OF THE CITY OF
CRANSTON, 2005, ENTITLED "ZONING"
(SITE PLAN REVIEW)

No. 2012-23

Amended September 13, 2012 Ordinance Committee

Passed:

September 24, 2012



Anthony Lupino, Council President

Approved:

September 25, 2012



Allan W. Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

Section 1. Chapter 17.84 of the Code of the City of Cranston, 2005, entitled "Site Plan Review" is hereby amended by deleting the Chapter in its entirety and substituting thereto the following:

Chapter 17.84 DEVELOPMENT PLAN REVIEW

17.84.010 PURPOSE

Proposed developments [DEVELOPMENT] shall be subject to a Development Plan Review [DPR] to assure that said Developments occurs in a safe, orderly and harmonious manner. The purpose of this Chapter is to:

1. Ensure that a Development, including use and design, is compatible with the surrounding area;
2. Ensure that there are adequate public facilities to service a Development;
3. Promote safe traffic *pedestrian and bicycle circulation;
4. Preserve and protect natural, historical and cultural resources; scenic or unique vistas and environmental qualities;
5. Provide open space and public access through landscape design;
6. Require the treatment of erosion, stormwater runoff and pollution;
7. Provide safe and efficient access and site circulation and adequate off-street parking and loading, emergency access, trash disposal, outdoor storage, signage and lighting;

- 42 8. Require consistency with the City's Comprehensive Plan and compliance with the
 43 Zoning Ordinance [ZONING] and other applicable Ordinances of the Municipal
 44 Code [CITY CODE]; and
- 45 9. Identify issues to be addressed before a Development proceeds to final design and
 46 engineering.

47 **A DPR shall not be used to deny any use allowed by right as established by Zoning.**

48 **17.84.020 APPLICABILITY**

49 The following activities shall be subject to the provisions of this Chapter:

- 50 1. A nonresidential Development on a parcel not located in or within 200' of a
 51 residential zoning district [all A-zones and B-zones] which proposes:
- 52 a. a new structure(s) having of 8,000 SF or more or that requires 25 or more off-
 53 street parking spaces;
- 54 b. to increase a structure(s) by the lesser of 25% or 4,000 SF provided that said
 55 structure(s) will have 8,000 SF or more after the increase or that requires the
 56 addition of 7 or more off-street parking spaces;
- 57 2. A nonresidential Development on a parcel located in or within 200' of a
 58 residential zoning district which proposes:
- 59 a. a new structure(s) having an area of 5,000 SF or more or that requires 15 or
 60 more off-street parking spaces;
- 61 b. to increase structure(s) by the lesser of 5% or 1,500 SF provided that said
 62 structure(s) will have 5,000 SF or more after the increase or that requires the
 63 addition of 4 or more off-street parking spaces.
- 64 3. A multi-family development which proposes 4 or more dwelling units or any
 65 accessory structure of 1000 SF or more. Any increase in an existing development
 66 resulting in 4 or more dwelling units.
- 67 4. A change in use provided that said change would in any 3 year period:
- 68 a. Involve lesser of 20% or 15,000SF;
- 69 b. Require the addition of 6 or more off-street parking spaces;
- 70 c. Employ different materials and/or processes than those associated with the
 71 existing use;
- 72 d. Result in significant changes to traffic flow or volumes, landscaping or
 73 buffering, hours of operation, noise, effluent discharge, drainage or lighting.
- 74 5. Any Development which proposes to include a drive-thru use.

75 **17.84.030 EXEMPTIONS**

76 The following activities shall be exempt from the provisions of this Chapter:

- 77 1. Construction or alteration of single/three-family dwellings including accessory
 78 structures,
- 79 2. Modifications to existing nonresidential structures where there is no change in use
 80 or area,

81 3. Subdivisions for single-family dwellings and residential planned districts.

82 **17.84.040 DEVELOPMENT PLAN REVIEW COMMITTEE**

83 A DPR Committee [DPRC] shall consist of the Directors of Planning and Public Works,
 84 Fire Chief, Inspector of Buildings and Public Safety Manager or their designees. The
 85 Planning Director shall serve as the DPRC chair and the Planning Department
 86 [DEPARTMENT] shall coordinate the DPR process.

87 **17.84.050 PROCEDURE**

- 88 A. CONCEPT MEETING: Upon written request, the DPRC may meet with an Applicant
 89 to review concept plans for a Development. The DPRC shall not be bound by any
 90 comments made during said meeting.
- 91 B. PRE-APPLICATION MEETING: Prior to filing for a DPR [APPLICATION], an
 92 Applicant shall meet with the Department to determine what materials shall be
 93 submitted with an application. Within 14 days after the meeting, the Department shall
 94 provide to an Applicant a list of the plans and documents to be submitted.
- 95 C. APPLICATION: An Application shall be filed with the Department in accordance
 96 with Sec. 17.84.110. At a minimum, it shall include all the items identified at the
 97 Pre-Application Meeting. During its review, the DPRC may request any additional
 98 materials it deems necessary to render a decision.
- 99 D. CERTIFICATION: The Department shall certify an Application as complete or
 100 incomplete within 10 days after submission.
- 101 1. For a complete Application, the certification shall include date on which a DPR
 102 will be conducted.
- 103 2. For an incomplete Application, the certification shall identify the Application's
 104 deficiencies. **The application form and the site plan, as determined by staff,*
 105 *shall also be filed electronically and posted on the City's web site.*
- 106 E. REFERRALS: For a complete Application, a copy of said Application shall be
 107 forwarded to appropriate City departments, committees, commissions and boards for
 108 review and comment.
- 109 F. PLAN REVIEW: For a complete Application, the DPRC shall conduct a DPR at a
 110 public meeting. The Mayor, City Council and all owners of land [abutters] within
 111 200' of the parcel being reviewed shall be informed of said meeting with abutters
 112 being informed by first class mail posted a minimum of 7 days prior to the meeting.
 113 During a DPR, an Applicant may submit corrections and additions. A DPR may be
 114 continued by vote of the DPRC.
- 115 G. DECISION: Within 14 days after the close of a public meeting, the PRC shall issue a
 116 written decision on an Application unless the DPRC extends said timeframe an
 117 additional 20 days by written notice to the Applicant.
- 118 1. A decision shall be by a majority vote of the DPRC.

- 119 2. If an Application is approved [APPROVAL], the DPRC may impose conditions
 120 or require modifications to a Development in order to mitigate impacts and insure
 121 compliance with Zoning and other City Codes and regulations.
- 122 3. If an Application is denied, the DPRC shall make findings detailing the basis for
 123 denial.

124 **17.84.060 GENERAL STANDARDS FOR APPROVAL**

125 An Approval shall be granted if the DPRC finds a Development meets the following
 126 standards:

- 127 1. A Development complies with Zoning and other City Codes and regulations and
 128 is consistent with the Comprehensive Plan.
- 129 2. Erosion is controlled in accordance with Chapter 15.28 “Soil Erosion and
 130 Sedimentation Control” of the City Code so that erosion shall not impact abutting
 131 properties or public streets.
- 132 3. Storm water runoff is treated using best management practices so that there shall
 133 be no increased runoff from a Development. [All developments shall meet the
 134 standards set in the Rhode Island Stormwater Design and Installation Standards
 135 Manual as most recently amended.]
- 136 4. Vehicular and pedestrian movement within and access to and egress from a
 137 Development are safe and efficient and provisions are made for snow removal.
- 138 5. Site improvements, utilities, infrastructure, streets, sidewalks, and parking areas
 139 will be constructed in compliance with the applicable City regulations and
 140 standards.
- 141 6. The location, arrangement, appearance and quantity of off-street parking and
 142 loading are adequate to serve the Development and comply with Zoning.

143 Nothing herein shall prevent an applicant from seeking a variance or special permit from
 144 the ZBR.

145 **17.84.070 FINAL PLAN**

146 Any revision required by an Approval shall be incorporated onto a final plan [PLAN] and a
 147 Mylar and 2 paper copies of said Plan shall be submitted for endorsement by the DPRC
 148 within 30 days of an Approval. Prior to endorsement, an Applicant shall comply with all
 149 applicable conditions set by an Approval. The endorsed Plan shall be incorporated into the
 150 Approval by reference and made part thereof. The Department shall file a record of the
 151 Approval with the City Clerk on behalf of the DPRC.

152 **17.84.080 AMENDMENT TO FINAL DEVELOPMENT PLAN REVIEW**
 153 **APPROVAL**

154 Activities authorized by a DPR shall be completed in conformity with the Approval.
 155 Minor changes to the Approval may be allowed by the Inspector of Buildings in
 156 consultation with the Planning Director. Changes deemed to be major shall be submitted
 157 to the DPRC for review and approval.

158 *A change to the Approval shall be major if:

- 159 • the requested change could have affected vote to grant Approval
- 160 • the requested change creates or intensifies project impacts which require
- 161 additional conditions to address said impacts.

162 **17.84.90 TIME LIMIT ON APPROVAL**

163 An Approval shall lapse after one year if construction has not begun. The one year period
 164 shall start on the date an Approval is filed with the City Clerk and shall not include such
 165 time required to pursue or await an appeal. Upon written request, the DPRC may extend
 166 an Approval for a period not to exceed one year.

167 **17.84.100 COORDINATION**

168 When a DPR is required, an Approval shall be secured prior to:

- 169 1. the issuance of a building permit;
- 170 2. consideration of an application for a Preliminary Plan Approval by the City Plan
- 171 Commission or
- 172 3. consideration of an application for a variance or special permit by the Zoning
- 173 Board of Review [ZBR].

174 The decision and findings of the Committee shall be considered by the ZBR and the Plan
 175 Commission in their deliberations on the matter before it.

176 **17.84.110 SUBMISSION REQUIREMENTS**

177 **A. SUBMISSION REQUIREMENTS PRE-APPLICATION MEETING**

- 178 1. Existing conditions plan showing property boundaries, structures, streets,
- 179 easements, natural resources, contours, wetlands and generalized drainage pattern;
- 180 2. A proposed site plan showing in general terms site layout, building footprints,
- 181 parking and site circulation, landscaping and drainage.

182 **B. SUBMISSION REQUIREMENTS FOR DPR**

- 183 1. A complete application for DPR shall include:
 - 184 a. 6 copies of the Application including plans, *plus one electronic copy;
 - 185 b. a filing fee of \$500 plus \$20 per acre for each full acre in the Development;
 - 186 c. supporting documentation as determined in the pre-application meeting or
 - 187 required below;
 - 188 d. identification of all permits required from state or federal agencies prior to
 - 189 start of construction;
 - 190
 - 191
 - 192 e. a municipal lien certificate showing that all taxes are current;

193 f. a list of the owners of all land within 200' of the perimeter of the parcel that is
 194 being reviewed and a set of stamped envelopes addressed to the abutters in the
 195 order which they appear on said list.

196 Plans shall be prepared by a professional engineer [RPE] or surveyor [PLS],
 197 landscape architect or architect licensed in Rhode Island. Topographical and
 198 boundary surveys plans shall be stamped by a PLS. Engineering designs shall be
 199 stamped by a RPE. Plans shall be drawn to a scale that is appropriate to the size of
 200 the Development.

201 2. At a minimum, an Application shall include a project narrative, plans and a
 202 drainage plan and report.

203 The plans may include the following as appropriate:

- 204 a. A locus map referencing the Development to the surrounding area, streets
 205 and zoning district boundaries within 500'.
- 206 b. Name of the Development, north arrow, scale, assessor's plat and lot
 207 number, bench mark and datum, the dates of plans and revisions and
 208 signature blocks on all plans to be endorsed.
- 209 c. Name and address of the owner of record, applicant and professionals
 210 preparing the plan.
- 211 d. Assessor's plat and lot number and names of all owners of land abutting the
 212 Development.
- 213 e. Zoning district boundaries and all the data necessary to show compliance
 214 with Zoning.
- 215 f. Parcel area and boundaries; existing/proposed streets, lot lines, easements
 216 and public areas.
- 217 g. Distances to the nearest street intersections and fire hydrants measured
 218 along the ROW lines.
- 219 h. Existing/proposed grading at 2' contours where slopes are less than 15%
 220 and at 5' counters where slopes are 15% or more. Elevations shall be
 221 referenced to the City's datum.
- 222 i. Environmental features including soils, rock outcroppings, wooded areas,
 223 trees 8" caliper and above, watercourses, water bodies, wetlands,
 224 floodplains [showing base flood elevation].
- 225 j. Location, dimensions, GFA, floor plans and heights of existing/proposed
 226 buildings, equipment and other structures such as walls, fences, culverts and
 227 bridges. Buildings and structures to be removed shall be indicated by
 228 dashed lines.
- 229 k. Location of existing/proposed utilities including sewers, water, gas and
 230 electricity with pipe sizes, elevations, slopes and directions of flow.
- 231 l. Location, type and density of land uses that will be in the Development.
- 232 m. Renderings as needed to illustrate the visual impact on abutting properties.
- 233 n. Signage including location, size, design and illumination.
- 234 o. Exterior lighting including type, location, intensity, shielding and times of
 235 operation.
- 236 p. Landscape Plan including landscape materials, paving, lighting and street
 237 furniture. Said plan shall indicate the location, type and size of plantings at
 238 the time of planting and at maturity.

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- 241 q. Site circulation showing access to and egress from the Development; size
 242 and location of driveways and curb cuts; parking, loading and outdoor
 243 storage areas; dumpsters and any off-site traffic improvements necessary to
 244 ensure public safety.
 245 r. Profile and cross-section of proposed streets and sidewalks showing
 246 utilities.
 247 s. Such other information as may be required to show compliance with
 248 Zoning.

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 250 A drainage plan/report demonstrating that the development's stormwater
 251 management system will meet the standards set by the Rhode Island Stormwater
 252 Design and Installation Standards Manual as most recently amended. At a
 253 minimum said plan/report shall show the following:
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- 255 a. Changes in land use and the routes that storm water will flow through the
 256 Development.
 257 b. Existing/proposed drainage structures, basins and channels. [Drainage
 258 structures shall comply with City specification and shall be approved by the
 259 City Engineer.]
 260 c. Drainage calculations demonstrating that the peak rates of storm water runoff
 261 leaving the post-development parcel will not exceed the pre-development
 262 conditions for the 2-year, 10-year, 25-year and 100-year storm events. Said
 263 calculations shall be based on the rational method, SCS TR55 or other method
 264 approved by the City Engineer.
 265 1. The drainage system shall be designed to accommodate the 25 year storm
 266 event.
 267 2. Retention or detention basins shall be designed to accommodate a 100
 268 year storm event.
 269 d. A drainage plan showing tributary and downstream areas affected by run-off,
 270 soil types and surficial cover characteristics for both pre- and post-
 271 development conditions.
 272 e. Design calculations to determine the size of all pipes, culverts and basins.
 273 Sizing of the piping system shall be based on the Rational Method.
 274 f. Results of percolation tests performed for any proposed retention/detention
 275 basin in order to determine the suitability of the subsurface conditions to
 276 accommodate said basin.
 277 g. A maintenance plan which shall:
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 279 1. identify all of the Control Measures that will be inspected and maintained;
 280 2. provide an inspection schedule for each Control Measure;
 281 3. list typical maintenance procedures for each Control Measure;
 282 4. describe steps to take if additional repair is required;
 283 5. provide forms and instructions for record keeping and notification to the
 284 City;
 285 6. list the names and personnel assigned to each task and the training needed to
 286 be able to do the job.
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288 An applicant carrying out maintenance activities under an Approval, and all
 289 subsequent owners of lots on which said measures have been installed, shall
 290 adequately maintain said measures in accordance with the maintenance plan.

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292 C. SUPPORTING DOCUMENTATION

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1. Impact Assessment [IA]

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a. An IA shall be required for any Development that proposes to construct:

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1. Retail and/or office building(s) of 100,000 SF or more or that involves 8
or more acres of land;

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2. Industrial building(s) 150,000 SF or more or that involves 15 or more
acres of land;

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3. Multi-family building(s) of 100 units or more. If a parcel of land which
has been partially developed since January 1, 1966, the units resulting
from said development shall be included in calculating the total number of
units being developed.

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b. The DPRC may determine that an IA as required above is not warranted. In
making its determination, the DPRC shall identify the potential impacts that
may be generated by a Development and shall make findings as to why no
further review is required.

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c. For any Development not meeting the criteria above, the DPRC may require
an IA if it determines there is a reasonable expectation that a Development
will have a significant negative impact on a site or nearby properties or on the
built or natural environment.

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d. If an IA is required, the DPRC shall inform the applicant in writing of the need
to submit said assessment and of the scope of work to be addressed.

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1. The scope of work may include but not be limited to an assessment of the
following impacts: fiscal, traffic, environmental, scenic, historic, use-
compatibility, noise and similar such items.

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2. An IA shall be prepared by licensed or other appropriate professionals the
names, education, disciplines and experience of whom shall be included in
the report.

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3. An IA shall evaluate direct and indirect impacts created by a
Development, all measures required to mitigate any negative impacts that
have been identified and the party responsible for implementing said
mitigation.

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4. Where appropriate, an IA shall include a plan to monitor the impacts from
a Development and the success of any mitigation that may be required.

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2. Traffic Impact Study: If deemed necessary by the DPRC, a study of traffic
conditions [both on-and off-site] shall be provided. Said traffic impact study may
include, but not be limited to:

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a. Analyses of the roadways and intersections that may be impacted by a
Development.

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b. Existing volumes (both ADT and peak hour counts).

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c. Safety Issues (accident data, sight distance, roadway conditions, etc.).

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d. Development generated and future traffic volumes (both ADT and peak hour

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projections).
e. Capacity analysis utilizing Transportation Research Board Special Report 209
or other document as specified by the City's Traffic Engineer.
f. Traffic improvements, if any, needed to mitigate impacts from a
Development.

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g. **Consideration of bicycle and pedestrian routes.*

- 339 3. Open Space: If a Development will include common or open spaces, the Plans
 340 shall show the location and size of said spaces and identify the entity that will
 341 own and maintain said spaces.
- 342 4. Easements, Deed Restrictions, Covenants: An Application shall include a copy of
 343 covenants, deed restrictions or easements that currently exist or are proposed for
 344 the Development.
- 345 5. Maintenance: A maintenance plan shall be provided specifying that all private
 346 roads and other applicable facilities shall be maintained by the applicant or
 347 successors and assigns. At a minimum, said plan shall identify all of maintenance
 348 activities to be undertaken, the parties responsible for said activities, a schedule
 349 for each activity, and identify the records of maintenance to be kept.
- 350 6. Monitoring: In order to insure compliance with any standard that may be set in an
 351 Approval, periodic monitoring may be required during and after construction. If
 352 monitoring is required, the Applicant shall provide the DPRC for review and
 353 approval a draft of a monitoring program and the identity of the entity that will
 354 undertake the monitoring. Monitoring shall be at the expense of the applicant.
 355 Copies of all monitoring reports shall be provided to the DPRC.

356 **17.84.140 DEVELOPMENT AND LANDSCAPING DESIGN STANDARDS**

357 A. PURPOSE

358 The purpose of this section is to promote effective site planning, design and landscaping
 359 so as to:

360 Promote a high quality of development in the City;

- 361 1. Improve the environment by providing open space, street trees and landscaping;
- 362 2. Preserve the character and scale of neighborhoods by requiring a Development to
 363 be compatible with the existing character of the area;
- 364 3. Mitigate environmental, visual and other impacts by requiring adequate buffering;
- 365 4. Promote safe and efficient pedestrian,* *bicycle* and traffic circulation;
- 366 5. Minimize noise, dust, pollution and glare that may be generated by a
 367 Development;
- 368 6. Provide for cooling of air and land through shading in order to offset radiational
 369 heating;
- 370 7. Mitigate impacts from storm water runoff and surface water contamination and
 371 protect water quality;
- 372 8. Maintain ground water, provide for erosion and flood control and for absorption
 373 of pollutants.

374 B. INFILL DEVELOPMENT

375 A non-residential Development on a parcel having less than 200' of frontage shall be
 376 considered an infill development. The design of said Development shall take into
 377 consideration the front yard setbacks and heights of buildings on abutting properties.

378 C. LANDSCAPE STANDARDS

379 1. General Requirements.

- 380 a. Landscaping shall be provided as part of a Development in order to preserve
 381 and enhance the identity of a Development.
 382 b. A minimum of 15% of a Development's parcel shall be landscaped.
 383 c. ****Once a project complies with the minimum parking standards, then***
 384 ***priority shall be given to meeting the landscaping standards above***
 385 ***additional parking.***

386 2. Site Activities

- 387 a. Topsoil Preservation:
 388 1. To the extent practicable, the areas of a parcel to be disturbed shall be
 389 minimized.
 390 2. Disturbed areas shall be stabilized in a timely manner by seeding or
 391 planting landscaping materials.
 392 3. Topsoil moved during site work shall be stockpiled on site in designated
 393 areas that are stabilized to prevent erosion and reused in accordance with a
 394 Landscape Plan.
 395 b. Removal of Debris: Organic material [including roots, stumps, brush, cleared
 396 or grubbed materials], rubbish and debris shall be disposed of off site in a
 397 timely manner. The reuse of organic materials may be allowed if said
 398 materials will not adversely affect plantings, ****natural areas*** or buildings.
 399 c. Protection of Existing Plantings: Maximum effort shall be made to preserve
 400 existing vegetation on site [especially specimen trees].
 401 1. If specimen trees are removed, they shall be replaced in kind in
 402 accordance with a Landscape Plan.
 403 2. No materials or temporary soil deposits shall be placed within the drip line
 404 of trees being retained.
 405 3. A physical barrier shall be installed around each plant or group of plants
 406 that are to remain. Said barrier shall be a minimum of 4' high, maintained
 407 until construction is completed and shall not be supported by the plants
 408 they are protecting.
 409 d. Slopes: All cuts and fills, terraces and ROW embankments with slopes greater
 410 than 1:3 shall be landscaped so as to prevent erosion.
 411 e. Additional Landscaping: All areas of the site not occupied by buildings or
 412 improvements shall be landscaped in accordance with an approved landscape
 413 plan.

414 3. General Planting Requirements

- 415 a. Only nursery-grown or suitable existing vegetation shall be used.
 416 b. Vegetation shall be planted according to established horticultural standards.
 417 c. Vegetation shall be hardy for climatic zones 6/7 and appropriate in terms of
 418 function and size.
 419 d. Plant species which are native and require minimal watering and fertilization
 420 are recommended.

- 421 4. Trees
- 422 a. Species of trees may vary depending on overall effect desired as shown on a
- 423 Landscape Plan.
- 424 b. One street tree shall be planted for every 35' of frontage. Generally, street
- 425 trees shall be of the same species except to achieve special effects. Trees may
- 426 be spaced along the street at every 35' at the rear of sidewalk or may be
- 427 grouped in accordance with a Landscape Plan.
- 428 c. With the exception of ornamental trees, deciduous trees shall have at least a 2
- 429 ½" caliper at planting and a caliper of at least 12" when fully mature.
- 430 d. Size of evergreens and shrubs may vary depending on setting and type of
- 431 plant material.
- 432 5. Maintenance
- 433 a. The applicant shall be responsible for maintaining landscaped areas in a neat
- 434 and attractive manner. Said areas shall be kept free of all debris, rubbish,
- 435 weeds and tall grass.
- 436 b. The applicant shall be responsible for watering plantings on a regular basis.
- 437 [The use of underground sprinkler or drip irrigation systems for landscaped
- 438 areas is encouraged.]
- 439 c. The applicant shall remove and replace all dead or diseased plantings
- 440 annually.
- 441 6. Buffer Strips
- 442 a. All Developments shall provide an approved year-round buffer a minimum of
- 443 8' in height, consisting of fencing, vegetation, berms, rocks, boulders, mounds
- 444 or combinations thereof, to:
- 445 1. Shield abutting properties from negative impacts from a Development;
- 446 2. Shield a Development from negative impacts from abutting properties,
- 447 3. Minimize the impacts from storm water runoff and flooding.
- 448 b. Buffer Area Dimensions
- 449 1. A minimum 10' wide landscaped strip shall be provided along property
- 450 lines parallel to a street where parking or circulation areas abuts said
- 451 street.
- 452 2. A minimum 5' landscape strip shall be provided along side and rear
- 453 property lines where parking and circulation areas are adjacent to abutting
- 454 properties.
- 455 3. Where a more intensive use abuts a less intensive use, a 25' wide buffer
- 456 strip may be required. The width of said strip to be determined by the
- 457 design and density of the buffer proposed.
- 458 c. Plantings shall provide maximum protection to abutting properties and avoid
- 459 damage to existing plant materials. Earthen berms may be used in the buffer
- 460 design, provided side slopes are adequately stabilized. Said berms may be
- 461 used to calculate effective buffer height.
- 462 d. Plant materials shall be sized and planted so as to achieve a year-round
- 463 effective buffer height of at least 8' within 3 growing seasons.
- 464 e. Buildings, structures, parking or the storage of materials shall not be allowed
- 465 within a buffer area.
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- 469 7. Parking Area Landscaping Requirements
- 470 a. In addition to any required buffer strip, a minimum of 10 SF of landscaped
- 471 area shall be provided within a parking area for each parking space in said
- 472 area.
- 473 b. A minimum of 20% of a parking area shall be shaded by deciduous trees that
- 474 shall have a crown [canopy] of 30' at maturity. Said trees shall be surrounded
- 475 by at least 100 SF of unpaved area to provide for growth and protection from
- 476 vehicles.
- 477 c. Each row of parking spaces shall be terminated by a landscaped island not less
- 478 than 6' wide and 12' long.
- 479 d. A continuous landscaped island not less than 8' wide shall be provided
- 480 between every 4 rows of parking spaces.
- 481 e. Landscaped areas shall be provided at appropriate locations in order to
- 482 prevent long, uninterrupted rows of parking.
- 483 f. Landscaped islands shall be protected from encroachment by motor vehicles
- 484 by a continuous raised curb. [Vehicles shall be presumed to have an overhang
- 485 of 3 1/2'.] Pedestrian paths may be incorporated within the landscaped islands
- 486 provided a minimum dimension of 4', exclusive of paved areas, is maintained.

487 **17.84.150 PARKING AREA DESIGN STANDARDS**

488 A. PARKING LAYOUT

- 489 1. Generally parking areas shall have the minimum required widths for drive aisles
- 490 as described in the table below. The design of parking areas shall generally
- 491 conform to ITE's "Guide for Parking Facility Location and Design, 1990" as
- 492 amended. The City's Traffic Engineer may require the dimensions of parking
- 493 spaces and drive aisles to be adjusted if traffic and safety considerations so
- 494 warrant.

495 **Required Widths of Drive Aisles**

| <u>Aisle Width</u> | <u>Parking Angle (in degrees)</u> <u>0</u> | <u>Parking Angle (in degrees)</u> <u>30</u> | <u>Parking Angle (in degrees)</u> <u>45</u> | <u>Parking Angle (in degrees)</u> <u>60</u> | <u>Parking Angle (in degrees)</u> <u>90</u> |
|----------------------------|---|--|--|--|--|
| <u>One-way traffic</u> | <u>13'</u> | <u>11'</u> | <u>15'</u> | <u>18'</u> | <u>24'</u> |
| <u>Two-way traffic</u> | <u>20'</u> | <u>20'</u> | <u>21'</u> | <u>23'</u> | <u>24'</u> |

- 496 2. Pedestrian and vehicular areas shall be designed to provide safe and efficient site
- 497 circulation. Conflicts between pedestrian and vehicular traffic shall be minimized
- 498 by providing physical and visual separation between pedestrian ways and drive
- 499 aisles. Parking areas shall be ADA compliant.
- 500 3. Parking aisles shall be a maximum of 20 parking spaces in length which shall be
- 501 separated with cross drive aisles.

- 502 4. The placement of all directional and street level signage shall be reviewed and
 503 approved by the City's Traffic Engineer to ensure safe and efficient site
 504 circulation and adequate sight distances both in the public ROW and the
 505 Development's parking area.
- 506 5. No landscape materials shall be planted at curb cuts that will impair the line of
 507 sight at said cuts.
- 508 6. A storage area shall be provided on site to accommodate snow removal from a 6-
 509 inch snow storm.
- 510 7. A 6" curb or Cape Cod berm, designed to be compliant with the Rhode Island
 511 Stormwater Design and Installation Standards Manual, shall be installed around
 512 the perimeter of all parking to serve as wheel stops and protection. Where curbs
 513 are not installed adjacent to sidewalks, wheel stops shall be installed to prevent
 514 vehicles from encroaching into or onto said sidewalks.
- 515 B. REDUCTION IN CONSTRUCTION OF OFF-STREET PARKING
- 516 1. A reduction in the construction of the number of off-street parking spaces
 517 required by Chapter 17.64 may be granted as a condition of Approval provided
 518 that the following criteria have been met:
- 519 a. The intent of this Chapter and Chapter 17.64 shall be preserved.
 520 b. The amount of off-street parking to be provided shall be sufficient to serve the
 521 Development.
 522 c. The decrease in required off-street parking shall be based on a parking study
 523 prepared by a RPE which addresses the following:
- 524 1. Size and type of uses or activities on site;
 525 2. Composition of tenancy on site;
 526 3. Rate of parking turnover;
 527 4. Peak traffic and parking loads to be encountered;
 528 5. Local parking habits;
 529 6. Availability of public transportation.
- 530 2. Should a reduction in the amount of required off-street parking to be constructed
 531 be allowed, the DPRC shall require that a portion of the site be reserved to
 532 construct said parking should it be needed. This reserved area shall not contribute
 533 towards the minimum landscape requirements as set in Section 17.140.C.
- 534 C. The design and choice of paving materials used for parking areas shall consider
 535 function, climate, characteristics of users, availability, maintenance costs, glare,
 536 drainage, noise, appearance and compatibility with surroundings. Acceptable
 537 materials may include, but are not limited to concrete, brick, asphalt, asphalt pavers,
 538 cement pavers and stone.
- 539 D. Walls and fences may be erected to provide privacy, screening, separation, security,
 540 erosion control or as required by the site conditions. The design and materials used
 541 shall be compatible with a Development's design. No fence or wall shall be erected
 542 so as to create a hazard to traffic or safety.

- 543 E. Street furniture, such as trash receptacles, benches and phone booths, shall be located
 544 and sized in accordance with proposed use and shall be similar in style, material and
 545 finish. Design and materials shall be compatible with a Development's design.

546 **17.84.160 DRAINAGE/EROSION STANDARDS**

- 547 A Development's drainage system shall comply with Chapter 15.28 Soil Erosion and
 548 Sedimentation Control of the City Code and the Rhode Island Storm Water Design and
 549 Installation Standards Manual as amended.

550 **17.84.170 SPECIAL PROVISIONS FOR PHASED DEVELOPMENTS**

- 551 If a Development will be completed in phases, a phasing plan shall be submitted
 552 indicating the start and end dates for each phase. Said Development shall be designed
 553 and constructed to allow each phase to be completed in a manner which would not
 554 adversely affect the City if it is terminated at that point. Detailed plans shall be submitted
 555 each time a new phase of the Development is submitted for approval.

556 **17.84.180 PEER REVIEW**

- 557 A. If the DPRC determines that the services of a consultant is needed to assist in its review
 558 of an application, the applicant shall be notified of said need and shall be required to pay
 559 any reasonable costs incurred.
- 560 B. **The DPRC shall make a good faith effort to follow the design and landscape*
 561 *standards required by this Chapter.* The DPRC may engage engineers, planners or
 562 other appropriate professionals. A consultant shall be selected on the basis of
 563 experience and qualifications, ability to complete the scope of work and cost. A
 564 written report of the consultant's review shall be provided to the DPRC and the
 565 Applicant.
- 566 C. Funds received pursuant to this Section shall be deposited with the City Treasurer who
 567 shall establish a special account for this purpose. Expenditures from said account may
 568 be made at the direction of the DPRC without further appropriation. Funds may only be
 569 spent for services rendered in connection with the Application for which they were
 570 collected. At the completion of the DPR, any excess funds shall be refunded to the
 571 Applicant and a final report on the status of the account shall be made.

572 **17.84.190 APPEAL**

- 573 A. A rejection of an application shall be considered an appealable decision in accordance
 574 with **Chapter 17.116 Appeals* of Zoning.

575 **17.84.200 INTERPRETATION, CONFLICT, OMISSION, VIOLATION**
 576 **AND SEVERABILITY**

- 577 A. The performance standards of this Chapter shall be held to be the minimum and more
 578 stringent standards may be required to promote the public health, safety and welfare.
 579 If any requirements of this Chapter conflict with other requirements of Zoning, the
 580 City Code or any applicable state or federal law or regulation the more restrictive
 581 requirements shall apply.

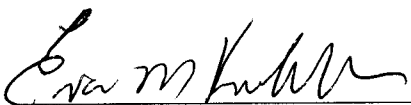
582 B. The DPRC may modify or waive the design and landscape standards required by this
583 Chapter provided it finds **in writing* the modification or waiver is in the public
584 interest, enhances site design and not inconsistent with the intent and purpose of this
585 Chapter.

586 C. An Approval shall not relieve an applicant of the requirement to comply with Zoning
587 or any other City Code or with any applicable state or federal law or regulation.

588 D. Any violation of the requirements of this Chapter or of any conditions set by an
589 Approval shall be subject to enforcement under the provisions of Section 17.04.080
590 Violations of Zoning.

591 E. Severability: see Section 17.04.090 Severability.

592 Positive Endorsement Negative Endorsement (attach reasons)

594  9/27/12
595 _____
596 Christopher Rawson, Solicitor Date Christopher Rawson, Solicitor Date
597
598

599 Sponsored by: Allan W. Fung, Mayor

600

601 Referred to Special Ordinance Committee August 2, 2012
602