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CITY PLAN COMMISSION
Cranston City Hall

October 13, 2017

Parag Agrawal, AICP
Associate Director
Rhode Island Department of Administration
Division of Statewide Planning
Once Capitol Hill
Providence, Rhode Island 02910

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CRANSTON
CITY CLERK

Re: Comprehensive Plan Amendment Review- Solar Power

Dear Mr. Agrawal:

This Department is in receipt of your letter of September 12, 2107 regarding the City's Comprehensive Plan Amendment-Solar. After reviewing said letter, the Department provides the following comments.

According to the Department's records at the time that the City amended its Comprehensive Plan and submitted said amendment to the Division of Statewide Planning for a consistency review, Cranston's Comprehensive Plan had "Current State Approval." The amendment was enacted on April 24, 2107 and the amendment was accepted by the Division of Statewide Planning on June 9, 2017. Given that Cranston's Comprehensive Plan was current until July, 2017, the Department would ask as to how State Planning Council rule 1.4.5.D. would apply.

As to the general comments contained in the remainder of your letter, the Departments would note that it is somewhat confused. Your letter states "While the amendment overall is not inconsistent with the goals and polices of the state..." If the amendment is 'not inconsistent,' one would have to assume that it is consistent. If this is indeed the case, the Department would have to conclude that had the Comprehensive Plan Amendment undergone a formal review it would have been found consistent with the appropriate State Guide Plans and approved. The Department would have to further conclude the additional comments suggesting language changes to the amendment represent recommendations for the City to take under advisement when the City undertakes a future update of its comprehensive plan.

As you are well aware, State Law allows a municipality great latitude to craft its comprehensive plan and to enact a zoning ordinance which will implement the plan. That being said, your comments are welcome and will be considered when Cranston updates its plan.

Should you have any questions please feel free to email at plapolla@cranstonri.org or call me at 780-3222.

Sincerely,

Peter S. Lapolla, Director

Cc: Alan Fung, Mayor
Michael J. Farina, Council President
Kevin Nelson



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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September 12, 2017

Mr. Peter LaPolla
Planning Director
869 Park Avenue
Cranston, RI 02910

Subject: Comprehensive Plan Amendment Review – Solar Power

Dear Mr. LaPolla:

As you are undoubtedly aware the State approval of the *Cranston Comprehensive Community Plan 2010* has expired. State Planning Council Rule 1.4.5.D Amendments to Comprehensive Plans that do not have Current State Approval states that "... granting State approval of an amendment to a comprehensive plan that does not have State approval, would run contrary to the goals and intent of the Act" and therefore would have to be denied. However, the Rule also states that the amendment may be reviewed under the same process that is used for review of draft material. Using this process, my office is able to provide comments and technical assistance intended to ensure that the material covered in the amendment would not be an impediment to State approval when the full plan is updated and submitted for review. Our comments concerning the above referenced amendment follow.

Let me begin by commending the City of Cranston for taking affirmative steps to promote renewable energy production within the city. The replacement of fossil-based fuels by renewable sources such as solar, wind, hydropower, etc. is a policy priority for the state. However, although renewable energy generation is generally less environmentally damaging than fossil fuels (primarily due to reduced levels of greenhouse gasses) the proper siting of such facilities is critically important in terms of the protection of wildlife habitats, natural resources including forestlands and agricultural lands, and public welfare. In this respect, we are pleased that the amendment includes a statement that, "The Zoning Ordinance should be modified to identify which types of renewable energy production facilities are to be allowed within the City, the zoning districts in which such facilities are to be located, and the standards by which such facilities are to be developed."

While the amendment overall is not inconsistent with the goals and policies of the State, we recommend that certain statements included in the amended language be modified or deleted so as avoid the perception that the City would support the development of renewable/alternative energy production facilities in areas that may not be the most appropriate. Specifically, we recommend:

Comment 1: The amendment contains the following statement: "...permit the development of renewable energy production facilities in appropriate areas, including, without limitation, in the A-80, M-1, M-2 and S-1 zoning districts." We recommend that the City delete or clarify the phrase "without limitation" so as to make clear that the siting of any form of development, including renewable/alternative energy production facilities, needs to be context sensitive and appropriately regulated to protect both the public and environment.

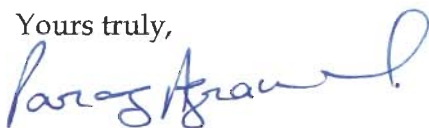
Comment 2: Delete or clarify statements that could be interpreted to mean that the City does not consider renewable/alternative energy production facilities to be a form of development. The amended language includes statements that appear to say that such facilities should not be considered "development". For example:

- Use the development of "passive alternative energy generation, such as solar power" as a means of "removing the development potential of the land..."
- "Preserve existing farmland and developable land that is currently undeveloped, by temporally removing the development potential through land banking by allowing the land to be used for passive alternative energy generation such as solar power."
- "Temporarily removing the development potential of the land located in western Cranston [land banking] by allowing the land to be used for passive alternative energy generation, such as solar power."

In conclusion, the City is to be commended for seeking to address the opportunities and challenges presented by renewable energy. As the City considers future refinements to its comprehensive plan and zoning ordinances please remember that technical assistance is available, not only at this office but also through the Office of Energy Resources (contact Shauna Beland 574-9111) and the Department of Environmental Management (contact Lisa Primiano 222-2776 ex. 4307). The Office of Energy Resources is also available to assist any private/public partnerships between Cranston landowners and public entities, hospitals, schools, affordable housing units, or non-profits that are looking to pursue solar projects under the State's virtual net metering or community remote renewable programs.

Please feel free to contact Kevin Nelson of my staff with any questions, concerns, or requests that you may have. He can be reached via telephone at 222-2093 or via e-mail at kevin.nelson@doa.ri.gov.

Yours truly,



Parag Agrawal, AICP
Associate Director

cc: Jared Rhodes
Kevin Nelson