

Comments on Land Use and Implementation (and related elements) from Division of Planning, March 9, 2015 Letter to Town

Response Prepared by Philip Hervey, AICP, Town Planner, 3/19/15

Comment 1 –Under the current Standards, the draft Land Use chapter does not appear to be internally consistent in terms of its population projections. Specifically, the draft Plan cites a population projection provided by the Statewide Planning Program of 15,569 in 2040 (page 139). However, the draft also cites differing population projections based on the Town’s build-out analysis on pages 140 and 141, including Table 6: Housing Development and Build-out Projections – Units, Population. These projections include:

- 17, 375 in 2035
- 17, 444 “at build-out around 2040”
- 17, 814 in 2035
- 18,050 at build-out

While the Town is not required to accept the Statewide Planning population projection, the Plan must be consistent in the population projection that it uses.

Suggestion – The Plan will need to reconcile the different figures cited within the text with those provided in Table 6. Please be sure that all needs analyses within the Plan (housing, recreation, services and facilities, etc.) are based on the same population projection.

While not an approvability issue, it would be helpful to the reader to add a statement in the section “Population Projections” (page 139) that the Town has chosen to use its own projection based on the build-out analysis that follows in subsequent sections of the Plan.

RESPONSE: This section has been revised (see below and Page 139) to describe the rationale for using locally-derived projections over the State’s projections, which do not account for future housing activity anticipated in the Housing element.

Population Projections

Population projections completed by the Office of Statewide Planning of the State Department of Administration project that the town’s population will decrease from 16,310 in 2010 to 15,569 in 2040, or approximately 740 people (4.5 percent). The projections suggest that Warren will experience a sharper decline in population (a decrease of 14 percent) than Barrington over the next 25 years, with Bristol gaining population, increasing a projected 3.6 percent.

The projections, however, have limited value for determining Barrington’s future needs – housing, recreation, community services and facilities, etc. – given the State’s model does not account for future growth in residential units. Of particular concern is the impact on population projections resulting from the housing production strategies aimed at achieving the 10 percent affordable housing goal. In response, for the purposes of this Plan the Town has elected to use its own projection (see Table 6 on Page 141) to factor in the impact of new housing as called for in the affordable housing strategies in the Housing & Neighborhoods Element, as well as ongoing housing construction activity unrelated to these housing strategies. The model cannot predict future growth in residential units, nor does it account for the fact that Barrington’s housing stock, along with its excellent public school system, makes it a community which is more attractive to families with school-aged children than to single or retired people. In addition, the State’s affordable housing mandates and the Town’s implementation of the Affordable Housing Plan strategies, which include allowing for increased densities to produce more affordable housing units, are also not factored in the projections. (The impact of these strategies on future increases in population and housing units is discussed in the Issues & Opportunities section.)

Comment 2 – Under the draft Standards, the following may apply. The Plan must consider the consistency between its proposed future land uses and the future land uses identified by contiguous municipalities.

Suggestion – Discuss any inconsistencies that exist between the desired future land uses illustrated on the Future Land Use Map and the Plans of contiguous municipalities by including, for each area in which a conflict is identified:

- Identification of the conflicting future land use designations;
- Discussion of the conflict that seems to exist; and
- A brief synopsis of why the future land use was selected for the area.

The Town should consider actions that could be included in the Implementation Program for minimizing conflicting land uses with contiguous municipalities. If no inconsistencies are found, the Plan must include a statement to this effect.

RESPONSE: Added the following under Issues & Opportunities (Pages 142-143):

Land Use Analysis – Adjacent Communities

Barrington is connected by land with three communities: East Providence to the north/northwest Swansea to the north/northeast and Seekonk (at the very northern tip of Barrington in the George Street area). Barrington and Warren are separated by the Palmer and Warren Rivers.

The Town has evaluated the future land use policies of the three communities, and determined the following:

- East Providence. East Providence’s 2010 Comprehensive Plan describes land uses generally consistent with the Town land use pattern, with low density residential uses for areas abutting medium-high and medium density areas in Barrington. East Providence designated as “open space” land abutting conservation properties the Wampanoag Trail and the section of Haines Park within Barrington on Bullocks Cove. There is a conflict where East Providence’s land use map depicts a “high density” residential district that borders the Town-owned Divine-Vargas conservation area in Barrington. This is not considered an issue, as the high density residential designation reflects existing land use (Stratford Arms Apartments), and the presence of wetlands at the city limits will prevent additional development from expanding south toward Barrington. The “Conservation” designation for the Divine-Vargas conservation area reflects the Town’s intent to protect the 38-acre site, consisting mostly of forested wetlands – from development
- Swansea, Massachusetts. Barrington and Swansea share a border for approximately 1.9 miles extending from rural George Street through wetlands abutting Hundred Acre Cove, across a pocket of residential development on New Meadow Road, through the Johannis Farm area to the coastal marshes of the Palmer River. Swansea has designated the entire area as “Rural Residential,” where the minimum area for a residential lot is 60,000 square feet. Rural Residential is Swansea’s most restrictive zoning district. Swansea has seen additional development in the form of large-lot subdivisions along Warren Avenue which has altered the rural character of areas near George Street. Additional housing in Swansea west of Warren Avenue could continue to erode the character of the area, but the 60,000-square-foot lot area minimums will help limit the impact. This Plan calls for an evaluation of Barrington’s zoning in the George Street area – including larger minimum lot sizes – to protect the area from overdevelopment and limit conflicts between farming and residential use. Other areas that adjoin Swansea are either fully developed (medium-density residential on New Meadow Road and Barneyville Road) or protected open space (conservation land at Johannis Farm to the Palmer River). As Swansea already has in place its most restrictive zone for the entire area bordering Barrington, the Town has identified no significant concerns about land use conflicts.

- Seekonk, Massachusetts. Seekonk borders Barrington at the most northerly tip – land owned and farmed by Four-Town Farm off George Street. Seekonk has designated the area for 40,000-square-foot residential lots. A larger minimum lot requirement (such as the R-4 zone, with 62,500 square feet lot minimums) would be more consistent with Barrington’s land use objectives for George Street.

Given the critical importance of protecting the rural character and agricultural use in the George Street area, Barrington should work to establish a dialog with the Towns of Seekonk and Swansea as well as East Providence to determine whether there is support among the municipalities to take additional action to further this Plan’s goals for the area – such as zoning changes or development rights acquisition.

Comment 3 – Under the draft Standards, the following may apply. The Implementation Program must identify those projects that are already included in the Town’s current Capital Improvement Program.

Suggestion – The structure of Implementation Plan is one of the best we have seen. Since one of the columns provided in the table is “Priority/Cost” we suggest that you simply note in that column any projects already in the Capital Improvement Program.

RESPONSE: Each item currently in the Town’s Six-Year Capital Improvement Program are noted in the Implementation Tables in the “Priority/Cost” column as “[In CIP]”

Comment 4 – Under the current Standards, the following must be addressed. The draft Land Use chapter includes Map LU-7, Zoning Future Land Use Analysis. It appears from this analysis that there are several areas of the Town that may require a zone change to conform to Map LU-6, Future Land Use. If this is the case, the Implementation Program must include actions for amending the zoning ordinance and map to make them consistent with the Future Land Use Map as follows:

- Specify the amendments that will be undertaken within the first twelve (12) months after adoption of the comprehensive plan that are related to any desired development moratoriums;
- Specify, in 2-year increments, the amendments will be undertaken to bring consistency with the comprehensive plan;
- Propose all amendments to be completed within the 10-year period subsequent to the adoption of the comprehensive plan.

Suggestion – Add the appropriate actions for amending the zoning ordinance and map or clarify the analysis to explain why such amendments are not necessary.

RESPONSE: Added Table 9A (Page 181) to specify implementation timeframe for Zoning Map amendments to address items identified on Map LU-7.

Table 9A: Land Use—Zoning-Land Use Map Consistency: Schedule

Site Description (per Map LU-7)	Action	Timeframe
1. Town cemetery site	Rezone from R40-CD to OS-P	Within 12 months
2. George Street area (see also Goal LU-1, Action "I")	Rezone remaining R40-CD district to new "Agriculture" district (to be created)	Within 12 months
3. Former Zion Bible Institute site (see also Goal LU-1, Action "A")	Rezone from RE to Senior Residential Village	Subject to application by owner; anticipate within 12 months
4. Sweetbriar site	No action. Sweetbriar was approved under comprehensive permit process	No action—existing use
5. "Palmer Pointe" site	Establish new Village zone as part of Palmer Pointe review process	12 months to 2 years
6. "Business"-zoned parcel (see Goal LU-1, Action "L")	Rezone rear portion of lot from Business to Conservation	Within 12 months

Comment 5 – Under the draft Standards, the following may apply. The Implementation Program must include actions for promoting water conservation and the efficient use of water in both the public and private sectors.

Suggestion – Add appropriate actions such as:

- Implement water efficient municipal practices (building maintenance, etc.), particularly in the summer.
- Adopt outdoor watering ordinances that are more effective than odd/even watering days, such as twice a week watering, watering prohibitions during summer months and limiting the number of automatic sprinklers for new developments.
- Work with land trusts and others holding conservation easements to encourage agricultural producers leasing these lands to develop and implement water use conservation plans for their operations.

RESPONSE: Added the following actions to Community Services & Facilities Goal CSF-2 (Page 67):

B. Promote water conservation practices to include:

- Develop policy for Town and School properties to reduce water usage through watering practices and use of xeriscaping on public grounds, including cemeteries
- Consider implementing a program to offer rain barrels at reduced cost to Barrington residents and businesses.
- Work with area farms that lease public or Land Trust property to develop and implement water use conservation plans for their operations.

RESPONSE: Added the following actions to Community Services & Facilities Goal CSF-2 in the Implementation element (Page 162):

<p>B. Promote water conservation practices to include:</p> <ul style="list-style-type: none"> • Policy for Town, School properties to reduce water usage through water conservation practices and use of xeriscaping. • Consider program to offer rain barrels at reduced cost to residents and businesses. • Work with area farms that lease public or Land Trust property to develop and implement water use conservation plans. 				○		○	Medium Priority / No Cost to \$	Short- to Mid-Term	Town, BCWA (Program, Policy)
---	--	--	--	---	--	---	---------------------------------	--------------------	------------------------------

Comment 6 - Under the draft Standards, the following may apply. The Implementation Program must include provisions for planning and preparing for drought conditions. Page 49 of the draft Natural Hazards chapter notes, "Bristol County Water can address drought impacts through enactment of water restrictions when necessary". In addition to water suppliers, municipalities also have a role and responsibilities in addressing drought. Also related to the issue of drought, we had previously issued the following comment and suggestion in our review of the draft Community Services and Facilities chapter:

Comment: The draft Community Services and Facilities chapter does not contain a description of how Barrington addresses their municipal drought mitigation responsibilities including coordination and the communication responsibilities of the Town with the Water Resources Board (WRB) in the event of a long-term drought.

Suggestion: Add a discussion of how the Town currently addresses this issue and, if one is not already in place, add an implementation action to establish a municipal drought management response strategy to coordinate with the WRB during times of drought for the entire community. More information may be found in *Water 2030*, available on our website at www.planning.ri.gov/landuse/RI%20Water%202030_06.14.12_Final.pdf. (If you use the online pdf, the role of Municipal Government can be found on page 127 and Drought Mitigation Policies and Strategies can be found on page 164).

In your response to this comment, you noted that the Natural Hazards chapter (page 129) mentions drought and that Action NH-4 - B to conduct community outreach on natural hazard mitigation, preparedness, and response would include drought. While this is commendable, it does not adequately address this issue.

Suggestion - Within the Community Services and Facilities chapter add a brief discussion of the role of municipal government during drought conditions. Within the Implementation Program, add appropriate actions relative to how the Town can coordinate with the BCWA and the Water Resources Board in the event of a drought and implement municipally sponsored actions if necessary. For example:

- Establish a municipal drought management response strategy between the Town and the BCWA, in conjunction with the Water Resources Board and in compliance with the State Guide Plan Element 721: Rhode Island Water 2030.
- Review current drought management coordination and processes, identify problem areas, and implement recommendations for more effective drought planning, coordination, and response.

- Implement water reduction strategies that deal with dry summers and droughts in coordination with major public water suppliers and the RI Water Resources Board.

If you need additional assistance on this matter, please contact Kathleen Crawley of the Water Resources Board at 222-6696 or Kathleen.Crawley@wrb.ri.gov.

RESPONSE:

Added the following to the Community Services & Facilities Existing Conditions section under the subhead "Water Supply" (Page 60):

The Town Manager is responsible for coordinating Barrington's response with the Bristol County Water Authority and the Water Resource Board in periods of drought or extended dry conditions that require an emergency response to reduce water usage in the community. In response to past events, Barrington has appointed a citizens water conservation committee to work with Town departments to notify the public about water restrictions and encourage practices that reduce water consumption.

Added the following to the Issues and Opportunities section under "Public Water Needs" (Page 65):

Availability of adequate water is an issue in times of drought or extended dry periods (see discussion of drought in the Natural Hazards element). The Town's Emergency Operations Plan (EOP) provides a framework for the Town to respond to natural disasters; however, the current EOP lacks a section for responding to drought conditions. This should be revised to provide a water emergency response plan, describing the roles of the Town – such as communications and enactment of local ordinances – in coordination with the Bristol County and the Water Resources Board.

Added the following actions to Community Services & Facilities Goal CSF-2 (Pages 67 to 68):

C. Amend the Barrington Emergency Operations Plan to establish a water emergency response plan outlining responsibilities of the Town and Bristol County Water in coordinating and communicating with the Water Resources Board in response to water supply shortage events, in compliance with *Rhode Island Water 2030 – State Guide Plan Element 721*. Plan shall address: implementation of water reduction strategies in times of dry summers and droughts, coordination of the response including identification of responsibilities among agencies, and effective public outreach strategies (see also Natural Hazards Goal NH-4, Action "B").

Comment 7 – Under the draft Standards, the following may apply. The Implementation Program must include provisions for responding to water emergencies.

Suggestion – Add appropriate actions such as:

- Review current water emergency response procedures, identify problem areas and develop recommendations for more effective water emergency response.
- Begin periodic communication with major public water suppliers to be sure of individual agency roles in water emergencies.
- Develop a water emergency response plan, including roles and responsibilities of the various entities involved and communication with the public.

RESPONSE: Added Actions B and C, below, to the Implementation element related to Community Services & Facilities Goal CSF-2 (Table 4 on Page 162):

<p>B. Promote water conservation practices to include:</p> <ul style="list-style-type: none"> • Policy for Town, School properties to reduce water usage through water conservation practices and use of xeriscaping. • Consider program to offer rain barrels at reduced cost to residents and businesses. • Work with area farms that lease public or Land Trust property to develop and implement water use conservation plans. 				●		●	Medium Priority / No Cost to \$	Short- to Mid-Term	Town, BCWA (Program, Policy)
<p>C. Amend the Barrington Emergency Operations Plan to establish a water emergency response plan outlining responsibilities in response to water emergencies.</p>						●	High Priority / No Cost	Short-Term	Town (Policy)

Comment 8 – Under the current Standards, the following may apply. If any inconsistencies exist between the desired future land uses illustrated on the Future Land

Use Map and the Plans of contiguous municipalities (see Comment 2), the Implementation Program must include provisions for minimizing those conflicts.

Suggestion – Add appropriate actions.

RESPONSE: The following action under Community Services & Facilities Goal CSF-2 (Page 68) has been revised in response to the land use analysis of adjacent communities (per State Comment #2):

EG. Coordinate with abutting communities as part of the annual review of Comprehensive Plan implementation, on land use, transportation, open space, natural hazards and other multijurisdictional planning issues, including regulation of development in the George Street area.

III. Comments and Suggestions to Enhance Accuracy, Readability, and Usability

Land Use Chapter

Comment 9 – There are a couple of small discrepancies between the percentages of residential land use categories listed on Table 1: Barrington Land Use (page 134) and the text on “Residential Density” on page 135. In particular, High Density Residential is reported as 1.2% and 0.4% respectively. The percentages for Medium Low and Low Density Residential also appear to differ between the Table and the text.

Suggestion – Consider revising the draft to eliminate or explain the discrepancy.

RESPONSE: The text under “Residential Density” and under “Medium Low Density Residential / Low Density Residential” contained typos (Page 135). Revised as follows:

- *High Density Residential* (less than 1/8-acre lots) High density areas are primarily in western Barrington with some areas located near Barrington Beach. Overall, just ~~0.4~~1.2 percent of land area in Barrington falls in this category.
- *Medium Low Density Residential* (1 house per 1 to 2 acres) and *Low Density Residential* (>2 acre lots). Areas include residential land between Adams Point Road and the Warren River (zoned R25). Just ~~0.4~~0.8 percent of all land falls within these categories.

Comment 10 – The Land Use chapter contains a section titled, “Zoning Districts” on page 135. This section provides a list of the various zoning districts but does not provide descriptions or definitions of the districts.

Suggestion – Consider adding a brief description of each zoning district.

RESPONSE: Table 2 on Page 136 has been revised to include zoning district definitions.

Comment 11 – In Table 6: Housing Development and Build-out Projections – Units, Population (page 141), the net change for the 2015 projection should be 12 instead of 8. This would also mean that the 2015-2035 total should be 804 instead of 800.

Suggestion – Consider revising the table to show the corrected calculations.

RESPONSE: We have adjusted the numbers in the table (Table 6, Page 141) to reflect the accurate projection of 804 housing units added from 2015 through 2035. In addition, the text was corrected on Page 140.

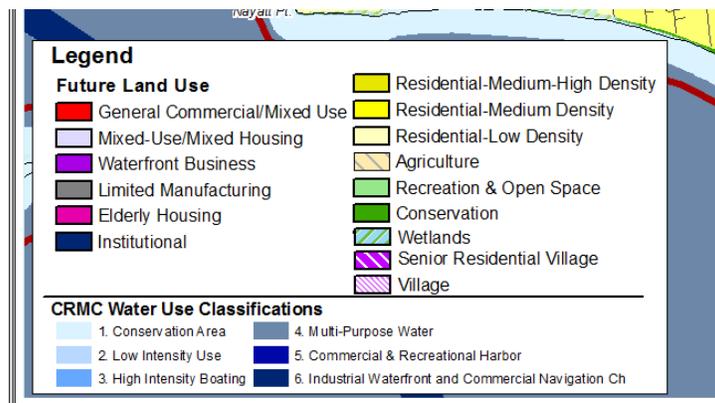
Factoring in estimated use of vacant buildable land to achieve housing strategies over the next 20 years (see Table B-4 in Appendix I), the Town is likely to reach full build-out around 2040 (see Table 5). The Town’s population projections, with the addition of the new housing anticipated in future years, comes to ~~17,375~~ 17,814 in 2035, and about ~~18,050~~ 17,444 at build-out a few years later (see Table 6 on the next page).

Overall, this would represent a ~~8~~ 10.6 percent population increase compared to 2014—which would affect issues such as schools (where enrollment is projected to fall by 19 percent by 2024), and community services and facilities. With Barrington approaching build-out, the Town will need to make the most efficient use of existing assets (municipal buildings, parks, school sites), to meet future needs, as well as take steps to avoid pushing development into areas that are unsuitable due to environmental values or potential natural hazards impacts.

Comment 12 – Map LU-6, Future Land Use includes a depiction of “Water Use Classifications” but does not identify the source of those classifications.

Suggestion – Consider revising the legend to read: CRMC Water Use Classification.

RESPONSE: Map legend has been revised as suggested:



Comment 13 – We note that the draft Plan places great emphasis on the Town’s desire to protect agriculture in the George Street area. There are additional approaches that the Town should consider to support this objective.

Suggestion – Consider adopting a transfer of development rights (TDR) ordinance to direct growth to areas of the town that can better support it. The *RI Transfer of Development Rights Guidance Manual* has a very detailed discussion of different options to move forward with TDR. A copy of this manual is attached and will soon be available on the Division of Planning’s website at www.planning.ri.gov. In addition, consider the guidance DEM developed in *Community Guidance to Maintain Working Farms and Forests*, available at www.dem.ri.gov/programs/bpoladm/suswshed/pdfs/farmfor.pdf to give farmers more flexibility to use their land for appropriate businesses and the *Vision for Rhode Island Agriculture: 5-Year Strategic Plan*, available at www.planning.ri.gov/documents/LU/CompleteAgplan_2001.pdf.

RESPONSE: TDR is an excellent tool in theory but this action has not been added to the Plan. The Town has concerns that the lack of available land in town greatly limits the feasibility of transferring development rights to a “receiving area.” The Comprehensive Permit option is also problematic for

determining the potential number of units that could be built in the “sending area,” as developers under the law can attempt to propose increased densities in excess of what the underlying zone permits. Revisions to State law to allow communities to prohibit the granting of density increases through the comp permit process within sending areas would make TDR more feasible; otherwise, the underlying density for purposes of calculating the number of units allowed by zoning is uncertain. The Town, as described in the Natural & Cultural Resources element, will continue to pursue land acquisition and acquisition of development rights (not transfer) in the George Street area, as well as revisions to the area’s Residence 40-Conservation development zone.

Comment 14 – The draft Plan notes that the last remaining Light Manufacturing zone is located in a highly sensitive environmental area (Allin’s Cove) and calls for re-evaluation of this zoning.

Suggestion – As part of this re-evaluation, the Town should explore the possibility of zoning a more suitable area for Light Manufacturing so as to allow for possibility of future economic development in this important business sector.

RESPONSE: As suggested, the Town will evaluate the LM-zoned property as well as other potential sites as part of its analysis of the Bay Spring Avenue zoning (Economic Development Goal ED-5, Action “B”)

Implementation Plan

Comment 15 – Action NH-1 – D is commendable but we believe it could be strengthened.

Suggestion – Consider revising the Action as follows: “Provide support for property owners to help take advantage of funding opportunities that assist with covering the cost of mitigating risk, such as elevating properties out of flood zones or retrofitting existing structures located in designated floodplains, or acquisition and relocation of structures outside the high risk zone.”

RESPONSE: Action NH-1 – D has been revised as suggested in the Implementation section (Page 176) and the Natural Hazards element (Page 131).

Implementation, Page 174:

D. Provide support for property owners to help take advantage of funding opportunities that assist with covering the cost of mitigating risk such as elevating or retrofitting existing structures located in designated flood zones, or acquisition and relocation of structures outside high risk zones.						●	High Priority / No Cost	Mid-Term	Town Planner (Policy)
--	--	--	--	--	--	---	-------------------------	----------	-----------------------

D. Provide support for property owners to help take advantage of funding opportunities—such as FEMA Hazard Mitigation Grants and Emergency Management Performance and Homeland Security Grants—that assist with covering the cost of mitigating risk such as elevating or retrofitting existing structures located in designated flood zones, or acquisition and relocation of structures outside high risk zones. ~~properties out of flood zones.~~

In addition to the above comments, the Rhode Island Emergency Management Agency would like the Town to be aware that Action NH-4 - C, “Establish a process to directly contact special populations such as those who are particularly vulnerable, due to location or age and infirmity, to ensure their understanding of procedures immediately before and after an event” should be done in coordination with the Local Emergency Management Director.

RESPONSE: Thank you for the comment. No change has been made to the plan in response. The Emergency Management Director already serves on the Town’s administrative committee in charge of monitoring and implementing the Hazard Mitigation Plan and coordinating response to natural hazards.

OTHER REVISIONS

Land Use

Page 137 – revised text re- Atria Assisted Living to note the number of assisted living units added.

Housing

Building permit data (discussed in greater detail in the Housing & Neighborhoods element) reflect periods of strength and weakness in the real estate market. For example, the town hit peaks of more than 80 units per year in 1987 and 1988 before tapering off to about 20 units per year in the mid-1990s on the heels of a recession. Until the 2000s, there was almost no multifamily development in Barrington in the 1980s and 1990s. ~~The~~ One exception was the 60-unit Barrington Cove Apartments building on Bay Spring Avenue built in 1996. ~~(In addition, The Atria Bay Spring Assisted Living facility, built in the mid-1990s 1999, is considered a commercial development added 126 assisted living units.)~~

Maps (attached)

- *Map CSF-4: Stormwater Facilities.* Added outfall locations to map
- *Map NCR-2: Physical Constraints.* Added lines to map in George Street area to indicate lack of infrastructure (public water and sewer)
- *Map NCR-5: Agricultural Land and Active Farms.* Removed land use layer that covered up the location of agricultural soils in the George Street area. Added inset box to reference Figure 1 in the Economic Development element showing locations of farms.
- *Map LU-6: Future Land Use Map.* Designated cemetery lot on George Street as Recreation & Open Space.
- *Key – Map LU-6.* Added “cemeteries” to Recreation & Open Space description
- *Map LU-7: Zoning-Future Land Use Analysis.* Identified cemetery land on George Street (#1 on map)