

## Item Cover Page

### NARRAGANSETT TOWN COUNCIL AGENDA ITEM REPORT

**DATE:** May 6, 2024  
**FROM:** Michael DeLuca, Community Development Director  
**DEPARTMENT:** Community Development

**SUBJECT:**

A MOTION TO INTRODUCE, READ, PASS AND ACCEPT as a First Reading, "An Ordinance in Amendment of Appendix A of the Code of Ordinances of the Town of Narragansett, Rhode Island, entitled "Zoning", to amend tables and text in Sections 6 and 12 regulating 2 -family and multi-family dwellings.

**SUGGESTED ACTION:**

On January 1, 2024 several new Zoning Regulations, adopted by Town Council in December, 2023 took effect in compliance with the General Assembly's 2023 changes to the RI Zoning Enabling Act (ZEA). One of the ramifications of these new laws specifically changes the requirements for development on substandard lots of record, eliminating the need for any substandard lot of record to seek zoning relief if it fails to meet the minimum area requirements of the zoning district in which it is located.

The recent change to the Town's Zoning Ordinance that reflects this mandate (which text is taken from the ZEA) is located in Section 6.5 and reads, in part:

*A substandard lot of record is not required to seek any zoning relief based solely on the failure to meet minimum lot size requirements of the district in which such lot is located.*

- a. The setback, frontage, and/or lot width requirements for a structure under this section is reduced by the same proportion as the lot area of the substandard lot is to the minimum lot area requirement of the zoning district in which the lot is located.*
- b. The maximum building coverage requirement for a structure under this section is increased by the same proportion as the lot area of the substandard lot is to the minimum lot area requirement of the zoning district in which the lot is located.*

After review, it is evident that this change in State law effectively allows any permitted use on a substandard lot without the need for lot area variance. As such, there is now the potential that single-family and 2-family dwellings could be permitted by right, on substandard lots in all residential zones where 1&2-family uses are permitted without a determination by the Town on the lot's appropriateness

for such development in accordance with Zoning Ordinance, and as outlined in the Comprehensive Plan, and without a public hearing.

If no action is taken, the new State law has the potential to authorize significant increases in density of the highest density zones in town, thus affecting the character of these neighborhoods and potentially overtaxing public utilities. The Planning Board acknowledged the new regulatory allowance for single-family dwellings on substandard lots and propose no changes in that regard. However, the potential to significantly overdevelop smaller lots with a 2-family home raised great concern.

The draft changes presented here would prohibit 2-family dwellings in the highest density residential zones – R10, R10A and R-20, and would permit 2-family/duplex units through a Special Use Permit in the R40, and R80 zoning districts. The Planning Board reviewed the draft ordinance at their February 21, 2024 meeting and rendered a recommendation for approval.

The Town Council hearing was held on April 15, 2024.

The new ordinance will serve to protect the character of the town and maintain control over impacts to water, sewer and other infrastructure services which are all priorities of the Comprehensive Plan.

**ATTACHMENTS:**

[Ordinance form SFD-2FD NO RED 02262024 - revised R-20 - cleaned up.pdf](#)

[2FD\\_-\\_PB\\_rec\\_to\\_TC\\_-\\_initialled.pdf](#)