

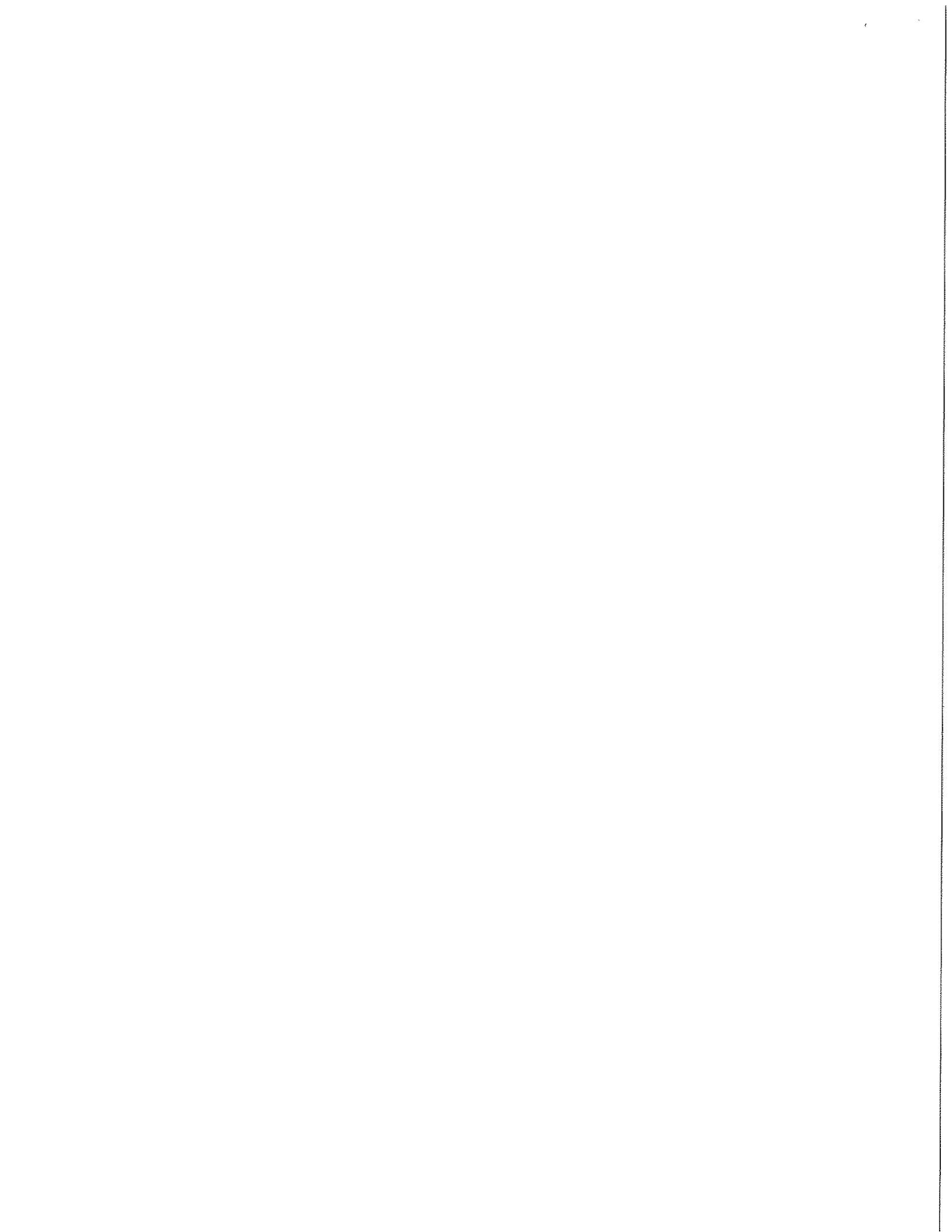
**Comprehensive Permit - Affordable Housing Development
12-Unit – ‘Matunuck Beach Road Condos’ – Major Land Development Project**

**Matunuck Beach Road
Assessor’s Plat 92-2 - Lot 56**

Prepared For: Stephen DeSimone

Prepared By: Pimentel Consulting, Inc.

12 June 2020



INTRODUCTORY STATEMENT

Stephen DeSimone (hereinafter 'Applicant') has retained my professional land use planning and zoning consulting services, in order to evaluate the proposed multi-unit residential development, containing a total density of twelve-units. The development, otherwise defined as a Major Land Development Project (hereinafter Major LDP), is being pursued in accordance with the Comprehensive Permit (hereinafter 'CP') regulatory process, resulting in the provision of much-needed affordable housing (3-units, or 25% of the overall development). The proposed development, as will be elaborated upon below, is somewhat of a blend of a Multi-Household LDP, Duplex Construction, and a CP Zoning Hierarchy Density Increase. The most important aspect of this development blend, is the fact that certain components are otherwise as a matter-of-right.

In light of the stated proposal, I have thoroughly reviewed all submitted documents, to include requisite plans, as well as the following regulatory documents: Town of South Kingstown, RI, Comprehensive Community Plan – 2014 Update – State Approved April 2014 (hereinafter 'Comprehensive Plan'); Town of South Kingstown, RI, Draft 2019 Comprehensive Community Plan (hereinafter 'Draft Comprehensive Plan'); Town of South Kingstown Affordable Housing Production Plan – As Revised May 2005 (hereinafter 'Housing Plan'); Zoning Ordinance (hereinafter "Ordinance"); Land Development and Subdivision Regulations (hereinafter 'LDP Regulations'); United States Census; and, Rhode Island Housing (hereinafter "RIH") reports, specifically Low and Moderate Income Housing information. The stated analysis entails a two-step process: (1) Determining Local Affordable Low and Moderate Income Housing Need; and, (2) Documenting the appropriateness of the specified site location.

PRESENT PROPERTY CONDITIONS

The subject property, being addressed 0 Matunuck Beach Road, otherwise designated Assessor's Plat 92-2, Lot 56, and containing upwards of approximately 4.90-acres, is presently unimproved (hereinafter 'Property'). The property is both uniquely situated as well as configured. The property, albeit a rather sizable parcel, is nevertheless considerably elongated in comparison to its width - approximately 100-feet in width by upwards of 2,135-feet in overall length. This unique bowling-like configuration permits the placement of multiple residential structures, aligned with a private driveway and all requisite accessory improvements (e.g. off-street parking, buffered landscaping, appropriate setbacks, etc.). The property is presently unencumbered, with a large quantity of land resources deemed suitable for development, upwards of approximately 2.50-acres. The property has approximately 100 linear-feet of lot

frontage along Matunuck Beach Road, with an additional secondary ingress and egress point off of the paper street portion of Holden Road. The referenced Holden Road parallels the property to the north, and the paper-street connector portion is located along its mid-point, realizing an additional approximately 30+ feet of linear lot frontage access. Once again, this is a vitally important point, because as elaborated below pursuant to the requested yield plan, it permits a variety of development scenarios, inclusive of mixed-use. The greatest angst resulting from a CP proposal, is the resulting density. However, in the subject instance, the actual density bonus is almost nil given the present zoning designation and land use classification, as well as the various regulatory measures afforded the property. Therefore, the proposed development will be a win-win scenario, realizing much needed affordable housing without the typically anticipated ‘excessive’ market-rate density bonus. Matunuck Beach Road is classified a ‘Major Town Road,’ pursuant to the Comprehensive Plan - Map 8.1 ‘Circulation System’. In addition, pursuant to the Comprehensive Plan - Appendix D. ‘Functional Classification / Federal Aid Roads, South Kingstown,’ the referenced roadway is classified a ‘Collector Urban Roadway’. A ‘Collector Roadway’ is defined pursuant to the Rhode Island Department of Transportation, in the following manner:

Major and Minor Collectors

“Collectors serve a critical role in the roadway network by gathering traffic from Local Roads and funneling them to the Arterial network. Within the context of functional classification, Collectors are broken down into two categories: Major Collectors and Minor Collectors. Until recently, this division was considered only in the rural environment. Currently, all Collectors, regardless of whether they are within a rural area or an urban area, may be sub-stratified into major and minor categories. The determination of whether a given Collector is a Major or a Minor Collector is frequently one of the biggest challenges in functionally classifying a roadway network.”

*“The distinctions between Major Collectors and Minor Collectors are often subtle. **Generally, Major Collector routes are longer in length; have lower connecting driveway densities; have higher speed limits; are spaced at greater intervals; have higher annual average traffic volumes; and may have more travel lanes than their Minor Collector counterparts...**”*

The ability to introduce a reasonable quantity of residences as a matter-of-right, realizing full Ordinance dimensional criteria, is evidenced via submission of the requested ‘yield-plan’. The referenced yield-plan, as will be discussed later in this report, foregoes provision of affordable housing, while nevertheless exerting residential and commercial pressure.

The subject property is presently split-zoned. The first approximately 10,000 square feet (or 4.7%) of the property, fronting directly on Matunuck Beach Road, is presently designated CN - Commercial Neighborhood District (hereinafter ‘CN District’). The vast remainder of the property, upwards of 203,000 square feet (or in excess of 95%), is all zoned R20 – Medium

High Density Residential District (hereinafter ‘R20 District’). The referenced districts are defined pursuant to Section 101 ‘Zoning Districts, of the Ordinance in the following manner:

Section 101 - Zoning Districts: “For the purpose of this Ordinance, the Town of South Kingstown is hereby divided into 18 zoning districts as set forth below. The specific purpose of each zoning district shall be as follows:”

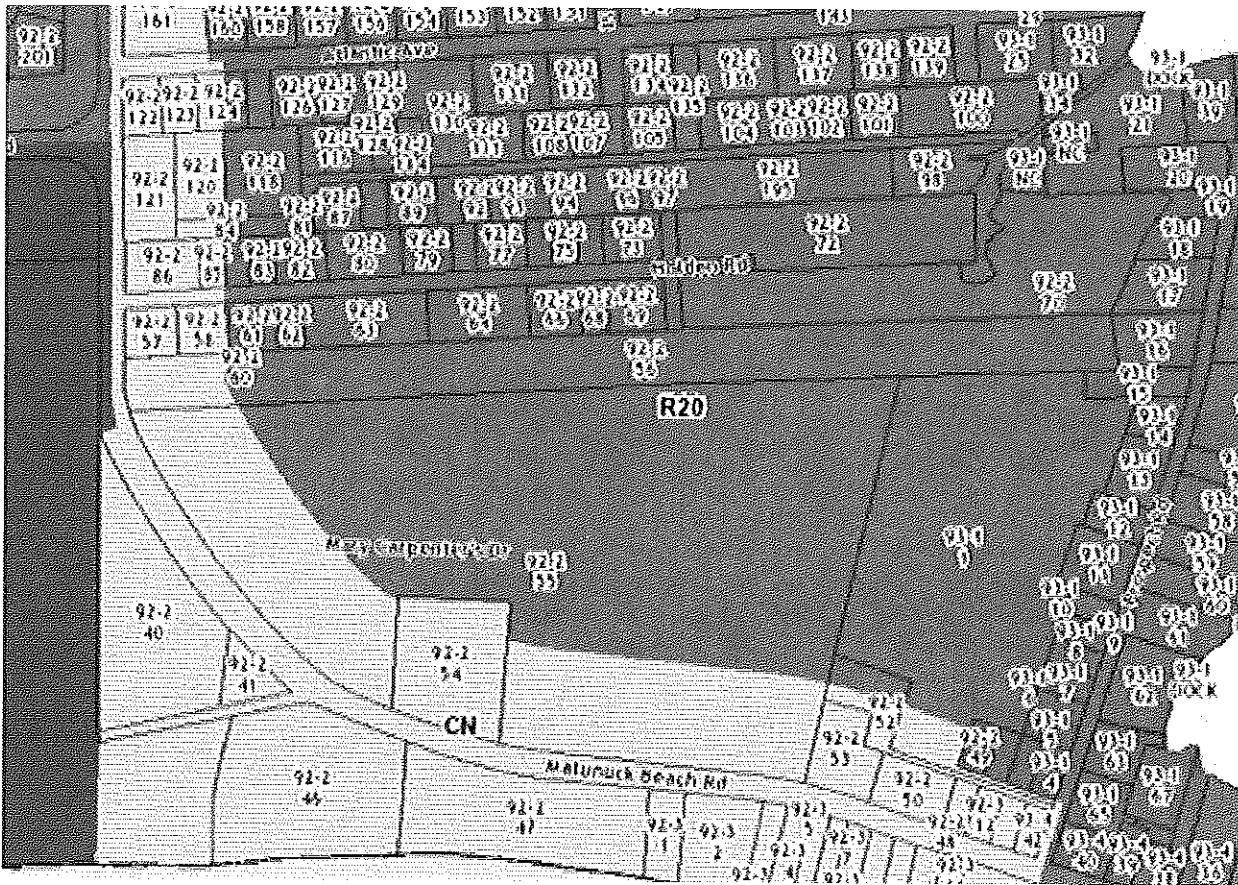
R20 - Medium High Density Residential District: “This district allows a residential density of up to 2.2 dwelling units per acre. The lot sizes for single-household detached dwellings is 20,000 square feet. This district reflects the amount and type of development that already has taken place, as well as areas into which future expansion would be appropriate. These areas should be considered a high priority for the provision of public water and sewer service and for general infrastructure upgrading. However, public sewer service in Matunuck, and Snug Harbor is not recommended. A waste water management approach for these areas is preferred. Mixed uses historically have developed and should be permitted to continue and to expand subject to strict environmental controls. A neighborhood center/village district approach should be taken for additional development in this district. Special care in site planning must be taken. However, such patterns of residential development can be economically and environmentally sound. While the population density may be high, the existing physical development is varied and extensive. Shopping districts, personal services, community facilities, and public water and sewer generally are available and convenient and support local residents as well as the region. This district is highly accessible and served by a well-developed network of roads and public transit.”

CN - Commercial Neighborhood: “This district provides small-scale retail establishments designed to provide local business service to residential neighborhoods throughout the Town. This district includes mixed uses within specially designed retail areas which include office uses and specific public and semi-public uses with single and multi-household residential development under special conditions, all of which must meet certain design and site planning requirements.”

The referenced property description and zoning designations are well illustrated below, as excerpted from the Town’s Tax Assessor’s maps.

In addition to the two (2) primary underlying zoning designations, of which the R20 District encompasses in excess of 95%, there are also several overlay districts, all of which necessitate careful engineering attention in detailing any eventual development proposal. The referenced overlay districts do not necessarily deter future residential development, simply that any development proposal must be well vetted in all aspects of engineering and construction. The referenced overlay districts include the ‘Coastal Resiliency,’ ‘Special Flood Hazard,’ and ‘Carrying Capacity.’

The referenced primary underlying zoning designations are corroborated by the Comprehensive Plan, specifically Map 2.3 ‘Land Use Plan,’ which illustrates that the vast majority of the subject property and interior of the immediate neighborhood, are all classified ‘Residential - Medium



High Density (2.0 - 4.35 du/ac).’ Furthermore, the ‘Medium High Density’ land use classification is described by the Comprehensive Plan [Page Intro-13] as follows:

Medium Density Residential

“These residential areas are described as having an average density of 1.09 to 1.99 dwelling units per acre. Single-household detached units will be the predominant type of housing, although duplexes will be allowed by special use permit. Conservation type developments should be considered for major subdivision proposals in these areas because they have low visual impact and fit the rural landscape. Lot sizes for single-household dwellings range from 30,000 square feet to 40,000 square feet. Zoning districts appropriate for these areas are R30 and R40 Medium Density Residential Districts. These districts may also include open space and conservation lands.” [Page Intro-13]

Residential zoning designations comprise the vast majority of the town, upwards of three-quarters. And yet, only approximately eight-percent of all residential land resources are dedicated to ‘multi-household’ and ‘medium-high’ densities. Even more constraining is the fact that the sole zoning districts permitting multi-unit residential development in any reasonable quantity, namely the Residential Multi-Household and R-10 Zoning District, comprise a mere 2.80% of all zoned land resources. Therefore, in order to realize 10% affordable housing compliance, reasonable density increase(s) in the ‘medium-density’ residential classification

should not only be anticipated, but actually supported. Evidence of this expectation, is furnished via a specified regulatory tool afforded individuals seeking to introduce affordable housing, namely to **Negotiate Comprehensive Permit Density Increases with Housing Developers.** The referenced regulatory tool is described in detail below, as excerpted from the Housing Plan [Page 41].

“The Town wishes to keep the density increases given to Comprehensive Permit applicants within the hierarchy of the current zoning ordinance. The Town will work with developers to permit density increases of “one step” for comprehensive permit applications. For example, an R-10 parcel (10,000s.f./4.35 units/developable acre) that is the subject of a comprehensive permit would be allowed to have the density of the RM district (7.71 units/developable acre). The density bonus will vary depending on the percentage of low-moderate income units proposed by the developer. Among other things, any density bonus will be contingent on the suitability of the parcel, project design, and the parcel’s relationship to supporting infrastructure.”

“As noted above for future Comprehensive Permit applications the plan proposes a one-step density increase policy in order to tie such applications to the existing zoning hierarchy. The Town does not want the zoning hierarchy to become meaningless, we also wish to define the density issue in terms of our existing regulatory structure. The Town wishes to avoid future proposals that are “off the charts” in terms of proposed density; we also want to balance the density bonus incentive with good planning and growth management practice. As such we have prepared the attached chart of current zoning classifications and densities along with what the density would be under a 1-step increase policy...”

<u>Zoning District</u>	<u>Allowable Density</u>	<u>Allowable Density for Comp Permits</u>
R20 District	2.18 units per acre	4.35 units per acre

The Comprehensive Plan likewise acknowledges that there are several well-defined villages scattered throughout the Town, one of which is the ‘Village of Matunuck’. Villages, being historically areas of more dense development, are locations where increased density may be quite appropriate. This observation is not merely opinion, but regularly acknowledged throughout the Comprehensive Plan [Pages Intro 4 - 6].

Town-Wide Vision Statement - “South Kingstown will continue to be a village-based, rural tradition residential community with three primary assets...The Town will endeavor to maintain a sustainable quality of life that limits growth based on the capacity of natural resources and public infrastructure...and will restrict development to appropriately scaled construction in compliance with the Comprehensive Plan. The Town recognizes the strength and importance of its residents and will consider quality of life issues in its decision-making processes.” [Pages Intro-4 - Intro-5]

Village Summary - *“Each village in South Kingstown is unique and planning efforts should seek to acknowledge and account for these unique environments. The following summaries regarding the villages in South Kingstown have been provided through the ongoing development of Village Plans along with the report An Inventory and Analysis of the Village and Rural Qualities of South Kingstown. The identity of these areas is especially important as the Town is faced with increased development pressures and the associated propensity for “sprawl.” (See Map 2.1 Villages)”*

4.2 Summer Colonies - *“Matunuck and the Matunuck Hills are predominantly rural areas along the south beaches and coastal ponds. The village of Matunuck is largely characterized as a summer vacation community consisting of a number of small businesses, a church/chapel and approximately 1000 summer beach homes. Small farms, large estates, historic homes, and modern residential developments surround the village...”*

GENERAL NEIGHBORHOOD DESCRIPTION

The property is literally surrounded by several rather dense neighborhoods, as corroborated by the present zoning designation and land use classification. To the immediate south is an extremely dense mobile home and summer cottage development. However, given its somewhat apparent seasonal usage, this land use consultant did not include the referenced homes in the overall neighborhood density analysis. To the immediate north, are several blocks of true, apparently year-round residences. The manner in which the referenced blocks are presently improved provides an accurate portrayal of overall neighborhood character, and was therefore used in determining neighborhood composition, both character and density. In total, 59 separate parcels were analyzed, inclusive of all residences lining both Holden Road and Community Drive. However, given that certain parcels were either presently unimproved or improved with a commercial entity, they were excluded. Therefore, in total, 54 residentially improved parcels were ultimately analyzed. This includes a few overly sized parcels, regardless of their potential for further development. Full detailed collected data is attached as an addendum to this report.

The overwhelming majority are single-family in character, with only two (2) properties being improved with two-unit residences, for a total of 56 residential units. The average lot size is 12,947 square feet, with only eight-properties (or 15%) complying with the requisite regulatory lot area of 20,000 square feet. Were the eight (8) properties in question excluded, leaving 46-properties, or in excess of 85% of the overall neighborhood neighborhood analyzed, the average lot size reduces to 7,216 square feet. In fact, 54% of the lots have less than 5,000 square feet in overall land area (greater than 75% deficiency). Residential dwelling unit density is slightly greater due to the presence of the two (2) duplexes, resulting in a density of one-unit per 12,484 square feet of overall land area. It is therefore the professional opinion of this land use consultant, based on the referenced neighborhood analysis, that either an RM District, or minimally R10 District, would be more-so appropriately reflective of existing conditions. And finally, and perhaps a more accurate portrayal of neighborhood character, given lack of public sewage and reliance on OWTS, is present bedroom density. In total, there are 144-bedrooms, or a density of one-bed for each 4,855 square feet of overall land area. Once again, were the



eight (8) properties excluded, the average bedroom density reduces to 2,721 square feet. The referenced neighborhood conditions are better reflected in the aerial view (see below) of the general Matunuck Beach Road area (as excerpted from Google Earth).

DEVELOPMENT PROPOSAL

The applicant proposes to develop the subject property for multi-unit residential purposes (both market and affordable-rate), consolidating said units for purposes of limiting land usage and realizing greater provision of ‘open space’. This will not only reduce overall development costs, but also avert impacts to the environment, as envisioned by the imposed multiple overlay districts as well as Comprehensive and Housing Plans, respectively.

Protecting and Enhancing South Kingstown’s Identity

o “Continue to discourage monotonous, sprawling types of development in favor of development that is consistent with the character of the Town and development within the existing village areas.” [Page LU-5]

Goal 2: “Facilitate the development of affordable housing throughout the community in a manner that is reflective of South Kingstown resident’s physical, social, and financial limitations and resources with the goal of achieving the state mandated 10% affordable housing stock.” [Page H-16]

Policy 2.1 - “Identify opportunities to integrate affordable housing into existing neighborhoods.”

Implementation - “The Town shall consider village infill areas when siting affordable housing to capitalize on existing infrastructure and facilities and create walkable, healthy communities.”

Goal 3: “Encourage a wide range of affordable housing options through a combination of innovative regulatory mechanisms, public and private initiatives, and joint public and private partnerships.” [Page H-17]

Policy 3.3 - “Continue the use of regulatory techniques that support and increase affordable housing opportunities.” [Page H-18]

Housing Plan

Cost of Housing – “The cost of land continues to increase; however, the unit cost for land can be minimized by increasing the number of units in a development, as the lot size and layout are determined by the developer’s design. Zoning is the principal mechanism used to attempt to reduce the costs of land. As such, this study discusses several techniques that can be used to reduce lot size.” [Page 14]

The proposed development will be exclusively owner-occupied, albeit not necessarily family oriented, given the agreed to limit on bedroom count - limited to two-bedrooms per unit. This not only assures a reduction in overall residential activity (e.g., reduced number of vehicles), but also averts any fiscal impact by realizing almost no children. Affordable owner-occupied housing is not only in short supply, but actually forever getting less and less affordable, as evidenced throughout both the Comprehensive and Housing Plans.

In total, 12-units are proposed, of which three-units (25%) will be deemed affordable pursuant to RIH guidelines. The proposed development, otherwise referenced as ‘Matunuck Beach Road Condos’, will provide much needed affordable ‘owner-occupied’ housing, thereby fulfilling many of the community’s general housing need objectives. The following data is excerpted from a combination of the Comprehensive Plan, Draft Comprehensive Plan, and Census Data.

Table 4. Trends in Total Population (1970 - 2010)

<u>South Kingstown</u>	<u>Rhode Island</u>
• 1970 – 19,913	1970 – 949,723
• 1980 – 20,414 (2.50%)	1980 – 947,154 (-0.27%)
• 1990 – 24,631 (20.7%)	1990 – 1,003,464 (5.9%)
• 2000 – 27,921 (13.4%)	2000 – 1,048,319 (4.5%)
• 2010 – 30,639 (9.7%)	2010 – 1,052,567 (0.40%)

40,659 - Projected at Full Buildout

Table 9. Housing Tenure and Ownership 1980-2010 South Kingstown & Rhode Island

<u>South Kingstown – Total Units</u>	<u>Rhode Island – Total Units</u>
• 1980 – 8,138	• 1980 – 372,672
• 1990 – 9,806 (20.5%)	• 1990 – 414,572 (11.2%)
• 2000 – 11,291 (15.1%)	• 2000 – 439,837 (6.1%)
• 2010 – 13,218 (17.1%)	• 2010 – 463,388 (5.4%)

17,143 - Projected at Full Buildout

**Comprehensive Plan - Table 9. Housing Tenure and Ownership 1980-2010
South Kingstown**

1980 Owner Occupied - 4,119 (70.5%)
1980 Renter Occupied -1,724 (29.5%)

1990 Owner Occupied - 5,189 (69.9%)
1990 Renter Occupied - 2,239 (30.1%)

2000 Owner Occupied - 6,944 (74.9%)
2000 Renter Occupied - 2,324 (25.1%)

2010 Owner Occupied - 7,486 (72.6%)
2010 Renter Occupied - 2,830 (27.4%)

Draft Comprehensive Plan - Figure 24. Housing Tenure

2017 Owner Occupied - (71.9%)
2017 Renter Occupied - (28.1%)

“Single-family and condominium sales prices have historically been higher than those of Rhode Island as a whole, and post-recession prices continue this trend. The median single-family sale price for all of Rhode Island in 2018 was \$264,950 vs. \$305,000 in South Kingstown. The divide is even greater in the condominium market, with Rhode Island’s median at \$216,00 in 2018, and South Kingstown’s at nearly double that figure.” [Draft - Page 82]

Given the steady increase in both population and median sales price of single-family and condominiums, and corresponding decrease in overall owner occupancy (as evidenced by the above results), the need for additional market and affordable-rate residential units is self explanatory.

DEVELOPMENT DESCRIPTION

A sizable portion of the subject property is without constraints to development (up-land area), upwards of 2.50-acres (or 51%), thereby evidencing its suitability for multi-unit residential

purposes. Although, public infrastructure is somewhat lacking, most notably being water and sewage, preliminary soils and depth to groundwater testing results appear to support the introduction of private systems. Clearly, the character and density of the surrounding neighborhood is not a deterrent to future high-density residential development. This land use consultant acknowledges that special consideration is necessary in whatever development endeavor is ultimately pursued, given the applicable overlay districts and their broad protective regulatory measures. Regardless, the property is not encumbered by a variety of otherwise limiting protected land resources, to include prime agricultural soils, water-bodies, groundwater resources, etc., as evidenced by the list of major areas identified pursuant to the Natural and Cultural Resource Element, all of which are located outside the perimeter of the subject property (full listing of respective maps furnished below).

Map 5.1 ‘Wetlands’ - Illustrates that the subject property is neither within the ‘Coastal Wetlands’ nor ‘Inland Wetlands’.

Map 5.3 ‘Critical and Environmentally Sensitive Areas’ - Illustrates that the subject property is within the ‘Special Area Management Plan’.

Map 5.4 ‘Agricultural Resources’ - Illustrates that the subject property is neither a ‘Rhode Island Agricultural Land Preservation Commission Property’, and/or within the ‘Farm, Forest and Open Space Program’

A conceptual design has been provided. The referenced design, as excerpted from the applicant’s submission package, is illustrated below [Credit: DiPrete Engineering].



The Comprehensive Plan recommends densifying the respective villages, areas in which development has historically located. In so doing, areas of limited development intrusion, namely rural portions of the community, may be better preserved. Villages, regardless of the presence of all requisite infrastructure, is still preferable over more rural locations. Although, careful attention to development is cautioned to avert over-intensifying certain ‘periphery areas’, areas that may be incapable of accommodating greater densities due to inadequate infrastructure, intensification is nevertheless anticipated due to the need for additional housing, especially affordable housing. Regardless, the proposed development is in fact considerate of

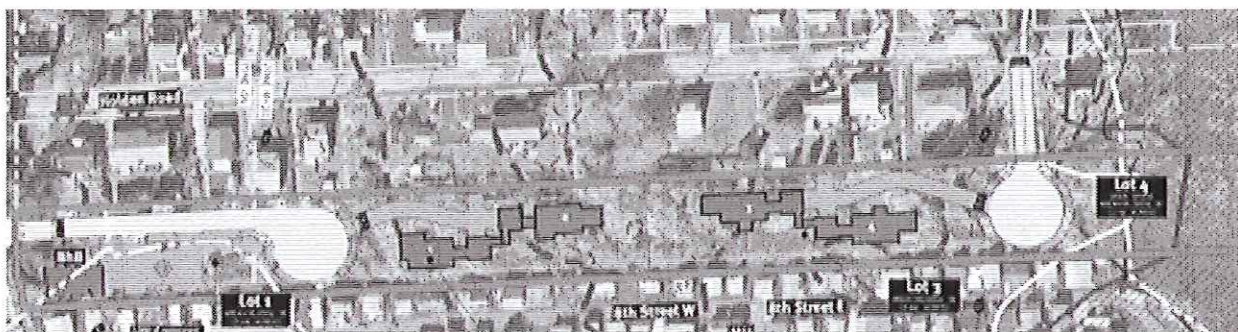
the ‘core / periphery’ concept noted below, thus evidencing via the ‘yield plan,’ the ability to realize somewhat of similar property intensification.

*“Table 2 and the associated Land Use Map Series (Maps 2.3-2.6) illustrate the different categories of future land use for the Town. The Land Use Plan Map (Map 2.3) and the subsequent detailed area maps (Map 2.4-2.6) are commonly referred to as the “Future Land Use Map” in other Rhode Island communities. These maps form the basis for establishing desired development patterns through the Town of South Kingstown. **The Land Use Plan Map (Map 2.3) clearly illustrates the concept of a densely developed central area, or “core”, surrounded by a relatively sparsely developed rural “periphery”.** The central core area consists of the Wakefield Detail (Map 2.4) and Kingston Detail (Map 2.5) as well the areas immediately adjacent thereto such as the Kingstown Road Detail (Map 2.6). **The periphery consists of the remaining outlying areas of the Town. This concept was initiated in the 1986 Comprehensive Plan and follows the historical development pattern of the Town.**” [Pages Intro-9 - Intro-10]*

The Town is regulated to ensuring that ten-percent of its anticipated residential build-out is otherwise deemed affordable. Given the many constraints to development, most notably being limited remaining high-density residential land resources, appropriately situated projects should not be dissuaded. Development of the subject property is such a project, because as evidenced by the submitted yield-plan, the density is not excessive. Any concerns regarding the imposed regulatory objectives pursuant to the overlay districts, as well as stemming from limited infrastructure, will be appropriated addressed to the Planning Board’s satisfaction. Clearly, the project will only be built, if it can be done so in a safe and environmentally sound manner.

OVERVIEW ANALYSIS – DENSITY and SITE APPROPRIATENESS

It is not unusual for the typical affordable housing development proposal to be sought pursuant to a Comprehensive Permit, because it is usually the only viable method of acquiring market-rate density bonuses to offset the cost of realizing affordable housing. What is most unique about the development in question is the fact that there is minimal resulting density bonus. Given the ability to develop the property in a conventional manner, due to the presence of two (2) public rights-of-way, the property is permitted a reasonable density as a matter-of-right. In fact, the property can be developed in an even more intensive, and intrusive, mixed-use manner. The applicant has documented, pursuant to the submitted ‘yield-plan,’ that the property can generate upwards of six (6) residential units and a commercial entity. The referenced ‘yield-plan’ is illustrated below, as excerpted from the applicant’s submission package [Credit: DiPrete Engineering].



Therefore, the so-called density-bonus, it can be logically argued, is predominantly affordable housing oriented. Town of South Kingstown support will realize three-units of affordable housing, in contrast to a conventional development. Furthermore, pursuant to the Town’s ‘Negotiative’ and ‘Inclusionary’ Ordinances, there are a variety of regulatory affordable housing tools at the applicant’s disposal that permit greater densities, those that mirror the development as proposed.

The proposed development is being pursued via the CP process, in accordance with R.I.G.L. §45-53-1, thereby realizing much needed affordable owner-occupied housing - approximately twenty-five (25%) percent of the overall units to be introduced, or three-units. The overall development will result in a total of 12-units. This results in a density of 12-units over a total land area of 4.90-acres, or a density of 2.45-units per acre. Eliminating that land area containing constraints to development, the density reduces to 4.8-units per acre. An overview of the referenced density analysis is provided below.

Proposed Development	Density Analysis	
	Entire Land Area (4.90-acres)	Excluding Constrained Land Area (2.50-acres)
12-units	12-units / 4.90-acres	12-units / 2.50-acres
	2.45-units per acre [One-unit per 17,787 square feet]	4.80-units per acre [One-unit per 9,075 square feet]

From a purely regulatory lot area perspective, a maximum density of 10.6-units would be permitted were the entire land area considered. Excluding that area deemed unsuitable for development pursuant to the Ordinance and Development Regulations, the anticipated regulatory density would be reduced to 5.5-units. Albeit, the preceding densities are purely hypothetical, the only means of visualizing a somewhat factual density is by preparation of a ‘yield-plan’. A ‘yield-plan’ is the primary method of determining and illustrating ‘plausible-density’. The referenced plan both identifies and subsequently excludes, those features otherwise deemed unsuitable for development. The submitted ‘yield-plan’ clearly acknowledges that a conventional-style development could very well yield a minimum of six (6) residential units and a commercial entity, perhaps even a smaller restaurant (as illustrated above).

It has been the long-standing experience of this land use consultant that there is a corresponding market-rate density bonus, with the exception of those that are purely affordable and non-profit oriented. In fact, the density-bonus is typically quite substantial. In the present

case, the density-bonus ratio is not even on a one-to-one basis, considering the mixed-use component will likewise be eliminated, if successful. Besides the fact that both the Comprehensive and Housing Plans anticipate a large quantity of affordable housing to be garnered by means of the CP process, it should be noted that there are several techniques pursuant to said plans that would permit far greater densities. These techniques are described and then individually applied to the subject development, as excerpted from the Housing Plan.

Negotiate Comprehensive Permit Density Increase with Housing Developers - *“The Town wishes to keep the density increases given to Comprehensive Permit applicants within the hierarchy of the current zoning ordinance. The Town will work with developers to permit density increases of “one step” for comprehensive permit applications. For example, an R-10 parcel (10,000s.f./4.35 units/developable acre) that is the subject of a comprehensive permit would be allowed to have the density of the RM district (7.71 units/developable acre). The density bonus will vary depending on the percentage of low-moderate income units proposed by the developer. Among other things, any density bonus will be contingent on the suitability of the parcel, project design, and the parcel’s relationship to supporting infrastructure.” [Page 41]*

The property is presently zoned R20 District. Application of the above technique would permit the density associated with an R10 District, or approximately 4.35-units per acre. Therefore, considering that the property could potentially realize a density of 10.6-units at the present R20 District designation, application of the R10 District could very well realize upwards of 21.2-units. This is far in excess of what is being requested.

Inclusionary Housing - *“Affordable housing should be incorporated into new subdivisions via inclusionary zoning, as discussed in the earlier section on Inclusionary zoning. Much of this development will take place outside of town centers, where larger tracts of land are available and proposed subdivisions contain 6 or more units. Inclusionary zoning in subdivisions provides opportunities for persons seeking affordable housing that would otherwise not be available.” [Page 44]*

This is clearly supportive of the subject development. The subject property, albeit within the Village of Matunuck, is nevertheless situated outside the town center, on the fringe of the community. It will exceed six-units and will realize 25% affordable housing.

Although, the typical affordable housing development is vehemently opposed by community groups for one obvious reason, namely the density increase over that which is permitted by conventional zoning, the Town of South Kingstown is well supportive of such housing as evidenced by the ‘Comprehensive Plan Survey’ conducted during the comprehensive plan amendment process.

Survey Summary - Affordable Housing: *“There was a clear mandate for additional low-income housing (subsidized) and small-scale, affordable market-rate housing (not subsidized). (See Questions 3 and 4.) Over 70 percent of respondents agreed (either slightly or strongly) that the Town should make it a priority to move toward the State mandate of 10% affordable housing stock (subsidized). The community was more evenly divided regarding small-scale,*

market-rate housing (not subsidized), however the majority of respondents (56 percent) either slightly or strongly agreed that there was not an adequate amount.” [Pages Intro-52 - Intro-53]

Survey Conclusion - “Challenges for the next decade include preserving open space, encouraging the development of affordable housing to serve the needs of our low-income residents, maintaining the diversity of the existing housing stock to provide affordable, non-subsidized housing options, and working to ensure that those who have lived in town can continue to reside in the community during their retirement years. Development of tourism opportunities and the potential to expand commercial and light industrial development, in keeping with the quality of life in South Kingstown, will also be challenges in the decade to come.” [Page Intro-54]

Land Use Vision - “The land use element will protect and enhance the unique quality of life of this civic-minded community whose residents reside within densely developed or rural villages and outlying areas...The rights of individual property owners will be carefully balanced with the rights of the community to maintain this quality of life.” [Page LU-8]

This planning consultant can personally attest to the vast density bonuses provided by various communities to realize provision of affordable housing, sometimes upwards of several hundred percent or more. All Comprehensive Permit developments must balance the provision of affordable housing and protection of environmental features and rural quality of life. Clearly, the three-unit market-rate density bonus to be realized is somewhat minor, given the overall size of the parcel and surrounding neighborhood character. The density bonus (also realizing elimination of the commercial entity component), will realize three-units of affordable owner-occupied housing, thereby meeting its own ten (10) percent threshold and contributing an additional two-units towards current Affordable Housing deficits.

EVIDENCING NEED

The Comprehensive and Housing Plans, as well as US Census were the principle documents researched in conducting the following analysis. Therefore, all information provided here-forth expresses clear and conclusive support for the subject development. The analysis begins with documenting overall need. South Kingstown’s demographics, as excerpted from the US Census, Comprehensive and Housing Plans, illustrate the following.

Average household size is decreasing at a steady rate, thereby resulting in smaller households and the need for more housing units.

1970 – 3.10 persons per unit	2000 – 2.56 persons per unit
1980 – 2.74 persons per unit	2010 – 2.43 persons per unit
1990 – 2.61 persons per unit	

Furthermore, pursuant to the Draft Comprehensive Plan, residences containing two (2) or fewer persons, comprise greater than two-thirds (64.5%) of all households. This is an approximately

two-percent increase since the year 2000. The resulting decrease of greater than two-thirds of one (1) person per unit in 40-years, with the majority of households containing two-persons, evidences the need for more housing units. This results in increased pressure for additional housing, in particular affordable housing, as well supported by the Comprehensive Plan [Page Intro-24].

5.1 South Kingstown Households - *“South Kingstown experienced a significant population growth from 2000-2010, growing from a Town of 27,921 according to 2000 Census data, to a Town of 30,639 in 2010. This increase of 9.7% is significantly more than the population growth experienced by the State as a whole (see Table 8). From 2000 to 2010, Rhode Island grew 4.0%, from 1,048,319 to 1,052,567. The steady increase in South Kingstown’s population continues to put pressure on housing opportunities—particularly affordable housing opportunities—within the Town.”*

The Housing Plan [Page 5] likewise acknowledges that the considerable population growth experienced between 1990 and 2000, approximately 13.4%, has resulted in putting ‘...pressure on housing opportunities – particularly affordable housing opportunities – within the Town.’ This pressure has only compounded since that period, as the population of the Town has only increased and households sizes proportionately decreased.

It cannot be emphasized enough that a significant combination of reduction in household density and increase in population growth, results in a drastic need for more housing units. When contrasting overall need for more housing units with the statutory requirement of 10% total housing stock affordability, the anticipated need is rather evident. Pursuant to the 2005 Housing Plan (Page 54), present and future requirements could result in Affordable Housing needs that far surpass the Community’s ability to react.

“...However, the Town has been averaging 177...permits a year for more than a decade. Assuming 177 permits per year, South Kingstown will have 11,335 housing units when the next Census count is taken in 2010. To reach the 10% housing goal by 2025, South Kingstown will need to have 1,311 affordable units. This means South Kingstown will need to add 826 affordable units in the next twenty years, or approximately 41 affordable units per year.”

This situation has only been rendered worse over the past 15-years. This land use consultant acknowledges that some progress has been made, however no where even close to the rate anticipated. And, the problem has been magnified by failing to off-set unexpected residential growth. Provision of sufficient affordable housing is based on the most recent census data, therefore the quantities and percentages referenced in the Housing Plan is now more than a decade old. In fact, even present RIH data is said seven-years in arrears. There clearly has been housing construction since said housing data was officially collected. However, for purposes of maintaining a conservative position on affordable housing need, the clearly now deficient housing unit count has been used in this report. Pursuant to the ‘2018 Housing Fact

Book, the community has an approximate total of 615-units of affordable housing. Therefore, the conservatively estimated affordable housing contribution is presently 5.64%, or a mere increase of 0.57% since the revised Housing Plan of 2005 - slightly greater than one-half of one-percent in approximately 15-years. The referenced Housing Plan spoke to achieving 10% affordable housing compliance by 2025, whereas the Draft Comprehensive Plan extends it to 2030. The Draft Comprehensive Plan do not anticipate full 10% affordable housing achievement, but approaching a quantity that is almost compliant, upwards of 9.5%. However, considering that only a 0.57% increase (based on a conservative housing unit count) has been achieved in over 15-years, it could very well take upwards of several decades before compliance is realized. It is rather self-evident that considerable progress is required if 10% affordable housing compliance is ever to be achieved.

The present number of affordable housing units is approximately 5.64%, consisting of 345-elderly units, 163-family units and 104-special needs units. The Housing Plan goes onto acknowledge that upwards of an additional 327-units of affordable housing is needed to accommodate all low and moderate income groups at the then full build-out. The ‘*Progress Toward the 10% Goal Over Time*’ chart, located on Page 55 of the Housing Plan, illustrates the Town’s 25-year plan for achieving affordable housing compliance,

Progress Toward the 10% Goal Over Time [May 2005]				
Household Type	Proportional Need	Total No. of Units Needed by 2025	Existing Supply	Total Percentage of Required Units
Elderly	32.3%	267		
Family	39.6%	327		
Special Needs / Other	28.1%	232		
Totals	100.0%	826	485	100.0%
The preceding are approximate totals procured from the Housing Plan.				

It is the intent of the Housing Plan to achieve affordable housing compliance in an incremental manner, garnering an equal proportion of elderly, family and special needs housing every five-

years until the minimum 10% threshold is achieved - initially by 2025. It is self-evident from the preceding statistics that there continues to be need among all groups, which the Housing Plan notes is equally distributed between rental and family. It is also note worthy that the Housing Plan 'Progress Toward 10% Chart,' anticipated that by this period in time, in excess of 1,000 affordable housing units would have been procured, as compare to the actual procured 612-units.

The Draft Comprehensive Plan acknowledges that the original objective is unattainable, and therefore has extended it out to 2040, when full residential build-out is anticipated. However, in order to accomplish this feat, more than a doubling of the present quantity of affordable housing is needed. The present provision approaches 612-units, whereas a total of 1,428-units would be required, or a shortfall of 816-units (57% deficiency). Considering that 127-units has been garnered over the last 15-years, it is difficult to believe that six and one-half times that count will be attained in a 20-year period. Therefore, it can be stated with a certain degree of certainty that regulatory compliance will take several decades, and even the will only be realized provided every reasonable proposal is fully vetted and ultimately supported.

POTENTIAL LOCATION SUMMARY CHART

One final note is in regard to the general appropriateness of the property for affordable housing development purposes, said support being evidenced by the Housing Plan. Pursuant to the 'Potential Location Summary Chart' [Page 46], acknowledges that upwards of 48-units of affordable housing can be garnered through 'Core Duplexes in Core Areas,' and another multiple-units through 'Scattered Properties.'

R.I.G.L 45-53-4 – REQUIRED FINDINGS and Section 509 'Low and Moderate Income Housing' of the Zoning Ordinance

In accordance with R.I.G.L 45-53-4 and Section 509 of the Ordinance, the applicant is obligated to address the requisite standard provisions. R.I.G.L 45-53-4(4)(v) expresses the following required findings:

R.I.G.L 45-53-4(4)(v) Required Findings: In approving an application, the local review board shall make positive findings, supported by legally competent evidence on the record which discloses the nature and character of the observations upon which the fact finders acted, on each of the following standard provisions, where applicable:

(A) *"The proposed development is consistent with local needs as identified in the local comprehensive community plan with particular emphasis on the community's affordable*

housing plan and/or has satisfactorily addressed the issues where there may be inconsistencies.”

The following table identifying individual affordable housing needs is presented for purposes of illustrating the consistency of the proposed development. As previously demonstrated, the proposed development will realize three-units of newly secured affordable owner-occupied housing.

Progress Toward the 10% Goal Over Time [May 2005]				
Household Type	Proportional Need	Total No. of Units Needed by 2025	Existing Supply	Total Percentage of Required Units
Elderly	32.3%	267		
Family	39.6%	327		
Special Needs / Other	28.1%	232		
Totals	100.0%	826	485	100.0%

The preceding are approximate totals procured from the Housing Plan.

(B) *“The proposed development is in compliance with the standards and provisions of the municipality’s zoning ordinance and subdivision regulations, and/or where expressly varied or waived local concerns that have been affected by the relief granted do not outweigh the state and local need for low and moderate income housing.”*

Several waivers and variances will be sought from the Planning Board (said listing to be provided by DiPrete Engineering). The referenced waivers and variances are well supported by both the Comprehensive and Housing Plans, as evidenced by the following recommendations:

2.1 Residential Land Use - *“Residential areas are reserved for those areas of the Town in which the citizens of the Town live. The predominant use may be for single, duplex or multi-family housing, but compatible accessory uses also may be allowed. Residential development in South Kingstown can be divided into five classifications based upon average of gross residential densities and are described below. Different housing densities should be available in order to encourage a variety of housing types and to provide for affordable housing within the community.”* [Page Intro-12]

Land Use Element

Villages as a Model for Growth - *“Offer a diverse array of housing options, where appropriate, including small scale “cottage” housing, multi-family housing, and affordable housing.”* [Page LU-6]

Land Use Action Plan - *“To promote orderly growth patterns based upon the natural, cultural and historic character of the Town, the land’s suitability for use, and the aspirations of its citizens.”* [Page LU-8]

Goal 5: *“To create affordable housing opportunities for all income levels, age groups and population types within the Town - See Housing Element.”* [Page LU-15]

Housing Element

Goal 2: *“Facilitate the development of affordable housing throughout the community in a manner that is reflective of South Kingstown resident’s physical, social, and financial limitations and resources with the goal of achieving the state mandated 10% affordable housing stock.”* [Page H-16]

Policy 2.1 - *“Identify opportunities to integrate affordable housing into existing neighborhoods.”*

Policy 2.2 - *“Develop a range of affordable rental opportunities throughout the Town of South Kingstown.”*

Policy 2.3 - *“Develop a range of affordable home ownership opportunities throughout the Town of South Kingstown.”*

Policy 2.5 - *“Develop affordable housing opportunities for elderly persons.”* [Page H-17]

Goal 3: *“Encourage a wide range of affordable housing options through a combination of innovative regulatory mechanisms, public and private initiatives, and joint public and private partnerships.”* [Page H-17]

Housing Plan

Cost of Housing: *“The cost of land continues to increase; however, the unit cost of land can be minimized by increasing the number of units in a development, as the lot size and layout are determined by the developer’s design. Zoning is the principal mechanism used to attempt to reduce the costs of land. As such, this study discusses several techniques that can be used to reduce lot size.”* [Page 14]

(C) *“All low and moderate income housing units proposed are integrated throughout the development; are compatible in scale and architectural style to the market rate units within the project; and will be built and occupied prior to, or simultaneous with the construction and occupancy of any market rate units.”*

The affordable units will be constructed of like materials and maintain the architectural integrity of the market-rate units. All three (3) affordable units will be both dispersed throughout the development – evenly integrated with the market-rate units – as well as proportionally phased during construction.

(D) “There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval.”

(E) “There will be no significant negative impacts on the health and safety of current or future residents of the community, in areas including, but not limited to, safe circulation of pedestrian and vehicular traffic, provision of emergency services, sewerage disposal, availability of potable water, adequate surface water run-off, and the preservation of natural, historical or cultural features that contribute to the attractiveness of the community.”

(G) “The proposed development will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, unless created only as permanent open space or permanently reserved for a public purpose on the approved, recorded plans.”

Although, the property will be predominantly furnished with private utilities, inclusive of both water as well as sewage treatment system(s), it is nevertheless appropriate at the prescribed density. The property is vast in acreage and the prescribed density not excessive. Requisite testimony from respective professions will evidence this fact.

(F) “All proposed land developments and all subdivisions lots will have adequate and permanent physical access to a public street in accordance with the requirements of § 45-23-60(5).”

The property will have direct and permanent physical access from Matunuck Beach Road.

CONCLUSION

It is this Land Use Planning and Zoning Consultant’s professional opinion that the proposed development is consistent with the Comprehensive Plan and sets forth the Policies of the Housing Plan, and therefore can be fully supported by the Town of South Kingstown Planning Board. My professional opinion is based upon the manner in which the development can be incorporated into the overall fabric of the general Matunuck Beach Road neighborhood. The Planning Board should carefully consider the many benefits posed by the applicant’s development, not the least of which is the provision of three-units of affordable owner-occupied housing. It should also be emphasized that the Housing Plan recommends the introduction of an Inclusionary Ordinance to support the development of affordable housing in the manner so-proposed – multi-unit housing within the respective villages.

NEIGHBORHOOD ANALYSIS

**Matunuck Beach Road
Assessor's Plat 92-2 - Lot 56
R-20 / CN Zoning District**

Plat	Lot	Area (Acres)	Area (Sq. Ft.)	Address	Number of Beds	Lot Density	Number of Units	Lot Density	Year Built
92-2 SP	56	4.9	213,444	Matunuck Beach Road Unimproved	24	8,894 Zone: R-20 / CN	12	17,787	2020
92-2	57	0.23	10,019	7 Holden Road	3	3,340 Zone: CN	2	5,009	1958
92-2	58	0.22	9,583	13 Holden Road	3	3,194 Zone: CN	1	9,583	1956
92-2	60	0.11	4,792	21 Holden Road	3	1,597 Zone: R-20	1	4,792	1957
92-2	61	0.11	4,792	27 Holden Road	3	1,597 Zone: R-20	1	4,792	1925
92-2	62	0.11	4,792	33 Holden Road	4	1,198 Zone: R-20	1	4,792	1927
92-2	63	0.56	24,394	55 Holden Road	2	12,197 Zone: R-20	1	24,394	1997
92-2	64	0.46	20,038	73 Holden Road	2	10,019 Zone: R-20	1	20,038	1927
92-2	66	0.24	10,454	87 Holden Road	2	5,227 Zone: R-20	1	10,454	1948
92-2	68	0.12	5,227	93 Holden Road	3	1,742 Zone: R-20	1	5,227	1948
92-2	69	0.23	10,019	101 Holden Road	2	5,009 Zone: R-20	1	10,019	1978
92-2	70	2.98	129,809	115 Holden Road	3	43,270 Zone: R-20	1	129,809	1996
92-2	72	1.66	72,310	116 Holden Road	3	24,103 Zone: R-20	1	72,310	1996
92-2	73	0.26	11,326	100 Holden Road	3	3,775 Zone: R-20	1	11,326	1974
92-2	74	0.11	4,792	92 Holden Road	3	1,597 Zone: R-20	1	4,792	1991
92-2	75	0.11	4,792	88 Holden Road	2	2,396 Zone: R-20	1	4,792	1950
92-2	76	0.11	4,792	82 Holden Road	4	1,198 Zone: R-20	1	4,792	1949
92-2	77	0.22	9,583	76 Holden Road	3	3,194 Zone: R-20	1	9,583	1975
92-2	78	0.11	4,792	68 Holden Road	3	1,597 Zone: R-20	1	4,792	2000
92-2	79	0.22	9,583	60 Holden Road	4	2,396 Zone: R-20	1	9,583	1730
92-2	80	0.33	14,375	48 Holden Road	3	4,792 Zone: R-20	1	14,375	1999
92-2	81	0.11	4,792	38 Holden Road	2	2,396	1	4,792	1930

							Zone: R-20			
92-2	82	0.11	4,792	32 Holden Road	4	1,198	Zone: R-20	1	4,792	1930
92-2	83	0.11	4,792	28 Holden Road	3	1,597	Zone: R-20	1	4,792	1936
92-2	84	0.11	4,792	22 Holden Road	2	2,396	Zone: R-20	1	4,792	1935
92-2	85	0.11	4,792	18 Holden Road	2	2,396	Zone: CN	1	4,792	1946
92-2	86	0.33	14,375	4 Holden Road	2	7,187	Zone: CN	1	14,375	1935
92-2	121	0.48	20,909	696 Matunuck Beach Road Commercial - Retail	0		Zone: CN	0		
92-2	120	0.38	16,553	16 Community Drive	4	4,138	Zone: CN	1	16,553	1986
92-2	118	0.56	24,394	42 Community Drive	4	6,098	Zone: R-20	2	12,197	1965
92-2	117	0.1	4,356	46 Community Drive	2	2,178	Zone: R-20	1	4,356	1955
92-2	116	0.11	4,792	50 Community Drive	2	2,396	Zone: R-20	1	4,792	1955
92-2	115	0.11	4,792	54 Community Drive	2	2,396	Zone: R-20	1	4,792	1955
92-2	114	0.11	4,792	60 Community Drive	2	2,396	Zone: R-20	1	4,792	1955
92-2	113	0.11	4,792	64 Community Drive	4	1,198	Zone: R-20	1	4,792	1955
92-2	130	0.61	26,572	61 Atlantic Avenue Church	0		Zone: R-20	0		1920
92-2	111	0.11	4,792	80 Community Drive	3	1,597	Zone: R-20	1	4,792	1957
92-2	110	0.11	4,792	84 Community Drive	2	2,396	Zone: R-20	1	4,792	1949
92-2	108	0.22	9,583	92 Community Drive	3	3,194	Zone: R-20	1	9,583	1950
92-2	107	0.11	4,792	100 Community Drive	2	2,396	Zone: R-20	1	4,792	1952
92-2	106	0.11	4,792	104 Community Drive	2	2,396	Zone: R-20	1	4,792	1953
92-2	105	0.22	9,583	112 Community Drive	3	3,194	Zone: R-20	1	9,583	1950
92-2	135	0.24	10,454	Atlantic Avenue Town Property Unimproved	0		Zone: R-20	0		
92-2	104	0.34	14,810	Community Drive Unimproved	0		Zone: R-20	0		
92-2	103	0.11	4,792	140 Community Drive	2	2,396	Zone: R-20	1	4,792	2006

92-2	102	0.23	10,019	148 Community Drive	2	5,009 Zone: R-20	1	10,019	1968
92-2	101	0.23	10,019	158 Community Drive	3	3,340 Zone: R-20	1	10,019	1950
92-2	100	0.63	27,443	164 Community Drive	3	9,148 Zone: R-20	1	27,443	1945
92-2	98	0.57	24,829	165 Community Drive	3	8,276 Zone: R-20	1	24,829	1972
92-2	195	1.01	43,996	149 Community Drive	2	21,998 Zone: R-20	1	43,996	2004
92-2	97	0.11	4,792	113 Community Drive	2	2,396 Zone: R-20	1	4,792	1950
92-2	96	0.11	4,792	107 Community Drive	3	1,597 Zone: R-20	1	4,792	2018
92-2	94	0.44	19,166	91 Community Drive	3	6,389 Zone: R-20	1	19,166	1945
92-2	93	0.11	4,792	83 Community Drive	3	1,597 Zone: R-20	1	4,792	1982
92-2	93	0.11	4,792	77 Community Drive	2	2,396 Zone: R-20	1	4,792	2012
92-2	91	0.11	4,792	73 Community Drive	2	2,396 Zone: R-20	1	4,792	1970
92-2	89	0.22	9,583	63 Community Drive	2	4,792 Zone: R-20	1	9,583	1950
92-2	88	0.11	4,792	59 Community Drive	2	2,396 Zone: R-20	1	4,792	1950
92-2	87	0.21	9,148	45 Community Drive	2	4,574 Zone: R-20	1	9,148	1950
	Total:	22.62	985,327		144		56		
	Average:	0.38	16,700		3		1		
	Total								
	Residentially								
	Improved:	16	699,138						
	Average:	0.30	12,947						
		Average			Average				
		Lot Density:	12,485		Bedroom Density:	4,855			
		Proposed (Total Lot Area)			Proposed (Total Lot Area)				
		Development Density:	17,787		Bedroom Density:	8,894			
		Proposed (Useable Lot Area)			Proposed (Useable Lot Area)				
		Development Density:	0		Bedroom Density:	0			

