

## Land Use

**GOAL:** Promote and manage growth through land development while sustaining Providence’s high quality of life and preserving its unique attributes.

Land development continually shapes the growth and transformation of Providence. The Comprehensive Plan must address where and how these changes occur. This land use element focuses on both questions, based on input from previous comprehensive plans;

neighborhood, area, and corridor plans; and from the public engagement process for this plan. This element has the most significant influence on the zoning ordinance, land development and subdivision review regulations, and ultimately on the projects that get built in the city.

The land use element of the 2014 comprehensive plan was predicated on two key principles: protect residential neighborhoods and direct higher density development to the downtown, major commercial corridors, and industrial areas. With the adoption of a new zoning ordinance in 2014, growth has largely followed these principles.

Several important trends have emerged in the past several years regarding land use in Providence. First, in the wake of the COVID-19 pandemic, the commercial real estate market has seen a downturn, resulting in high vacancy rates for commercial storefronts and office spaces. Another trend is a significant deficit in housing units relative to demand. Prices have increased while housing production has not kept pace. Adding to the stress on housing supply and upward pressure on costs are the recent phenomena of short-term rentals that reduce the availability of housing units available to long-term residents, and the significant expansion of off-campus student housing that is purpose-built or renovated for large numbers of students who often pay more than what a household of non-students pays. Providence needs to ensure that its land use policies and regulations adapt to these types of changes in the economy while appropriately managing growth.

In late 2023, Providence amended its zoning ordinance and land development and subdivision review regulations in response to the most significant changes in state land use laws in 30 years. These new laws sought to address the housing shortage by removing barriers to development of housing throughout the state. While Providence had already made significant strides in this regard, the new rules that were adopted relax certain regulations to allow for more housing and create more opportunity for administrative review of compliant projects, rather than review by a board or commission. This can significantly reduce timeframes for approval. As outlined below, there are still opportunities to improve our land use regulations to address a multitude of issues.

This chapter has two important maps. The first is the “growth strategy” map. This map is a general overview of where significant growth is most appropriate. It also shows the areas of the city where change should be more carefully managed. This map aims to direct growth in a controlled way that complements and builds on the assets of our city. The second map in this section is the official “future land use” map that forms the basis for the zoning map. It is more detailed than the growth strategy map, but not as precise as the zoning map.

### **This element is organized in three parts:**

- “Where do we grow?” introduces a general approach to growth for the city using Map 11.1 “growth strategy” and lists the goals and objectives for all areas identified on the map.
- “How do we grow?” identifies specific details of how the city should be developed using Map 11.2 “future land use.”

- “Land use in relation to other plan elements” links the land use section to the other sections of the plan by identifying goals and strategies that are specific to land use for each of the other topics.

## Where do we grow?

**GOAL:** Ensure the continued strength and stability of Providence’s neighborhoods and direct growth to appropriate areas.

Map 11.1 “growth strategy,” describes general themes for how growth should be managed throughout the city. The map was developed through an analysis of land use patterns and trends, along with considerable community

engagement. It identifies eight distinct areas, descriptions of which are below. The purpose of this map is to inform the more detailed future land use map.

### Growth Strategy Map Designations:

**Historic Districts:** Areas with buildings and sites of historical, architectural, and cultural significance deemed worthy of preservation. The map depicts existing local historic districts, but for purposes of clarity does not depict individual sites throughout the city that are appropriate for preservation, including those within the scattered-site Providence Landmarks District. These individual sites are as worthy of preservation as the larger districts.

**Managed Growth – Residential:** Primarily residential areas of varying densities with limited mixed use. New development in these areas should not change the overall existing development patterns.

**Enhanced Growth – Residential:** Primarily residential areas of varying densities with limited mixed use that are suitable for higher-density residential growth due to their proximity to Downtown, high degree of mobility options, and the existing built environment that contains a significant portion of high-density housing.

**Growth Corridors – Mixed Use:** Commercial and transit corridors with areas and nodes suited for mixed-use and higher-density residential infill development.

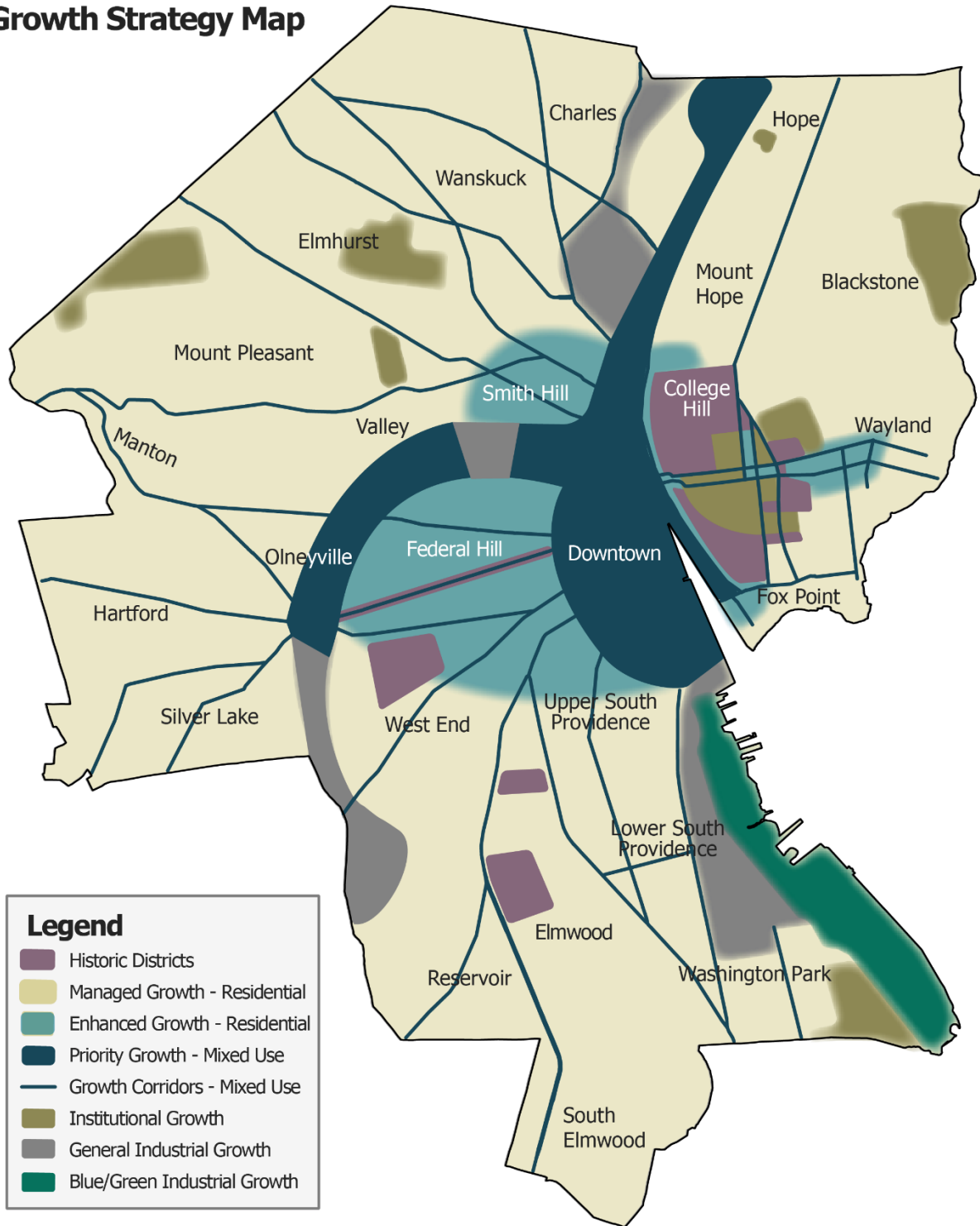
**Priority Growth – Mixed Use:** High-amenity areas with the best transit service and mobility options, suited for large scale, dense, mixed-use development.

**Institutional Growth:** Areas for growth of educational and healthcare institutions.

**General Industrial:** Areas for business and industrial growth without residential uses, and prioritizing clean, sustainable, and resilient economic development.

**Blue-Green Industrial:** Areas for growth of water-dependent industry, prioritizing clean, sustainable, and resilient economic development.

# Growth Strategy Map



Map 11.1 Growth Strategy

**OBJECTIVE LU1: PROTECT AND ENHANCE STABLE NEIGHBORHOODS**

Reinforce the stability, character, and diversity of the City's neighborhoods by respecting valued development patterns and attributes.

**Strategies:**

- A. In Historic Districts:
  1. Strictly regulate alterations and new construction in these areas to preserve buildings and sites of historical, architectural, and cultural significance and to ensure compatibility of new construction with existing historic fabric. The historic district commission may regulate land and buildings more strictly than the underlying zoning in order to achieve this mission.
  2. Review, evaluate, and amend regulations for historic districts to ensure that they are appropriate to modern preservation practices.
  3. Continue to evaluate properties or areas that may be suitable for historic district designation.
- B. In Managed Growth Areas:
  1. Allow for infill development in line with existing scale and patterns of use.
  2. Review, evaluate, and amend regulations to protect the integrity of these areas.
  3. Use zoning to allow for different types of housing than currently allowed, such as accessory dwelling units, apartment buildings, rowhouses, and cluster development, in a manner that protects and enhances the existing built environment.

**OBJECTIVE LU2: DIRECT GROWTH**

Direct growth to areas well suited for larger-scale development and high-density housing.

- A. In Enhanced Growth – Residential areas: Allow for residential development at high densities with reduced parking requirements, but with building height and massing compatible with existing development patterns.
- B. In Growth Corridors – Mixed Use areas: Allow for commercial and residential development at high densities, with moderate building heights.
- C. In Priority Growth – Mixed Use areas: Allow for commercial and residential development at high densities, with taller building heights.
- D. In Institutional Growth areas: Allow for the growth of healthcare and higher educational institutions, while respecting the surrounding neighborhoods.
- E. In General Industrial Growth areas: Allow for the growth of business, with no residential uses, prioritizing clean industry.
- F. In Blue-Green Industrial Growth areas: Allow for the growth of water-dependent economic development, prioritizing clean business and industry.

## How do We Grow?

**GOAL:** Promote a balance of uses to support sustainable patterns of development providing healthy and walkable neighborhoods, thriving business districts, and a high quality of life.

The previous section addressed generally where future growth should be directed. This section refines that vision with the more detailed Map 11.2, “Future Land Use.” This map depicts specific land use designations for each area of the city and is the official future land use map. This section goes on to identify the types of land uses found in these designations and the uses that are promoted going forward. Though most land use areas contain multiple uses, the description of each designation refers to the typical uses found there.

### Future Land Use Map Designations:

**Low-Density Residential:** These areas are characterized primarily by single-family dwellings in detached structures on separate lots. Buildings typically range in height from one to three stories. Lot sizes vary by neighborhood with most ranging from 3,200 to 6,000 square feet. Some areas have lot sizes upwards of 7,500 square feet. These areas may contain other compatible uses and some residential development at higher, but appropriate densities.

**Medium-Density Residential:** These areas are characterized primarily by single-, two-, and three-family dwellings in detached structures on separate lots. Buildings typically range in height from one to three stories. Lot sizes vary by neighborhood, with most ranging from 3,200 to 5,000 square feet. In some areas, small-scale commercial uses, such as neighborhood commercial establishments and professional offices, may be appropriate. These areas may contain other compatible uses and some residential development at higher, but appropriate densities.

**High-Density Residential:** These areas are characterized by multifamily dwellings, with some one-, two- and three-family dwellings interspersed. Multifamily buildings typically range from three to four stories in height. In some areas, small scale commercial uses, such as neighborhood commercial establishments and professional offices, may be appropriate. These areas may contain other compatible uses.

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### *Density and Character*

Two terms that are used frequently in this plan are **density** and **character**. As these terms are sometimes subjective and open to interpretation, it is important to define what we mean when we use them. First, density in an urban context is the size, scale and massing of a building or collection of buildings; their proximity to each other; and the number of people the buildings accommodate. We regulate density in several ways. There are dimensional rules like building height, setback from lot lines, and the amount of a lot a building covers. The number of dwelling units permitted on a lot in a residential zone is another consideration. In some cases, we regulate the number of occupants allowed in a dwelling unit. Finally, regulations pertaining to site development, such as parking, required pervious surface, and landscaping, limit what can be built on a lot and affect density.

The density of an area is part of what gives it its character. But character goes beyond that, incorporating concepts like building design and details such as the amount, size and location of windows and doors; building materials; and character defining elements like roof lines, eaves, stoops and porches, and trim details. Many of these features come in the form of period details of historic buildings. The character of an area is also shaped by the public realm: the width of streets and sidewalks, the landscaping in the public right-of way, and the location of public spaces. Character is most often regulated through zoning’s use, dimensional, and design standards.

**Neighborhood Commercial/Mixed-Use:** These areas are characterized by traditional, pedestrian and transit-oriented uses that serve local neighborhood needs for convenience retail, services, professional offices, and housing. Buildings are set close to the street, with entrances and facades oriented toward the street. Residential uses are encouraged.

**General Commercial/Mixed-Use:** These areas are characterized by commercial uses such as large shopping complexes and plazas that serve citywide needs for retail, services and office establishments. Residential uses are encouraged in these areas. These areas may be located along commercial corridors that accommodate large commercial uses or are clustered at a higher density to support transit.

**Downtown/Mixed-Use:** This area is characterized by a variety of business, financial, institutional, public, quasi-public, cultural, residential, appropriate light industrial, and other related uses. To preserve and foster the economic vitality of downtown, a mix of compatible uses is encouraged. This land use designation allows for the tallest buildings in the city. Sub-districts allow for a variety of building heights.

**Business/Mixed-Use:** These areas are intended to foster the expansion of business and industrial uses and medium- to high-density residential uses into areas that were once exclusively industrial in nature.

**Business/Industrial:** These areas are intended to foster the expansion of business and industrial uses without residential uses. Clean, sustainable, and resilient economic development should be prioritized.

**Waterfront/Port:** These areas are intended for waterfront port and maritime uses to promote the Port of Providence and related maritime industrial and commercial uses within the waterfront area. The purpose of this designation is to protect the waterfront as a resource for water-dependent industrial uses, and to facilitate the renewed use of a vital waterfront for economic growth and expansion. Clean, sustainable, and resilient economic development should be prioritized.

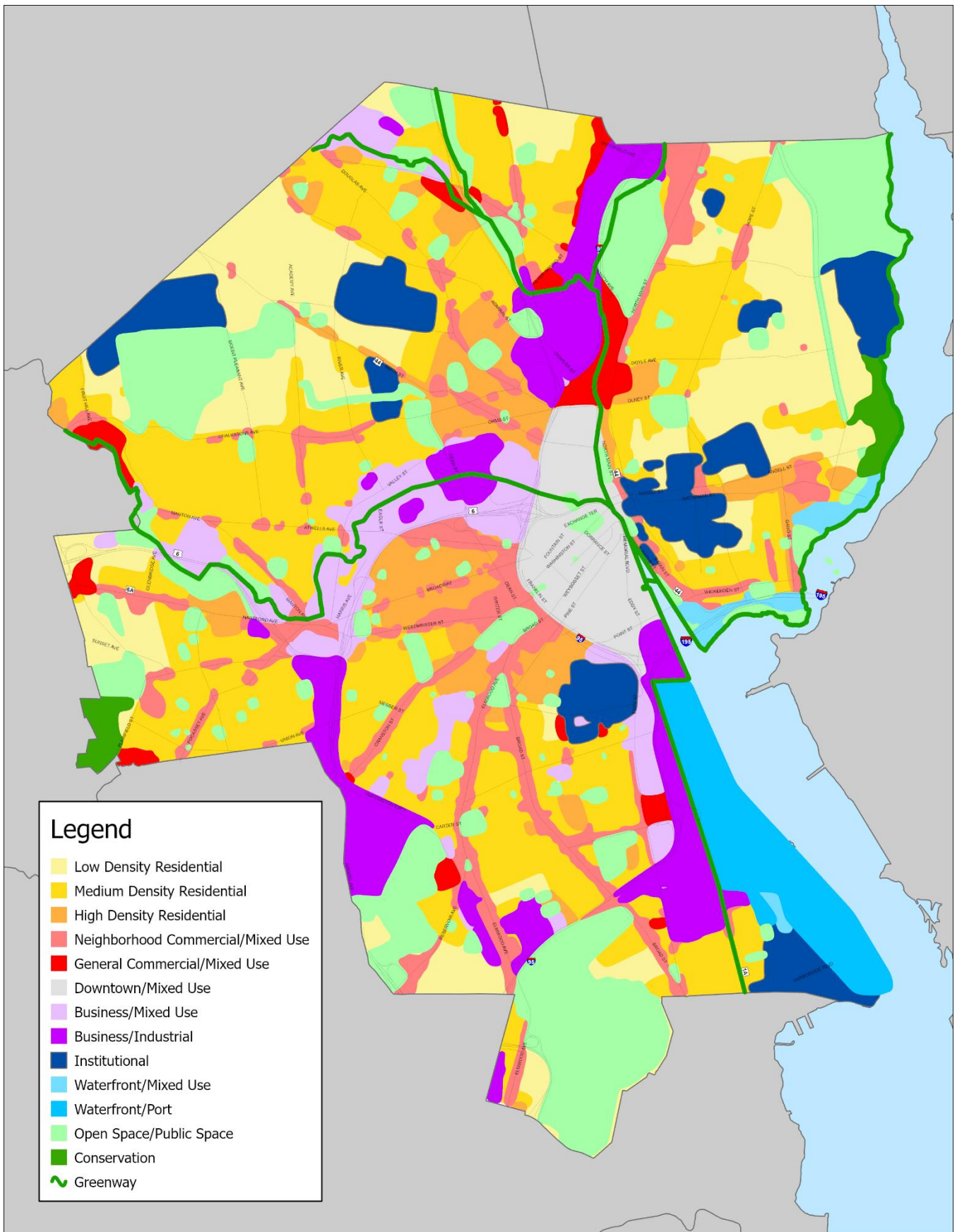
**Public/Open Space:** These areas are intended to ensure that open space and areas for public buildings and facilities are preserved in the city. These areas are characterized by parks, playing fields and supporting uses, and natural areas for passive recreation. Other typical uses include government-owned recreation centers and public buildings such as fire stations and schools. These areas are typically publicly owned but may include privately owned land.

**Conservation:** These areas are intended to ensure woodlands, rivers, streams, ponds, wetlands, floodplains, and other sensitive natural areas are preserved in their natural scenic and ecological condition. These areas may be publicly or privately owned.

**Greenway:** These areas are intended to provide active and passive recreation and open space along the waterfront, and to provide continuous connections between open spaces. They may vary in width depending on the potential for adjacent public/open space or other amenities. They may be publicly or privately owned.

**Institutional:** These areas are designed to permit college and health care institutional growth and development while controlling and limiting negative impacts on neighborhoods.





Map 11.2 Future Land Use Map

## Residential Areas

Most of the land in the city is developed as residential neighborhoods. These areas contribute significantly to the livability of the city and the unique character of individual neighborhoods is what attracts many people to Providence. Growth should be allowed in these areas, but generally in keeping with the scale and massing of the existing built environment. Although Providence is largely built out, there remain opportunities for infill residential development. The city supports the expansion of housing opportunities in residential areas, but with safeguards to ensure that new construction respects the valued attributes and character of the surrounding neighborhood.

While residential dwellings are the predominant use in these areas, one of the things that makes Providence special is the variety of neighborhood stores and service establishments that are scattered throughout residential areas, within walking distance of residents' homes. These types of uses are appropriate in certain locations, with limits on size and design to ensure compatibility with adjacent residential properties.

In many neighborhoods there are also historic structures, such as commercial buildings, former mills, churches, and schools that are part of the urban fabric but are no longer suitable for their original uses. Adaptive reuse of these sites is desirable to promote the preservation of these buildings and create new housing.

A distinctive characteristic of Providence is that housing types aren't uniform within neighborhoods. For example, it is quite common to see two-, three-, and even multifamily buildings in single-family zones. This variety contributes to the neighborhoods residents love and allows for a range of affordability. Our zoning ordinance should recognize this and allow for contextually appropriate solutions to adding housing. Some tools to create infill housing in residential areas include allowing apartment buildings, rowhouses, cluster development, and accessory dwelling units. However, these tools should not be used to fundamentally change the urban fabric of our residential neighborhoods. Therefore, the regulations regarding height, setback, lot coverage, design, and ratios of pervious to impervious surfaces are key land use controls that must be employed for new development.

Two residential land uses that continue to be challenging in residential zones are high-density student housing and short-term rentals. These uses, if not well-managed, can have negative effects on long-term residents and can also be a hindrance to the development and preservation of affordable housing. The city has adopted some limited regulation of these uses, but more restrictions may be appropriate.

Finally, while much of Providence's housing stock is old, the diversity and character of existing housing types fundamentally define the look and feel of the neighborhoods. Housing needs to be properly maintained and the city can play a role, when necessary, by enforcing minimum maintenance standards. In addition, the demolition of existing housing should be strongly discouraged. This can be accomplished by regulating demolition where appropriate, and by providing options to property owners regarding how buildings are used and expanded for more housing.



### OBJECTIVE LU3: MANAGE GROWTH IN RESIDENTIAL AREAS

Within residential areas designated on the future land use map, promote the development of a wide range of housing types to ensure a diversity of living options for city residents. Encourage infill residential development that is consistent with existing residential character.

#### Strategies:

- A. In low-density residential areas, new housing development will be single-family dwellings, some with accessory dwelling units; low-density cluster development; adaptive reuse for housing in previously non-residential buildings; and low-density rowhouse developments. New buildings will be no taller than three stories. Corresponding zones: R-1, R-1A.
- B. In medium-density residential areas, new housing development will be one-, two- and three-family dwellings, some with accessory dwelling units; medium-density cluster development; adaptive reuse for housing in previously non-residential buildings; and medium-density rowhouse developments. Multifamily buildings may be appropriate at a density consistent with the surroundings through a special use permit process. New buildings will be no taller than three stories. Within this land use designation, two-family zoning should be rezoned to three-family zoning. Corresponding zones: R-3, R-P.
- C. In high-density residential areas, new housing development will be one-, two-, three-, and multifamily dwellings, some with accessory dwelling units; cluster development where appropriate; adaptive reuse for housing in previously non-residential buildings; and high-density rowhouse developments. New buildings will be no taller than four stories. Within this land use designation, areas of three-family zoning should be rezoned to allow for multifamily zoning. Corresponding zones: R-4, R-P.
- D. Allow for limited non-residential uses such as neighborhood corner stores, offices and home-based businesses while maintaining the residential character of the area.
- E. Encourage adaptive reuse of historic non-residential buildings for housing.
- F. Encourage neighborhood revitalization by identifying vacant lots for housing, green space, playgrounds, or community gardens, based on the needs of the neighborhood.
- G. Further regulate uses incompatible with stable neighborhoods, including high-density student housing and short-term rentals.
- H. Refine dimensional and design regulations to ensure compatibility of new residential development with existing land use patterns.
- I. Create mechanisms to encourage maintenance of existing structures and to discourage demolition of existing housing, particularly in historic buildings.

#### Mixed-Use Areas

While most areas in the city contain more than one use, the truly mixed-use areas are the city's downtown, commercial corridors, transitioning manufacturing areas and parts of the city's waterfront. Urban life and vitality are the heart of these areas, with residential, retail, office, industrial, civic, institutional, and entertainment uses jumbled together. Mixed-use takes many forms, such as small commercial blocks, commercial areas along main

corridors, shopping areas and plazas, office buildings with retail uses on the ground floor, stores with apartments on upper floors, or former mill buildings with a mix of industrial, office and residential uses.

Mixing uses creates desirable places to live by improving the balance of jobs to housing and creating healthy neighborhoods where residents can walk to shops and services. It is in these mixed-use areas that concentrated development best links to transit networks. In these areas, greater residential density and buildings heights can be accommodated to create a more efficient pattern of development and protect the character of the nearby residential neighborhoods.

Building form is important in mixed-use areas. In most of these areas, to promote pedestrian activity, buildings are set to the street edge, with large areas of ground-floor transparency, entrances facing the street, and architectural interest. These features should be incorporated into new development in these areas.

The most common zoning designations along major corridors are C-1 and C-2. The regulations of these zones are very similar and the built environment of these zones is virtually identical. To simplify the Zoning Ordinance, the C-1 and C-2 zones should be combined.

#### **OBJECTIVE LU4: PROMOTE VIBRANT MIXED-USE AREAS**

Within mixed-use areas designated on the future land use map, promote the development of businesses and high-density housing along major corridors.

#### Strategies:

- A. In areas designated as neighborhood commercial/mixed use, promote the development of a mixture of high-density residential and neighborhood-serving commercial uses. New buildings may be up to four stories, with incentives that may add up to two additional stories. To streamline regulation in these areas, combine the C-1 and C-2 zoning districts. Zoning will be primarily C-2 and R-4.
- B. In areas designated as general commercial/mixed use, promote the development of a mixture of commercial uses that serve citywide needs and higher density residential uses. New buildings may be up to four stories, with incentives that may add up to two additional stories.
- C. In the area designated as downtown/mixed use, encourage continued investment with a high concentration of business, commercial, institutional, cultural, and residential uses. Ensure that historic structures are preserved, and that new construction is compatible with the existing built environment. Refine design regulations and rules pertaining to height as appropriate.
- D. Encourage the development of historically industrial areas designated as business/mixed use on the future land use map with a balanced mixture of commercial, light industrial, office and residential uses.
- E. Use zoning tools to ensure that adjacent land uses are compatible and don't negatively impact each other.
- F. Allow for rezoning from residential to a mixed-use district for properties within growth corridors as identified on Map 11.1 or in locations that have historically nonconforming commercial uses.

## Business/Industrial Areas

It is vital for Providence to provide opportunities for business and industry expansion while ensuring minimal impact on adjacent residential areas. These areas are designated as business/industrial on the future land use map. These areas are located throughout the city, such as Huntington Industrial Park, Silver Spring Industrial Park, West River Industrial Park, parts of the Valley neighborhood, between Allens Avenue and I-95, and the industrial area of Washington Park. Businesses need areas where they can predictably grow and expand in the future without the concern of conflicts that often arise between industrial uses and residential uses. Therefore, no residential uses of any kind are permitted in these areas.

In recent years, community concerns about the impact of industrial activity on environmental quality, public health, quality of life in adjacent neighborhoods, carbon emissions contributing to climate change and health impacts, and the resilience of port and industrial areas to extreme weather have brought together public, private and institutional stakeholders to develop strategies for making industrial areas, especially the Port of Providence, “cleaner and greener.”

Providence should pursue a thriving industrial economy that is well-positioned for emerging industries (especially “green and blue industries” like off-shore wind), while also improving air and water quality, finding opportunities for public access to the waterfront that doesn’t conflict with commercial uses, pursuing necessary environmental remediation, and transitioning away from carbon-intensive industries.

### OBJECTIVE LU5: PROTECT AREAS FOR BUSINESS AND INDUSTRY

Promote business retention and expansion in areas designated as business/industrial and waterfront/port on the future land use map.

#### Strategies:

- A. Encourage the growth of industrial activities by preserving industrial land primarily for manufacturing purposes in areas designated as business/industrial.
- B. Promote water-dependent industrial uses in areas designated waterfront/port.
- C. Promote the preservation of industrial parks to encourage the expansion and, if possible, the return of manufacturing companies to the city to expand the economic base.
- D. Prohibit all residential uses in these land use designations.
- E. Prioritize clean, sustainable, and resilient economic development.
- F. Study policies in partnership with state and federal authorities to regulate the environmental impact of large-scale industrial development projects in areas of concentrated industrial use.

## Natural and Civic Areas

Natural and civic spaces are an extension of the community. When these spaces work well, they serve as a stage for the public lives of city residents. They can be the settings where celebrations are held, where friends run into each other, and where cultures mix. When cities and neighborhoods have thriving open and civic spaces, residents have a strong sense of community. Conversely, when such spaces are lacking, people may feel less connected to each other.

Natural and open spaces contribute to community health – socially, economically, culturally, and environmentally. They enhance the civic realm – not only visually, but also in providing a sense of character and a forum for public activities. All these assets, as well as the opportunities these places offer residents to relax and enjoy themselves, to exercise, and to recreate, add up to greater livability in the city.

Public places offer free, open forums for people to encounter art, to enjoy performances, and to participate in other cultural activities. From concerts at the Temple to Music in Roger Williams Park to outdoor art displays Downtown open spaces foster and enhance a city’s cultural life. Events such as WaterFire, PVDfest, and PrideFest all take place in our public spaces and have a positive social and economic impact.

These land uses consist of areas committed to planned open space such as parks, playgrounds, and cemeteries; and public buildings such as City Hall, public schools, and police and fire stations. Open space areas have been designated to allow for the active and recreational needs of city residents. As the population of the city continues to change, the recreational needs of city residents are also changing. Through the open space objectives and strategies presented in this plan the city will meet these changing needs, and efforts will be made to ensure that they are addressed on an ongoing basis.

#### **OBJECTIVE LU6: MAINTAIN AND ENHANCE OPEN SPACES AND PUBLIC FACILITIES**

In areas designated as public/open space on the future land use map, preserve and protect Providence’s open spaces and public facilities to enhance the overall quality of life for city residents.

#### **Strategies:**

- A. Provide opportunities for recreation and visual relief by preserving Providence’s parks, playgrounds, golf courses, cemeteries, and undeveloped city-owned open space.
- B. Preserve open space along the city’s waterbodies by creating open space corridors along rivers and ponds.
- C. Promote a diversity of recreational activities in the City’s parks, playgrounds, and other recreational areas.
- D. Protect and preserve environmentally sensitive and significant areas.
- E. Provide and encourage the provision of a variety of active and passive recreation facilities geographically distributed to serve the present and future needs of city residents.
- F. Expand the amount of public open space in Providence.
- G. Identify city and/or state-owned open spaces best suited for urban agriculture.
- H. Improve the city’s public buildings to provide high-quality services.
- I. Develop a plan for the reuse of public buildings that are no longer being used for public purposes.
- J. Continue to build on the system of greenways on public and private land.

#### **Institutional Areas**

The city’s universities and hospitals are important centers of employment, education, and culture for Providence and the region. The health care facilities provide vital services to residents. Both hospitals and colleges also have unique characteristics that add value above and beyond creating jobs. These institutions conduct research and impart technical expertise to their students and workers. In the increasingly knowledge-based economy, these

institutions contribute to a more experienced and educated workforce, a highly desirable resource in all cities. Furthermore, their economic activities foster an entrepreneurial spirit and attract additional economic growth through small spin-off businesses and supporting uses. The city's hospitals provide vital healthcare to people who live throughout the region. Institutions contribute to the city in other ways as well, such as through education partnerships and through payments in lieu of taxes, which help to offset the loss of taxes due to the institutions' tax-exempt status.

Balanced with all the benefits that institutions bring to our city are the impacts of institutions: traffic, noise, pollution, housing shortages, congestion, and a loss of tax revenue. As many of the hospitals and colleges are surrounded by residential areas, these impacts can be significant. The city recognizes the importance of mitigating conflicts with residential areas, identifying the best locations for institutional growth and expansion in the future. We also stress the importance of payment in lieu of taxes (PILOT) agreements with nonprofit healthcare and higher educational institutions. A significant amount of the property value in the city is not subject to property tax, and these PILOT agreements make a meaningful contribution to defray forgone taxes.

#### **OBJECTIVE LU7: ALLOW FOR INSTITUTIONAL GROWTH WHILE PRESERVING NEIGHBORHOODS**

Permit institutional growth and expansion in institutional areas designated on the future land use map while limiting their encroachment and negative impacts on the neighborhoods in which they are located.

##### **Strategies:**

- A. Use institutional zoning to regulate where and how institutions grow.
- B. Continue to require health care and educational institutions to prepare long-range master plans that will allow the city to evaluate and mitigate impacts of proposed expansions on city neighborhoods.
- C. Require institutions to use their land efficiently while ensuring compatibility of their built environment with the surrounding neighborhood.
- D. Require institutions to regularly engage with members of the community within which they are located.
- E. Encourage institutions to minimize traffic and parking impacts on neighborhoods by adopting transportation demand management strategies to reduce driving, developing parking garages to minimize surface parking lots, and studying traffic and parking around their campuses and mitigating negative impacts.
- F. Require colleges and universities to identify and address inappropriate behavior of students who live off campus.

#### **Future Land Use Map and Zoning Map**

The Future Land Use Map is the foundation of the Zoning Map. It identifies where certain zones will be located, but not with the detail of the Zoning Map. As mentioned above, the Future Land Use Map is not parcel-specific. It is intended to be general enough to support a range of zoning changes. For example, some land use designations are general enough to allow for more than one zoning district. The lines between designations are intended to be blurry to allow for a zoning change when a property is in the vicinity of the border of more than one land use designation. Also, the map does not capture the thousands of nonconforming uses and uses

allowed by variance. In these situations, zoning changes are permissible to bring the zoning in line with existing conditions on the property, but only when the use is compatible with the surroundings.

*Spot Zoning, Nonconforming uses, and Consistency with the Comprehensive Plan*

Spot zoning is an action by a zoning authority which gives privileges to a single lot or a small area that are not extended to other land in the vicinity. Spot zoning typically involves changes to a zoning map. It also includes the granting of use variances by the zoning board of review, which are permissions to use a property in a manner not allowed by the zoning district. Contrary to popular belief, spot zoning is not always illegal. Rhode Island courts have said that the crucial test for determining whether a zoning ordinance amendment constitutes illegal spot zoning depends upon whether its enactment violates a municipality's comprehensive plan.

The city is, in fact, full of legal spot zoning through decades of use variances. These spot zones do not appear on the zoning map. In recent years, the zoning board has made a concerted effort to make findings relative to the comprehensive plan and the required conditions of hardship. Consequently, today it very rarely grants use variances.

As it has moved away from use variances, the city has occasionally used spot zoning through zoning map changes to create new opportunities for housing. While these changes have all been consistent with the comprehensive plan, they have been ad hoc and at the discretion of the city council. It is the intention of this new plan to provide better guidance as to when and where zoning changes, including spot zoning changes, are warranted.

In addition to spot zoning, the city is also full of legal, nonconforming uses, which are uses that were once, but no longer, allowed by zoning. When taken together, use variances, spot map changes, and nonconforming uses create a patchwork of land use that defies homogenous land use designations. These deviations from zoning often do not have a negative effect on surrounding property. But they do complicate land use planning. Going forward, we intend to lessen our reliance on spot zoning, and rather to create better tools to deal with existing conditions and future needs. These tools will allow flexibility to appropriately alter legacy uses and to construct a variety of building typologies in each zoning district.

Based on the future land use map, the following changes to the zoning map should be made:

*The following will be documented in a table and map.*

- Rezone all R-2 zones to R-3.
- Rezone all areas of R-3 that are in the high-density residential designation to R-4.
- Rezone all areas of C-1 to C-2.
- In certain growth corridors, rezone commercial property in residentially zoned lots to C-2.

**Map 11.3 Future Zoning Change Areas Map to be added**

**Table 11.1 Future Zoning Change Areas table to be added**

**Land Use in Relation to Other Plan Elements**

In this section, additional land use objectives and strategies are identified to implement the goals of other chapters of this plan.



### **OBJECTIVE LU8: SUSTAINABILITY AND THE ENVIRONMENT**

Promote sustainability and environmental quality through appropriate land use controls.

#### Strategies:

- A. Identify environmentally sensitive land areas and amend regulations as necessary to ensure their protection.
- B. Through regulation and enforcement, protect existing tree canopy and increase canopy citywide, particularly in areas with low tree cover.
- C. Refine regulations to encourage cleaner uses in the business/industrial and waterfront/port areas.
- D. To protect properties from the impacts of flooding caused by extreme weather events and sea level rise, adopt regulations to achieve the protections needed.

### **OBJECTIVE LU9: BUILT ENVIRONMENT**

Promote design excellence and historic preservation through appropriate land controls.

#### Strategies:

- A. Amend regulations as needed to establish incentives for greater height and density in exchange for affordable units, public open space, structured parking, and mixed use. No additional height should be allowed in residential land use designations.
- B. Evaluate the expansion of historic district zoning where appropriate to preserve historic resources.
- C. Strengthen design regulations in residential and neighborhood commercial areas to promote a high-quality built environment.
- D. Ensure scale and massing for multifamily development in residential areas is consistent with the existing built environment.
- E. Create incentives to promote property maintenance, including proper maintenance of historic buildings.

### **OBJECTIVE LU10: BUSINESS AND JOBS**

Promote job growth and retention through appropriate land use controls.

#### Strategies:

- A. Regulate land use downtown to ensure its future as Rhode Island's preeminent center for business, tourism, entertainment, while it also develops as a mixed-use neighborhood with ample housing.
- B. Reinforce existing jobs areas to allow for business growth and the development of the city's tax base without conflicts with residential uses.
- C. Ensure residential uses do not discourage business growth and expansion in the business/mixed-use areas designated on the future land use map.

**OBJECTIVE LU11: HOUSING**

Promote varying levels of housing density through appropriate land use controls.

## Strategies:

- A. Identify opportunities for zoning regulation or map changes to promote the development of more housing.
- B. Identify and remove procedural barriers to development of housing.
- C. Strengthen regulation of short-term rentals and student housing to promote long-term housing.

**OBJECTIVE LU12: MOBILITY**

Promote the efficient use of land to promote transit, walking and biking through appropriate land use controls.

## Strategies:

- A. Allow for greater density and higher concentrations of development along transit corridors and in dense nodes.
- B. Reduce or eliminate off-street parking requirements in areas where high-density housing is permitted.
- C. Ensure that parking regulations strike a balance between the demand for parking and the ability to develop land to its fullest potential.
- D. Encourage the use of non-auto transportation options through land use controls and transportation demand management incentives.
- E. Work with RIPTA on appropriate locations for transit infrastructure.

**OBJECTIVE LU13: PEOPLE AND PUBLIC SPACES**

Promote the preservation and development of parks, open spaces, and public buildings through appropriate land use controls.

## Strategies:

- A. Promote open spaces and public access along the waterfront.
- B. Develop incentives for the provision of publicly accessible open spaces as a part of private developments.
- C. Develop ways to activate park spaces in conjunction with neighboring uses.
- D. Identify possible locations for additional parks and open spaces in neighborhoods that are currently underserved by these amenities.
- E. Continue to build on the system of greenways on public and private land.
- F. Appropriately regulate the development of public buildings.