

# TOWN OF NARRAGANSETT

## CHAPTER 1087

### AN ORDINANCE IN AMENDMENT OF CHAPTER 731 OF THE CODE OF ORDINANCES OF THE TOWN OF NARRAGANSETT, RHODE ISLAND, ENTITLED “ZONING”

**It is ordained by the Town Council of the Town of Narragansett as follows:**

**Section 1:** That Section 2.2, “Definitions” of Chapter 731 of the Code of Ordinances of the Town of Narragansett, entitled “An Ordinance in Relation to Zoning” is hereby amended by deleting the text of the following definitions;

- \* floor area, aggregate or gross
- \* floor area ratio (FAR)
- \* lot area
- \* parking area

and by adding the following new or revised definitions:

*Bedroom.* Any habitable space in a dwelling unit or habitable space in an accessory structure not including a kitchen, living room or other common living space that is intended for or capable of being used for sleeping, meeting the minimum area, access and egress criteria of the State Building Code and has a door or doorway, of less than 48 inches in width. A room identified as a den, library, study, loft, bonus room or any room that satisfies this definition will be considered a bedroom for occupancy, parking and staff review of State approved onsite wastewater treatment systems as regulated in Section 4.5 (d).

*Bunk Room.* A bunk room shall be defined as a bedroom as defined elsewhere herein with 3 or more beds and shall meet all the required building code standards, and shall be identified as such on any floor plans submitted to the Town. The maximum number of beds shall be shown on the floor plans. Bunk rooms are prohibited in dwellings on lots of 20,000 square feet net area or less.

*Driveway (residential)* – A private way providing access for vehicles to a parking space, garage or dwelling.

*Floor area, aggregate or gross;*

- a. *Breakwater Village only.* The sum of the gross horizontal areas of the several floors of the building, excluding basement and attic floors used only for accessory use. All horizontal dimensions shall be taken from the exterior faces of walls or other outer limits of roofed areas. Areas of stairways shall be counted towards the area of the lower floor only, regardless of ceiling height or number of flights of stairs in that location.

b. All residential uses (excluding Breakwater Village). The sum of the gross horizontal areas of the several floors of the building. All horizontal dimensions shall be taken from the exterior faces of walls or other outer limits of roofed areas. Areas of stairways shall be counted towards the area of the lower floor only, regardless of ceiling height or number of flights of stairs in that location.

The computation of aggregate or gross floor area SHALL include the following:

1. The area of each floor of a building as measured from the outside faces of the walls.
2. The area of all accessory structures with living area, and porches, balconies, decks, and mezzanines enclosed on half or more of their sides.
3. Attic space, finished or unfinished, with a center ceiling height of seven (7) or more feet. For areas with slanted ceilings, the floor area with a ceiling height of five (5) feet or less shall not be counted.
4. Basements, (or portions thereof) finished or unfinished, with ceiling heights of (7) seven feet or more, shall be counted. Basements with ceiling heights from floor to bottom of floor joist of 6'11" or less shall not be considered living space and not counted.

The computation of gross floor area shall EXEMPT the following:

1. Detached accessory structures under 144 square feet;
2. Unenclosed carports, porches and decks.

*Floor area ratio (FAR).* The aggregate floor area of a building divided by the total net lot area of the given parcel, expressed as a decimal.

*Hardscape.* A combination of building coverage and site coverage as defined elsewhere herein. This includes all structures, impervious surfaces, driveways, and parking areas (pervious and impervious).

*Lot area, gross.* The total area within the boundaries of a lot, excluding any street right-of-way, usually reported in acres or square feet.

*Lot area, net.* The area of the lot that is upland of any verified coastal feature and/or any CRMC or RIDEM verified wetlands onsite. This area shall be also known as the "buildable" portion of the lot. In no case shall the net lot area be the sole determinant of a site's capacity to support some form of development.

Parking Area – A site or portion thereof, devoted to the off-street parking of vehicles, including parking spaces, aisles, access drives and landscaped areas and providing vehicular access to a public or private street in a forward motion.

Softscape - All area of a property that is not encompassed by the definition of hardscape. This is defined as permeable areas planted with trees, shrubs, vegetative ground cover or ornamental plantings.

**Section 2:** That Section 6.4 “Dimensional Regulations” of Chapter 731 of the Code of Ordinances of the Town of Narragansett, entitled “An Ordinance in Relation to Zoning” is hereby amended to add the following new subsection:

#### 6.4(B). Residential Floor Area Ratio

Any lot used for residential purposes that is less than or equal to 20,000 square feet of gross lot area, as defined herein, (and not located in Breakwater Village), shall be subject to the FAR regulations set forth in subsections 1- 5 below. In addition, these lots shall utilize net lot area for lot coverage calculation purposes. A Special Use Permit may be requested through the Zoning Board for homes exceeding four bedrooms through provisions of Section 12.23 of this ordinance.

1. Purpose: The purpose of the Floor Area Ratio requirement is to limit the impacts of the use that results from excessive building size or massing. The FAR threshold is intended to promote a graceful transition within neighborhoods containing standard and substandard lots that are experiencing development. The FAR threshold supports infill development that is compatible and complimentary to existing neighborhoods by establishing special development standards in Subsection (5) below.
2. Floor Area Ratio Applicability: Floor Area Ratio shall apply to all principle and accessory residential structures on lots under 20,000 square feet in gross area in all Zoning Districts in the Town of Narragansett. All properties regulated by Floor Area Ratio shall conform to the permitted Floor Area Ratio in addition to meeting all of the Dimensional Regulations elsewhere required in the Zoning Ordinance.
3. Maximum Floor Area : The maximum floor area on a lot or parcel shall be the greatest of the following:
  - 1.) The floor area to be calculated using the following matrix located in Section 5 below;
  - 2.) The floor area approved prior to June 21, 2021 as part of a valid existing approved planned residential development or site review.
- 4) Calculating Maximum Floor Area - The maximum floor area shall be calculated based on all residential buildings on a lot, according to the criteria set forth in the definition of Floor Area Ratio in Section 2.2 of the Zoning Ordinance and the standards provided in the following matrix

5) Floor Area Ratio Matrix:

<u>Tier</u>	<u>Net Lot Area</u>		<u>FAR</u>	<u>Maximum Hardscape</u>
	<u>Min</u>	<u>Max</u>		
			-	
<u>1</u>	<u>0</u>	<u>2,000</u>	<u>0.55</u>	70%
<u>2</u>	<u>2,001</u>	<u>3,000</u>	<u>0.5</u>	60%
<u>3</u>	<u>3,001</u>	<u>4,000</u>	<u>0.45</u>	50%
<u>4</u>	<u>4,001</u>	<u>5,000</u>	<u>0.4</u>	50%
<u>5</u>	<u>5,001</u>	<u>6,000</u>	<u>0.35</u>	40%
<u>6</u>	<u>6,001</u>	<u>7,000</u>	<u>0.34</u>	40%
<u>7</u>	<u>7,001</u>	<u>8,000</u>	<u>0.33</u>	35%
<u>8</u>	<u>8,001</u>	<u>9,000</u>	<u>0.32</u>	35%
<u>9</u>	<u>9,001</u>	<u>10,000</u>	<u>0.31</u>	35%
<u>10</u>	<u>10,001</u>	<u>11,000</u>	<u>0.3</u>	35%
<u>11</u>	<u>11,001</u>	<u>12,000</u>	<u>0.29</u>	35%
<u>12</u>	<u>12,001</u>	<u>13,000</u>	<u>0.285</u>	35%
<u>13</u>	<u>13,001</u>	<u>14,000</u>	<u>0.28</u>	35%
<u>14</u>	<u>14,001</u>	<u>15,000</u>	<u>0.275</u>	30%
<u>15</u>	<u>15,001</u>	<u>16,000</u>	<u>0.27</u>	30%
<u>16</u>	<u>16,001</u>	<u>17,000</u>	<u>0.265</u>	30%
<u>17</u>	<u>17,001</u>	<u>18,000</u>	<u>0.26</u>	30%
<u>18</u>	<u>18,001</u>	<u>19,000</u>	<u>0.255</u>	30%
<u>19</u>	<u>19,001</u>	<u>20,000</u>	<u>0.25</u>	30%

\* In no instance shall the calculated gross floor area of structure in any tier be required to be less than the maximum allowance for the tier above it.

**Section 3:** That Section 7.6, “Supplementary Lot and Bulk Regulations” of Chapter 731 of the Code of Ordinances of the Town of Narragansett, entitled, “An Ordinance in Relation to Zoning” is hereby amended to add the following new sub-sections:

(g) Hardscape requirement. Any lot used for residential purposes that is less than 20,000 square feet in gross lot area shall comply with the hardscape requirements of the Dimensional

Regulations of Section 6.4 (b) . The area that makes up the difference between actual building coverage and the maximum permitted building coverage shall be maintained as softscape as defined herein, and available for future expansion, except, that it shall not be utilized for parking of vehicles.

(h) Front-yard softscape requirement. For any lot used for residential purposes, that is less than 20,000 square feet in gross lot area, a minimum of 60% of the area within the front-yard as determined by the Zoning Officer, shall be maintained as softscape as defined herein. For lots that are substandard in lot width, this requirement shall be reduced to 50%.

**Section 4:** That Section 7.9 (1) “Dwellings and apartments” of Chapter 731 of the Code of Ordinances of the Town of Narragansett, entitled “An Ordinance in Relation to Zoning” is hereby deleted and replaced by the following new text:

(1) Residential:

- a. Dwellings and apartments up to 4-bedrooms. One car space, equaling at least 200 square feet, for each bedroom with a minimum of two car spaces for each dwelling unit. Garage space and carports actually used for automobile parking may be counted to meet this regulation and may not be converted to living space without being relocated onsite or relief from this section by the Zoning Board of Review. Bunk rooms shall require 200 square feet for each bed.
- b. Dwellings exceeding 4 bedrooms. A parking area equaling a minimum of 300 square feet per bedroom/or occupancy shall be required in compliance with Section 7.10. Garage space and carports actually used for automobile parking may be counted to meet this regulation and may not be converted to living space without being relocated onsite or relief from this section by the Zoning Board of Review. Bunk rooms shall require 200 square feet for each bed.

**Section 5:** That Section 7.10 “Plans and specifications for parking requirements”, of Chapter 731 of the Code of Ordinances of the Town of Narragansett, entitled “An Ordinance in Relation to Zoning” is hereby deleted and replaced by the following new text:

Any pervious or impervious driveway shall first require a permit from the building inspections department, and shall comply with Section 7.9 of the Zoning Ordinance. Plans and specifications for the required off-street parking facility and its access drives shall be submitted with the application for site plan review, pursuant to section 18 of this ordinance, or, if site plan review is not required, with the application for a building permit for the main use. In all residential developments exceeding 4 bedrooms and all non-residential developments, each car space shall be at least 8½ feet wide and 18 feet long and shall be served by suitable aisles (each lane being a minimum 10 foot width or greater if required by the Building Official based on site conditions) to permit access to all car spaces and egress from the site in a forward manner. In no case shall the gross area of the facility be less than 300 square feet per car space, except for

single family dwellings of four bedrooms or less, where there shall be no less than 200 square feet of gross area per car space.

The facility shall have a dust-free, hard surface, either pervious or impervious, and shall be provided with bumper guards where needed.

**Section 6:** That Section 12, “Special Use Permits” of Chapter 731 of the Code of Ordinances of the Town of Narragansett, entitled “An Ordinance in Relation to Zoning” is hereby amended to add the following new sub-section:

Section 12.23 Development Standards for Homes exceeding four bedrooms

The Zoning Board of Review may grant a special use permit for single-family homes exceeding four bedrooms in the R-10, R-10A and R-20 zones and on legal non-conforming lots of less than 20,000 square feet in the R-40 and R-80 zones provided the work complies with all of the following standards in addition to all other applicable requirements of this ordinance:

1. Site: The site shall conform with the underlying zoning designation or be determined by the Zoning Enforcement Officer to be a legal non-conforming buildable lot.
2. Permitted uses: That the project meets the definition of single-family home and does not require any additional special use permits or dimensional variances from the Zoning Ordinance. Where deemed appropriate by the Zoning Board of Review, a property may receive both dimensional variances and special use permits without the necessity of meeting the use variance criteria.
3. Parking: That the project demonstrates adequate parking onsite that meets all applicable provisions of the Zoning Ordinance. In addition to the parking requirement of Section 7.9, there shall be no parking improvements allowed within 2 feet of any lot line, (except for driveway openings), or within the rear-yard setback area. These areas shall remain as softscape as described in Section 7.6.
4. Design: The site plan shall comply with the FAR requirements of Section 6.4(b). One of the following additional development standards shall be incorporated into the design of structures on lots of less than 5,000 square feet net lot area:
  - a. For 2-story homes: The second story shall not exceed 40% of the gross floor area allowed for the entire structure.
  - b. For structures with 3 stories: The third floor shall not exceed 2/3 the floor area of the second floor which may be the same area as the first floor, and the entire structure shall not exceed the allowable gross floor area.

5. Landscaping and Buffering: The site plan shall address hardscape/softscape regulatory limits and provide square footage calculations of how the proposal meets the standards of Section 6.4(b).

**Section 7:** This ordinance shall take effect upon its final passage, and all other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

First reading, read and passed in the Town Council meeting legally assembled the 7 day of June, 2021.

Second reading, read and passed in the Town Council meeting legally assembled the 21 day of June, 2021.

ATTEST:



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Janet Tarro  
Council Clerk