



CITY OF WARWICK

FRANK J. PICOZZI, MAYOR

MEMORANDUM

To: The Honorable Stephen P. McAllister, Council President
The Honorable Warwick City Council Members
Lynn D'Abrosca, City Clerk

From: Tom Kravitz, City Planning Director at the direction of the
Warwick Planning Board

Date: October 12, 2023

Subject: Zoning ordinance amendments as required per state enabling
legislation land use amendments of 2023

Amended Sections: Section 200. Definitions
Section 300. Establishment and Classification of Districts & Table
1 Use Regulations
Section 302. Overlay Districts
Section 303. District Boundaries
Section 304. General Provisions
Section 305. Administrative Procedures for Overlay Districts
Section 307. Overlay district regulations – Institutional-educational
(IE)
Section 308. Overlay district regulations – Planned district
residential (PDR) and planned district residential-
limited (PDR-L)
Section 310. Overlay district regulations – Flood hazard (AE, VE)
Section 311. Overlay district regulations – Historic (H)
Section 400. Nonconformance
Section 401. General application
Section 404. Land nonconforming by use
Section 405. Land nonconforming by area
Section 406. Building and structures nonconforming by parking
Section 407. Nonconformance as to landscaping requirements
Section 500. Special Regulations
Section 502. Land Development Project & Development Plan
Review
Section 504. Freshwater wetlands regulations
Section 507. City Centre Warwick
Section 601. Accessory building and uses
Section 603. Fences
Section 605. Special use permits and variances



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Section 701. Parking requirements
Section 807. Supplemental sign regulations
Section 900. Zoning Board of Review
Section 903.3. Voting
Section 904. Powers of the Board
Section 905. Modifications granted by the building official
Section 906. Variances, special use permits, and appeals
Section 906.2 Hearing and notice
Section 906.3 Standards for relief
Section 906.4 Appeals to the zoning board
Section 907. Expiration of variances and special use permits
Section 1000. Administration, enforcement, and amendment
Section 1001. Building official
Section 1007. Adoption, amendment and administration of zoning ordinance.
Section 1007.3. Notice and hearing requirements.

Applicant: City of Warwick
Location: Citywide
Zoning Districts: Non-conformance is city-wide; see also minor changes within Table of zoning uses.

Procedural Summary

The State legislature amended land use enabling legislation in 2023 which now requires the City of Warwick to amend its local zoning. The planning board includes its findings and recommendations herein pursuant to §45-24-52 by way of directing, through unanimous vote, Planning staff to render this advisory at their meeting held October 11, 2023.

Summary of Proposed Amendment

In general, the proposed zoning ordinance amendment will:

1. Include all of the required amendments as directed by the State of Rhode Island which must be enacted by January 1, 2024.
2. Renders amendments to Warwick's ordinance that are simply outdated based on other State amendments of years past.
3. Simplifies Warwick's ordinance by deleting superfluous sections which are already in the State building code.



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Advisory Findings and Recommendations

The amendments are generally consistent with the *City of Warwick, Comprehensive Plan 2033*, including the goals and policies statement, the implementation program, and other applicable elements, to include:

- a. *Chapter 12, Future Land Use, Zoning and Urban Design*, Goal 5: Major streets mix clusters of neighborhood-serving retail and services with housing. *Policy*: Provide regulatory options to balance retail, commercial uses and housing along major corridors. An argument can be made that the State amendments related to 'adaptive reuse' is consistent with this local land use goal and policy, particularly as it relates to the potential reuse of underperforming retail centers for housing.
- b. *Chapter 7, Housing and Neighborhoods* Goal 1: Warwick has a wide range of quality housing choices to meet the diverse needs of households at all income levels and all stages of the life cycle. *Policies*: Support addition of compact housing types such as townhouses, lofts, apartments, cottage developments and conservation subdivisions, in suitable locations.; Continue efforts to provide scattered site affordable housing for families.

The State-mandated zoning amendments are generally consistent with RIGL Section 45-24-30 *General Purposes of Zoning Ordinances*, and Section 103 of the City's Zoning Ordinance, to include:

- a. Promoting the public health, safety, and general welfare of the City by providing for more housing growth.
- b. Providing for a range of uses and intensities of use appropriate to the character of the City and reflecting current and expected future needs (Section 103.2/ RIGL §45-24-30(2)).
- c. Providing for efficient review of development proposals, to clarify and expedite the zoning approval process (Section 103.13/ RIGL §45-24-30(14)).