



Town of Narragansett

Rhode Island

Resolution No. 2024-04



RESOLUTION OPPOSING HOUSE BILL 7324 AND REQUESTING THE RHODE ISLAND GENERAL ASSEMBLY SUSTAIN LOCAL AUTHORITY TO REGULATE LAND USE

WHEREAS, House Bill 7324 was introduced in the House on February 9, 2024 and referred to House Municipal Government & Housing scheduled for hearing on February 14, 2024 removes “Floor Area Ratio” (FAR) from the enabling legislation zoning ordinances; and

WHEREAS, The use of floor area ratio (FAR) regulation has been explicitly enabled in RI Zoning Enabling Law since 1991 under RIGL Section 45-24-33. It is listed as one of the “Standard Provisions” authorized for local regulatory control. Section 45-24-33 provides the basis of a variety of local standards for regulation including FAR and regulating zoning districts and uses within them, authorizing performance standards, density / intensity of use, dimensions, size, and lot coverage; and

WHEREAS, Floor area ratio is used by many RI jurisdictions and has existed in several RI Zoning Regulations since prior to 1991; and

WHEREAS, The Floor Area Ratio (FAR) is a crucial factor that affects the affordability of housing. FAR is the ratio of a building's total floor area to the size of the land on which it is built. This ratio determines the maximum amount of square footage that can be built on a piece of land. Higher FARs allow for more floor space to be built, which can lead to increased housing density. However, higher FARs can also lead to higher housing costs, which can make it difficult for low-income individuals and families to find affordable housing; and

WHEREAS, The primary purpose of the FAR regulation is to ensure that a residential structure is balanced with the size of the lot it sits upon. Application of a ratio of floor space allowed on a lot, based on the lot's area, ensures that sufficient space will remain available for off-street parking, and essential facilities such as OWTS (septic systems), stormwater mitigation facilities (such as detention basins drainage swales and raingardens), generators, HVAC units etc. It also establishes the provision of sufficient yard space for family living and recreation, particularly valuable in areas not served by nearby public playgrounds. In addition, the regulation of a building size based on its land area helps to prevent negative impacts and maintain the character of the neighborhood; and

WHEREAS, The Town of Narragansett has regulated floor area ratio in certain zones since 2009. Implementation of an FAR ordinance is a stated goal of the approved 2017 Narragansett Comprehensive Plan. (NCP page 33. – Policy LU 2.2 b.); and

WHEREAS, FAR is especially important in Breakwater Village, a neighborhood with many houses and cottages on very small lots. A special Breakwater Village zoning ordinance was developed in concert with the property owners/residents association of Breakwater Village in 2000. The regulation was amended in 2009 at the HOA's request to prevent problems being created when new property owners were replacing small cottages with houses that were too large for their lots. These redeveloped houses were negatively impacting adjacent properties and the character of the neighborhood. The FAR set a size limit that solved the neighborhood concerns.; and

WHEREAS, In other areas of Narragansett, FAR standards are established for residential lots of 20,000 sq. ft. or less. The FAR standard the town uses is a sliding scale based on lot size. It varies from .25 for larger lots (20,000sf) to .55 for smaller lots (2,000 sf). A 10,000 sq. ft. lot (quarter acre) has an FAR of .31 which translates to a limit of 3,100 sq. ft. of floor area for the house. Garages, unenclosed porches and decks, detached accessory structures and basements or attics with ceiling height of less than 7 feet are all excluded from FAR calculation.; and

WHEREAS, FAR is a vital tool for municipalities to have available if needed. It provides a reasonable measuring stick for development that is not always addressed by application of setbacks and lot coverage limits. FAR should be retained as an option for each municipality to adopt as appropriate.

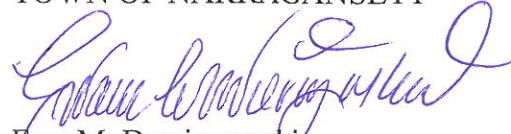
NOW, THEREFORE, BE IT RESOLVED, that the Town of Narragansett opposes House Bill 7324 and respectfully requests the town's representatives in the RI General Assembly to oppose this legislation and any related companion legislation that may be introduced in the Senate; and

BE IT FURTHER RESOLVED, that the Narragansett Town Council requests other municipalities to adopt their own resolution opposing House Bill 7324 and any similar Senate Bill; and

FINALLY, BE IT RESOLVED that the Town of Narragansett requests that municipal authority regulating land use shall be undisturbed by the Rhode Island General Assembly by House Bill 7324 or any similar legislation in the House or Senate legislation that eliminates "floor area ratio" (FAR) in state enabling legislation that would thereby usurp municipal management and regulation of land use.

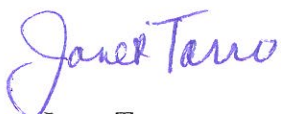
ADOPTED as a resolution of the Narragansett Town Council this 20th day of February, 2024.

TOWN OF NARRAGANSETT



Ewa M. Dzwierzynski
President

ATTEST:



Janet Tarro
Town Clerk

