

CITY OF NEWPORT  
PLANNING BOARD  
Statement of Consistency with Comprehensive Plan

STAFF REPORT

Meeting: June 3, 2019  
Filed: May 24, 2019

Location: 156-158 Broadway  
Plat/Lot: Plat 14 Lot 105

Applicant/Owner: Ben's Chili Dogs, LLC/Newport Shore Commercial Properties, LLC

Issue:

The applicant has applied to expand a fast-food restaurant use in an existing mixed-use structure in a GB zone.

As part of the Zoning Board of Review (ZBR) application process, the Planning Board has been requested to provide the ZBR "a statement on the general consistency of the petition with the goals and purposes of the (Newport) comprehensive plan." (*Newport Zoning Board of Review Policies & Procedures*)

Analysis: Consistency with the Comprehensive Plan

It is my professional opinion that a "statement on the general consistency of the petition with the goals and purposes of the comprehensive plan" on this application should consider the following provisions of the Comprehensive Plan:

Goal LU-1 – *To provide a balanced city consisting of residential, commercial and employment uses consistent with the character, environmental resources and vision of the community*

Policy LU-1.6 – *The City shall encourage upgrading, beautification, revitalization, and environmentally appropriate reuse of existing commercial areas.*

Goal ED-1 – *To develop a robust and diverse economy, providing suitable employment opportunities for residents, and a stable tax base*

The Newport Comprehensive Plan was found to be consistent with the goals, findings, and intent of the Rhode Island Comprehensive Planning and Land Use Act (RIGL 45-22.2-3) by the Rhode Island Division of Statewide Planning in 2017 for a ten-year period, per RIGL 45-22.2-12. The purpose of a municipal comprehensive plan is to "achieve the goals established within" RIGL 45-22.2-3:

*(1) To promote orderly growth and development that recognizes the natural characteristics of the land, its suitability for use, the availability of existing and proposed public and/or private services and facilities, and is consistent with available resources and the need to protect public health, including drinking water supply, drinking water safety, and environmental quality.*

*(2) To promote an economic climate which increases quality job opportunities and overall economic well being of each municipality and the state.*

*(3) To promote the production and rehabilitation of year-round housing and to preserve government subsidized housing for persons and families of low and moderate income in a manner that: considers local, regional, and statewide needs; housing that achieves a balance of housing choices, for all income levels and age groups; recognizes the affordability of housing as the responsibility of each municipality and the state; takes into account growth management and the need to phase and pace development in areas of rapid growth; and facilitates economic growth in the state.*

*(4) To promote the protection of the natural, historic and cultural resources of each municipality and the state.*

*(5) To promote the preservation of the open space and recreational resources of each municipality and the state.*

*(6) To provide for the use of performance-based standards for development and to encourage the use of innovative development regulations and techniques that promote the development of land suitable for development while protecting our natural, cultural, historical, and recreational resources, and achieving a balanced pattern of land uses.*

*(7) To promote consistency of state actions and programs with municipal comprehensive plans, and provide for review procedures to ensure that state goals and policies are reflected in municipal comprehensive plans and state guide plans.*

*(8) To ensure that adequate and uniform data are available to municipal and state government as the basis for comprehensive planning and land use regulation.*

*(9) To ensure that municipal land use regulations and decisions are consistent with the comprehensive plan of the municipality, and to ensure state land use regulations and decisions are consistent with state guide plans.*

*(10) To encourage the involvement of all citizens in the formulation, review, and adoption, or amendment of the comprehensive plan.*

In developing its “statement on the general consistency of the petition with the goals and purposes of the comprehensive plan” the Planning Board should perform investigations as to:

- How this expansion of this conditional use will take advantage of existing structures and services, or not
- How this expansion of this conditional use will develop a robust and diverse economy, providing suitable employment opportunities for residents, and a stable tax base, or not
- How this expansion of this conditional use will encourage upgrading, beautification, revitalization, and environmentally appropriate reuse of existing commercial areas, or not
- How it promotes the protection of the natural, historic, cultural, open space, and recreational resources of the City of Newport and the State of Rhode Island, or not
- Whether the conversion is consistent with the character, environmental resources and vision for the community

Staff: Peter Friedrichs, City Planner

Date: May 31, 2019