

CITY PLANNING DEPARTMENT



Memorandum – Ordinance Recommendation

To: City Plan Commission
From: Jonas Bruggemann, Assistant Planning Director/Principal Planner
Date: August 26, 2026
RE: Proposed Amendment to the Zoning Ordinance # 07-20-01
In Amendment of Chapter 17 of the Code of the City of Cranston entitled, "Zoning"

Proposal

The subject ordinance proposes upon passage to add sections to the Zoning Ordinance which set regulations on impervious surfaces, stormwater mitigation, riparian buffers and off-street parking facilities. More specifically it establishes:

- Maximum impervious surface coverage standards for residential development
- Minimum landscaping standards for mixed-use and non-residential development
- Standards for stormwater mitigation for all development, including a requirement for subdivisions where an existing parking lot or primary structure remains on a lot.
- A requirement for all properties to maintain a 25ft vegetative buffer from all bodies of water (also known as riparian buffer). It also creates associated standards on activities, structures, and plantings within the buffer
- New regulations for off-street parking in relation to impervious surfaces and conformance to City codes.

Planning Analysis

Consistency with the Comprehensive Plan

The ordinance aligns with the 2024 Comprehensive Plan in the following ways:

1. It encourages water quality improvements;
2. It requires stormwater infiltration which will reduce runoff in new development;
3. It will help to increase the quality of wildlife habitat of the City's open waters; and
4. It implements objective site design standards which help to improve the quality of development and reduce their impacts on the surrounding area.

The Natural Resources chapter and several goals and policies in the 2024 Comprehensive Plan focus on improvements to water quality, habitat and the general natural resources in Cranston. This ordinance will likely lead to improvements to water quality of our public waterways through the combination of limits on impervious surfaces and requirements for stormwater mitigation (which includes requirements for water quality treatment).

Maintaining a high-water quality standard for waterbodies allows for a healthy habitat for wildlife and recreational enjoyment for Cranston residents. Per RI Department of Environmental Management (RIDEM) and EPA data, the majority of Cranston's waterways are considered impaired. The impairment of many

open waters is primarily attributed to non-point source pollution, most likely from untreated stormwater runoff and failing septic systems.

Limiting pavement through the impervious surface maximums allows more infiltration of stormwater. Most soil acts as a natural filter, meaning by the time infiltrated rainwater enters groundwater aquifers or other waterways, the amount of pollutants it carries into those waterways is reduced. The proposal is generally in line with recommended practices in the “Rhode Island Low-Impact Development Site Planning and Design Guidance Manual” (Policy NR-20/Action NR-13, Action LU-6). While best practice would be to keep impervious surfaces in sensitive areas below 10%, setting it at 10% would be well below the existing development patterns in the city, thereby making a majority of development non-conforming and heavily restricting how people could use their property (Goal NR-2).

Providence currently is the only municipality in Rhode Island with such requirements, however there are several municipalities outside of Rhode Island ranging from rural to urban contexts which have adopted impervious surface maximums. Other communities include Washington, CT and Newark, DE.

The runoff expected from impervious surfaces can also be managed through adequate stormwater infrastructure. Stormwater infrastructure can provide both retention and water quality improvement of runoff. Green stormwater infrastructure specifically can also provide additional benefits such as shading, habitat, and aesthetic improvements (Policy LU-5), depending on the type.

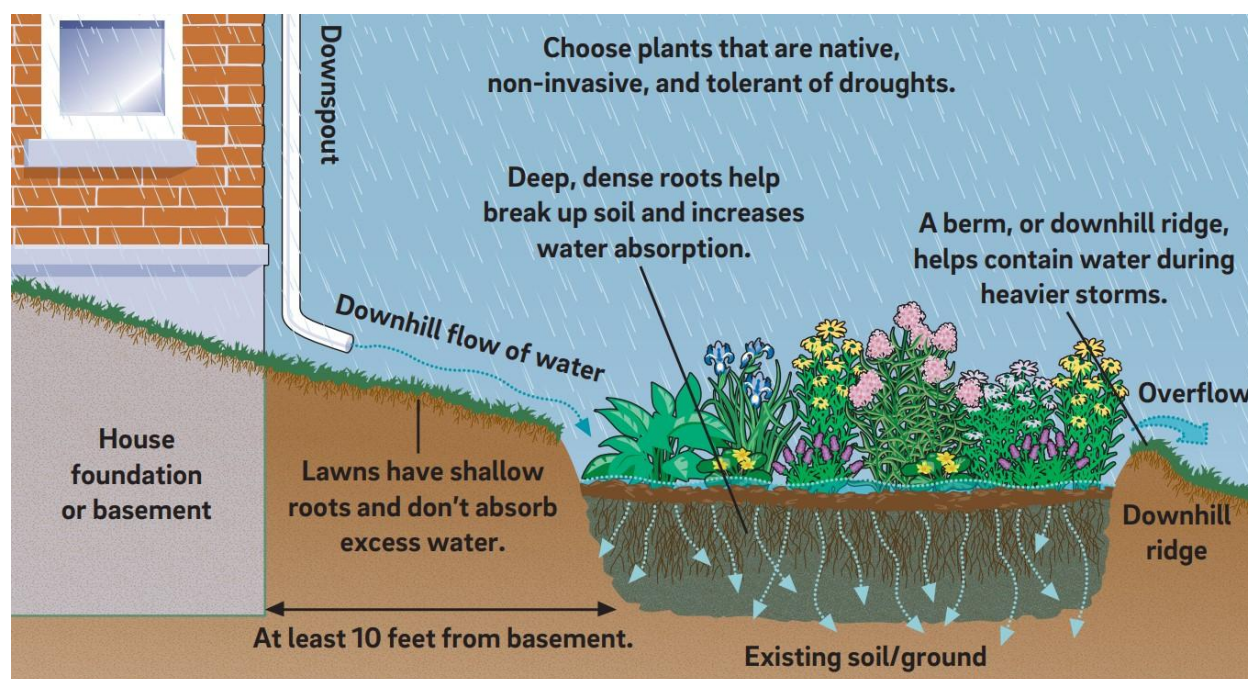


Figure 1: Example of a residential rain garden (Philadelphia Water Department)

The proposed Section 17.22.020 mostly codifies existing policy. Subsection B requires conformance with existing city regulations and RIDEM requirements. Subsection C ensures that there is a permanent record of the location and maintenance of those structures. This is mostly relevant for developments which are not subject to RIDEM permits, meaning that those documents will not be permanently accessible and could be lost upon transition of ownership.

A concern has been raised with proposed timeline in subsection C. The ordinance requires recording the operation and maintenance manual after installation of the stormwater control measures. This would add

an additional deadline to development unique to this policy. This requirement may complicate enforcement and generally make the development process less efficient. Requiring the recording of the operations and maintenance manual at certificate of occupancy is consistent with other requirements and maintains an efficient and predictable development process (Goal ED-3).

Subsections A and D address stormwater run-off from one- and two-family developments that fall below the size threshold for stormwater review from RIDEM. Because of state law changes and market conditions, Cranston is seeing increasing numbers of applications for small subdivisions splitting larger lots. This ordinance would give Cranston objective standards to make sure these developments do not contribute to stormwater problems as an incremental strategy to improve flood resiliency in the city (Policy NR-19).

Notably, this ordinance is a stop-gap measure, as it only directs development to follow state law requirements and does not address all aspects of regulation and enforcement that apply to municipal separate stormwater systems (MS4). Long term, Cranston should adopt an MS4 ordinance. MS4 ordinances include a more detailed set of regulations and enforcement measures that can be adjusted to community and infrastructural needs. Cranston is one of the few communities in Rhode Island to not have an MS4 ordinance.

Another strategy which will support water quality is vegetated buffers along waterways. Vegetated buffers filter runoff before entering streams, rivers, and ponds. Vegetated buffers also provide important habitat for various native flora and fauna (Policy NR-4), and stabilize the banks of rivers and streams, thereby reducing erosion. Notably, Rhode Island Department of Environmental Management (RIDEM) already has extensive buffer requirements which are more detailed and stringent than proposed in the ordinance. Therefore, it would be unnecessary to add this section to the zoning ordinance. Planning Staff recommend removing the riparian buffer section from the proposed ordinance.

This ordinance sets a maximum impervious surface cap for all residential developments and scales the allowed impervious surfaces to the expected minimum lot size of the zoning district. Planning staff have run calculations and have found that the proposal allows conformance with other zoning regulations such as our parking requirements. At a minimum, pavement for two vehicles side-by-side can be provided in each district with these numbers. Even when accounting for substandard lots, the requirements allow for by-right residential development with space for accessory buildings and hardscaping in the rear, while parking for at least two vehicles should be achievable on most lots using these standards (Goal TC-3), though notably more restrictive than existing regulations.

Limiting impervious surface coverage preserves the lot's capacity to absorb stormwater, reducing runoff, improving water quality, and moderating rapid changes in streamflow. Because total impervious coverage is more important than its distribution across the lot, Planning Staff believe the front- and rear-yard requirements could be removed to give property owners greater flexibility while maintaining these stormwater-management benefits. This simplification is in line with Policy H-3 of the Comprehensive Plan which states that Cranston should "enact flexible development standards that attain desired community objectives",

As the maximum impervious surface requirements are percentages, the inclusion of the total minimum pervious surface coverage requirement ensures that substandard lots of record provide an at least a minimum amount of pervious area. This would come into consideration on the rare occasion where a substandard lot is less than 3,000 sq. ft. in area. This requirement could be simplified to a general 1,000 sq. ft. requirement, as most of the residentially zoned substandard lots of record are found in the A-8 or smaller zoning districts. Planning staff recommend simplifying the pervious lot requirement to 1,000 sq. ft. on all lots and specifying that this provision only applies to lots that are substandard in lot area for their district.

A concern has been raised about disallowing permeable pavers to count as permeable surface. While permeable pavers require maintenance to remain effective, there is an argument for Cranston to not deviate from the guidance of RIDEM. RIDEM's low impact development standards endorse the use of permeable surfaces. Therefore, Planning Staff recommend omitting the proposed 17.94.010 (F).

In conclusion, the proposed ordinance, if passed with the suggested amendments, sets objective standards, which work in conjunction with our existing ordinances and set achievable restrictions on development, it allows the City to continue to have an efficient and predictable development process (Goal ED-3) which strikes a balance between natural resource protection and growth-related needs (Goal NR-2).

The following Comprehensive Plan Goals and Policies were mentioned above to be supportive of the proposed ordinance:

- Goal NR-1: Protect and enhance Cranston's natural environment and resources.
- Goal NR-2: Establish a balance between natural resource protection and growth-related needs.
- Goal NR-3: Protect and enhance the quality of Cranston's ground and surface water resources and supplies in order to meet, or where appropriate exceed, state and federal water quality standards.
- Goal NR-5: Require improved environmental design standards in new development.
- Policy NR-4: Preserve and protect critical fish and wildlife habitat areas and areas containing rare and endangered species.
- Policy NR-5: Preserve and protect environmentally sensitive natural resource areas, including prime farmlands, steep slopes, floodplains, watersheds, aquifers, shorelines, and coastal and inland wetlands.
- Policy NR-6: Direct new growth away from environmentally- sensitive areas such as wetlands, steep slopes, and soils that have severe limitations for on-site waste water disposal.
- Policy NR-9: Protect and enhance water quality through informed land use policies, regulatory enforcement, and proper infrastructure maintenance and improvements.
- Policy NR-19: Upgrade environmental design standards in subdivision and site plan review regulations.
- Policy NR-20/Action NR-13: Adopt standards, such as Low Impact Development techniques, that maintain and enhance watersheds to better manage stormwater and roads in new construction.
- Action NR-14: Reduce impervious surfaces in new developments such as with porous pavements and reduced travel lane widths to reduce runoff.
- Policy H-3: Enact flexible development standards that attain desired community objectives, but also provide a wide range of building types, uses, subdivisions, and site plans.
- Goal ED-3: The City shall have an efficient and predictable development process throughout all departments of the City.
- Policy OS-18/Action OS-15: Investigate improving water quality in and access to Cranston ponds to increase recreational and natural resource value.
- Action OS-9: Protecting and improving the urbanized river corridors.
- Goal TC-3: Provide sufficient off-street parking to serve the needs of businesses and residents.
- Goal LU-6: Protect and stabilize existing residential neighborhoods.
- Policy LU-4: Preserve and enhance the quality of existing valuable resources including wetlands, surface water, ground water, wildlife habitats and migration corridors, historic sites, scenic views and unique cultural resources.
- Policy LU-5: Improve architectural and site design standards to increase the quality of new development.
- Policy LU-12: Protect and stabilize existing residential neighborhoods by increasing open space, improving roadway conditions, and making the zoning conform to existing uses.
- Action LU-6: Consider Low Impact Development standards to reduce the impacts of land development and stormwater runoff.

Staff therefore believe that the ordinance is **consistent** with the Comprehensive Plan.

Recognition and Consideration of the Purposes of Zoning in City Code §17.04.010

The general purposes of zoning as prescribed by City Code Section §17.04.010(A) through (O) have been recognized and considered in review of the proposed ordinances. By implementing strategies for improving water quality and mitigating stormwater runoff, the ordinance promotes public health, safety, and general welfare (§17.04.010(A)). Provided existing issues with the flooding and water quality in the City, and the need to establish a balance between natural resource protection and growth-related needs, the ordinance reflects current and expected future needs of the City (B, J).

The ordinance promotes orderly growth and development which recognizes the goals and patterns of land use contained in the comprehensive plan and implements protections for our natural resources (C, D) and open space (E, F) through improved design standards (K) as is supported by the goals and policies of the 2024 Comprehensive Plan (L).

Therefore, the ordinance is found to be consistent with the general purposes of zoning.

Findings per City Code §17.120.030

(A): Consistency with the Cranston Comprehensive Plan 2024:

There are a significant number of Comprehensive Plan goals, policies, and actions that are in support of a positive consideration of Ordinance #4-26-04, including but not limited to Goal NR-1, Goal NR-2, Goal NR-3, Goal NR-5, Goal ED-3, Goal TC-3, Goal LU-6, Policy NR-4, Policy NR-5, Policy NR-6, Policy NR-9, Policy NR-19, Policy NR-20/Action NR-13, Policy H-3, Policy OS-18/Action OS-15, and Policy LU-4, Policy LU-5, Policy LU-12, Action NR-14, Action OS-9, and Action LU-6. For these reasons, Ordinance #07-20-01 is consistent with the City's Comprehensive Plan.

(B). Recognition and Consideration of the Purposes of Zoning in City Code §17.04.010:

The general purposes of zoning as prescribed by City Code Section §17.04.010 have been recognized and considered in review of the proposed ordinances. The ordinances are found to be consistent with the general purposes of zoning.

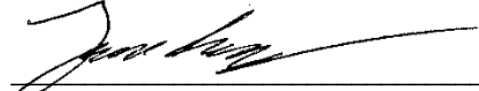
Recommendation

Based on the findings that the ordinance is consistent with the goals and policies of the Comprehensive Plan and the general purposes of the Zoning Ordinance, Planning Staff recommend that the City Plan Commission forward a **positive recommendation** on **Ordinance # 07-20-01** to the City Council subject to the following changes:

1. Simplification of the table in Section 17.22.010(A) by removing maximum impervious surface coverage requirements for front and rear yard.
2. Removal of the pervious surface coverage requirements from the table in Section 17.22.010(A) and adding a subsection that requires substandard lots of record to contain a minimum pervious surface coverage of 1,000 square feet.
3. The recording of the operations and maintenance manual could be required prior to issuance of the Certificate of Occupancy rather than “upon the installation of a stormwater system” so as not to create a unique deadline.

4. Removal of proposed § 17.22.030 entitled "Riparian Buffers" as RIDEM requirements are more specific and restrictive than the regulations proposed in this ordinance.
5. Removal of proposed § 17.64.010(3) because RIDEM endorses pervious pavement for parking as a low impact development tactic.

Respectfully Submitted,



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