

**ARTICLE XIII - GROWTH MANAGEMENT (Adopted 3/07)**

A. Authority

This Growth Management Ordinance article is enacted in accordance with RSA 674:22 and replaces the Growth Control Ordinance article adopted at Town Meeting 1998.

B. Purpose

From before 1738, East Kingston has been a rural community of farms, and in the late 20<sup>th</sup> century the Town began to experience rapid residential growth primarily at the cost of agricultural lands and open space. New Hampshire statute permits municipalities to control the rate of land use development, and to that end, East Kingston first adopted a Master Plan in 1982, and a Capital Improvements Program (CIP) in 1997. Both instruments of planning have been periodically updated.

Growth control in some form has been a planning tool for the Town since before 1979 to smooth the effects of increased demand on municipal services and infrastructure, and their associated costs. The intent has been, and remains, to allow for a “normal” rate of growth, while attending to the capacity of the Town’s residents to absorb the financial shocks from increased taxation in order to support the expanded services.

Since the 1980s, East Kingston has experienced unprecedented growth, even with control measures in place. The Town is amongst the fastest growing communities locally, and in the region, and the impact on its taxpayers has been traumatic. The impact on the natural environment is observable in the steady loss of wetlands and wildlife natural habitat, increased impervious surfaces, and the draw-down of ground water aquifers. By applying growth management controls, these adverse impacts can be ameliorated at the same time the following goals pursued to which our Growth Management Ordinance provides:

1. To manage growth to ensure its compatibility with the East Kingston Master Plan and Capital Improvement Plan.
2. To enable the execution of Master Plan goals at a rational, absorbable pace that is consistent with regional development, and state and federal statutes.
3. To ensure that all East Kingston municipal services and resources, including but not limited to, police, fire and rescue, infrastructure, secondary education schooling, library, recreation, historical sites and structures, nature trails will have sufficient capacity and quality to accommodate new development.

Since before the 1980s, East Kingston has experienced unprecedented growth, even with control measures in place. (See Figure 1.) According to the 1980 Census, the population of East Kingston exceeded 1000 people by that time (see Table 1). Town population is almost 2-1/2 times that now. The Town is amongst the fastest growing communities locally, and in the region, and the impact on its taxpayers has been significant. Comparing five-decade averages with the abutting towns shows that East Kingston has had the highest growth rate (see Table 2). The impact on the natural environment is observable (refer to Conservation Commission’s Natural Resource Inventory, 2021). The need for increased Town services is recognized. The local region has experienced a decline in double-digit population growth according to the 2020 Census. A period of stabilization can be used wisely to absorb recent growth and to help plan for additional

growth. The amount of growth is ultimately limited by the amount of buildable land.

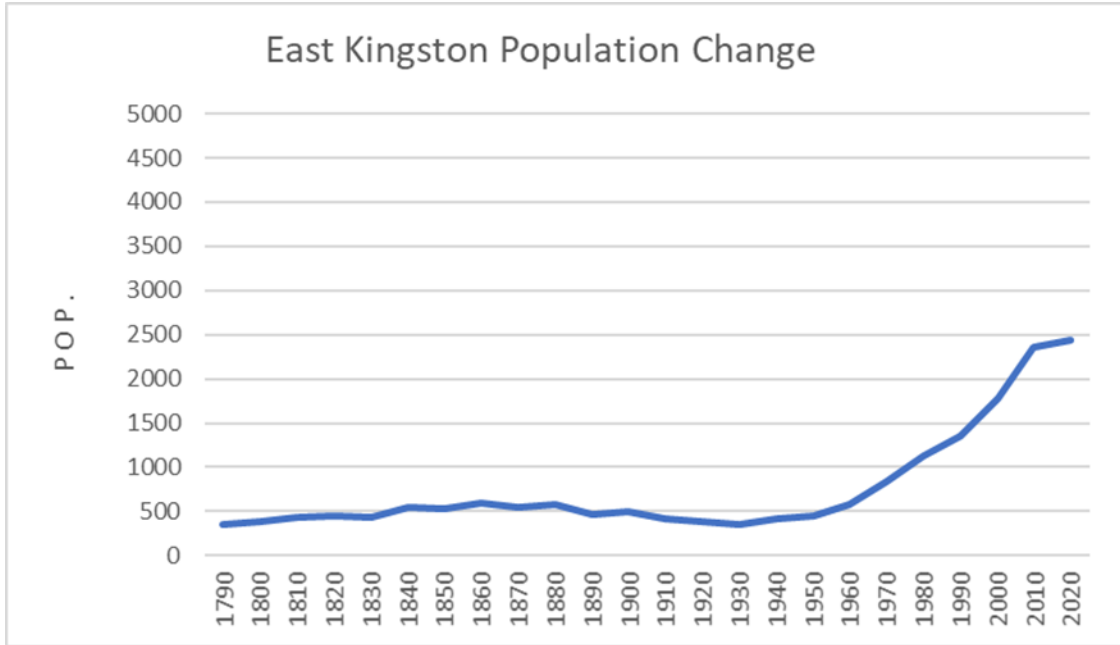


Figure 1. Historical Population Trends from 1790-2020

**Table 1. East Kingston Population Growth from 1960 to 2020**

Census Year	Population	+/- %
1960	574	27.80%
1970	838	46.00%
1980	1135	35.40%
1990	1352	19.10%
2000	1784	32.00%
2010	2357	32.10%
2020	2441	3.56%

**Table 2. East Kingston and Abutting Towns Population Growth from 1980 to 2020**

Town	Population Growth since 1980 to 2020 (%)
Exeter	46
East Kingston	<b>115</b>
Newton	57
Kensington	58
Kingston	51
South Hampton	35

C. Findings of Fact

Populations

- ~~1. Increases in population from 2000-2010 were: East Kingston 32.1%; East Kingston together with abutting and SAU-16 towns 12.8%; Rockingham County 20.1%; State of New Hampshire 18.7%. (1990 and 2010 U.S. Census.)~~
- ~~2. Compared to abutting and SAU-16 towns, East Kingston's rate of growth in population Grew at a rate significantly greater than the region in the periods of 1990-2010 and 2000-2010. (1990 and 2010 U.S. Census)~~
3. Increases in population from 2010-2020 were: East Kingston 3.6%; East Kingston together with abutting and SAU-16 towns 6.4%; Rockingham County also 6.4%; State of New Hampshire 4.6%. (Sources: 2010 and 2020 U.S. Census).
4. Compared to abutting and SAU-16 towns, East Kingston's rate of growth in population Grew at a rate comparable to the region in the periods of 2010-2020, but cumulatively was greater over the period from 1980-2020. (Sources: 1980 thru 2020 U.S. Census)

## Housing

1. The percent increase in housing units from 2010 to 2020 was: East Kingston - 4 percent; East Kingston and abutting towns - 9 percent; Rockingham County - 6 percent; and New Hampshire – 12.5 percent (1990, 2000 and 2010 U.S. Census).
2. East Kingston's share of housing units in the six-town region (East Kingston and five abutting towns): increased from 4.9 percent in 1990 to 5.6 percent in 2000, 7.1 percent in 2010, and 7 percent in 2020 (1990, 2000, 2010, and 2020 U.S. Census)
3. The total housing stock increased from 1990 to 2020: East Kingston – 83.6 percent; East Kingston and abutting towns – 26.8 percent; Rockingham County – 24.5percent; and New Hampshire – 22.1 percent. (1990 and 2010 U.S. Census)
- ~~4. The total housing stock increased from 2000 to 2020: East Kingston – xx percent; East Kingston and abutting towns – xx percent; Rockingham County – xx percent; and New Hampshire – xx percent. (2000 and 2020 U.S. Census)~~

EAST KINGSTON ZONING ORDINANCE

Table 3 – East Kingston Housing Stock

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
<b>BUILDING PERMITS ISSUED</b>	<b>2</b>	<b>0</b>	<b>6</b>	<b>6</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>
<b>Location</b>													
I	Brandywine	29	29	29	29	29	29	29	29	29	29	29	29
	Depot Rd. to Haverhill Road	55	55	55	55	55	56	56	56	56	56	56	56
	(w/Barton & mobile homes)	12	12	12	12	12	12	12	12	12	12	12	12
	George Street	5	5	5	5	5	5	5	5	5	5	5	5
	<b>Sub-Total</b>	<b>101</b>	<b>101</b>	<b>101</b>	<b>101</b>	<b>101</b>	<b>102</b>	<b>102</b>	<b>102</b>	<b>102</b>	<b>102</b>	<b>102</b>	<b>102</b>
II	Main Street	33	33	33	36	36	36	36	36	36	36	36	36
	Freeman Street	4	4	4	4	4	4	4	4	4	4	4	4
	East Road	13	13	13	13	13	13	13	13	13	13	13	13
	Haverhill Rd - North of 107A	34	34	34	34	34	34	34	34	35	36	36	36
	<b>Sub-Total</b>	<b>84</b>	<b>84</b>	<b>84</b>	<b>87</b>	<b>87</b>	<b>87</b>	<b>87</b>	<b>87</b>	<b>88</b>	<b>89</b>	<b>89</b>	<b>89</b>
III	Haverhill Rd - South of 107A	19	19	19	20	20	20	20	21	21	21	21	21
	Squire Way	9	9	11	11	11	11	11	11	11	11	11	11
	Bowley Road	2	2	3	3	3	3	3	3	3	3	3	3
	Ashlie Road	11	11	11	11	11	11	11	11	11	11	11	11
	Rowell Road	15	15	17	17	17	17	17	17	17	17	17	17
	Winslow Drive	9	9	10	10	10	10	10	10	10	10	10	10
	Cove Road	20	20	19	19	19	19	19	19	19	19	19	19
	Indian Road	3	3	3	3	3	3	3	3	3	3	3	3
	Sullivan Drive	3	3	3	3	3	3	3	3	3	3	3	3
	<b>Sub-Total</b>	<b>91</b>	<b>91</b>	<b>96</b>	<b>97</b>	<b>97</b>	<b>97</b>	<b>97</b>	<b>98</b>	<b>98</b>	<b>98</b>	<b>98</b>	<b>98</b>
IV	South Road	34	34	34	35	37	37	37	37	37	37	37	37
	Terrace Lane	4	4	4	4	4	4	4	4	4	4	4	4
	Andrews Lane	14	14	15	16	16	16	16	16	16	16	16	16
	Fish Road	1	1	1	1	1	1	1	1	1	1	1	1
	Stagecoach Road	5	5	4	4	4	4	4	4	4	4	4	4
	Pine Woods Road	12	12	12	12	12	12	12	12	12	12	12	12
	Eaton Woods	376	6	6	6	6	6	6	6	6	6	6	6
	<b>Sub-Total</b>	<b>76</b>	<b>76</b>	<b>76</b>	<b>78</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>
V	North Rd (to Kensington)	47	47	48	48	48	48	49	49	50	50	50	50
	Tilton Rd	2	2	2	2	2	2	2	2	2	2	2	2
	Stumpfield Road	16	16	14	14	14	14	14	14	14	14	14	14
	Sanborn Road	44	44	45	45	45	45	45	45	45	45	45	45
	Robin Lane	5	5	5	5	5	5	5	5	5	5	5	5
	<b>Sub-Total</b>	<b>114</b>	<b>114</b>	<b>114</b>	<b>114</b>	<b>114</b>	<b>115</b>	<b>115</b>	<b>116</b>	<b>116</b>	<b>116</b>	<b>116</b>	<b>116</b>
VI	Giles Road	46	46	45	45	45	45	45	45	45	45	45	45
	Bioteau Drive	2	2	2	2	2	2	2	2	2	2	2	2
	Joslin Road	18	18	19	19	19	19	20	20	20	20	20	20
	Greystone	16	16	16	16	16	16	16	16	16	16	16	16
	Addyson Lane										1	1	1
	<b>Sub-Total</b>	<b>82</b>	<b>82</b>	<b>82</b>	<b>82</b>	<b>82</b>	<b>82</b>	<b>83</b>	<b>83</b>	<b>83</b>	<b>84</b>	<b>84</b>	<b>8483</b>

**Table 3 – East Kingston Housing Stock (Continued)**

		2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
<b>Location</b>														
VII	Powwow River Road	27	27	26	26	26	26	26	26	26	26	26	26	26
	Hickory Lane	5	5	5	5	5	5	5	5	5	5	5	5	5
	Sleeper Road	2	2	2	2	2	2	2	2	2	2	2	2	2
	Troll Way	1	1	1	1	1	1	1	1	1	1	1	1	1
	Kelley Lane	1	1	1	1	1	1	1	1	1	1	1	1	1
	Casey Road	9	9	8	8	8	8	8	8	8	8	8	8	8
	Woldridge Lane	6	6	6	6	6	6	6	6	7	7	7	7	7
	Burnt Swamp Road	26	26	26	26	26	26	26	26	26	26	26	26	26
	Flower Hill Road <i>(so called)</i>	2	2	2	2	2	2	2	2	2	2	2	2	2
	Clark Cluster Dev	6	6	9	9	9	9	9	9	9	9	9	9	9
	Clement Lane	9	9	8	9	9	9	9	9	9	9	9	9	9
	<b>Sub-Total</b>	<b>94</b>	<b>94</b>	<b>94</b>	<b>95</b>	<b>95</b>	<b>95</b>	<b>95</b>	<b>95</b>	<b>96</b>	<b>96</b>	<b>96</b>	<b>96</b>	<b>96</b>
VIII	Red Gate Farm	51	51	51	51	51	51	51	51	51	51	51	51	51
	<b>Sub-Total</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>51</b>
IX	Willow Road	42	42	38	39	39	39	40	40	40	40	40	40	40
	Taylor Way	3	3	3	3	3	3	3	3	3	3	3	3	3
	<b>Sub-Total</b>	<b>45</b>	<b>45</b>	<b>41</b>	<b>42</b>	<b>42</b>	<b>42</b>	<b>43</b>	<b>43</b>	<b>43</b>	<b>43</b>	<b>43</b>	<b>43</b>	<b>43</b>
X	Maplevale Road	20	20	20	20	20	20	20	20	20	20	20	20	20
	Addyson Lane										1	1	1	1
	<b>Sub-Total</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>
	<b>TOTAL NON-ELDERLY UNITS =</b>	<b>758</b>	<b>758</b>	<b>759</b>	<b>765</b>	<b>769</b>	<b>770</b>	<b>773</b>	<b>773</b>	<b>776</b>	<b>777</b>	<b>779</b>	<b>779</b>	<b>779</b>
	<b>Year</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>ELDERLY HOUSING UNITS</b>														
XI	Cricket Hill Road	40	40	40	40	40	40	40	40	40	40	40	40	40
	Maplevale Farms & Woods	66	66	66	66	66	66	66	66	66	66	66	66	66
	Autumn Lane	36	36	36	36	36	36	36	36	36	36	36	36	36
	Cornerstone	11	11	11	11	11	11	11	11	11	11	11	11	11
	<b>Sub-Total</b>	<b>153</b>	<b>153</b>	<b>153</b>	<b>153</b>	<b>153</b>	<b>153</b>	<b>153</b>	<b>153</b>	<b>153</b>	<b>153</b>	<b>153</b>	<b>153</b>	<b>153</b>
	<b>New Accessory Dwelling Units per year</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>
	<b>Sub-Total</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>9</b>	<b>10</b>	<b>10</b>	<b>11</b>	<b>11</b>	<b>13</b>	<b>14</b>
	<b>TOTAL ALL DWELLING UNITS</b>	<b>911</b>	<b>912</b>	<b>913</b>	<b>920</b>	<b>925</b>	<b>926</b>	<b>935</b>	<b>936</b>	<b>939</b>	<b>941</b>	<b>943</b>	<b>946</b>	<b>946</b>

Municipal Services:

- Present capacity of the 11-classroom Elementary School (Grades K-5) is 250 students (using class size and space requirements as determined by the State of New Hampshire). The Elementary School Board considers a school population of 220-225 student to be a realistic number, with Kindergarten classes of 18 or less, 1<sup>st</sup> through 3<sup>rd</sup> grades of 20 or less, and 4<sup>th</sup> and 5<sup>th</sup> grades of 22 or less.

The middle and high school populations have remained more or less steady, except for a jump in the middle school that appears to have started in 2003/2004. This increase in high school enrollment is holding steady through to today, with the middle school population returning to

former average levels. Enrollment in all schools has fallen short of official and unofficial projection expectations:

**Table 4. Student Enrollment for East Kingston**

School Year	Pre-Sch-K Elementary	(6-8) Middle	(9-12) High	Total
2009-Nov 2010	204	95	133	424
2010-Nov 2011	204	87	128	424
2011-Dec 2012	182	104	130	416
2012-Dec 2013	170	110	113	393
2013-Dec 2014	148	107	118	373
2014-Dec 2015	147	94	130	371
2015-Dec 2016	159	102	135	396
2016-Dec 2017	145	97	147	389
2017-Dec 2018	144	99	155	398
2018-Dec 2019	138	80	135	353
2019-Dec 2020	124	74	124	322
2020-Dec 2021	136	64	109	309
2021-Dec 2022	127	66	95	288
2022-Dec 2023	118	67	92	277

One consequence of student population growing more slowly than anticipated is the Elementary School Board's decision to delay construction of a second story onto the elementary school's new classroom addition until 2009 (2006-2011 CIP). That said, however, the SAU-16 built a new high school, and plans for capital improvements to and expansion of the middle school is on apace. SAU-16 did build a new high school, but the addition to the elementary school has been delayed until a change in student population warrants the addition.

7. (PB) East Kingston conducted Town-wide property revaluations in 1992 and 2003. In that time, the price of a \$100,000 house increased to approximately \$212,000, reflecting increased real estate values and inflation (see Taxation History Table). The tax bill during the inclusive period 1992-1995 for such a house increased from \$2,205 to \$4,070; an overall increase of 63%. If the Consumer Price Index as measured by the Bureau of Labor for the Boston area is applied to the 1992 tax bill from 1993 to today, the 1992 purchasing power of \$2,502 requires \$3,127 in 2005. Actual tax spending in real dollars has increased over 30% in those thirteen years.
8. (PB) The Town's road improvement capital expenditures have increased since 1994: from \$45,000 to \$60,000 in 1998, \$82,500 in 2002, \$86,500 in 2005, \$51,500 in 2006, \$50,000 in 2007, \$40,000 in 2008, and \$60,000 in 2009. (1998-2003 and 2002-2009 CIP's and the Road Agent's 2005 budget proposal). In addition, the Road Agent identified a new capital investment requirement in the form of a Town salt shed for winter road maintenance. The salt shed and land was noted in the 2006-2011 CIP to cost \$290,000.

A new salt shed was built on Town-owned property in 2008 for a cost of \$31,000.

9. (PB) The 2006-2011 CIP, revised and adopted by the Planning Board on 17 November 2005, identified the need for a new Police Station, a new Library, and Fire Department emergency vehicles and equipment, as well as other needed capital expenditures necessary to accommodate growth in the Town. A new Police Station was built in 2006, and the new Library was completed in 2008. The total tax rate for all requested capital improvement projects for 2006 was \$3.74/\$1,000 assessed valuation. The CIP share in 2002 was 18%, whereas in 2005 it was 22.3%.
10. (PB) East Kingston residential dwelling building permit history:

**Table 5. Residential Dwelling Unit Building Permit History**

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Conventional/Single Family Dwelling Units	2	0*	6	6	0	3	3	0	3	0	2	0	0
Elderly Housing	0	3*	3	0	0	0	0	0	0	0	0	0	0
Accessory Dwelling Units*											0	2	1
<b>TOTAL</b>	<b>2</b>	<b>3*</b>	<b>9</b>	<b>6</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>1</b>

*Statistics reported as of December 31st by the East Kingston Building Department.*

*\*Added 2021.*

**D. Findings Analysis**

Study of the Findings of Fact and its data indicates:

1. Residential construction is outpacing the abutting towns and the region by almost twice the rate of growth.
2. East Kingston’s population has grown dramatically since 1990, at more than double the growth rate of abutting towns and the region.
3. The rate of (tax) spending in real dollars since 1992, i.e., adjusted for inflation, has increased by over 30%. The increase reflects the two school districts’ propensity to expand capital assets and services, and the Town’s need to expand its other municipal services to accommodate a higher population density. The increased spending can be explained in part by the high cost to support residential development when compared to that for open space or agricultural land use (ref. NH OEP study).
4. Unmanaged growth in 2006 poses the threat of a spike in new construction in 2007 amounting to more than double (120%) the formerly planned, managed growth. At the least, such growth is likely to require the elementary school board reassess the need to build additional classrooms as described in the CIP.
5. The doubling of land and property market values since 1992 has encouraged subdivision development, discouraged agriculture for economic reasons, and placed those residents on fixed incomes in jeopardy of losing their homes.
6. Unrecoverable open space and agricultural lands are being consumed by development with the concomitant suburbanization of a diminishingly rural community.

Conclusion: East Kingston continues to experience the adverse impacts of growth out of proportion to

its ability to integrate new residents, and defray the increased costs of municipal services. Analysis suggests that growth management remains a necessary tool for planning until such time as the impacts of a high rate of growth and its costs are matched by the Town's long-term ability to support them.

E. Building Permits

1. Growth management provisions herein apply only to building permits for new dwellings. Building permits for non-dwelling construction, or for expansion, alteration, or replacement of existing dwellings, will not be affected by these provisions. Elderly housing new construction shall be governed by ordinance provisions applying thereto.
2. Issuance of a building permit for the replacement of an existing dwelling after damage, destruction, or demolition will not be affected by these provisions providing such permit is issued within two (2) years of the damage, destruction, or demolition. After two years, the issuance of a building permit will be subject to growth management restrictions unless waived by the Board of Selectmen in consideration of extenuating circumstances.
3. The calendar year for approving building permits shall be 1 January 2XXX to 31 December 2XXX.
4. The rate of growth in conventional, residential housing units in any given year shall not exceed the average rate of growth in housing stock for abutting towns and the region, as defined and determined by the Rockingham Planning Commission (RPC) and the New Hampshire Office of Energy and Planning (NH OEP).

The Building Inspector shall issue permits for new conventional dwelling units to total no more than that percentage which is equal to the rate of growth for abutting towns and the region applied to the entire residential housing stock in East Kingston, excluding elderly housing, on 1 January of each year. That is:

$$\text{(*Abutting Towns growth rate/Regional growth rate*) / 100 X (*residential building stock*) = *maximum number of building permits for conventional residential housing*}$$

**Example: Calculation for 2021: (0.65% / 0.64%) / 100 = 0.0101661% x (779 units) = 7.9 permits.**

**The number of building permits is therefore limited to 7 permits per year for 2022.**

- Note:
- a) For the above calculation, abutting towns include Kingston, Newton, South Hampton, Kensington, and Exeter, together with towns which regionally impact East Kingston by virtue of inclusion in the SAU-16, Stratham, Brentwood, and Newfields.
  - b) Abutting/SAU-16 Towns = 0.65% Regional (Rockingham County) = 0.64%
  - c) Round down to the nearest whole integer.
5. One building permit shall be required for each dwelling unit (e.g., one permit for a single-family home; two permits for a duplex; etc.)
  6. Building permits for new dwellings shall be issued on the basis of those completed applications first received by the Building Inspector until the available number of permits has been issued.
  7. To be complete, building permit applications must be for lots approved by the East Kingston Planning Board, and registered in the Rockingham County Register of Deeds. Lots must meet all applicable state and local ordinances/regulations. Applications must



include:

- a) a copy of the deed of the land on which the proposed dwelling will be located;
  - b) a subdivision approval number where applicable;
  - c) NHDES Water Division septic design approval;
  - d) a set of plans for the proposed dwelling;
  - e) a driveway permit from either NHDOT (State Highway) or the Town (Town road);  
and
  - f) for manufactured housing, a notarized bill of sale.
8. In order to ensure equitable distribution of available permits, 1) no individual, relatives thereof, persons associated in business with such individuals, or entities owned or controlled by such individual, his/her relatives or persons associated in business with that individual, and 2) no business entity, or any other entity owned or affiliated with such business entity, in whole or in part, may apply for, or receive, more than 20% of the available permits in any given year. Application of the 20% rule means that no individual etc. may apply for, or receive, more than 1.5 permits per year.
  9. Consideration will be given for duplex or larger situations for back-to-back anticipated permit issuances in the same year or consecutive permit years. We allow for anticipated growth but no entitlement to carry-over permits from a previous year.
  10. Building permits which are void as a result of the failure to complete required construction within the required timeframes (ref. Article XVII – BUILDING INSPECTOR AND PERMITS) shall be deemed available for issue in the current year by the Building Inspector. As described in Article XVII above, “work started” shall mean footings and foundation must be poured. When permits are voided under this provision, fees paid for the permits shall not be refundable.
  11. Applications shall only be accepted for permits available in the current year. Applications received after all available building permits have been issued will be placed first on a list for the following year.

#### F. Monitoring and Review

The Planning Board shall track annual growth in the number of residential dwellings in Town, applicable regional growth patterns, town property valuation and tax impacts, and other data pertinent to findings of fact. It shall compare these data with original findings of fact to assess the growth management ordinance article’s continued utility.

This ordinance article shall expire on January 1 of each year unless the Planning Board conducts a review, and an annual review thereafter, including a public hearing to establish the need to retain or revise it. The review and public hearing shall be concluded after the necessary data are gathered, and in time to propose any correctives to the legislative body. If there are no proposed changes, and the ordinance article is found to still have utility, it shall remain in effect for another year, but to be subject to subsequent annual reviews.