

PLANNERS' ROUNDTABLE DISCUSSION: 2023 LEGISLATION (PART 3)



TODAY'S AGENDA

1. Welcome!- Jeff Davis, Chair
2. Vote: Approve the minutes of the September 7 Technical Committee meeting
3. Vote: Approval of 2024 meeting dates
4. Introductions
5. RI Ready program presentation- Chelsea Siefert
6. Results of survey: 2023 legislation- Roberta Groch
7. Discussion: planners' progress on legis. changes- Jane Weidman
8. Public Comment

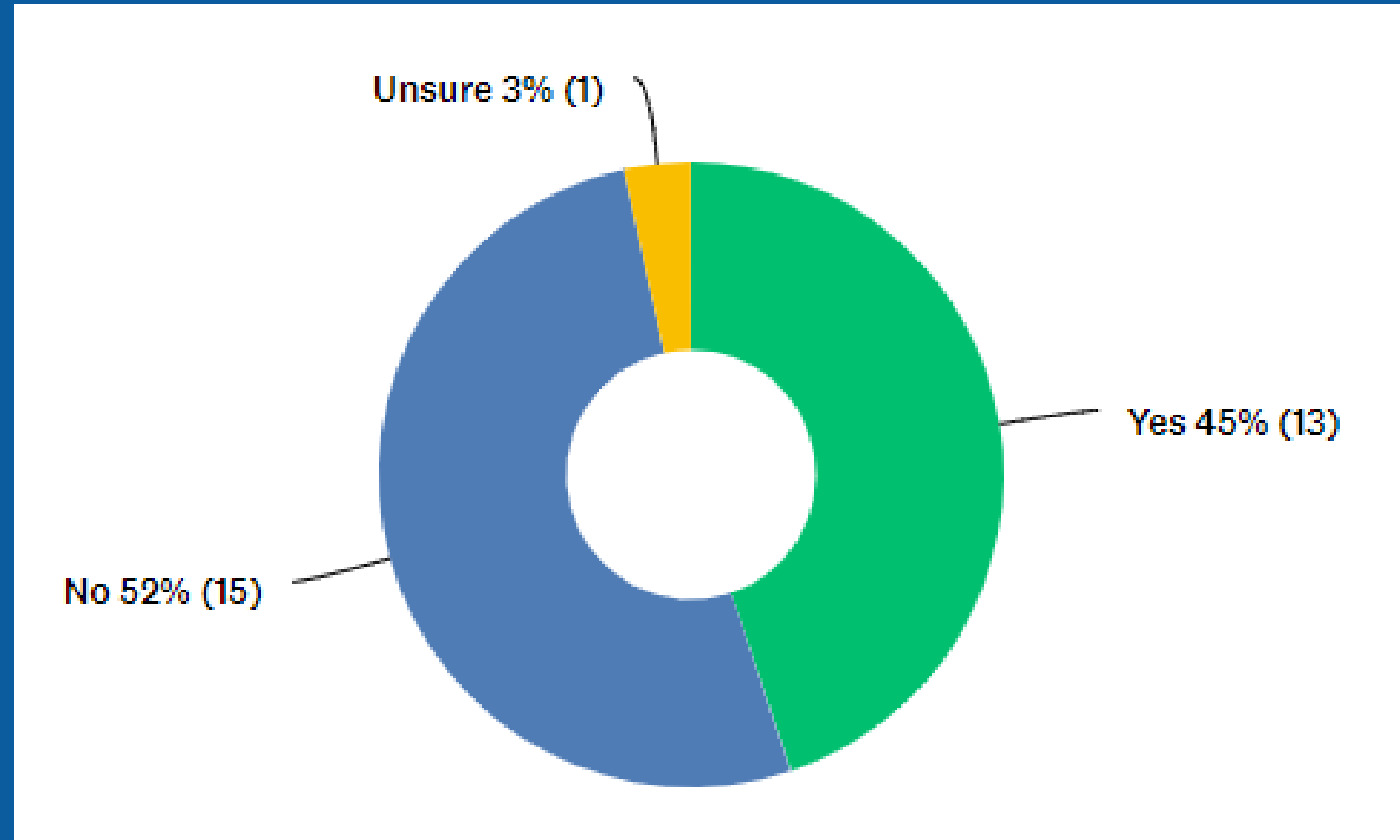
SURVEY SENT TO ALL MUNICIPAL PLANNING DIRECTORS/ TOWN PLANNERS

- **Survey sent on Monday, 11/27, open through 11/30**
- **Asked eighteen questions about how municipal planners/planning offices are handling the required changes to their ordinances and regulations**
- **Mix of multiple choice and free comment answers**
- **Received twenty-nine responses: *thank you!***

Q1: H 6058 SUB A- Inclusionary Zoning

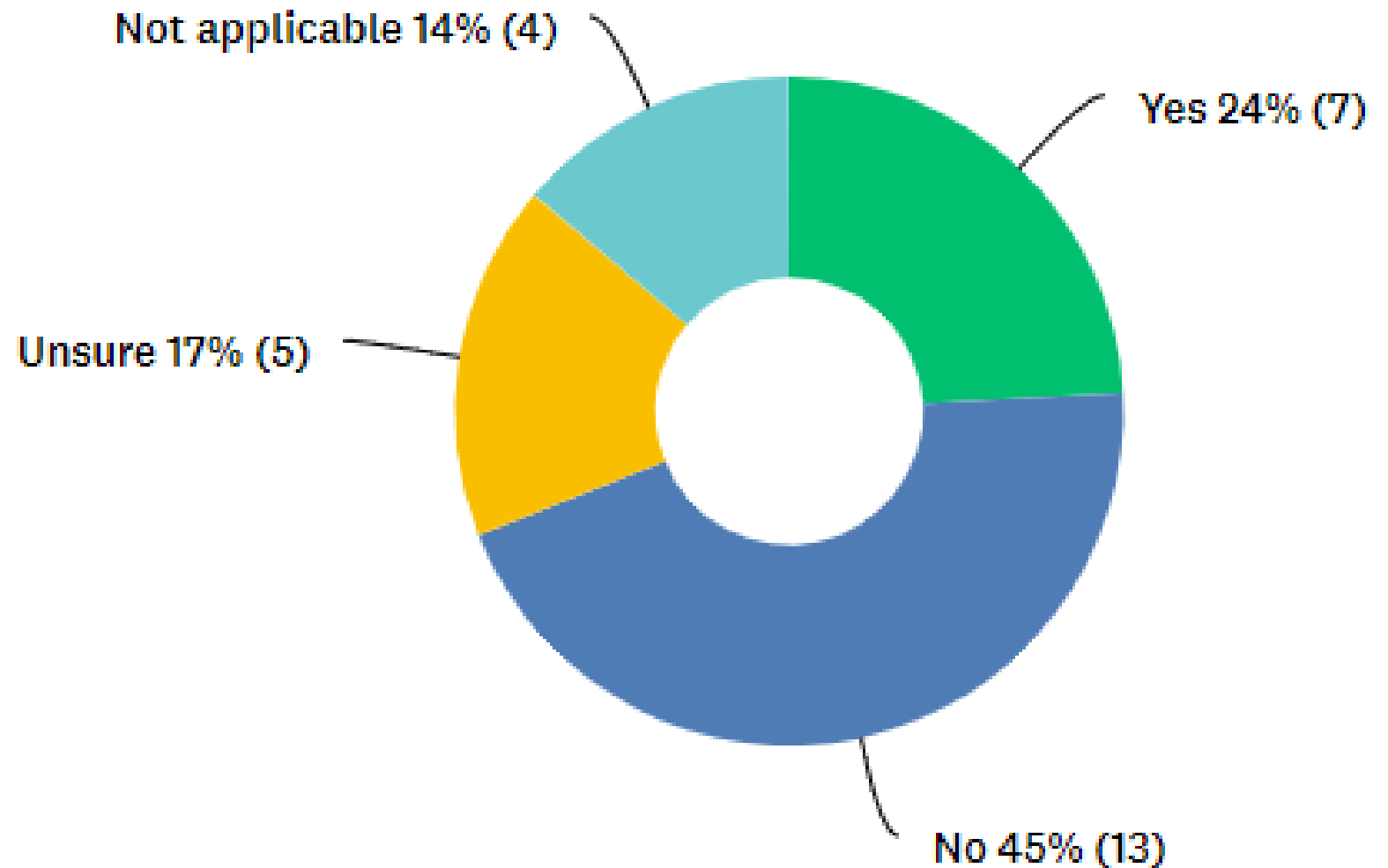
Bill No. 6058 SUB A amends requirements for inclusionary zoning and fee-in-lieu of.

Does your municipality currently have inclusionary zoning?



Q2: H 6058 SUB A- Inclusionary Zoning

Do you plan to amend your ordinance and/or continue with inclusionary zoning?



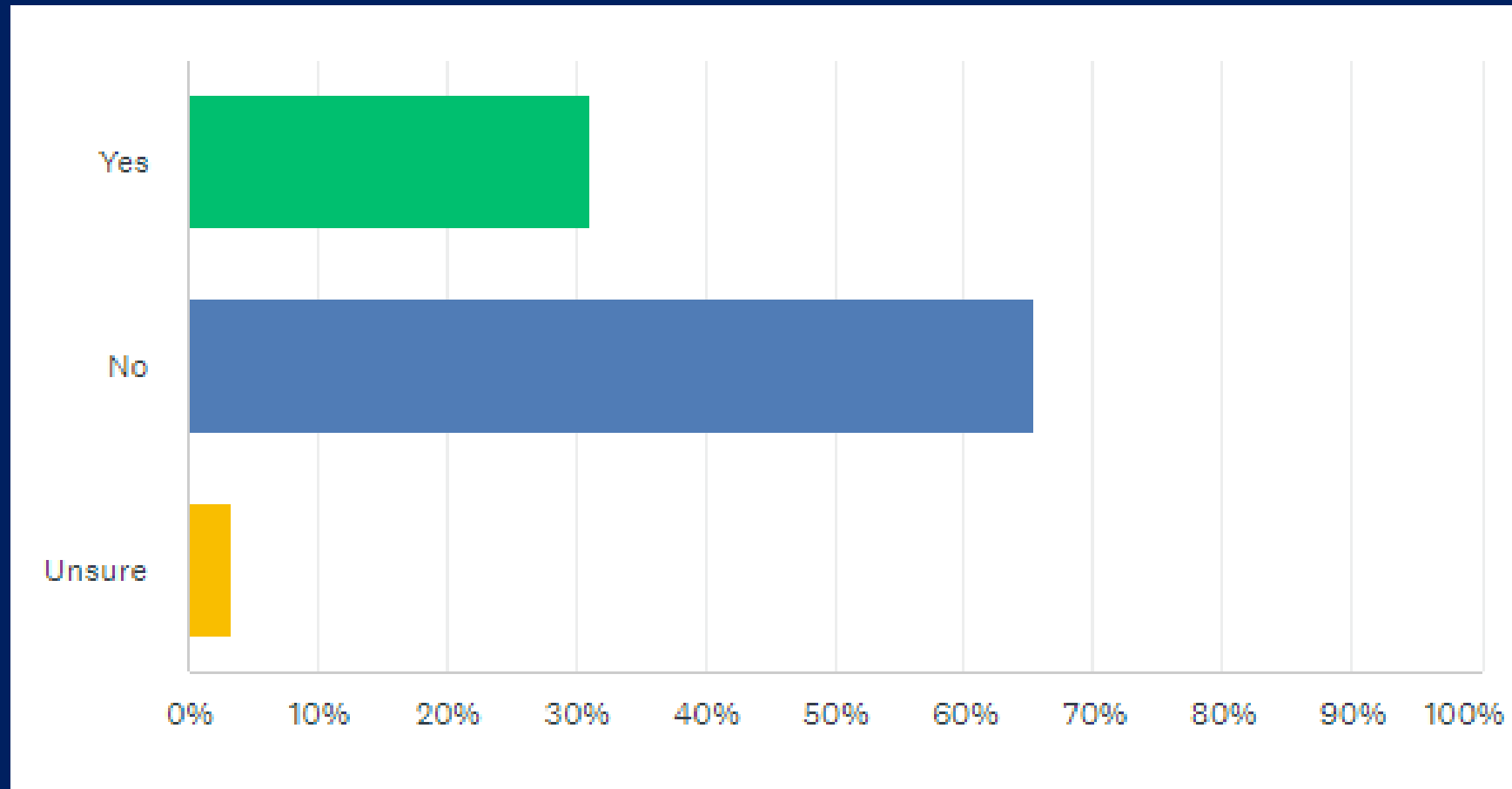
Q3: H 6058 SUB A- Inclusionary Zoning

If you are not going to amend you IZ ordinance, why?

- Requirements are not appropriate for the community
- Diminishes utility of IZ
- Requires too much density
- Would make development prohibitively expensive
- Will cause town to lose ground towards ten percent goal
- Impossible to make work, unrealistic
- Political decision
- No time to draft an ordinance
- Already have ten percent affordable housing
- State law has broken the tool of inclusionary zoning.

Q4: 6059 SUB A – Zoning Enabling Act

Has your municipality made the required changes to the zoning ordinance, specifically substandard lot dimensional requirements and merger clause and variances standards?



Q5: 6059 SUB A – Zoning Enabling Act

If amendments have not been made, when are they expected to be made?

- December 2023 (eight responses)
- January 2024 (two responses)
- Between January and July 2024 (three responses)
- Still working on it
- After RIH-funded consultant has finished changes (approx. March 2024)
- Undetermined: consultant has just been brought on board
- No time to work on this

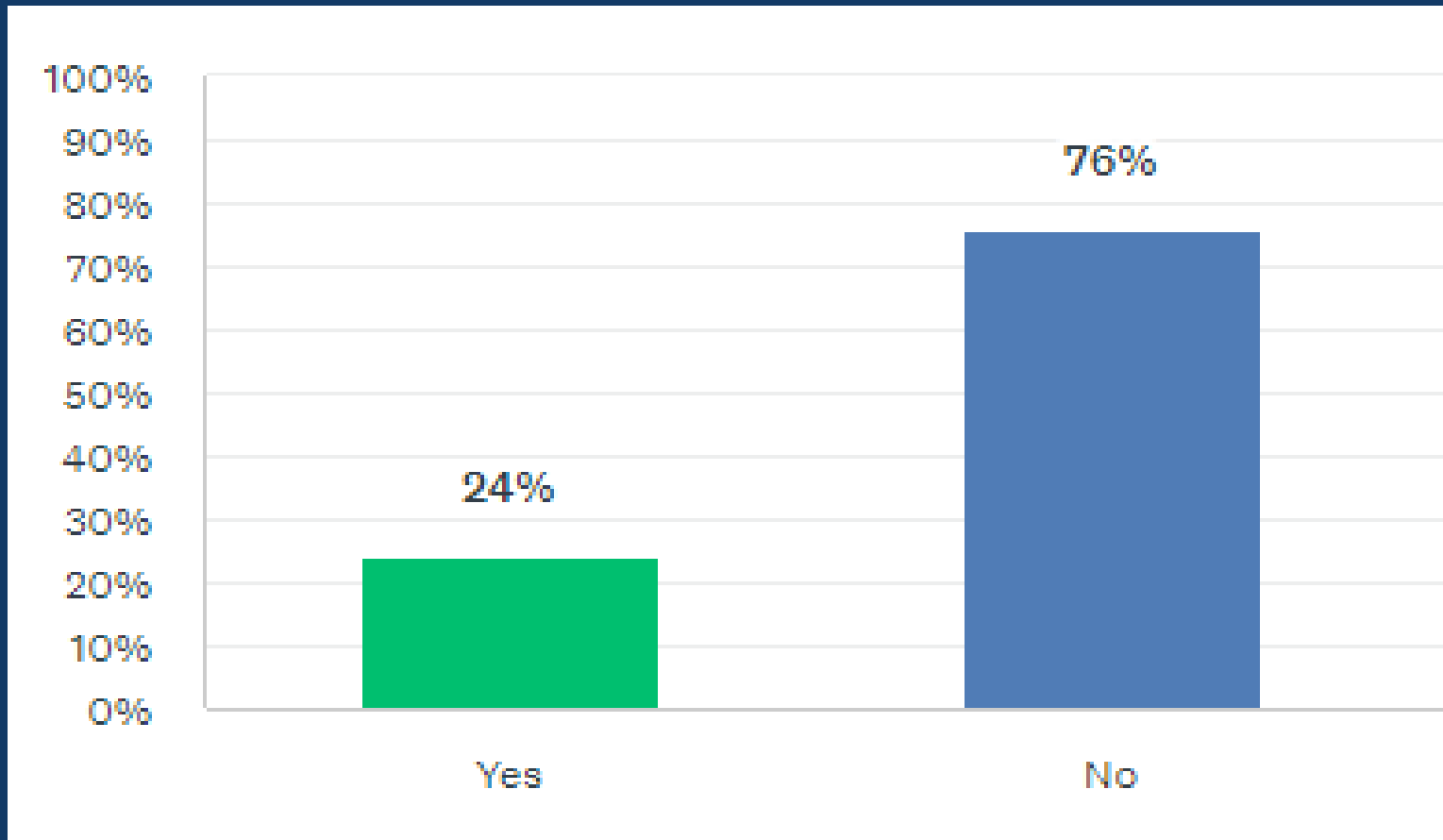
Q6: 6059 SUB A – Zoning Enabling Act

Do you have general comments on any of the proposed changes in zoning standards?

- Changes are not sensitive to diverse needs of municipalities
- Confusing, lack clarity and consistency
- Causes review burden to fall on staff
- Will not produce a meaningful amount of affordable housing
- Changes do not come from the municipalities
- Modifications for substandard lots are too generous
- Insufficient time to add all the necessary criteria, along with other changes
- Too many to list
- Changes streamline the approval processes for land development projects

Q7: H 6061 SUB A- Subdivisions

House Bill No. 6061 SUB A amends sections of the Subdivision Review Enabling Act. Has your municipality made the required amendments to the subdivision regulations to be effective on January 1, 2024?



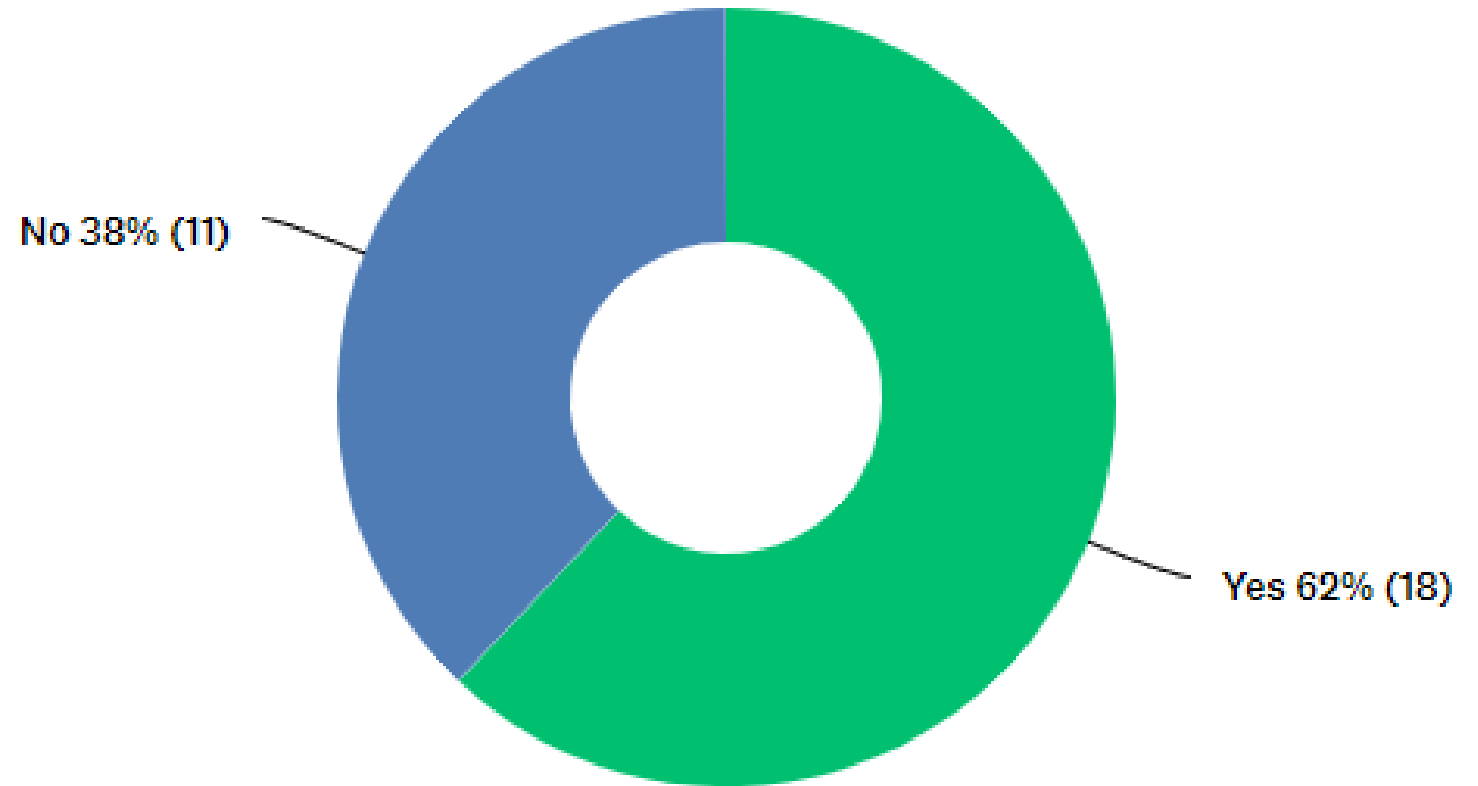
Q8: H 6061 SUB A- Subdivisions

If you answered “no,” when are the amendments expected to be adopted?

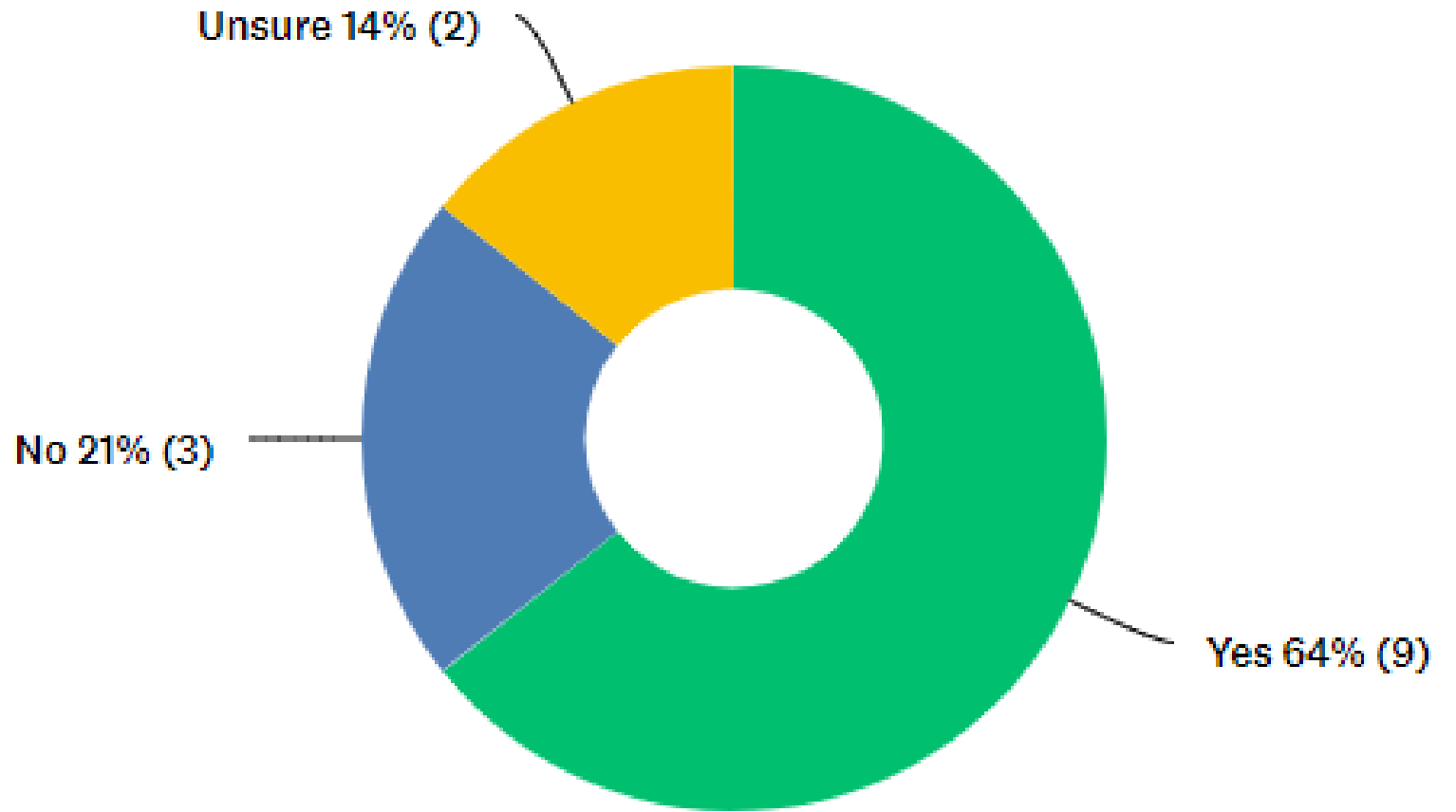
These are the words found most frequently in planners’ responses:

1. adopted
2. changes
3. January
4. 2024
5. consultant
6. work
7. will
8. deadline
9. February

Q9: *Do you have a technical review committee (TRC) in place now, prior to the updated state law?*



Q10: *If not, do you plan to establish a TRC?*



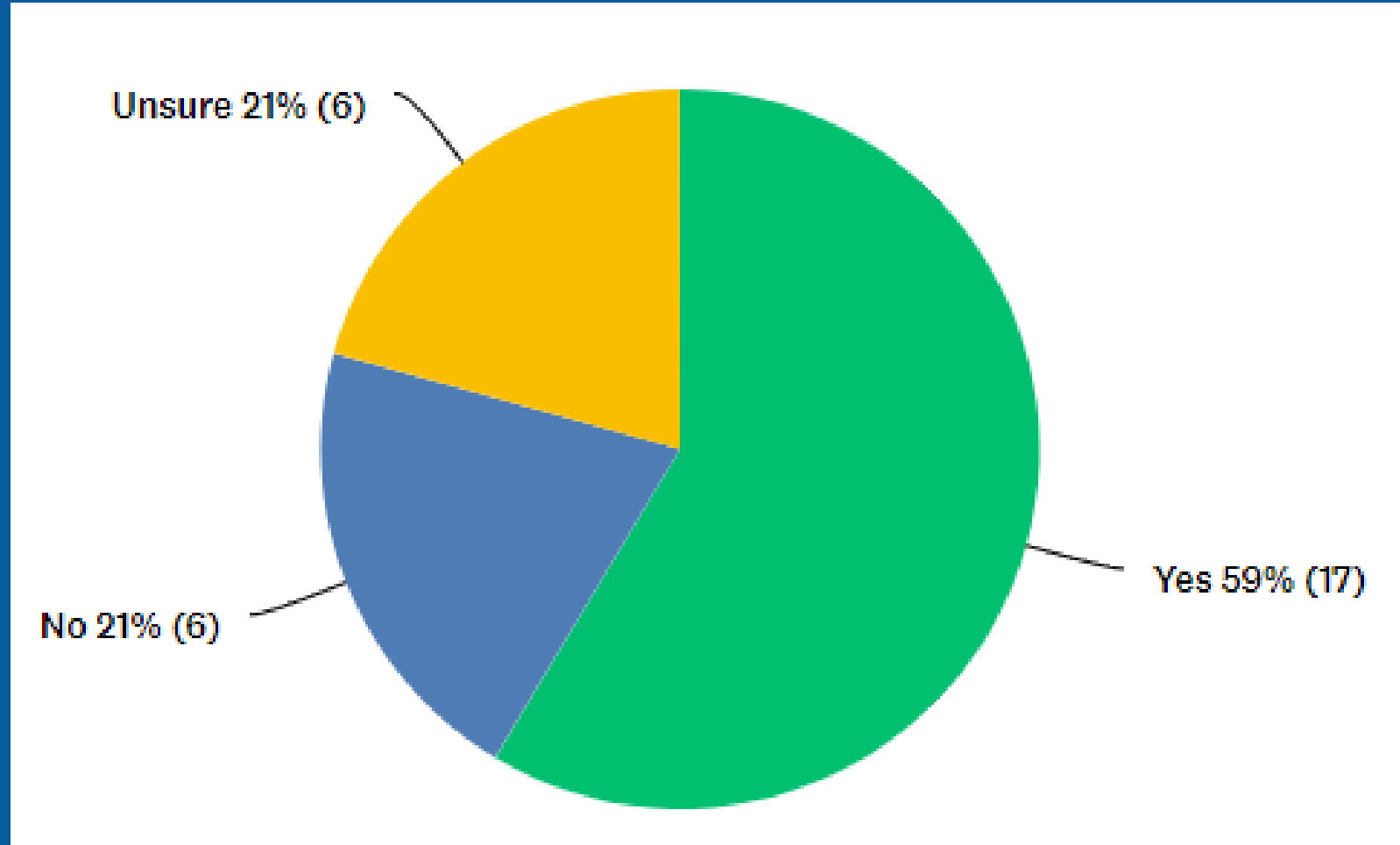
Q11: *If you answered "yes," who will be members on the TRC?*

- **Administrative officer**
- **Zoning board member**
- **Planning board member**
- **Engineer**
- **Planner**
- **Building official**
- **Fire**
- **Police**
- **HDC member**
- **Conservation Commission**
- **Water superintendent**
- **Wastewater treatment manager**
- **Other experts as needed**
- **All are resident volunteers appointed by Planning Board**
- **Applicants?**

Q11: *How are meetings of the TRC going to be noticed and held?*

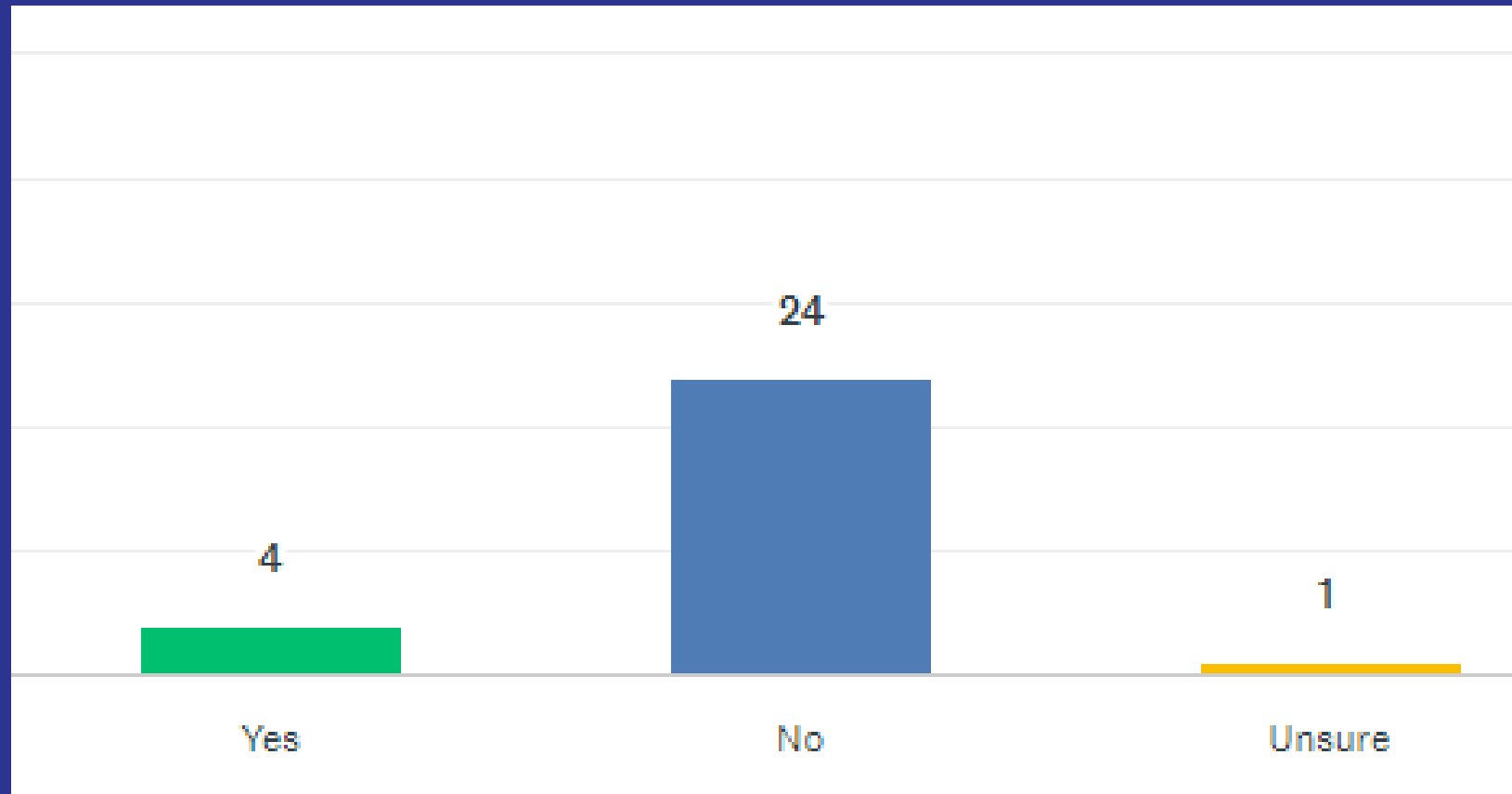
- **Same as other meetings**
- **Open Meetings Act/48 hours in advance**
- **Maybe meet once/month**
- **Already meet once/month (three responses)**
- **Plan to livestream meetings**
- **Possible notice to abutters within 200 feet**
- **Will not accept verbal public comments at meeting, only written comments in advance**
- **Findings are advisory to Planning Board**
- **Still working on this**

Q12: *Is your municipality using development plan review (DPR) under the updated state law?*



Q13: H 6081 SUB A amends the LMH Act to modify the procedures for review and approval of comprehensive permits (eliminates master plan phase).

Has your municipality made amendments to the procedures for review and approval of comprehensive permits?

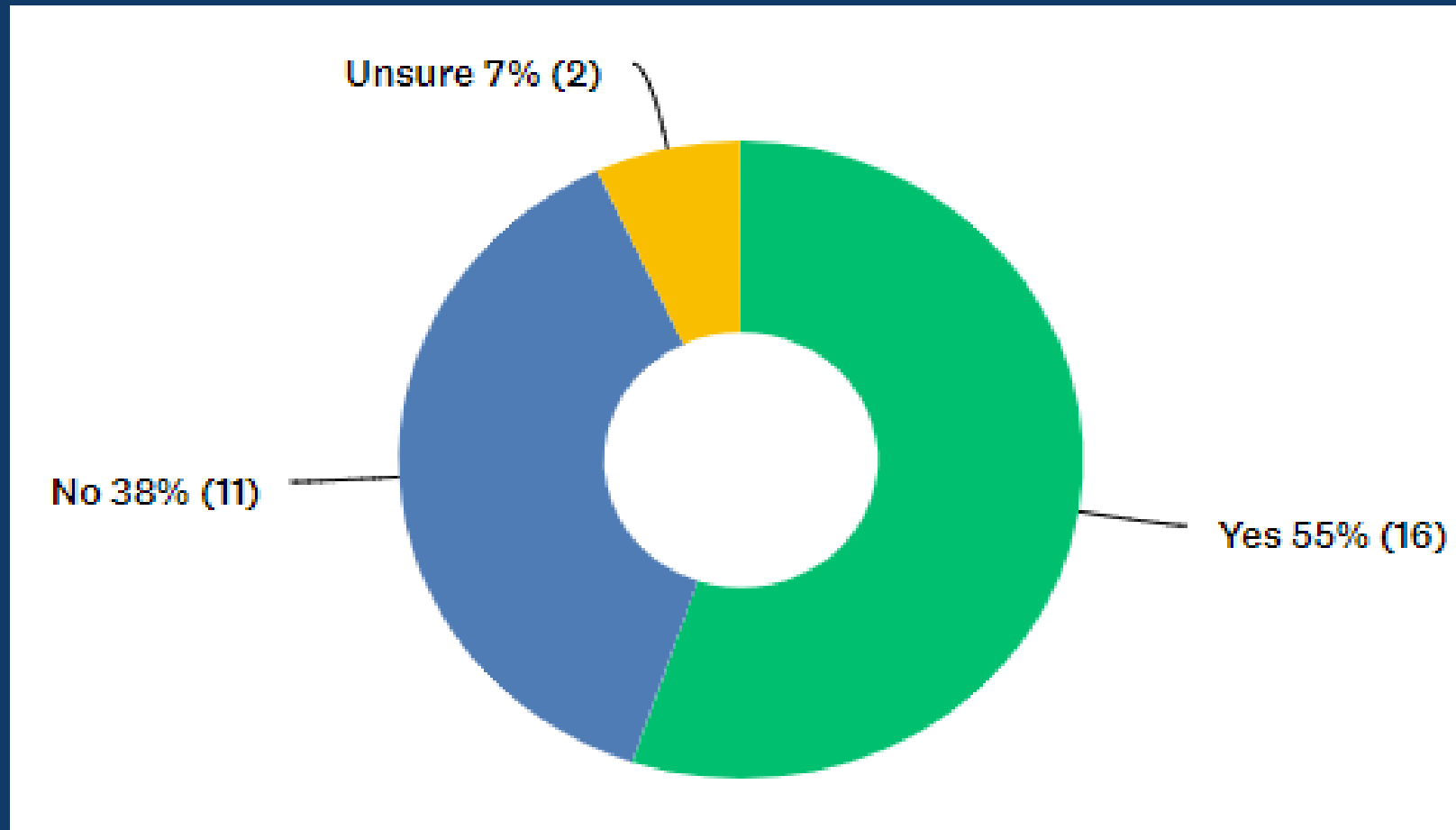


Q14: H 6081 SUB A

If not, why?

1. will
2. January
3. 2024
4. January
5. time
6. update
7. Public Hearing
8. made
9. modifications
10. December
11. adopted
12. Amendments

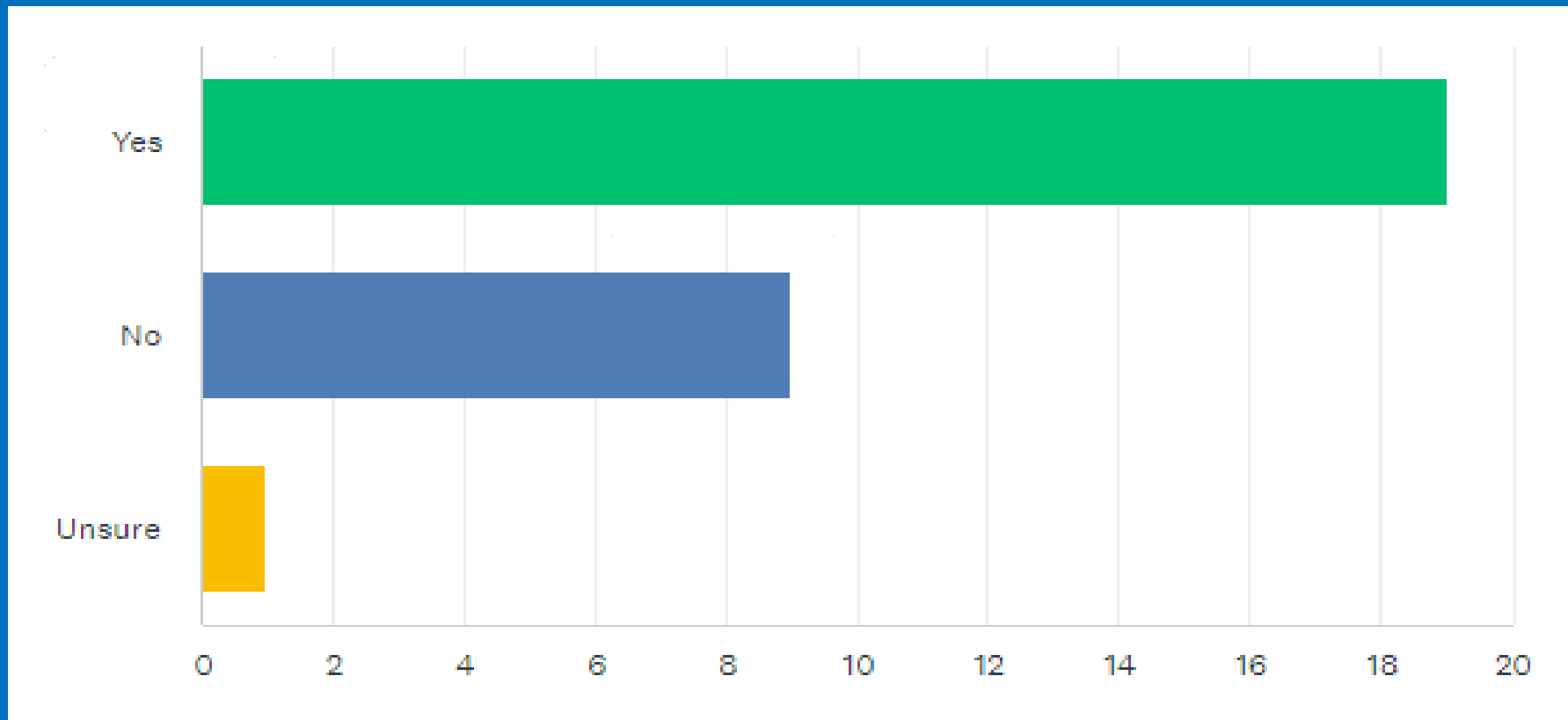
Q15: H 6085 SUB A amends the Comprehensive Planning Act to require zoning compliance within eighteen (18) months of adoption. Has your municipality made any efforts to make zoning consistent with your approved comprehensive plan?



Q16: H 6090 SUB A

House Bill No. 6090 SUB A allows the adaptive reuse of commercial and institutional buildings to residential as a permitted use.

Has your municipality drafted an ordinance to set standards for adaptive reuse?



Q17:

Do you have comments on these bills, any other bills, or on the 2023 legislative session in general?

1. time

2. zoning

3. staff

4. municipalities

5. work

6. need

7. state

8. will

9. towns

Q17: *Do you have comments on these bills, any other bills, or on the 2023 legislative session in general?*

- These changes require more time to be properly implemented
- Will result in poorly-written ordinances and litigation
- The legislative process is the problem; legislation will continue to suffer until the process improves
- Need more time, deadline is too tight, timeframe is unrealistic, overwhelmed staff
- Huge lift for volunteer planning boards
- One size does not fit all
- Hiring a consultant takes time and the timeframe does not allow for it
- Boards (and applicants) need to be educated before implementation
- BIG thanks to APA RI Legislative Committee members; your tracking and participation is helping planners across the state.

Q17: *Comments, continued*

- The ADU law needs some tweaks; refer to the recommendations from the last legislative session that were not considered by the General Assembly
- The thresholds for minor land development and minor subdivision (up to 9 lots) are much too high for the rural and even suburban communities. Moving these projects to administrative review is inappropriate.
- Unfunded mandates should be avoided.
- The LUC, housing commission, and APA, at the very least, need to be better integrated.
- Ten percent affordability does not make sense for every community from environmental, infrastructure, economic, social amenity, transportation, community character, land use, etc.

What's Next for 2024

- Statewide Planning, APA RI, and The League will continue to assist municipal efforts in a meaningful way
- How can municipal planners and their boards be more involved in legislation?
 - Join the monthly meetings of the APA-RI Legislative Committee
 - Talk to your legislators!