



March 3, 2026

Honorable Chairman Stephen M. Casey  
House Municipal Government and Housing Committee  
Rhode Island State House  
Providence, RI 02903

RE: H 8003 – An Act Relating to Towns and Cities – Rhode Island Comprehensive Planning and Land Use Act

Dear Chairman Casey and Committee Members:

Please accept the following comments from our organization, the RI Chapter of the American Planning Association, regarding this bill, which amends the existing statutes for the Comprehensive Planning process to exempt adaptive re-use projects located on state-owned land from conforming to state guide plans and local comprehensive plans that are valid and in effect. While APA-RI has supported the introduction of adaptive re-use as a tool to facilitate the re-development of dormant assets, this bill suffers from many technical issues that hinder the laudable intent of streamlining the re-development of state-owned facilities. APA-RI opposes this bill for the following reasons:

First and foremost, APA-RI opposes the creation of a specific carve-out from compliance with state and local long range planning documents. The comprehensive planning program is a state-mandated process that binds state agencies to conform with local comprehensive plans (which, themselves, must conform to the State Guide Plan, the state’s own long range planning documents). It would be imprudent for the legislature to arbitrarily discard the existing layers of long range planning that have existed for decades and remove land use regulation decisions from municipalities in which they are located. There is no clear reason for why this carve-out is proposed.

Secondly, the state-owned facilities that could be developed under this proposed process are *already allowed* to utilize adaptive re-use. Rather than providing any additional expediency to the existing pathway allowed under adaptive re-use, the process laid out in this bill would actually take *longer* than the existing adaptive re-use statutes already allow. No expediency in review is gained by this bill.

Thirdly, this bill also contains technical flaws that would hamper re-development. These provisions are to be applied to “any adaptive re-use project on state-owned *vacant* land”. A vacant parcel would not qualify for adaptive re-use; a vacant parcel contains nothing to adapt or re-use. If the intent is to re-develop vacant *buildings*, references to “vacant land” should be removed.

Also, for the amendments proposed on Page 2 of the bill, what is the purpose of the “determination” to be made by the State Planning Council with respect to conformance with the local comprehensive plan and zoning ordinance? Based upon the text of the bill, this determination has no apparent bearing on whether a project may be rejected or approved. When is this determination supposed to take place relative to the construction of the project? Which party is responsible for paying for the “experts” under (g)(1)(iii) to gather the relevant information? What happens if negative findings are made with

respect to those issues? Again, the bill does not make clear what effect a positive or negative determination by the State Planning Council would have on a project.

We would like to affirm our support for the adaptive re-use tool in general, however the proposed exemption from conformity with local comprehensive plans is an unnecessary provision that weakens the comprehensive plan process. We recommend that any potential projects that may have utilized this new process instead be submitted under adaptive re-use statutes that exist today, forgoing the 60 day determination delay and additional costs associated with the provisions of proposed section (g)(1) of the bill, and that the validity of state and local planning documents remain in effect as is consistent with existing law under RIGL 45-22.2.

Thank you for your time and consideration.

Sincerely,

Sean Henry & Gregory Guertin  
Legislative Committee Co-Chairs

cc RI League of Cities and Towns