

**Testimony from Jordan Day, Policy Director
H 7095 – Relating to Towns and Cities – Small Business – Zoning Ordinances
House Committee on Small Business – February 3, 2022**

Thank you, Madam Chair and members of the committee, for the opportunity to share our thoughts on H 7095. While we appreciate Chairwoman McEntee’s interest in supporting restaurants and bars, we believe that this legislation would undermine local governments’ ability to enact zoning ordinances and requirements that balance the need of all residents and businesses.

Throughout the pandemic, cities and towns have worked hard to support local businesses, especially restaurants and bars. They passed emergency orders and ordinances to allow greater flexibility in outdoor dining, modified hours, reduced parking requirements and other accommodations. Many communities received grant funding through the Commerce Corporation to purchase heat lamps, barriers and other equipment so that food establishments and retail businesses could operate in extremely challenging conditions. Local officials recognize that vibrant small businesses are key to a thriving economy and have approached shared challenges with flexibility, creativity and a collaborative approach.

As more Rhode Islanders have been vaccinated and venue capacity limits have been relaxed, city and town leaders have continued to work with their local businesses to promote economic development. Many communities had proactively extended outdoor dining to support their restaurants prior to the passage of H 6119 in 2021. However, we also heard cases where a moratorium on zoning enforcement could create headaches for communities. For example, if a restaurant converted its parking lot to a dining area and continued to use it for that purpose after indoor dining is fully restored, capacity would exceed 100% of the original permitted use. Those diners would not have dedicated parking, creating greater demand in commercial districts, increased congestion and impacts on neighbors

Rather than further extend this state mandate that pre-empts local control, we encourage members of the General Assembly to work with their individual cities and towns and food establishments to encourage creative and flexible zoning decisions that meet the needs of all businesses and residents. Thank you for your consideration of our views.