



March 7, 2023

The Honorable Carol Hagan-McEntee, Chairwoman  
House Committee on Small Business  
RI House of Representatives  
82 Smith Street  
Providence, RI 02903

RE: H-5264 Sub A – An Act Relating to Towns and Cities – Zoning Ordinances

Dear Representative McEntee and Members of the Committee:

Thank you for the opportunity for the RI Chapter of the American Planning Association (APA-RI), to comment on this legislation. Our organization has supported the “take-it-outside” initiative since its use as an emergency procedure during the COVID-19 pandemic. The allowances made for food service establishments to carry on through outdoor dining during such an adverse time was a saving grace for them as well as their clientele. We have supported the emergency moratorium on the application of municipal restrictions, and its extension, each year the bills have been proposed.

Although we support options to allow businesses to utilize outdoor seating and other workspaces to continue on a permanent basis, we did have some concerns with the original bill submitted this session, specifically portions of the proposed “Outdoor Dining Act” dealing with definitions and regulations. However, APA-RI fully supports H-5264A, which grants an extension of the emergence declaration modifications to February 15, 2024.

In the interim, local planners and building officials are prepared to assist our restaurants and other business establishments through the process of gaining permanent approvals for the added seating and expanded service areas they have utilized during the pandemic.

Again, APA-RI fully supports the adoption of necessary procedures, in compliance with state and local codes, to bring temporary structures up to standard for permanent placement to help our local businesses thrive.

Thank you for your time and consideration. APA-RI stands ready to assist in perfecting this important legislation in any way we can.

Sincerely,

A handwritten signature in blue ink that reads "Michael DeLuca". The signature is fluid and cursive, with the first name "Michael" and last name "DeLuca" clearly distinguishable.

Michael DeLuca, AICP, APA-RI Legislative Committee

CC: Jordan Day, RI League of Cities and Towns