



January 19, 2023

Thomas Deller, Chair
Special Legislative Commission to Study Entire Area of Land Use

Re: LUC Working Group Consolidated Recommendations

Dear Chairman Deller and Members of the Commission:

On behalf of the Housing Network of Rhode Island I am writing to provide support and comments on the Commission's Consolidated Recommendations from its four working groups convened last year.

The Housing Network of Rhode Island is the State's trade association of 16 nonprofit community development agencies across Rhode Island. Our members have built tens of thousands of affordable homes across the state and are committed to economic development and creating vibrant communities in RI. The work our members do is intrinsically affected by land use policy, and each of them has a story about challenges experienced because of land use regulations and zoning. We are appreciative of the Commission's efforts to respond to the charge and promote land use policy that is more equitable, sustainable, and pro-housing. My comments on the recommendations are below, organized by summary document heading.

Development Review – Procedural Changes

We support these recommendations overall as they make sense and serve to streamline the process providing standardization and predictability for both applicants and municipalities. Creating better efficiency is important as a cost-saving measure and to improve the project delivery time from concept to construction. In addition, these recommendations eliminate subjective criteria and minimize burdensome processes.

- One item of note we wish to highlight is that in streamlining the process for "by-right" development, we may see an increase in development activity. It is important to ensure that municipalities are prepared with adequate staff to accommodate workflows that were previously delegated and spread out.
- We support the recommendation to allow transfer of development rights statewide but caution that this standard must be applied in a balanced approach across all types of development.

Systemic Changes

We largely support these recommendations as they achieve improved efficiency and much needed "modernization" to the processes.

- The State Guide Plan elements and long-range planning must intentionally include diverse stakeholder engagement and should align to other existing State plans.
- Grants and technical assistance to municipalities should incorporate requirements and/or metrics to ensure that the city or towns' proposed activities align to implementation and

advancement of State goals and priorities. It is important for accountability to be built into the grant / TA process so that it is not only "popular" activities that receive attention or funding.

- In the recommendation for establishing developer fees to support planning activities, the fee should be equitable and account for the cash flow of the final project in its assessment. This is an area where the devil will be in the details.
- We oppose any revisions to the Real Estate Conveyance Tax formula that would reduce the share of tax allocated to housing.
- In both the recommendations for the developer fee and funding source for planning activities, we emphasize that the supported activities should align to State articulated goals and priorities and there must be a balanced approach to how activities are implemented.

Changes to encourage housing development

We support these recommendations which encourage the State to lean in to more pro-housing policies.

Comprehensive plan

We agree that Comprehensive Plans should be evaluated with more frequency; we also posit that there should be improvements to the review process that hold Plans to higher standards and a process for challenging Plans that do not adequately demonstrate implementation of State goals. There may also be a need to consider repercussive actions for expired Comp Plans.

Statute clarification

These are hugely helpful recommendations to clarify the statute language that we support. The Commission and the Legislature may also consider the addition of racial equity impact statements into enabling legislation, to better crystallize how land use policies may advance racial equity or exacerbate inequity in Rhode Island communities.

Other related concerns

Some thought should be given to supporting water and sewer infrastructure to accommodate increased development, including the provision of resources to incentivize (or if need be require) expansion of existing systems where environmentally feasible. One suggestion is to look at enabling residential developments that are within a reasonable distance of an existing water or sewer system but in a different municipality (i.e. "just over the border") to tie in to that system with a formula-based impact fee assessment.

Thank you for the opportunity to share these comments. I am available to answer any questions and happy to support the work of the Commission as needed. I can be reached at 401-721-5680 x 104 or mlodge@housingnetworkri.org.

Respectfully,



Melina Lodge
Executive Director, HNRI and RI Community Housing Land Trust

CC: Christine O'Connor, Policy Analyst, RI House of Representatives