

2021 -- H 5128

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO TOWNS AND CITIES - ZONING ORDINANCES

Introduced By: Representative David A. Bennett

Date Introduced: January 25, 2021

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 45-24 of the General Laws entitled "Zoning Ordinances" is hereby
2 amended by adding thereto the following section:

3 **45-24-46.5. Special provision - Residential density.**

4 For all property in which a municipality allows for conservation, industrial, commercial,
5 or manufacturing use, including, but not limited to, solar installations, to be constructed or situated
6 on land suitable for development located within a residential zone, that municipality shall, within
7 six (6) months of the final approval of that use provide for the ability to replace the lost residential
8 density of the property supplanted by the new use, by allowing increased residential density on
9 other properties in the municipality in locations which the municipality determines are most
10 suitable, with preference given to areas with supportive water, sewer, storm water, and
11 environmentally protective infrastructure.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO TOWNS AND CITIES - ZONING ORDINANCES

1 This act would provide for the preservation of housing density within a community when
2 a municipality situates alternative uses within a residential zone. Transferal of the residential
3 density would be to locations at the discretion of the municipality, with preference given to areas
4 with supportive water, sewer, storm water, and environmentally protective infrastructure.

5 This act would take effect upon passage.

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