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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO TOWNS AND CITIES

Introduced By: Senators Sosnowski, Conley, Walaska, Ottiano, and Archambault

Date Introduced: February 25, 2015

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-22.2-6 of the General Laws in Chapter 45-22.2 entitled "Rhode
2 Island Comprehensive Planning and Land Use Act" is hereby amended to read as follows:

3 **45-22.2-6. Required content of a comprehensive plan.** -- (a) The comprehensive plan
4 must utilize a minimum twenty (20) year planning timeframe in considering forecasts, goals, and
5 policies.

6 (b) The comprehensive plan must be internally consistent in its policies, forecasts, and
7 standards, and shall include the content described within this section. The content described in
8 subdivisions (1) through (10) may be organized and presented as deemed suitable and appropriate
9 by the municipality. The content described in subdivisions (11) and (12) must be included as
10 individual sections of the plan.

11 (1) Goals and policies. - The plan must identify the goals and policies of the municipality
12 for its future growth and development and for the conservation of its natural and cultural
13 resources. The goals and policies of the plan shall be consistent with the goals and intent of this
14 chapter and embody the goals and policies of the state guide plan.

15 (2) Maps. - The plan must contain maps illustrating the following as appropriate to the
16 municipality:

17 (i) Existing conditions:

18 (A) Land use, including the range of residential housing densities;

19 (B) Zoning;

- 1 (C) Key infrastructure such as, but not limited to, roads, public water, and sewer;
- 2 (D) Service areas for public water and sewer;
- 3 (E) Historical and cultural resource areas and sites;
- 4 (F) Open space and conservation areas (public and private); and
- 5 (G) Natural resources such as, but not limited to, surface water, wetlands, floodplains,
- 6 soils, and agricultural land;
- 7 (ii) Future land use illustrating the desired patterns of development, density, and
- 8 conservation as defined by the comprehensive plan; and
- 9 (iii) Identification of discrepancies between future land uses and existing zoning use
- 10 categories.
- 11 (3) Natural resource identification and conservation. - The plan must be based on an
- 12 inventory of significant natural resource areas such as, but not limited to, water, soils, prime
- 13 agricultural lands, forests, wildlife, wetlands, aquifers, coastal features, and floodplains. The plan
- 14 must include goals, policies, and implementation techniques for the protection and management
- 15 of these areas.
- 16 (4) Open space and outdoor recreation identification and protection. - The plan must be
- 17 based on an inventory of outdoor recreational resources, open space areas, and recorded access to
- 18 these resources and areas. The plan must contain an analysis of forecasted needs, policies for the
- 19 management and protection of these resources and areas, and identification of areas for potential
- 20 expansion. The plan must include goals, policies, and implementation techniques for the
- 21 protection and management of existing resources and acquisition of additional resources if
- 22 appropriate.
- 23 (5) Historical and cultural resources identification and protection. - The plan must be
- 24 based on an inventory of significant historical and cultural resources such as historical buildings,
- 25 sites, landmarks, and scenic views. The plan must include goals, policies, and implementation
- 26 techniques for the protection of these resources.
- 27 (6) Housing. - The plan must include the identification of existing housing patterns, an
- 28 analysis of existing and forecasted housing needs, and identification of areas suitable for future
- 29 housing development or rehabilitation. The plan shall include an affordable housing program that
- 30 meets the requirements of § 42-128-8.1, the "Comprehensive Housing Production and
- 31 Rehabilitation Act of 2004" and chapter 45-53, the "Rhode Island Low and Moderate Income
- 32 Housing Act". The plan must include goals and policies that further the goal of subdivision 45-
- 33 22.2-3(c)(3) and implementation techniques that identify specific programs to promote the
- 34 preservation, production, and rehabilitation of housing.

1 (7) Economic development. - The plan must include the identification of existing types
2 and patterns of economic activities including, but not limited to, business, commercial, industrial,
3 agricultural, and tourism. The plan must also identify areas suitable for future economic
4 expansion or revitalization. The plan must include goals, policies, and implementation techniques
5 reflecting local, regional, and statewide concerns for the expansion and stabilization of the
6 economic base and the promotion of quality employment opportunities and job growth.

7 (8) Services and facilities. - The plan must be based on an inventory of existing physical
8 infrastructure such as, but not limited to, educational facilities, public safety facilities, libraries,
9 indoor recreation facilities, and community centers. The plan must describe services provided to
10 the community such as, but not limited to, water supply and the management of wastewater,
11 storm water, and solid waste. The plan must consider energy production and consumption. The
12 plan must analyze the needs for future types and levels of services and facilities, including, in
13 accordance with § 46-15.3-5.1, water supply system management planning, which includes
14 demand management goals as well as plans for water conservation and efficient use of water
15 concerning any water supplier providing service in the municipality, and contain goals, policies,
16 and implementation techniques for meeting future demands.

17 (9) Circulation/Transportation. - The plan must be based on an inventory and analysis of
18 existing and proposed major circulation systems, including transit and bikeways; street patterns;
19 and any other modes of transportation, including pedestrian, in coordination with the land use
20 element. Goals, policies, and implementation techniques for the provision of fast, safe, efficient,
21 and convenient transportation that promotes conservation and environmental stewardship must be
22 identified.

23 (10) Natural hazards. - The plan must include an identification of areas that could be
24 vulnerable to the effects of sea-level rise, flooding, storm damage, drought, or other natural
25 hazards. Goals, policies, and implementation techniques must be identified that would help to
26 avoid or minimize the effects that natural hazards pose to lives, infrastructure, and property.

27 (11) Land use. - In conjunction with the future land use map as required in subdivision
28 45-22.2-6(b)(2)(ii), the plan must contain a land use component that designates the proposed
29 general distribution and general location and interrelationships of land uses including, but not
30 limited to, residential, commercial, industrial, open space, agriculture, recreation facilities, and
31 other categories of public and private uses of land. [The land use component must include a
32 process by which accessory agriculture operations defined in § 2-23-4 may be permitted. The
33 process shall include standards for identifying eligible accessory agriculture operations. Until a
34 municipality adopts such standards, all proposed accessory activities shall be approved or denied](#)

1 [based upon guidelines prepared in 2012 by the Rhode Island department of environmental](#)
2 [management and set forth in the community guidance to maintain working farms and forests](#)
3 [report.](#) The land use component shall be based upon the required plan content as stated in this
4 section. It shall relate the proposed standards of population density and building intensity to the
5 capacity of the land and available or planned facilities and services. The land use component must
6 contain an analysis of the inconsistency of existing zoning districts, if any, with planned future
7 land use. The land use component shall specify the process and schedule by which the zoning
8 ordinance and zoning map shall be amended to conform to the comprehensive plan and shall be
9 included as part of the implementation program.

10 (12) Implementation program.

11 (i) A statement which defines and schedules the specific public actions to be undertaken
12 in order to achieve the goals and objectives of each component of the comprehensive plan.
13 Scheduled expansion or replacement of public facilities, and the anticipated costs and revenue
14 sources proposed to meet those costs reflected in a municipality's capital improvement program,
15 must be included in the implementation program.

16 (ii) The implementation program identifies the public actions necessary to implement the
17 objectives and standards of each component of the comprehensive plan that require the adoption
18 or amendment of codes and ordinances by the governing body of the municipality.

19 (iii) The implementation program identifies other public authorities or agencies owning
20 water supply facilities or providing water supply services to the municipality, and coordinates the
21 goals and objectives of the comprehensive plan with the actions of public authorities or agencies
22 with regard to the protection of watersheds as provided in § 46-15.3-1, et seq.

23 (iv) The implementation program must detail the timing and schedule of municipal
24 actions required to amend the zoning ordinance and map to conform to the comprehensive plan.

25 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

1 This act would require municipalities to include in their comprehensive plans a process
2 by which accessory agricultural operations may be permitted and to include standards for
3 identifying eligible accessory agricultural operations.

4 This act would take effect upon passage.

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