

**BEST PRACTICES AND EXAMPLES**  
**ZONING ORDINANCES ([H 6059A/S 1032](#))**  
**§RIGL 45-24**

**Note:** The citations and examples provided identify practices that have already been established or enacted in Rhode Island and beyond, and may not match Rhode Island’s statutes precisely. They are offered as they relate to the ranges of flexibility and opportunities that are being taken across the country.

Topic	Source/Year	Link	Resource Summary	Best Practice Summary/Geo/Examples
Substandard lots of record (45-24-38)	City of Cranston, RI (2021)	<a href="https://www.dropbox.com/scl/fi/wlplg15tpyuraewz4bopw/Substandard-Lots-of-Records-Slides-1.20.21.pdf?rlkey=3et3nylytkxwdjsf1kgo9rf8q&amp;dl=0">https://www.dropbox.com/scl/fi/wlplg15tpyuraewz4bopw/Substandard-Lots-of-Records-Slides-1.20.21.pdf?rlkey=3et3nylytkxwdjsf1kgo9rf8q&amp;dl=0</a> (loaded to Dropbox in order to create link; otherwise can only find by searching and file automatically downloads)	Cranston City Plan Commission workshop on substandard lots of record	<p><b>Solutions Proposed:</b></p> <ul style="list-style-type: none"> <li>• Clarify lot merger language &amp; existing exemption clause;</li> <li>• Provide reasonable provisions for existing substandard lots of record to be developed.</li> </ul> <p><b>Benefits:</b></p> <ul style="list-style-type: none"> <li>• Pro-business;</li> <li>• Effective &amp; lean government;</li> <li>• Reasonable accommodations for development</li> </ul>
	City of Cranston, RI (2021)	<a href="https://library.municode.com/ri/cranston/codes/code_of_ordinances?nodeId=CO_TIT17ZO_CH17.88NOUSST_17.88.010SULORELOME">https://library.municode.com/ri/cranston/codes/code_of_ordinances?nodeId=CO_TIT17ZO_CH17.88NOUSST_17.88.010SULORELOME</a>	Ordinance City of Cranston passed regarding substandard lots of record	Provides details for lot mergers.
	Housing Toolbox for MA website (developed by CHAPA & MHP)	<a href="https://www.housingtoolbox.org/zoning-and-land-use/land-use">https://www.housingtoolbox.org/zoning-and-land-use/land-use</a>	Overview of various zoning techniques to allow for more housing, including brief discussion of substandard lots	Lots having less than the prescribed minimum frontage, width, yard, or depth requirements may be appropriate for affordable housing development, as long as the resulting use is not detrimental to the neighborhood. These sites often languish in tax-title and are eventually put into conservation without any consideration of alternative uses. Because such properties are sometimes suitable for development, communities are selectively developing the most appropriate ones for affordable housing. Approval for such development is typically granted by the local Special Permit Granting Authority (the planning board or the zoning board of appeals).
	Brownstein Hyatt Farber Schrek, LLP (2019)	<a href="https://www.law.du.edu/documents/rmlui/conference/powerpoints/2019/Quander-Caitlin-Structures-and-Uses.pdf">https://www.law.du.edu/documents/rmlui/conference/powerpoints/2019/Quander-Caitlin-Structures-and-Uses.pdf</a>	Training presentation for Denver Community Development & Planning and City of Glenwood Springs, CO on Conforming & Nonconforming Uses, Lots, and Structures	Use nonconformity designations, along with zoning, to shape areas over the long-term to match municipal planning documents and redevelopment goals.
	Strong Towns website (2/14/2019)	<a href="https://www.strongtowns.org/journal/2019/2/14/savor-your-small-parcels-and-create-more-of-them">https://www.strongtowns.org/journal/2019/2/14/savor-your-small-parcels-and-create-more-of-them</a>	Article explaining benefits of small “substandard” lots	1. Look at your historic pattern, and use those “substandard” lots as the new standard. When you have the opportunity for new platting, use the small-lot approach.

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				<p>2. Urban boosters would be wise to study the work of greenfield New Urbanist projects and apply those lessons to redeveloping locations. Many of these projects are 20-30 years old, and present compelling lessons learned for planning and development in any location.</p>
<p>Variances (45-24-41)</p>	<p><i>Form used by City of Atlanta Office of Zoning and Development, June 2022</i></p>	<p><a href="https://www.atlantaga.gov/home/showpublisheddocument/56983/638017817639170000">https://www.atlantaga.gov/home/showpublisheddocument/56983/638017817639170000</a></p>	<p>Example of application including a checklist for Board of Zoning adjustment variances and special exceptions. Details the criteria for each.</p>	<p>Example only.</p>
	<p><i>APA article (PAS QuickNotes No. 38) (2012)</i></p>	<p><i>Zoning Ordinance Variances</i>  <a href="https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2112716">https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2112716</a>                      (Use "Download this Paper button in upper left to access; also accessible from APA website with membership)</p>	<p>A PAS QuickNotes publication of the American Planning Association developed to explain planning fundamentals for public officials and engaged citizens.</p>	<p>"A variance is granted to render justice where the strict application of a zoning ordinance results in a hardship for a property owner."</p>
	<p>Topical article (2021):</p>	<p><i>Zoning Variances Offer Relief Under Unique Circumstances</i>  <a href="https://www.useful-community-development.org/zoning-variances.html">https://www.useful-community-development.org/zoning-variances.html</a></p>	<p>Article explaining when zoning variances should be granted.</p>	<p>If the hardship is not unique, and other property owners have the same situation, the theory says, the <b>zoning regulations</b> themselves should be changed rather than having property owners seek exceptions on a case-by-case basis. Planning commissioners should examine the record of variances granted periodically; if there is a recurring pattern of approval of a certain type of variance, the commission should discuss whether the ordinance needs to be changed.</p>
<p>Special Use Permit (45-24-42)</p>	<p>Town of Bristol, NH website</p>	<p><a href="https://www.bristolnh.gov/sites/g/files/vyhli2866/f/uploads/cc_sup_checklist_criteria_for_decision.pdf">https://www.bristolnh.gov/sites/g/files/vyhli2866/f/uploads/cc_sup_checklist_criteria_for_decision.pdf</a></p> <p><a href="https://www.bristolnh.gov/sites/g/files/vyhli2866/f/uploads/cc_sup_checklist_fillable.pdf">https://www.bristolnh.gov/sites/g/files/vyhli2866/f/uploads/cc_sup_checklist_fillable.pdf</a></p>	<p>Checklists for special use permits for Bristol, NH's Conservation Commission</p>	<p>Example checklists.</p>
<p>Modification (45-24-46)</p>	<p>Fairfax County, VA (2017)</p>	<p><a href="https://www.fairfaxcounty.gov/planningcommission/sites/planningcommission/files/assets/documents/pdf/lupr/zmod%20minor%20modifications%20amendment.pdf">https://www.fairfaxcounty.gov/planningcommission/sites/planningcommission/files/assets/documents/pdf/lupr/zmod%20minor%20modifications%20amendment.pdf</a></p>	<p>Zoning Ordinance Modernization Project slide presentation: Minor Modifications Amendments: The proposed amendment adds flexibility to the</p>	<p><b>Minor Modifications by the Zoning Administrator</b>                      The proposed amendment continues to allow the</p>

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			current Ordinance to allow additional minor changes to rezonings, special exceptions and special permits to be considered and approved without the requirement of a formal zoning amendment application	Zoning Administrator to permit certain administrative changes as “Minor Modifications” provided that they are in substantial conformance with the approval, remain true to the intent of the approved proffers or development conditions, and do not adversely impact the adjacent properties. It would add more staff flexibility to the existing provisions in five areas: <ol style="list-style-type: none"> <li>1. Increases in building height up to 10 feet and increases in percentages of rooftop coverage for solar collectors and other innovative energy and environmental technologies</li> <li>2. Allow reductions in setback dimensions up to 10%</li> <li>3. Excludes any incidental increase in interior space created by the replacement of a façade material on an existing building from gross floor area</li> <li>4. Allow changes to color and typeface of signs to be considered as long as the character of sign is not changed</li> <li>5. Increases the allowable size for minor building additions and simplifies the provisions</li> </ol>
	Santa Barbara, CA (12/14/2020)	<a href="https://santabarbaraca.gov/sites/default/files/documents/Services/Planning%20Handouts%20-%20updated/Modifications.pdf">https://santabarbaraca.gov/sites/default/files/documents/Services/Planning%20Handouts%20-%20updated/Modifications.pdf</a>	Zoning Modifications Supplemental Application: Includes General Information; Modifications Findings; and Modifications Intent Statement	Example only
General	Town of Bristol, NH website	<a href="https://www.bristolnh.gov/sites/g/files/vyhlf2866/f/uploads/zba_checklist_2020.pdf">https://www.bristolnh.gov/sites/g/files/vyhlf2866/f/uploads/zba_checklist_2020.pdf</a>	Checklist for Zoning Board for Bristol, NH	Example only
	State of Vermont and Vermont Public, June 2023	<i>Bill Status S.100 (Act 47) (vermont.gov)</i> <a href="https://legislature.vermont.gov/bill/status/2024/S.100">https://legislature.vermont.gov/bill/status/2024/S.100</a> <i>Vermont housing bill becomes law, easing rules for some new construction amid home shortage</i> <a href="http://www.vermontpublic.org/local-news/2023-06-06/vermont-housing-bill-becomes-law-easing-rules-for-some-new-construction-amid-home-shortage">www.vermontpublic.org/local-news/2023-06-06/vermont-housing-bill-becomes-law-easing-rules-for-some-new-construction-amid-home-shortage</a>	Bill text and article describing recent zoning reform in the state of Vermont, where Governor Phil Scott signed a housing bill into law changing Act 250 rules.	In 2023, the Rhode Island General Assembly significantly amended the laws overseeing these main components of land use with the intention of streamlining residential development, in particular. In some cases, the laws increase minimums and ease the local regulatory process for such development. Their actions are reflective of many state legislatures around the country approach to what is being termed “zoning reform” more broadly. In New England, both Vermont and Maine passed sweeping legislation in 2022 and 2023.

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	State of Maine, 2022	<i>Housing Legislation LD 2003 - Southern Maine Planning and Development Commission</i> <a href="https://smpdc.org/ld2003">https://smpdc.org/ld2003</a>	Website with summaries and other information related to recent zoning reform in the state of Maine.	(See above)
	American Planning Association website (planning.org)	<i>Zoning Reform:</i> <a href="https://www.planning.org/policy/priorities/zoning-reform/">https://www.planning.org/policy/priorities/zoning-reform/</a> <i>Housing Supply Accelerator:</i> <a href="https://www.planning.org/housing-supply-accelerator">https://www.planning.org/housing-supply-accelerator</a> <i>(Press Release) Partnership to Accelerate &amp; Incentivize Diverse Housing Supply Announced:</i> <a href="https://www.planning.org/blog/9263512/partnership-to-accelerate-and-incentivize-diverse-housing-supply-announced/">https://www.planning.org/blog/9263512/partnership-to-accelerate-and-incentivize-diverse-housing-supply-announced/</a> <i>Advocating for Zoning Reform:</i> <a href="https://planning.org/blog/9216478/advocating-for-zoning-reform/">https://planning.org/blog/9216478/advocating-for-zoning-reform/</a> <i>Planners Can Lead the Zoning Reform Movement:</i> <a href="https://planning.org/planning/2022/spring/planners-can-lead-the-zoning-reform-movement/">https://planning.org/planning/2022/spring/planners-can-lead-the-zoning-reform-movement/</a> <i>Three Bold Proposals for Zoning Reform:</i> <a href="https://planning.org/blog/9226980/three-bold-proposals-for-zoning-reform/">https://planning.org/blog/9226980/three-bold-proposals-for-zoning-reform/</a>	Collection of articles and information from the American Planning Association describing the need for zoning reform and the role that planning officials can play.	The American Planning Association has noted that planners are at the forefront of zoning reform like the changes being implemented here in RI—both in helping define them and navigating the local impacts.  These resources can provide broader context, especially for local planning/zoning boards.
	US EPA website	<i>Codes That Support Smart Growth Development</i> <a href="https://www.epa.gov/smartgrowth/codes-support-smart-growth-development">https://www.epa.gov/smartgrowth/codes-support-smart-growth-development</a>	Collection of examples of the following: Unified Development Code, Form-based Code, Transit-Oriented Development, Design Guidelines, Street Design Standards, and Zoning Overlay.	Smart growth strategies encourage housing development in locations that are consistent with environmental conservation goals.
	State of Oregon website, 2012	<a href="https://www.oregon.gov/lcd/TGM/Pages/Model-Code.aspx">https://www.oregon.gov/lcd/TGM/Pages/Model-Code.aspx</a>	Model Development Code for Small Cities with Users Guide.	This model provides clear descriptions and parameters for adjustments and variances.
	St. Croix River Association, Online form	<a href="https://wilddriversconservancy.org/wp-content/uploads/2019/01/Copy-of-Zoning-Application-Best-Practices.pdf">https://wilddriversconservancy.org/wp-content/uploads/2019/01/Copy-of-Zoning-Application-Best-Practices.pdf</a>	Sample online form for a zoning application.	Example online form that includes a clear chart outlining their process and the documents needed.
	State of Indiana	<a href="https://indianapanning.org/wp-content/uploads/2012/12/FINAL-CitizenPlannersGuide-3.20.17-Ch.2-BZABasics.pdf">https://indianapanning.org/wp-content/uploads/2012/12/FINAL-CitizenPlannersGuide-3.20.17-Ch.2-BZABasics.pdf</a>	State of Indiana’s guide for zoning board members.	This guide provides a useful tool for evaluating applications for variances. RI municipalities may consider developing a similar “worksheet” for the evaluation of development applications.