



Municipal Technical Assistance Program:
2024 Housing Bill Summaries

The 2024 Legislative session included several bills related to land use and housing production, some of which introduced substantive and procedural changes to bills enacted in the 2023 session. Below are summaries of each bill. Not all bills passed lend themselves to a template, as not all of the bills required amendments to the local regulatory framework. Those bills which did result in an amendment to an existing template, or the creation of a new template make note of that in the bill title line, indicating whether the bill is an update to 2023 template or is a new template.

Bill Title	Accessory Dwelling Units (ADU) *NEW TEMPLATE*
House Number	H 7062 A
Senate Number	S 2998 A
Effective Date	Takes effect upon passage
Bill Overview	This legislation would provide homeowners statewide the right to develop a single accessory dwelling unit (ADU) on an owner-occupied property in all residential districts if it meets specified conditions. It clarifies an ADU law amendment from 2022.
Summary of Key Changes	<ul style="list-style-type: none"> • Amends minor wording in the definition of accessory dwelling units (ADUs). • Allows owner-occupied properties requesting ADUs “as of right” in many locations under certain conditions with no local approval required other than a building permit. • Clarifies that one ADU per lot shall be allowed under the following circumstances: <ul style="list-style-type: none"> ○ On any owner-occupied property as a reasonable accommodation for family members with disabilities; or ○ On a lot with a total area of at least 20,000 sf for which the primary use is residential; or ○ Where the proposed ADU is located within the existing footprint of the primary structure or existing accessory attached or detached structure and doesn’t expand the footprint of the structure. This presumably means the structure can be raised in height up to the applicable height limit if the footprint is not expanded. • ADUs cannot be used for short-term rentals less than 30 days and cannot be advertised for a rental on a hosting platform. • Municipalities can establish a maximum unit size, but subject to applicable dimensional requirements, municipalities must allow at least: <ul style="list-style-type: none"> ○ A studio or one-bedroom ADU of at least 900 sf, or 60% of the principal dwelling’s floor area, whichever is less; and

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	<ul style="list-style-type: none"> ○ A two-bedroom ADU of at least 1,200 sf, or 60% of the principal dwelling’s floor area, whichever is less. ● Sets standards for review and approval of accessory dwelling units (ADUs), including an update to the list of unacceptable local requirements or prohibitions. Municipalities cannot regulate ADU applications as follows: <ul style="list-style-type: none"> ○ Restrict tenants based on familial relationships or age unless necessary to comply with federal affordability subsidy ○ Charge application or permitting fees that exceed those that would be charged for a new single-family dwelling ○ Require infrastructure improvements in connection with the ADU, unless such improvements are required by a state agency, to comply with building code requirements, or to address necessary capacity or upgrades ○ Discriminate against protected populations under fair housing laws ○ Impose dimensional requirements or other development standards that exceed requirements for an accessory structure in the same zoning district ○ Require additional lot area, lot frontage or lot width for conforming lots or legal nonconforming lots of record solely to accommodate an ADU ○ Require zoning relief for ADU applications proposed within the existing footprint of the primary/accessory structure, which is a legal nonconforming structure, to address the existing dimensional nonconformity ○ Require more than 1 off street parking space per bedroom within the ADU ○ Limit ADUs to lots with preexisting dwellings or otherwise prohibit ADUs as part of applications for new primary units or subdivisions ○ Prohibit ADUs that otherwise meet the requirements from having up to 2 bedrooms by ○ Require an ADU to be exclusively occupied by low-to moderate-income households unless ADU is part of an inclusionary zoning or comprehensive permit application ○ Revoke the permitted status of ADU or otherwise require its disassembly at transfer of title or occupancy ● Defines procedures for reviewing ADU applications: <ul style="list-style-type: none"> ○ ADU permitted by right shall be permitted through administrative permit process. ○ An application for an ADU, which would only be permitted by obtaining a variance or a special use permit, shall not, by itself, be reviewed as a minor or major land development project. In other words, the ADU can still be regulated through zoning, and relief from setbacks, size limitations, height limitations, etc., can be requested through the variance or special use permit process, but the ADU would not require review by the Planning Board or Administrative Officer.

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	<ul style="list-style-type: none"> ○ ADU applications shall be allowed as part of applications for new primary dwelling units or subdivisions. For proposed ADUs that are part of a larger development proposal, a municipality shall not count such ADUs toward density of the proposal for purposes of limiting the number of dwelling units allowed. ○ Permits a unified development review process for applications that include ADUs. ○ ADUs may be exempted from utility assessment and/or tie-in fees (exemption is not mandatory).

Bill Title	Inclusionary Zoning – *UPDATED TEMPLATE*
House Number	H 7948 A
Senate Number	S 2999 A
Effective Date	January 1, 2025
Bill Overview	Amends the provisions of the Zoning Enabling Act related to inclusionary zoning by setting minimum density requirements, requiring a minimum percentage of LMI units, setting a minimum number of units as a trigger, and alters the fee-in-lieu provision.
Summary of Key Changes	<ul style="list-style-type: none"> • Amends the requirement that an inclusionary zoning ordinance shall require a minimum percentage of the total units in the development to be low- and moderate- income from 25% to 15%. • Requires the minimum threshold over which inclusionary zoning is triggered to be no greater than 10 units (i.e., a municipality cannot adopt an inclusionary zoning requirement that is triggered only for developments containing more than 10 units). • Adds a provision that the percentage of affordable units in the development may be less than 15% of total units after the density bonus is applied. • Clarifies that the total number of units shall equal the number originally proposed (including affordable units), plus the additional units that constitute the density bonus. • Defines and sets a minimum threshold for density bonuses, zoning incentives, and municipal subsidies, which were previously not defined. <ul style="list-style-type: none"> ○ Subject to applicable setback, frontage, and lot width requirements, unless relief is granted, the minimum density bonus shall be one market rate unit for each affordable unit with an allowance for larger density bonuses for the

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	<p>provision of an increased percentage of affordable housing if provided for in the zoning ordinance.</p> <ul style="list-style-type: none"> ○ There shall be no requirement to seek relief from the minimum lot area per dwelling unit. ○ Requires that available zoning incentives and municipal government subsidies are listed in the zoning ordinance. <ul style="list-style-type: none"> ● Requires that municipalities provide and gives applicants the ability to request additional zoning incentives and/or municipal government subsidies to offset the differential costs of affordable units. Provides that developments requesting to pay a fee-in-lieu of the construction or provision of affordable housing shall not be eligible for a density bonus and shall not be eligible for administrative review under the Development Review Act and must be approved by the planning board. ● Requires municipalities to allocate in-lieu payments within three years of collection (rather than two before this amendment) and requires municipalities to pass by ordinance the process it will use to allocate the funds. ● Provides that all in-lieu payments not allocated within three years of collection, including fees held as of July 1, 2024, shall transfer to RI Housing. In lieu of municipal process to allocate the funds, such funds can be turned over to RIHMFC for use in developing affordable housing in that same community.

Bill Title	Land Development and Subdivision and Zoning – *UPDATE TO 2023 BILL*
House Number	H 7949 Aaa
Senate Number	S 3001 A
Effective Date	Takes effect upon passage
Bill Overview	Amends the Land Development and Subdivision Review Enabling Act and the Zoning Enabling Act to clarify several incorrect references and/or incorrect language from last year’s bills on subdivision and zoning. The major changes under this bill are summarized below. There are several administrative changes that were made for clarity that are not specifically listed here.
Summary of Key Changes	<ul style="list-style-type: none"> ● Development Plan Review (DPR) was clarified as optional and provides a list of development types they can choose from to permit to be reviewed under DPR. ● Defines and standardizes the process for DPR. Some developments that are now subject to land development project review (multi-stage review process with multiple public hearings) could be reviewed under the DPR framework. This bill amended the definition of DPR to be more specific.

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Senate Number	S 3001 A
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	<ul style="list-style-type: none"> • DPR is defined as follows: “Design or site plan review of a development of a permitted use. A municipality may utilize development plan review under limited circumstances to encourage development to comply with design and/or performance standards of the community under specific and objective guidelines, for the following categories of developments: <ul style="list-style-type: none"> - A change in use at the property where no extensive construction of improvements is sought. - An adaptive reuse project located in a commercial zone where no extensive exterior construction of improvements is sought. - An adaptive reuse project located in a residential zone which results in less than nine (9) residential units. - Development in a designated urban or growth center; or - Institutional development for educational or hospital facilities. • Revises the definition of final plan to now also apply to development plan review, as well as land development and subdivision review ○ Final Plan. The Final Stage of land development and subdivision review or a formal development plan review application. See §§ 45-23-38, 45-23-39 and 45-23-50. • Amended the definition of minor LDP to attempt to remove the overlap with development plan review. Minor land development is now defined as “a land development project involving any of the following categories which has not otherwise been specifically designated by local ordinance as development plan review: <ul style="list-style-type: none"> ○ Seven thousand five hundred (7,500) gross square feet of floor area of new commercial manufacturing or industrial development; or less. ○ An expansion of up to fifty percent (50%) of existing floor area or up to ten thousand (10,000) square feet for commercial, manufacturing, or industrial structures. ○ Mixed-use development consisting of up to six (6) dwelling units and two thousand five hundred (2,500) gross square feet of commercial space or less. ○ Multi-family residential or residential condominium development of nine (9) units or less. ○ Change in use at the property where no extensive construction of improvements are being sought.

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	<ul style="list-style-type: none"> ○ An adaptive reuse project of up to twenty-five thousand (25,000) square feet of gross floor area located in a commercial zone where no extensive exterior construction of improvements is sought. ○ An adaptive reuse project located in a residential zone which results in less than nine (9) residential units.” ● Further clarifies that “if an applicant also submits for a modification to the zoning enforcement officer, the running of the time period set forth herein will not begin until the decision on the modification is made as set forth in § 45-24-46.” ● Revises subsection “(e)failure to act” to include reference to administrative officer, clarifies that failure to act within the period prescribed constitutes approval at the currently pending stage of review, not only at the preliminary plan stage, and the resulting approval will be issued at the request of the applicant ● Amends multiple references to unified development plan review to redact the word “plan” from the term, (i.e. unified development plan-review). ● The section on precedence of approvals, associated with unified development review, was modified in this bill to reflect unified development review being required. ● Removes the “planning board or commission” as the specific permitting authority for applications which fall under Development plan review, and instead references either “relevant” or “authorized” permitting authority in its place.
Changes to the Zoning Enabling Act within H 7949 / S 3001 A	
	<ul style="list-style-type: none"> ● Requires that substandard lots of record have dimensional standards (such as setbacks, frontage, and lot width) adjusted by either applying standards from a zoning district where the lot would conform to the required area, or, if no such district exists, proportionally reducing these standards based on the ratio of the lot's area to the minimum lot area required in the district. Additionally, the maximum building coverage for substandard lots is increased inversely proportional to the lot's size relative to the district's minimum. Any development that does not conform to these adjusted standards must seek a modification or a dimensional variance. ● Specifies that notice for public hearings held for special use permit requests shall also be posted in the town or city clerk's office and one other municipal building and that the municipality must make the notice accessible on the municipal home page of its website at least fourteen days prior to the hearing. <ul style="list-style-type: none"> ○ For any notice sent by first-class mail, the sender shall also submit a notarized affidavit to attest to such mailing. ● Clarifies that the cost of newspaper and mailing notifications shall be borne by the applicant.

Bill Title	Financial Guarantees of Subdivision/Improvements *NEW TEMPLATE*
House Number	H 7950 A
Senate Number	S 3000 A
Effective Date	January 1, 2025
Bill Overview	Provides amendments relative to the permitting authority of, and acceptable forms of financial security permissible for construction and/or improvement guarantees relating to the completion of required public improvements.
Summary of Key Changes	<ul style="list-style-type: none"> • Replaces “planning board” with “permitting authority” as the body to approve agreements for completion of all required public improvements and specifies inspections shall be conducted by the appropriate town staff or agents in timely manner. • Specifies that security shall be in the form of financial instruments set forth in local regulations, which shall provide at least 3 acceptable forms of financial security, and that the approving authority shall not limit the security to one specific form. • Establishes a requirement that maintenance guarantees shall not exceed 10% of the original amount or the original cost of the public improvements if no guarantee was required.

Bill Title	Comprehensive Plan Implementation / Moratoriums
House Number	H 7951A
Senate Number	S 2988A
Effective Date	March 1, 2024
Bill Overview	Amended the statute related to compliance and implementation of the comprehensive plan act including more specific requirements around moratorium.
Summary of Key Changes	<ul style="list-style-type: none"> • Amends language to say state law is not to preclude specifically “reasonable” limitations. Limitations related to residential building permits must be 1) vital to protect public health and welfare 2) Demonstrate there is no other means to protect public health and welfare given the need for affordable housing in a community. • Limitations cannot apply to applications submitted as comprehensive permits or to be developed under inclusionary zoning. • Does not change provisions that allow for a one-time moratorium after comprehensive plan adoption to provide the Town with time to complete zoning amendment and map changes. • Specifies that limitations on land use approvals or building permits in relation to an emergency may not be in place longer

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	<p>than 120 days.</p> <ul style="list-style-type: none"> • Adds public notice requirements for moratoriums imposed because of a vital public health and wellness interest.

Bill Title	House Resolution to Study the Creation of a Planning Pipeline *NO TEMPLATE*
House Number	H 7977 A
Senate Number	None (House Resolution Only)
Effective Date	N/A (Reporting deadline of January 1, 2025 and expiration dates of June 30, 2025)
Bill Overview	Creates an 11 member commission to study the ability of the Rhode Island education system to offer training, degrees, or certificates to provide a pipeline of planners, planning technicians, and staff.
Summary of Key Changes	<p>Commission Members</p> <ul style="list-style-type: none"> • Commissioner of the Rhode Island Office of the Postsecondary Commissioner • President of the University of Rhode Island • President of Rhode Island College • President of the Community College of Rhode Island • Associate Director of the State of Rhode Island Division of Statewide Planning • Secretary of the Rhode Island Department of Housing • President of the American Planning Association-Rhode Island Division • Two municipal planners appointed by the Speaker, one from a city/town with a population of less than 25,000 and one from a city/town with a population greater than 25,000 • Executive Director of the Rhode Island League of Cities and Towns • Teacher from a career technical education "CTE" school, appointed by the Speaker • Two members of the public, one of whom shall possess significant professional housing experience, to be appointed by the Speaker

Bill Title	Electronic Permitting *NO TEMPLATE*
House Number	H 7978 A
Senate Number	S 3036 A
Effective Date	Takes effect upon passage – requirements to be met by October 1, 2025
Bill Overview	Requires all municipalities to implement electronic permitting for all land development applications.
Summary of Key Changes	<ul style="list-style-type: none"> • Requires that all municipalities implement electronic permitting for all development applications filed under the subdivision of land, zoning ordinance, and comprehensive permit chapters. • The state building commissioner, along with the office of regulatory reform and the division of statewide planning may promulgate rules and regulations for the implementation. • Requires a fee structure for charges per application submitted based on the application fee (.001% of the underlying application fee) to be used for staff and software purchasing and support. • Requires compliance by October 1, 2025. • Provides for the reimbursement of annual fees associated with compliance.

Bill Title	Combined Review Boards *NEW TEMPLATE*
House Number	H 7979
Senate Number	S 2991
Effective Date	January 1, 2025
Bill Overview	Provides amendments to the membership provisions of planning boards or commissions and would enable municipalities to establish "combined review boards" to replace separate planning and zoning boards.
Summary of Key Changes	<p>Combined Board</p> <ul style="list-style-type: none"> • Allows a city or town to establish, by ordinance, a combined review board with the authority, powers, requirements and duties of a planning board or commission and a zoning board. If such board is authorized, it shall take the place of the separate planning board/commission and zoning board. • Provides for the combined review board to consist of 5 members, with a length of term that shall not exceed 5 years. The board shall also include 2 or up to 4 alternate members, also with a term not to exceed 5 years. • Sets forth parameters for alternates to serve at a hearing, stipulating that the number of alternatives that may participate in

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Senate Number	S 2991
Effective Date	January 1, 2025
	<p>voting shall correlate to the number of board members who are unable to serve at a hearing (i.e. the first alternate shall vote if one member of the board is unable to serve, the second shall vote if 2 members of the board are unable to serve, and so forth).</p> <ul style="list-style-type: none"> • Establishes that a minimum of 4 members of the board, including alternates, shall constitute a quorum. • Clarifies that members of the board or alternate members may not vote on any matter, unless they have attended all hearings concerning the matter. • Specifies procedures for filling vacancies of board members and removal of board members shall be set forth in the zoning ordinance. <p>Planning Boards</p> <ul style="list-style-type: none"> • Allows for the appointment of up to 2 alternates on planning boards/commissions. • Removes obsolete language on Hopkinton and Johnston planning boards. <p>Zoning Boards</p> <ul style="list-style-type: none"> • Establishes that the length of term for zoning board members shall not exceed 5 years, which shall be set forth in the zoning ordinance. • Allows for the appointment of at least 2 or up to 4 alternatives on zoning boards of review. • Sets forth parameters for alternates to serve at a hearing, stipulating that the number of alternatives that may participate in voting shall correlate to the number of board members who are unable to serve at a hearing (i.e. the first alternate shall vote if one member of the board is unable to serve, the second shall vote if 2 members of the board are unable to serve, and so forth). • Removes obsolete language on Jamestown, Little Compton, Charlestown, Scituate, Middletown, Cranston, Barrington and South Kingstown zoning boards.

Bill Title	Manufactured Homes *NEW TEMPLATE*
House Number	H 7980 Aaa
Senate Number	S 2989 A
Effective Date	Takes effect upon passage
Bill Overview	Makes amendments relative to manufactured homes, including a definition for a manufactured home and a provision where cities/towns may allow manufactured homes which comply with the State Building Code as a single-family home on any lot zoned for single-family use provided the home complies with all dimensional requirements for a single-family home in the District or seeks appropriate relief.
Summary of Key Changes	<ul style="list-style-type: none"> • Adds a definition for a manufactured home • Adds language to the permitted uses section of the zoning enabling act to allow municipalities to permit manufactured homes in single family zoning districts, if the manufactured home complies with dimensional requirements for the underlying district or seeks relief from such requirements.

Bill Title	Wetlands *NO TEMPLATE*
House Number	H 7982 A
Senate Number	S 2994 A
Effective Date	Takes effect upon passage
Bill Overview	Amends provisions related to local ordinances and the ability to regulate wetland buffers beyond those imposed by RIDEM and CRMC.
Summary of Key Changes	<ul style="list-style-type: none"> • Prohibits municipalities from adding wetland buffer requirements beyond those established by RIDEM and CRMC for any development, redevelopment, construction, or rehabilitation applications.

Bill Title	State Building Code and Building Code Commissioner *NO TEMPLATE*
House Number	H 7983 B
Senate Number	S 2990 A
Effective Date	January 1, 2025
Bill Overview	Amends various provisions of state law relative to the duties of the state building commissioner and establishes a building code

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House Number	H 7983 B
Senate Number	S 2990 A
Effective Date	January 1, 2025
	education and training component to educate building officials and building inspectors.
Summary of Key Changes	<ul style="list-style-type: none"> • Give state building commissioner authority to enforce and perform the duties required by the state building code and building inspection. • Requires the building code commissioner work to standardize the interpretation of the of building code across all municipalities. • Requires local permit charges and dictates where building permit fees are allocated related to staff and permitting resources. • Provides authority to the commissioner and staff to assume authority for enforcing state building code in any municipality without a local building official. • Establishes a building code education and training program.

Bill Title	Mobile and Manufactured Homes as LMI Units *NO TEMPLATE*
House Number	H 7984 Aaa
Senate Number	S 2993 aa
Effective Date	Takes effect upon passage
Bill Overview	Allows owner occupied mobile/manufactured homes to count as a unit of affordable housing if located within a community owned by residents or on land owned by the occupants and the home was constructed after June 15, 1976 and complies with HUD standards.
Summary of Key Changes	<ul style="list-style-type: none"> • Allows owner occupied mobile/manufactured homes to count as affordable housing if 1) residents’ primary residence 2) located within a community owned by residents or on land owned by the occupants and 3) the home was constructed after June 15, 1976 and complies with HUD standards. • Specifies any housing unit that qualifies as mobile or manufactured homes, and which meet the requirements under RIGL § 42.128-8.1 shall count as 1 unit for LMI purposes. (There is no direct section reference so assume general affordable housing definition in RIGL § 42.128.8.1 which is housing that is within the means of moderate-income households—120% for ownership (140% for New Shoreham) and 80% for rental; which also states is synonymous with: <ul style="list-style-type: none"> ○ Chapter 53 of title 45: LMI housing: 1) Any housing whether built or operated by any public agency or any nonprofit organization or by any limited equity housing cooperative or any private developer, that is subsidized by a federal, state, or municipal government subsidy under any program to assist the construction or rehabilitation of affordable housing and that will remain affordable through a land lease and/or deed restriction for ninety-nine (99) years or such other period that is either agreed to by the applicant and town or prescribed by the federal, state, or municipal government subsidy program but that is not less than thirty (30) years from initial occupancy. 2) Any housing secured by a federal government rental assistance voucher that does not otherwise meet the other requirements to qualify as low- or moderate-income housing as long as a municipality confirms with the issuing authority that the voucher is in good standing and active • Then specifies that if it qualifies under the first bullet listed here but is not subsidized or does not have a deed restriction, the unit will count as one half a unit for the LMI count, as long as the municipality contracts with a monitoring agent to verify unit is primary residence, resident community owned or on occupant owned land, constructed after June 15, 1976 and complies with HUD standards, though this does not require income verification. • Requires monitoring agents to provide a list of eligible units to Rhode Island Housing, who will report to the governor and legislature.

Bill Title	Statewide Geographic Information Systems (GIS) *NO TEMPLATE*
House Number	H 7985 A
Senate Number	S 2995 A
Effective Date	Takes effect upon passage
Bill Overview	Requires that the RI League of Cities and Towns (RILOCAT) and the Department of Administration (DOA) shall publish a report to the speaker of the house, senate president, and secretary of housing on the implementation of a statewide platform for comprehensive and integrated statewide geographic information. The report shall evaluate the cost to establish and maintain the statewide platform.
Summary of Key Changes	<ul style="list-style-type: none"> Requires the establishment of an online, publicly available, comprehensive statewide GIS related to include data and information from all municipalities.

Bill Title	Abandoned Properties *NEW TEMPLATE*
House Number	H 7986 Aaa
Senate Number	S 2992 A
Effective Date	Takes effect upon passage – compliance required on or before April 2, 2025
Bill Overview	Requires towns and cities to annually publish a list of abandoned properties and makes various other amendments relative to the sale of abandoned property by a receiver by April 2, 2025 and for annual update each year after.
Summary of Key Changes	<ul style="list-style-type: none"> Municipalities must publish a list of abandoned properties on or before April 2, 2025 and update it annually. The list of abandoned should be made available in the clerk’s office and on the municipal website. The last known owner(s) of a property on the list should also be notified by first class mail. Properties not on the list published by a municipality can still be found to be abandoned and held to the abandoned property provisions. Sets that appointed receivers will be a lawyer appointed by the court certified to act in this matter, and removes other categories of potential receiver from the bill. The court may approve the sale of an abandoned property with an abatement plan, which has not been completed, with the requirement that property shall revert to the receiver if the abatement plan is not completed on schedule. In the sale of abandoned property by a receiver, the court may give priority to purchasers who propose one or more of four strategies for affordable housing creation.