RHODE ISLAND STATEWIDE PLANNING PROGRAM
TECHNICAL COMMITTEE MEETING
Friday, October 2, 2015
Rhode Island Department of Administration
One Capitol Hill, Providence, RI

DRAFT MINUTES

I. ATTENDANCE

1. Members Present

Mr. Bob Azar, Chair	City of Providence
Mr. John Chambers	Fuss & O'Neill, Incorporated
Mr. Michael DeLuca, Vice Chair	Town of Narragansett
Mr. Steve Devine	RI Department of Transportation
Mr. Thomas Kogut	RI Public Utilities Commission
Mr. Jared Rhodes	RI Statewide Planning Program
Ms. Lisa Primiano	RI Dept. of Environmental Management
Ms. Jennifer Siciliano	City of Woonsocket
Mr. Michael Walker	RI Commerce Corporation
Mr. Ronald Wolanski	Town of Middletown

2. Members Absent

Ms. Ashley Hahn	Exeter Town Planner
Ms. Nicole LaFontaine	Town of North Kingstown
Ms. Nancy Letendre	Mason & Associates, Incorporated
Ms. Eliza Lawson	RI Department of Health
Mr. Arnold Robinson	Roger Williams University
Mr. Jeffrey Willis	RI Coastal Resources Management Council

3. Staff Present

Mr. Kevin Flynn	RI Division of Planning
Ms. Kimberly Crabill	RI Statewide Planning Program
Ms. Nancy Hess	RI Statewide Planning Program
Mr. Kevin Nelson	RI Statewide Planning Program
Ms. Chelsea Seifert	RI Statewide Planning Program

3. Guests Present

Marion Gold	RI Office of Energy Resources
Dan Musher, Presenter	RI Office of Energy Resources

II. AGENDA ITEMS

1. Call to Order

Chairman Azar called the meeting to order at 9:01 a.m.

2. Approval of June 5, 2015 Meeting Minutes – *for action*

Chairman Azar asked for a motion to approve the meeting minutes of June 5, 2015. Mr. Devine moved to approve and the motion was seconded by Ms. Siciliano. There was no further discussion. The following members voted aye Azar, Chambers, DeLuca, Devine, Kogut, Primiano, Rhodes, Siciliano, Walker and Wolanski. There were no nay votes, abstentions or recusals.

3. Public Comment on Agenda Items – *for discussion*

There were none.

4. Draft Rhode Island State Energy Plan (request to recommend approval) – *for action*

Mr. Rhodes introduced Ms. Nancy Hess, Supervising Planner who walked the committee through what was heard through the public hearing and comment process and the revisions that were made to the plan as a result. Instances where the committee members engaged in discussion were as follows:

Mr. Walker asked where the comments from Scott Gibbs of Economic Development Corp of RI were addressed in the report. Ms. Hess responded that Mr. Gibbs comments were in various areas of the report. Mr. Danny Musher responded that his comments were covered under strategy 13 which is modernize the grid. Mr. Walker asked if the information is explicit in the plan narrative for interpretation sake. Mr. Walker's concern was that the government professionals, the industry advocates, and the industry opposition could read whatever they want into the strategies. He further explained that to explicitly make overt statements about where we are and where we need to go is different. Ms. Gold responded that that in OER's opinion the plan is extremely clear and direct in this regard.

Mr. Flynn suggested that Mr. Gibbs sit on the working group for electric grid rate and regulatory modernization. Mr. Musher made note that the working group that was established is ready to give a report on their findings and that he would be happy to invite Mr. Gibbs to the upcoming public meetings.

There being no further discussion, Chairman Azar asked for a motion to recommend that the State Planning Council approve the Draft Rhode Island State Energy Plan as submitted. Mr. Wolanski made the first motion and Mr. Kogut seconded the motion. There was no further discussion. The following members voted aye Azar, Chambers, DeLuca, Devine, Kogut, Primiano, Rhodes, Siciliano, Walker and Wolanski. There were no nay votes, abstentions or recusals.

5. Comprehensive Planning Standards (request to recommend public hearing) – *for action*

Chairman Azar introduced Chelsea Siefert, Principal Planner who delivered the attached power point presentation. Instances where members of the committee engaged in discussion were as follows:

Mr. Walker asked if the standards were guidance or regulatory rule making. Ms. Siefert responded that it is regulatory rule making. It will be required for comprehensive plans to address everything in the standards in order to receive state approval.

Mr. Deluca asked if municipalities were required to map new locations where affordable housing is planned for as in old comprehensive plans. Is the map in the previous plan invalid once the new plan is adopted by the state? Ms. Siefert responded that municipalities by law are only allowed to have one comprehensive plan. The new comprehensive plan that the municipality adopts will replace the previous plan and there is no requirement in the standards to map affordable housing sites.

Mr. Walker asked about implementation program item 14.2D which references development moratoriums and asked why they were singled out. Ms. Siefert indicated that they are singled out because the Associated State Law enables them at the municipalities' option. The intent of that is to limit development until you can get your zoning ordinance in line with your future land use map. Should a municipality intend to pursue a development moratorium, they have to say so in their implementation program simply for consistency purposes. Mr. Walker then asked Ms. Siefert to clarify if it is a complete development moratorium that requires no building permits? Ms. Siefert responded that it is up to the individual municipality what if any types of development are allowed or prohibited. Mr. Walker asked for a clarification on the time frame of the moratorium. Mr. Flynn responded that it is a maximum period of 12 months.

Mr. Walker next noted that he believes that 14.4 needs to be reworked to ensure that there is a distinction between the time frames of the moratorium and the development of other amendments in two-year increments. Ms. Siefert noted that a municipality may want to do both; a 12-month moratorium on a specific area and leave the rest to two-year increments moving through the next 10 – 20 years. Mr. Azar further explained that the time factors involved in putting together zoning amendments take a long time and comprehensive plans take a long time which sometimes make the two out of sync with each other. This allows time to bring them back in sync with each other. He also stated that he believes that the standard is suitable as written. Mr. DeLuca agreed and stated that the operative word is schedule and the amount of specificity is up to the municipality to be as clear and direct as they can be.

Ms. Primiano asked, if you don't move forward and make a change according to the schedule proposed in your plan, is the community required to come back and make an amendment to the plan. Ms. Siefert responded that the only follow up that is required after the comprehensive plan has been adopted is the five-year implementation report where the municipality would explain what they did and did not do. Mr. Nelson added that there is a provision in the amended act that does say that if you are unable to meet your schedule you should then change/amend your plan by extending the schedule or by taking that action out.

Chairman Azar asked for a motion to move the standards forward for a public hearing which was made by Mr. Walker and seconded by Mr. Chambers. The following members voted aye Azar, Chambers, DeLuca, Devine, Kogut, Primiano, Rhodes, Siciliano, Walker and Wolanski. There were no nay votes, abstentions or recusals.

Chairman Azar and Mr. Devine departed at 10:02 a.m. Vice-Chairmen DeLuca led the meeting moving forward.

Discussion continued as follows:

Mr. Wolanski asked for clarification on 13.5F regarding consistency of the future land use map with Land Use 2025. Specifically he asked whether the guidance requires comprehensive plans to indicate changes that are needed to bring a municipality's zoning ordinance into conformance with the proposed density standards. Ms. Siefert responded that it does, just as has been done in the past. Land use 2025 sets minimum and maximum densities throughout the state. So we are asking them to be consistent with these. If a city or town feels that it is not appropriate for them, they can provide a narrative as to why they feel it is not appropriate. Mr. Wolanski, speaking for Middletown noted that it would entail up-zoning half of the town. Middletown does not have a zoning district that allows for single family 5 units per acre at this point. So most of the land in Middletown would be inconsistent with this plan. Ms. Siefert responded that rather than change the Middletown future land use map they could discuss why they feel a lower density is better for that area of the community. Mr. Wolanski commented that it puts a town in a bit of a defensive stance. We would have to defend our sewer development areas and defend why we would not want to go down to 5 units per acre. Mr. Rhodes added that if an area of a community is 90 percent built out then it really doesn't make much sense for the state to require something

different. So that is an example where we would have some leeway and try to apply some logic in making rational decisions.

Mr. Wolanski asked if there was a way to soften the guidance, because there will be push back on this from the town. Ms. Siefert asked if we removed "in the limited instances" would that be helpful. Mr. Wolanski stated that it would be and that some recognition that there may be more than just "limited instances" where a town can demonstrate that those densities are not appropriate would help.

No further discussion.

6. 2016 Meeting Schedule - *for discussion*

Mr. DeLuca noted that the meeting schedule provided is for committee members to look over and then to approve at the next meeting.

7. Associate Director's Report – *for discussion*

Mr. Flynn addressed the following items under the Associate Director's report:

- Transportation Improvement Program Update
- FY 2017 Budget Process
- SNEAPA conference

8. Other Business

There was none.

9. Adjourn

Vice-Chairman DeLuca called for a motion to adjourn. Committee member Wolanski made the first motion. The motion was seconded by Committee member Walker. There was no further discussion. The following members voted aye Chambers, DeLuca, Kogut, Primiano, Rhodes, Siciliano, Walker and Wolanski. There were no nay votes, abstentions or recusals. The meeting adjourned at 10:20 A.M.

Respectfully Submitted,

Jared L. Rhodes, II
Secretary

Comprehensive Planning Standards & Guidance Handbook Series

RI SPP

Hello!

RHODE ISLAND
STATEWIDE
PLANNING
PROGRAM

why are standards necessary?

how were the standards created?

how has input been gathered to date?

which requirements are new?

how will the standards be adopted?

why are standards necessary?

Intent and goals of the Act are met

Completeness of required content

Consistency with, and embodiment of the goals and policies of, the state

Coordination of municipal planning activities

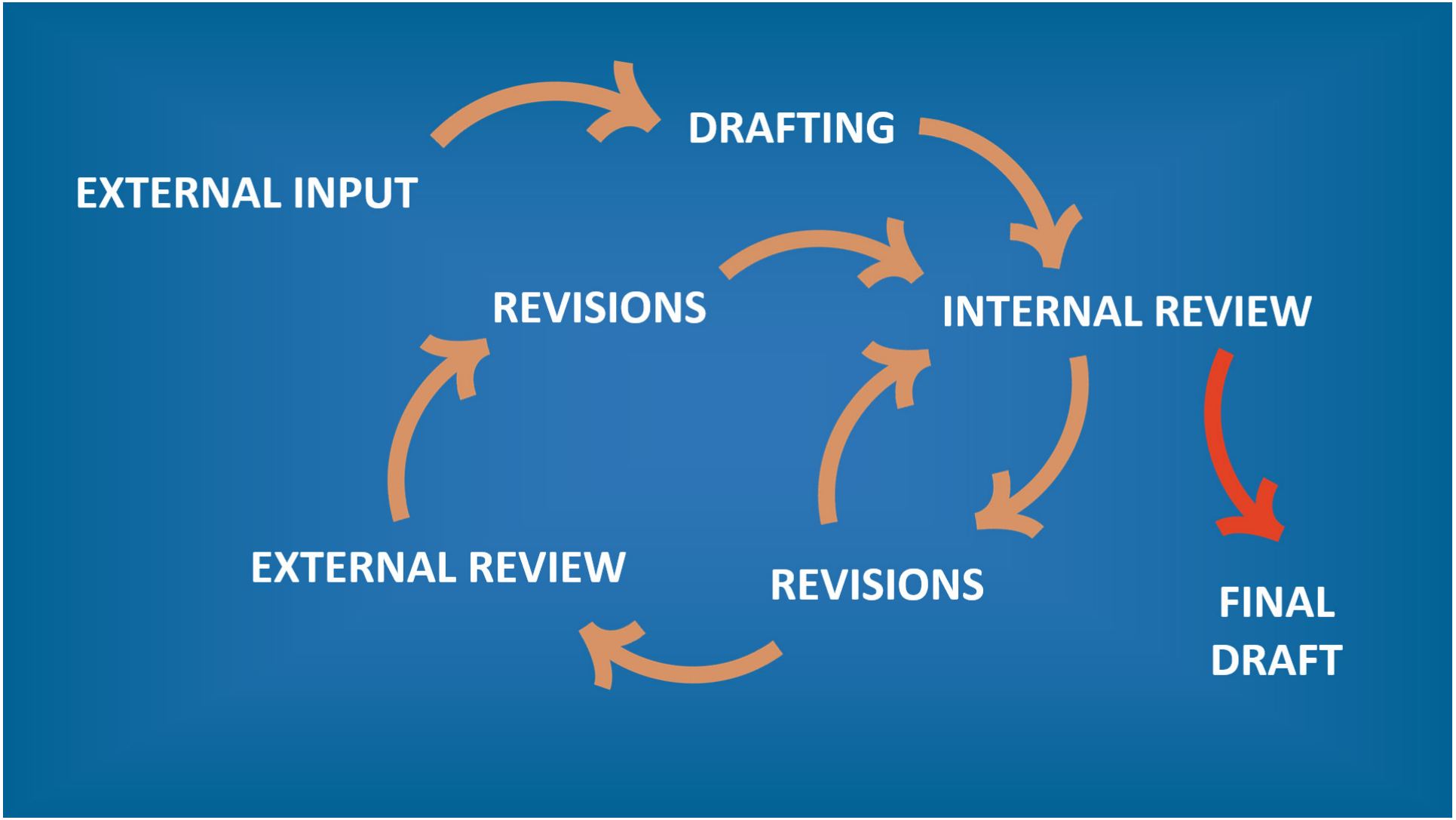
Compliance with adoption and submission procedures

Compliance with rules and regulations of the State Planning Council

Use of adequate, uniform, and valid data

how were the standards created?

RI RRC
RI State Council on the Arts
RI DOT
Commerce RI
RI Council for the Humanities
YMCA
Town of West Warwick
GSRI
RI CRMC
National Oceanic and Atmospheric Administration
Economic Development Foundation of RI
City of Warwick
RIAC
RI EMA
RI DEM
Rhode Island Housing
URI | CRC
Town of Burrillville
RI Agricultural Partnership
City of Pawtucket
RIPTA
RI DLT
City of Providence
RI HPHC
Town of North Kingstown
RI DOH
Preserve RI
RI DEM
URI Nonpoint Education
RI OHCD
RI Land Trust Council
Watershed Counts
Southside Community Land Trust
Coalition for Transportation Choices
Consulting Planners
RI OER
Town of Johnston


EXTERNAL INPUT
DRAFTING
INTERNAL REVIEW
REVISIONS
EXTERNAL REVIEW
REVISIONS
FINAL DRAFT

how has input been gathered to date?

Review of drafts by topical experts

Review of final draft by Comprehensive Planning Advisory Committee

Open House with Municipal Planners, August 28, 2015

open house comments

data availability

HOUSING

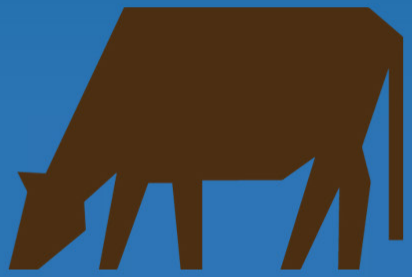
requiring more information!

JUNE 1, 2016 DEADLINE

which requirements are new?

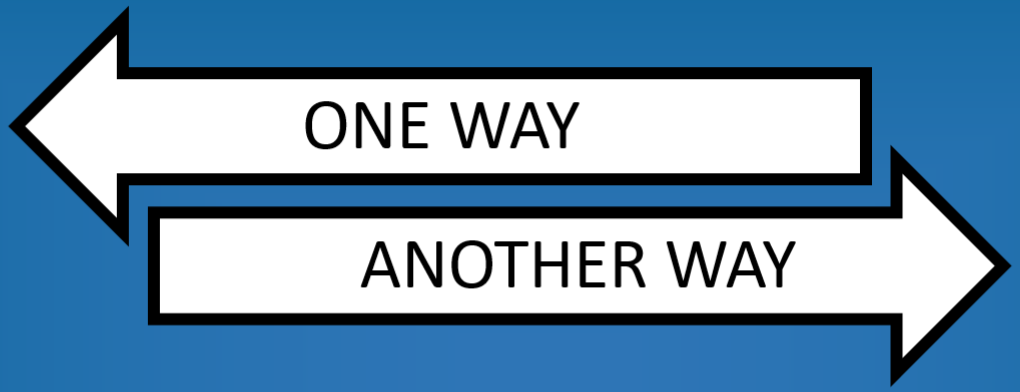
ENERGY

NATURAL HAZARDS & CLIMATE CHANGE



agriculture = economic development

water supply as a service



inconsistencies between zoning and FLUM

CLARIFICATIONS & EXPLANATIONS

of the law

EMBODYING STATE GOALS AND POLICIES

goals and policies for each topic

specific implementation areas

consistency with Land Use 2025

CRMC policies & sea-level affecting marshes model maps

COORDINATED MUNICIPAL PLANNING

analysis of inconsistencies between FLUMs

EXISTING CONDITIONS & NEEDS ASSESSMENTS

build-out analysis

housing

recreation

services & facilities

mapping

how will the standards be adopted?

RULE 4, PART 2

of the Rules and Standards of the State Planning Council

requires a public hearing

RI Office of Regulatory Reform authorization

GUIDANCE HANDBOOK SERIES

approved by the Council per Rule 4.2

Recommend authorization of a public hearing on the RI Comprehensive Planning Standards to the State Planning Council