

CITY PLANNING DEPARTMENT



Memorandum

To: City Plan Commission
From: Jonas Bruggemann, Assistant Planning Director/Principal Planner
Date: June 30, 2026
RE: **2026 RI Legislative Session and Potential Ordinance Updates**

This memorandum summarizes recent changes in state law relevant to planning in Cranston as well as ordinance changes in development by staff in the Planning Department.

The 2026 Legislative Session of the Rhode Island General Assembly came to a close earlier this month and Governor McKee has completed signing all bills from this session. While there were numerous, sizeable pieces of legislation floating around, many of which were among the former Speaker Shekarchi's housing package, only a handful of bills amending zoning, subdivisions, and development regulations were passed and signed into law.

As so few bills passed, there are consequently fewer changes affecting our local regulations. The contents and impacts from the core bills from this session are listed below. There are other bills related to housing and building codes that were passed, but those will largely not affect the work of the City Plan Commission or the Planning Department.

H8004A/S3302: in effect upon passage, signed by Governor on June 23

This bill amends a variety of sections related to land use (land use court, comprehensive plan, zoning, subdivisions/land development, comprehensive permits). It primarily includes amendments or clarifications of existing processes with some more consequential changes.

Changes most consequential to the City Plan Commission:

- Adopted comprehensive plans now need to be consistent with RIGL chapters 45-23 (subdivisions and land development) and 45-24 (zoning).
- Subdivisions and land development:
 - Changed definition of "buildable lot"
 - Administrative subdivisions:
 - Review procedures now align more closely with other subdivisions
 - Failure of the administrative officer to act does not refer the application to the City Plan Commission (CPC), but approves it automatically
 - Denials of administrative subdivisions were previously not appealable. Instead, the applicant was required to resubmit the application as a minor subdivision. Now the applicant is given an option to appeal to the Superior Court as well instead of resubmitting as a minor subdivision.

- Are now eligible to be considered for variances and modifications under unified development review (*Previously, administrative subdivisions requiring zoning relief needed to be classified as minor subdivisions*)
 - Now have required findings of fact specific to administrative subdivisions that are different from all other subdivisions
 - Minor subdivisions:
 - removed the option for a planning board to reassign a minor project to major review if they cannot make any positive findings on it.
- Zoning
 - Limitations were made on conditions that the zoning board or CPC can set on variance approvals.
 - Variance approvals are now limited to a certain set of categories, one of which can only be applied to use variances.
 - *This does not affect the ability of the CPC to make conditions on approvals for subdivisions and land development projects in accordance with RIGL 45-24-47.*
- Comprehensive Permits (Low- and Moderate-Income Housing Act)
 - A municipality which provides enough building permits to hit the 10% requirement for affordable housing units and has a conforming inclusionary zoning ordinance can be exempted from Comprehensive Permits subject to approval from the Executive Office of Housing.
 - Changes to vesting of an approved master and preliminary plan of a comprehensive plan application
 - CPC can require evidence of soil suitability for developments proposed to be serviced by OWTS (septic systems) as submission item for the Preliminary Plan
 - Various small tweaks to findings

Changes affecting administrative review:

- Subdivisions and land development
 - Minor Subdivisions:
 - clarifications and restrictions regarding oversized lot subdivisions
 - minimum lot size restrictions for oversized lot subdivisions requiring wells and/or septic systems unless otherwise overruled by state permits
 - Amended definition of “minor subdivisions”
 - Categories are still the same, just slightly reworded.
 - Moved local and state permit requirements to Final Plan (*already in SubRegs, except for the specific alternative submission for RIDOT permits [see last sentence of page 16]*)
 - Change to applicable findings for minor subdivisions subject to administrative review and approval only [removed (a)(1), added (a)(4)]

- Zoning
 - Substandard lots of record
 - Definition and section amended to include lots that were lawfully created after zoning went into effect (i.e. nonconforming lots approved via variance now fall under this definition)
 - Clarification that contiguous substandard lot with the same ownership only need to be merged to the degree that they create a conforming lot. Once a conforming lot has been created, remaining substandard lots are treated can stand alone a substandard lot (we already follow this procedure)
 - Clarification on 200' unmerging procedures.
 - Neighborhood character-based modifications are now required
 - Now have the same findings as all other dimensional modifications
 - Limitations set on who can request a zoning certificate from the zoning official

Other changes:

- Land use court
 - Clarifications to land use court appeals and schedules
 - Limitations on appeals to final plans
 - Provides boundaries that the court may operate under and specific categories for which the courts may reverse or modify a decision of a planning board
 - Removed two findings that the court needs to consider
- Annual comprehensive permit report
 - Small clarification

H8005Aaa/S3303: in effect upon passage, signed by Governor on June 23

This bill has two core changes affecting the Zoning Ordinance:

- Off-street parking requirements based on bedroom numbers for attached single-family dwellings (rowhomes) were removed in favor of a blanket two spaces per dwelling unit maximum. The parking spaces are also allowed to be tandem (one behind another).
 - *Our zoning ordinance already complies with this change*
- A municipality cannot require more than 1 parking space per dwelling unit for multifamily projects within ¼ mile of a regional mobility hub [none present in Cranston] or 1/8 of a mile of a frequent transit stop.
 - Frequent transit lines in Cranston include:
 - the 20 bus which travels down Elmwood Avenue (only affects B-2 lots near Providence border);
 - the 31 bus route which travels down Cranston St to Garfield Ave and terminates at the Brewery Parkade (no zones within the radius allow multifamily housing);
 - and the R line. The final stop is in Providence but it is close enough to the Cranston border that it will affect some C-3 zoned lots in Cranston.

- We may propose a floating overlay zone to comply with this standard. This way it can be visually represented using our GIS map and can be flexible in case bus stops or frequencies change.

H7371/S2273: in effect upon passage, signed by Governor on June 18

- Sets the zoning statewide for “family child care homes” to no fewer than twelve (12) children maximum.
 - Zoning ordinance lists this use as “family day care home” and allows a maximum of 8 individuals. However, family day care home as defined in the Zoning Ordinance could reasonably include adults, while the state law addresses childcare only.
 - We may propose adjusting the definitions to be more in line with the state definitions regarding childcare facilities in RIGL § 45-12.5-2 which will also align with state licensing of these facilities more closely.

H8040A/S2575A: in effect upon passage, signed by Governor on June 19

- Prohibits any city or town from enacting any zoning ordinance that would place restrictions on residential NARR-certified recovery residences that are not applicable to other residential uses.
- Must treat recovery residences as residential uses for fire and building code purposes.

S2601A: in effect upon passage, signed by Governor on June 18

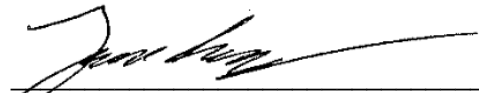
- authorizes municipalities to grant zoning relief for the protection of critical infrastructure
- Incorporates cable, broadband, Internet, and wireless means into the crime of injuring electric and communication lines

Cranston Ordinances in Development by Planning Department:

- Zoning
 - Staff are drafting revisions to the use table with the goal of updating it to contemporary standards and making it easier to use. This includes:
 - Combining categories of uses that are similar or superfluous (for example consolidating small-scale retail uses into a category).
 - Reestablishing special use permits and associated performance standards for uses where they were removed in 2023 due to state law changes. Particular focus is on uses that are not allowed in any zones anymore such as vehicle storage.
 - Add categories and associated standards and definitions for uses that are frequently asked about but are not listed or need to be incorporated into another definition
 - For example: Indoor contractor storage has come up on a few projects. The closest item we have is “contractor yard” which primarily encompasses outdoor storage. We propose to rename it to “contractor storage” and expand the existing definition to include indoor storage. We will also create associated performance standards for indoor and outdoor storage.
 - Update development plan review to be compliant with state law.
 - A revised proposal is being drafted that brings us in compliance.

- Subdivision Regulations
 - Incorporating landscaping design standards from our Development Plan Review ordinance in the Subdivision and Land Development Regulations and update them to best practices.
 - Create design standards that are divided by uses (Commercial/industrial vs residential)
 - Establish higher fees for administrative subdivision projects that require approval from the Plan Commission, in line with fees for Minor Subdivisions.
 - Proposed fees reflect the additional staff time spent on applications requiring public hearings.

Respectfully Submitted,



Jonas U. Bruggemann, MSCRP
Assistant Director / Administrative Officer