

PUBLIC NOTICE: INVITATION OF COMMENTS

Pursuant to *Section 45-22.2-9(c)(2) of the General Laws of Rhode Island*, the Division of Statewide Planning hereby invites comments from the public, regional and state agencies, contiguous municipalities, and other interested parties regarding the local comprehensive plan document listed below.

Burrillville – Proposed Comprehensive Plan Amendment to Change the Text Contained in Chapter V Housing and Affordable Housing. ID#: BUR-A2-22

Posted October 26, 2022

Amend the text contained in *Chapter V Housing and Affordable Housing* to ensure consistency with the newly adopted Inclusionary Zoning Ordinance. The Amendment is currently under review by the State to ensure “consistency with the goals and intent established in the [Comprehensive Planning Act] and in the State Guide Plan.” The comment period shall extend for thirty days from the posted date. All comments should reference the **document title and identifier number**, and should be submitted to:

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Amendment adopted by Town Council on 1/12/2022.

Table V-1. Summary – Low-Moderate Income Housing Strategy Summary

Strategy/ Action	Year 2020	Year 2025	Year 2030	Year 2035	Total	Rental (Family, Elderly, Disabled)	Ownership (Family, Elderly, Disabled)	Income Group (% of MFI)
Subdivision & Land Development Controls								
Require minimum of 20% LMI units in subdivisions of 10 or more units	4.34	4.34	4.34	4.34	17.36		17.36	≤ 80%
Inclusionary Zoning – Village Planned Development Ordinance								
Require minimum of 20% LMI units in VPD Overlay Zone (Nasonville)	7.75	7.75	7.75	7.75	31	11	20	≤ 80%
Burrillville Affordable Housing Strategy – TOTAL	12.09	12.09	12.09	12.09	48.36			

Strategy / Action	Year 2025	Year 2030	Year 2035	Year 2040	Total	Rental (Family, Elderly, Disabled)	Ownership (Family, Elderly, Disabled)	Income Group (% of MFI)
Subdivision & Land Development Controls								
<u>Require 15% LMI units in developments of 6 or more units</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>80</u>	<u>0</u>	<u>80</u>	<u>≤ 80% rental</u> <u>≤ 100% own</u>
Inclusionary Zoning – Village Planned Development Ordinance								
<u>Require minimum of 20% LMI units in VPD Overlay Zone (Nasonville)</u>	<u>7.75</u>	<u>7.75</u>	<u>7.75</u>	<u>7.75</u>	<u>31</u>	<u>11</u>	<u>20</u>	<u>≤ 80%</u>
Burrillville Housing Authority and Community Development Corporation Developments								

<u>All or most units LMI</u>	<u>23</u>	<u>23</u>	<u>23</u>	<u>23</u>	<u>92</u>	<u>80</u>	<u>12</u>	<u><= 80%</u>
<u>Burrillville LMI Housing Strategy - TOTAL</u>	<u>50.75</u>	<u>50.75</u>	<u>50.75</u>	<u>50.75</u>	<u>203</u>	<u>91</u>	<u>112</u>	

Table V-2. Inclusionary Overlay (Village Planned Development Overlay Zone, Growth Projection for Nasonville

Nasonville Growth Area	
Acreage	72.3
Development Constraints wetlands & jurisdictional areas, open space, roads = deduct 40%	43.4
Square footage conversion = multiply 43,560 sq. ft.	1,889,632.8
Potential Lots per Density bonus per compliance with Subdivision & Land Dev. Regulations and VPD Ordinance Standards = divide 12,000 sq. ft.	157.5
Potential Affordable Units = multiply 20%	31

Source: U.S. Bureau of the Census, 2000; RIHMFC, 2003.

Collectively, these actions for developing LMI housing will pair with this Plan’s actions for addressing market rate housing needs for all segments of the housing market, including renters, homeowners, elderly, low and moderate income residents, large families, the homeless, and special needs persons and groups.

Zoning Strategies - A key component of this Low-Moderate Income Housing Strategy is the continued implementation of the Town’s zoning ordinance, including the maintenance of R-12 and R-20 zones within the village areas.

The Burrillville Town Council adopted an Inclusionary overlay zone for the sole purpose of focusing and directing mixed-income housing unit growth towards existing village areas. The Inclusionary overlay zone is entitled “Village Planned Development – Land Development Project,” and is Section 30-290 of the Burrillville Zoning Ordinance. As part of the land development application process, Burrillville now offers an option to the development community –both non-profit and private- to put forth development

proposals that may receive a density bonus if all the general performance standards of Section 30-209 are met and 20 percent of the homes are LMI. Allowing the VPD as an overlay zone enables the Town to maintain control over where growth takes place, while the property owner still maintains all rights associated with the underlying zoning district. A density bonus is allowed and capped at the R-12 zoning district density allowance. That is, regardless of the density of the underlying zoning, the density bonus associated with a VPD proposal shall not exceed that of an R-12 calculation (i.e. 12,000 sq. ft. minimum lot size). The density bonus varies depending on the density associated with the underlying zoning district. Locating the VPD adjacent to existing village centers, in combination with the potential density bonus, is analogous to expanding the existing R-12 zoning districts. When viewed as a density bonus, the zoning tool becomes a stimulus for developing LMI housing by offsetting the development cost associated with LMI unit construction.

This strategy has been very effective to date, and is the primary reason the Town will imminently be meeting its 10% goal. Most of the village areas have largely hit their current capacity for LMI housing development, with the exception of Nasonville. As discussed in the Economic Development chapter of this plan, the Burrillville Redevelopment Authority has plans to invest in Nasonville, and is pursuing

the extension of public water and/or sewer lines to the area. This will help unlock the potential for development needed to support the LMI housing production assumed in Table V-10.

~~Currently, the Town does not have alternative ways for developers to meet its inclusionary zoning requirements. One option granted to all municipalities in Rhode Island, per RIGL 45-24-46.1, is the ability to allow developers to pay a “fee-in-lieu” of developing LMI housing. Burrillville intends to explore this option. If adopted, the Town will also need to establish a local Affordable Housing Board (AHB), the primary purpose of which would be to oversee and allocate “fee-in-lieu” and any other funds deposited into a restricted account pursuant to RIGL 45-24-46.1 as amended. Such funds would be earmarked to assist local LMI housing production. The AHB members could also be charged with other duties such as, but not limited to, research into other funding opportunities, running of educational programs regarding LMI housing issues with the community, and developing site inventories for potentially suitable sites for future LMI housing development or redevelopment. Per RIGL 45-24-46.1, if the Town adopts this strategy, this Comprehensive Plan will be amended to include the specific process used to allocate the funds.~~

Currently, the Town does not have alternative ways for developers to meet its

inclusionary zoning requirements. One option granted to all municipalities in Rhode Island, per RIGL 45-24-46.1, is the ability to allow developers to pay a “fee-in-lieu” of developing LMI housing. Burrillville explored this option and decided not to pursue it, as the amount of the fees allowed by the State were deemed less valuable than the direct construction of LMI homes. Further, the administration of collecting and spending any such fees could be burdensome for town staff. Fee-in-lieu will not be an option under the VPD overlay zone or any general inclusionary zoning policy adopted by the Town. Should significant changes be made to State law on this issue, the Town may choose to revisit this policy.

While fee-in-lieu does not represent a viable alternative for on-site construction of affordable housing under the current State law, Burrillville may consider other alternatives such as off-site construction, land dedication, and off-site rehabilitation.

Inclusionary Overlay Zone, Unit Calculation Methodology - For purposes of this Low-Moderate Income Housing Strategy, it is necessary to forecast the total number of housing units in order to calculate the number of those units likely to be LMI. Existing RIGIS mapping data was utilized to calculate undevelopable soils areas. The soils data was layered over the town parcel data for purposes of calculating

undevelopable soils area and developable soils areas (see Map V-1).

Table V-11 demonstrates the potential for LMI production in Nasonville under the VPD overlay zone. The total acreage for each of the growth areas was calculated for the Town’s original production plan, and Table V-11 shows the portions of that analysis relevant to Nasonville. The original GIS analysis revealed approximately 22 acres among all four village areas with soil not suitable for community development. Considering undevelopable soils, jurisdictional wetlands and stream setbacks, and open space exactions, 40 percent of the total land area was deducted from each growth area. The areas were then converted from acres to square feet. All the growth areas were then divided by 12,000 square feet, which assumed each growth area would receive the total density bonus and the total number of lots or units was estimated at 573. In terms of the affordable units, a multiplication of .20 was necessary, as 20 percent of each growth area must be subsidized.

~~Another important factor in stimulating the creation of LMI housing lies in mandating 20 percent LMI unit construction as a part of conventional growth not associated with the Inclusionary overlay zone. Since this policy has been in place, approximately 20 LMI units have been built over the past five years, or approximately four units per year.~~

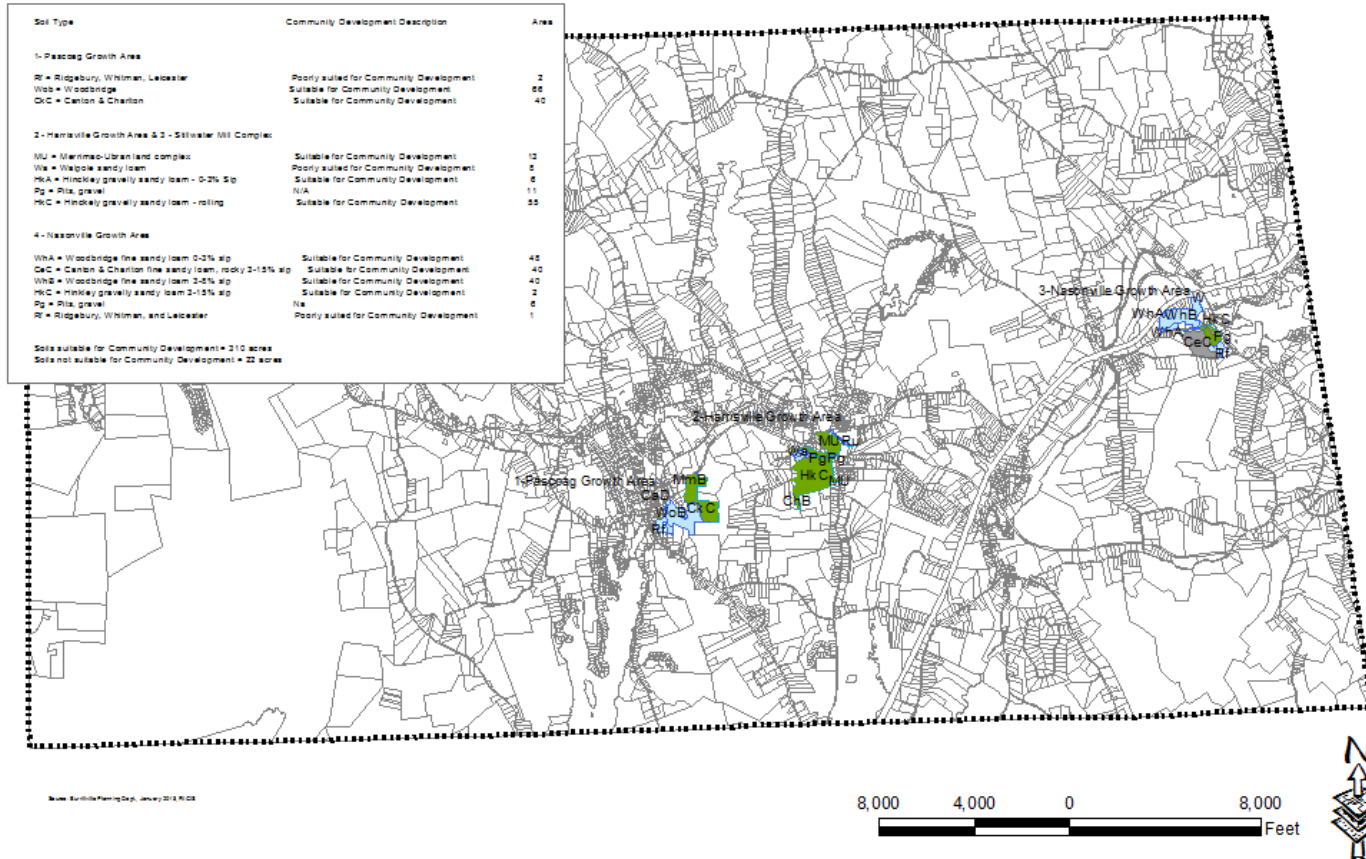
~~This is actually much higher than the estimated 4.34 units every five years estimated in the Town's original production plan. Maintaining this mandatory 20 percent LMI requirement for conventional subdivisions, and sticking with the original assumption (now proven to be a conservative estimate) of a production rate of 4.34 units every five years, will yield an estimated 17.36 units over the next 20 years (see Table V-10). These efforts should easily maintain Burrillville's 10% goal, regardless of the outcomes of the 2020 Census.~~

Another important factor in stimulating the creation of LMI housing lies in mandating a percent of LMI unit construction as part of conventional growth not associated with the VPD inclusionary overlay zone. The Town will explore options for establishing a inclusionary zoning policy in other residential districts that sets aside approximately 15% of housing units in developments of six or more units as LMI housing. Based on the build-out analysis in this comprehensive plan, 1,754 new units can be accommodated in Burrillville. The Town Planner estimates that approximately 30%, or 526, of these new units may be in developments of six or more units that would trigger inclusionary zoning. This would equal approximately 80 (15%) new LMI housing units by build out in 2040, or approximately four units per year (see Table V-10).

Inclusionary zoning coupled with the redevelopment of Nasonville will produce an estimated 111 units of affordable housing. The Town would require another 91 LMI units to maintain its 10% goal at build-out. In addition to inclusionary zoning and the Nasonville redevelopment, as illustrated in Table V-10, it will be important for the Town to work with the Burrillville Housing Authority and local community development corporations, such as NeighborWorks Blackstone River Valley, to find and facilitate opportunities for filling this gap over the next 20 years.

For a Table of Acronyms and an explanation of the time frames for the implementation matrix below, see Chapter XII Implementation.

Village Planned Development - Soils Developable Soils Areas



Map V-1. Developable Soils Areas of Village Planned Development Overlay District

I.1 Goals, Policies, and Implementation Actions

Housing Goals	Policies	Implementation Actions	Time Frame	Responsible Party
<p>V.1 Encourage a range of housing opportunities to meet the diverse housing needs of Burrillville’s residents.</p>	<p>V.1.a Stimulate development of a variety of housing, in terms of cost, size, location and design, to meet the broad range of needs and desires of homeowners and renters, and of all income groups and family sizes.</p>	<p>V.1.a.1 As developments are proposed, actively communicate with applicants the Town’s desire to see a variety of housing options, including a range of types, sizes and costs.</p>	<p>Ongoing</p>	<p>TC, BHA, BRA</p>
		<p>V.1.a.2 Continue to require 20% LMI housing for subdivisions & LD projects of 10 or more units. Units must be in compliance with R.I.G.L. 45-53-3(5). <u>V.1.a.2 Adopt a town-wide inclusionary zoning policy that requires approximately 15% LMI housing for developments of six units or more. Units must be in compliance with R.I.G.L. 45-53-3(5).</u></p>	<p>Ongoing</p>	<p>PB</p>
		<p>V.1.a.3 Explore and determine the value of allowing “fee-in-lieu” of LMI housing development, along with a local Affordable Housing Board to manage and allocate any such fees collected.</p>	<p>Priority</p>	<p>TC</p>

Housing Goals	Policies	Implementation Actions	Time Frame	Responsible Party
	V.1.b Allow and encourage a combination of LMI unit construction and commercial construction through the Village Planned Development process.	V.1.b.1 As the BRA continues to make plans and investments in Nasonville, ensure the inclusion of LMI housing through the Village Planned Development process.	Priority	PB, BRA
	V.1.c Increase the housing options available to households with less than the Burrillville median income to provide more opportunities to keep the cost of housing at no more than 30% of household income.	V.1.c.1 Develop new and renovated affordable housing options for households whose incomes are less than 50 percent of the local median income through public investment, subsidy and/or joint public/private efforts.	Long Term	BHA, BRA
		V.1.c.2 Develop new and renovated affordable housing options for households whose incomes are between 30 and 80 percent of the local median income through incentives to the private sector, joint public-private efforts and non-profit development.	Long Term	BHA, BRA
		V.1.c.3 Expand the activities of the Town's Housing Authority to increase its ability to serve Burrillville residents, with special emphasis upon offering more opportunities for families, providing more services to the elderly, and supporting the renovation of existing homes.	Intermediate	TC, BHA

Housing Goals	Policies	Implementation Actions	Time Frame	Responsible Party
	V.1.d Ensure that the Town continues to maintain 10% or more of its housing units as low-moderate income housing.	V.1.d.1 Work with the Burrillville Housing Authority to ensure that existing units are maintained and modernized as necessary.	Ongoing	TC, BHA
		V.1.d.2 The Town will continue (through the Housing Authority or another non-profit agency) to identify and secure parcels for redevelopment and provide additional subsidized housing to the extent State or federal programs make such development feasible.	Intermediate	BHA, BRA
		V.1.d.3 Support the Housing Authority's efforts to expand the number of Section 8 certificates through technical or other assistance.	Ongoing	TC
	V.1.e The Town's priority should be to meet the affordable housing needs of its local residents and employees, per R.I.G.L. 45-53.	V.1.e.1 Whenever possible, require that affordable units be administered in a manner that gives preference to local residents.	Ongoing	PB, BHA
	V.1.f Encourage and support the optimum location of new housing in terms of its relationships to transportation, pollution control, water	V.1.f.1 Promote higher density housing development within the villages, where services and other amenities are existing or planned except where there are other criteria which must be met or concerns that conflict with allowing higher density.	Ongoing	PD, PB

Housing Goals	Policies	Implementation Actions	Time Frame	Responsible Party
	supply, education and other public facilities and services; employment opportunities and commercial and community services; adjacent land uses; and the suitability of the specific site for other land uses, including open space.	V.1.f.2 Continue to require two to five acre minimum lot requirements in outlying areas of the community, where services and amenities are not available or planned.	Ongoing	PD, PB
V.2 Promote a safe, sanitary and well-constructed housing stock through new construction and renovation of existing structures.	V.2.a Encourage and support the optimum use of existing housing stock, existing neighborhoods and existing structures suitable for residential use, in meeting housing needs, including rehabilitation of historic buildings for housing.	V.2.a.1 Support the reuse and rehabilitation of mill buildings for housing use in those locations where access, parking, environmental concerns etc., preclude continued industrial use.	Ongoing	BRA
		V.2.a.2 Continue providing low interest loans and other assistance for home improvements for low and moderate-income persons.	Ongoing	PD
	V.2.b Encourage and support more efficient use of the State's natural, energy, fiscal and other resources, and public services and facilities in residential structures and in residential development patterns.	V.2.b.1 Provide incentives for combining open space preservation efforts with new affordable housing construction, such as through cluster development.	Intermediate	PB

Housing Goals	Policies	Implementation Actions	Time Frame	Responsible Party
V.3 To encourage density and pedestrian friendly neighborhoods	V.3.a Encourage and support the improvement of existing highly dense village neighborhoods.	V.3.a.1 Allow and encourage the development or redevelopment of compatible small-scale affordable housing structures within existing neighborhoods.	Intermediate	BRA, PB, TC,