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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO TOWNS AND CITIES -- MULTIFAMILY HOUSING ACT

Introduced By: Senators Mack, and Bell

Date Introduced: March 01, 2024

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 45 of the General Laws entitled "TOWNS AND CITIES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 24.7

4 MULTIFAMILY HOUSING ACT

5 **45-24.7-1. Short title.**

6 This chapter shall be known and may be cited as the "Multifamily Housing Act".

7 **45-24.7-2. Legislative purpose.**

8 It is the purpose of this chapter to encourage the development of higher-density, mixed use,
9 and walkable urban communities. Guaranteeing a right for new construction in urban areas at a
10 base density of at least two (2) units per parcel would reduce the use of automobiles and create
11 development of middle housing within areas formerly zoned as single-family areas.

12 **45-24.7-3. Definitions.**

13 As used in this chapter, the following words and phrases shall have the following meanings:

14 (1) "Cottage clusters" means groupings of no fewer than four (4) detached housing units
15 per acre with a footprint of less than nine hundred (900) square feet each, that include a common
16 courtyard.

17 (2) "Middle housing" means duplexes, triplexes, quadplexes, cottage clusters and
18 townhouses.

19 (3) "Townhouse" means a dwelling unit constructed in a row of two (2) or more attached

1 units, where each dwelling unit is located on an individual lot or parcel and shares at least one
2 common wall with an adjacent unit.

3 (4) "Urban growth boundary" means and refers to rules that designate what areas can and
4 cannot be developed around a city center.

5 **45-24.7-4. Permissible middle housing.**

6 (a) Except as provided in subsection (c) of this section, any property within a municipality
7 with a population of forty-thousand (40,000) or more, is hereby permitted to be developed as
8 follows:

9 (1) All middle housing types in areas zoned for residential use that allow for the
10 development of detached single-family dwellings;

11 (2) A duplex on each lot or parcel zoned for residential use that allows for development of
12 detached single-family dwellings; and

13 (3) A duplex on each lot parcel zoned for residential use that allows for the development
14 of detached single-family dwellings.

15 (b) Nothing in this section prohibits a local governing body from allowing other types of
16 middle housing in addition to duplexes.

17 (c) This section does not apply to municipalities with a population of less than forty-
18 thousand (40,000); lands not within an urban growth boundary; lands not zoned for residential use,
19 including lands primarily zoned as commercial, industrial, agricultural; those used for public uses
20 or, lands zoned under an interim zoning designation that maintains the land's potential for planned
21 urban development.

22 (d) Local governing bodies may regulate site and design of middle housing required to be
23 permitted under this section; provided that, regulations do not, individually or cumulatively,
24 discourage the development of all middle housing types permitted in the area through unreasonable
25 costs or delay. Local governing bodies may regulate middle housing to comply with protective
26 measures adopted pursuant to statewide land use planning goals and the municipalities'
27 comprehensive plan.

28 (e) This section does not prohibit local governing bodies from permitting:

29 (1) Single-family dwellings in areas zoned to allow for single-family dwellings; or

30 (2) Middle housing in areas not required under this section.

31 (f) The state building code standards committee shall develop a model middle housing
32 ordinance no later than December 31, 2024.

33 (g) Any municipality may designate zones that exempts the property within the subject
34 zones from compliance with this section. Any property exempted from compliance with this section

1 [is subject to a one percent \(1%\) exclusionary zoning transactional fee. Said fee shall be remitted to](#)
2 [Rhode Island housing in support of affordable housing grant programs.](#)

3 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO TOWNS AND CITIES -- MULTIFAMILY HOUSING ACT

1 This act would require single-family residential zoning in municipalities with populations
2 of over forty-thousand (40,000) to allow middle housing and mandates that those municipalities
3 adopt zoning regulations for middle housing.

4 This act would take effect upon passage.

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