Ursillo, Teitz & Ritch, Ltd.
Counsellors At Law

2 Williams Street
(at South Main Street)
Providence, Rhode Island 02903-2918

Michael A. Ursillo *
Andrew M. Teitz, AICP * †
Scott A. Ritch * †
———————
Troy L. Costa †
Amy H. Goins * †
Peter F. Skwirz * †
Admitted in RI*, MA†

Tel (401) 331-2222
Fax (401) 751-5257
amygoins@utrlaw.com
zoning@utrlaw.com

M E M O R A N D U M

TO: **American Planning Association Legislative Committee**

FROM: **Amy H. Goins, Esq.**
Andrew M. Teitz, Esq., AICP

DATE: **July 31, 2025**

SUBJECT: **Enacted Legislation Affecting Land Use**

As you know, the legislative session has now ended and this memorandum is provided to update you on the status of the legislation. Notably, only one bill from the Speaker's package failed to gain passage, and one bill was not enacted on its own, but its substance was folded into another bill. The budget bill also contained a section relating to zoning regulations for remote work. We have attached copies of the public laws. Please note that many of these bills became effective upon passage in late June or early July. Please let us know if you have any questions.

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Contents

Legislation NOT Enacted

Our previous memo reviewed two pieces of legislation that were ultimately not enacted. The first bill, H5802Aaa, would have set forth a process by which the State could propose and develop residential projects on State-owned vacant property. This bill failed to pass the Senate.

The second bill, H5799A, relating to infill/oversized lot subdivisions and neighborhood character-based zoning modifications, was not enacted as a standalone bill, but its substance was folded into H5794Baa, the bill amending certain provisions of the Development Review Act & Zoning Enabling Act, summarized below.

H 5794Baa: Zoning Enabling Act (ZEA) & Development Review Act (DRA) [P.L. 2025, chapters 258 & 289]

→ Key Takeaway: For the third year in a row, this legislation amends certain portions of the Zoning Enabling Act (ZEA) and Development Review Act (DRA), which govern municipal land use. Some of these amendments are in the nature of housekeeping or incremental changes and some of these amendments are more significant – for example, making pre-application meetings optional rather than mandatory. The general thrust of the changes is to make more development, especially housing, permitted by right or with only administrative approval, reducing requirements for public notice and public hearings.

→ Effective Date: June 27, 2025

This legislation makes the following changes to the Zoning Enabling Act and Development Review Act:

- Definition of major and minor subdivision: The definition of a "major subdivision" was revised as follows (new language underlined): "A subdivision creating ten (10) or more buildable lots <u>where a street extension or street creation is required</u>." The definition of a "minor subdivision" would be revised as follows: "A subdivision creating nine (9) or

fewer buildable lots and a subdivision creating ten (10) or more buildable lots on an existing improved public street." Additionally, a new category of minor subdivisions was created, known as "oversized lot subdivisions," discussed below.

- Oversized lot subdivisions, a sub-category of minor subdivisions, must satisfy all four criteria set forth below. Zoning relief solely for lot area shall not be required and the resulting lots shall have the benefit of the provision of the ZEA setting forth a 'building bonus' (reduced setbacks and increased lot coverage for undersized lots) and/or may be eligible for dimensional relief via zoning modification. See also the section below on "neighborhood character-based modifications," some of which overlaps with this section.
    - The subdivision results in the creation of a vacant lot or lots for residential use;
    - The resulting lots are equal to or greater in lot area than the lot area of at least fifty percent (50%) of the developed residential lots within two hundred feet (200') of the lot proposed for subdivision, as confirmed by a professional land surveyor based on a compilation plan;
    - The resulting lots have access to available sewer and water, or have demonstrated the ability to drill a private well meeting state standards if no public water is available and/or the suitability and setbacks required for a septic system, where no public sewer is available; and
    - The resulting lots are not less than 3,000 square feet in lot size.
- Pre-application meetings: Now optional (at the applicant's request) rather than mandatory. Previously, pre-application meetings were required for major land development projects and major subdivisions.
- Certification of completeness: Clarifies the purpose of the administrative officer's initial review of applications for completeness by adding the following language: "An application shall initially be reviewed by the administrative officer solely for the purpose to determine whether the application lacks information required for the respective applications [sic] type as specified in the local checklist, and whether the applicant lacks items or information which was required as a condition of a previous approval stage(s) for the same project." The legislation also specifies that "an application shall not be deemed incomplete for reasons other than the failure to supply an item or items listed on the applicable checklist."
- Preliminary plan review for major projects: Eliminates the requirement that, prior to approval of the preliminary plan, the applicant shall submit (1) copies of all legal documents describing the property, proposed easements, and rights of way; and (2) required state and federal permits. Legal documents and permits are now required prior to approval of the final plan. For permits issued by RIDOT, a letter evidencing the issuance of such a permit upon submission of a bond and insurance would suffice for final approval, but the actual permit is required before a building permit may issue.
    - This represents a significant change in procedure because the final plan stage is administrative, meaning that going forward, neither the Planning Board nor the

public will have the opportunity to comment on these permits at a public meeting. However, due to the combined effect of recent changes to state law, municipal authority over areas where a state agency has concurrent jurisdiction, especially for environmental issues, has already been somewhat diminished.

- Final approval expiration date: Extends the expiration date for final approval for major projects from one year to two years.

- Clarification of role of Board of Appeal: Previous legislation had limited the matters subject to appeal to the Board of Appeal (Zoning Board), since most appeals of land use matters will now go directly to Superior Court. This revision clarifies that the Board of Appeal would review "decisions of the administrative officer on administrative matters, interpretations and decisions . . . and shall not apply to decisions of the administrative officer . . . which approve or deny an application." For example, an appeal of an AO's interpretation that a checklist item applied to a particular application would go to the Zoning Board as the Board of Appeal. An appeal of an AO's granting or denying a minor subdivision would go to Superior Court.

- Changes to required findings for approval: Clarifies that projects must either be zoning-compliant or receive zoning relief. Additionally, the required findings for minor subdivisions that are subject to administrative review and approval (for which no zoning relief is required) are now pared down. Such projects are no longer required to satisfy the standard of 'no significant negative environmental impacts' or the standard prohibiting the creation of lots with physical constraints to development for which building would be rendered impracticable. This continues the trend to emphasize that the state, through DEM and CRMC, has preempted the field of environmental regulation and largely removed it from the authority of the municipalities.

- Revision to the definition of a "floating zone" as follows: "An unmapped zoning district adopted within the ordinance that is established on the zoning map <u>is effective</u> only when an application for development, meeting the zone requirements, is approved <u>and the approved plan is recorded</u>."

- Adaptive reuse: Revisions to regulations adopted in 2023. Expands the provision of the law setting forth where adaptive reuse projects shall not be allowed by adding provisions that prohibit adaptive reuse in certain situations. Additionally, the amendments include revisions to regulations governing density so that there is now an incentive to provide at least 10% low-or-moderate income housing, which essentially allows whatever maximum density the property can support and still satisfy building and fire codes. Without that 10% minimum affordability, the municipality can set a maximum density. Revisions were also made to the dimensional regulations to clarify that occupiable space (either as residential or mixed-use) is limited to the existing building envelope, and expansions can only be for non-occupiable space for such things as HVAC equipment, stairs, and elevators.

- Manufactured homes: Makes manufactured homes permitted as a type of single-family home on any lot zoned for single-family use. Legislation to this effect was introduced in 2024 but amended before passage to make this an option rather than a requirement. This is now mandatory for all municipalities. There is still a lack of clarity as to whether this applies to what most people consider "mobile homes." It appears that it would allow a mobile home as single-family use, including as an ADU if otherwise conforming to the ADU requirements, if the wheels are removed and it is installed on a permanent foundation. The definition of a "manufactured home" from last year's legislation remains unchanged.

- Dimensional requirements for substandard lots: Revises this section of the law, which was adopted in 2023 and then further revised in 2024. Setbacks, lot frontage, and lot width requirements for substandard lots are reduced in proportion to how undersized the lot is compared to the minimum lot size for the zoning district. (For example, if the lot contains 40% of the minimum lot area, those requirements would be reduced by 40%.) The 2024 amendments required the zoning official to apply the dimensional requirements "from another zoning district in the municipality in which the subject lot would be conforming as to lot area" – this language has been eliminated in favor of the proportional reduction in setbacks, with the addition of the following clause: "However, to the extent the city or town has a zoning district in which the lot would be conforming as to size, the city or town may require compliance with the building setback, lot frontage, and lot width requirements for said zoning district if such requirement is in the local zoning ordinance."

- Zoning modifications: Zoning modifications allow administrative relief from dimensional requirements. They were previously optional and made mandatory statewide in 2023. This legislation provides that modifications are available for any dimensional requirements specified in the zoning ordinance. Language that prohibits modifications for lot area has been eliminated, along with language that prohibits modifications in conjunction with new lot lines. Also, one of the standards for granting a zoning modification has been changed to reflect the revised standard (from previous legislation) for dimensional variances.

- Neighborhood character-based modifications: A new category of "neighborhood character-based modifications ("NCBM")" is authorized on properties connected to public sewer and water for purposes of residential use. Such modifications are available in connection with "the construction, alteration, creation or structural modification of a dwelling unit." These modifications allow "dimensional relief from frontage, lot width, and lot depth, up to the average dimensions of the comparable existing built environment." This benchmark shall be calculated by a professional land surveyor and must include "all parcels that are: (A) within two hundred feet (200') of the subject property; and (B) in the same base zone; and (C) used for residential purposes." Notably, these average dimensions "are to be determined without any additional review of zoning or building code analysis of the legality of the existing dimensions of the comparable

existing parcels." This means that if a property is surrounded by neighboring parcels that, for example, are all legally nonconforming with respect to lot coverage, the subject property will benefit from the character of the existing built environment and will be eligible for a modification. The threshold for an NCBM is higher than the threshold for a regular zoning modification – an NCBM of 30% or less can be granted without any notice whatsoever, to either direct abutters or the public at large. Modifications of greater than 30% do require notice to direct abutters, but the only ceiling on these modifications is the "average dimensions of the comparable existing built environment."

- Inclusionary zoning: This remains an optional tool for municipalities to encourage production of LMI Housing. This provision of the ZEA was amended in 2023 and revised again in 2024. This legislation adds two provisions to this portion of the ZEA. First, "a municipality shall not limit the number of bedrooms for applications submitted under this section to anything less than three (3) bedrooms per dwelling unit for single-family dwelling units." Second, "inclusionary zoning requirements shall not be applied where there is a limitation on development density at the subject property under the regulations of a state agency, such as the [CRMC or DEM] that prevents the use of the density bonus set forth in this section."
- Unified development review: Made mandatory in 2023, this procedure allows the Planning Board to grant zoning relief in connection with development projects. This amendment clarifies how those standards should be applied for projects involving subdivisions.
- Transit-oriented development pilot program: This portion of the amendments relate to legislation enacted in 2023 that aims to encourage development near transit centers. Regulations for this program have not yet been promulgated by the Department of Housing. These amendments tweak the criteria for this program, including allowing developers (not just municipalities) to apply for state funding.
- Finally, this legislation amends the Comprehensive Planning and Land Use Act by providing that amendments made to a municipality's comprehensive plan that allow for an increase in new housing units shall be exempt from the limitation on annual amendments (normally permitted only four (4) times per calendar year).

H 5793A: Tax Cap [P.L. 2025, chapters 367 & 368]

→ Key Takeaway: This legislation allows municipalities to exceed the statutory four percent (4%) limit on increases to the previous year's tax levy based on increases to the municipality's housing stock, with certain conditions.

→ Effective Date: July 1, 2025

This legislation adds a provision to an existing law that limits municipal property tax increases. Existing law limits annual property tax increases to four percent (4%), meaning that the total amount levied cannot exceed the previous year's levy by more than this percentage. This law adds the following new exception to this general rule:

"The assessed value of new housing units added to the municipal tax base may exceed the maximum levy, as set forth in this section. For the purposes of this subsection, new housing units shall include newly constructed residential properties, including single-family homes, multi-family dwellings, and mixed-use developments where residential units constitute at least fifty percent (50%) of the building's total square footage as well as existing buildings converted into residential housing units qualifying under adaptive reuse in § 45-24-37; provided such conversions meet all applicable zoning and building code requirements and increase the municipality's total housing stock. New construction shall also include modular and manufactured homes."

The requirements for this exemption to the tax cap are as follows:

"(i) A city or town has issued over ten (10) certificates of occupancy during the tax year for new residential units; and
(ii) Such units are part of a development that includes at least ten percent (10%) of the units designated as low- or moderate-income housing as defined in §§ 45-53-3 and 42-128-8.1; and
(iii) Such units are assessed utilizing the same valuation methods and rates as similar units in the respective city or town; and
(iv) The assessed value of a new housing unit may only exceed the maximum levy for a period of three (3) years following the issuance of a certificate of occupancy for the new housing unit."

This legislation was endorsed by the Rhode Island League of Cities & Towns.

H 5795A: Zoning Certificates [P.L. 2025, chapters 263, 264]

→ Key Takeaway: This legislation would attempt to change the nature of zoning certificates, which are currently for informational purposes only.

→ Effective Date: June 27, 2025

The legislation clarifies that issuing zoning certificates is one aspect of a zoning official's duties, would extend the zoning official's response deadline to 20 days (up from 15 days), and allows a requesting party to appeal to the Zoning Board if no written response is provided within that deadline.

The description of this legislation in the press release announcing its passage is to "allow purchasers [of real property] to reasonably rely on zoning opinions issued by local officials. Presently, when a current property owner obtains a zoning certificate, the certificate is for instructive purposes only and not binding; this amendment would remove the non-binding nature of zoning certificates to allow property owners to rely on the municipal determination of the

legality of the present use." However, nowhere in the statute are the words "binding" or "rely" used. Therefore, in our view, this legislation should not affect the well-established principle in Rhode Island caselaw that if a municipal official makes a mistake where zoning compliance is concerned, a property owner is not entitled to rely upon that mistaken opinion. But although the text of this legislation appears innocuous, municipalities may anticipate that this legislation might be used in future litigation from property owners seeking damages based on mistaken advice/information from zoning officials.

It is worth remembering, irrespective of the new legislation, that a zoning certificate should provide only the current information within the records of the municipality, such as zoning district and current legal conforming or nonconforming use, and not speculate on future development of the parcel. The definition of a "zoning certificate" was not changed in this legislation, and is as follows: "a document signed by the zoning enforcement officer, as required in the zoning ordinance, that acknowledges that a use, structure, building, or lot either complies with, or is legally nonconforming to, the provisions of the municipal zoning ordinance or is an authorized variance or modification therefrom."

H 5796aa: Development within urban services boundary [P.L. 2025, chapters 369, 370]

→ Key Takeaway: This legislation requires municipalities to allow housing types other than single-family detached structures within the urban services boundary.

→ Effective Date: 1/1/2026

This legislation amends the ZEA by adding an additional purpose to the list of general purposes that zoning ordinances shall address: "providing for residential use options that are not limited to single family detached structures, in areas which have available public water and sewer capacity in municipalities in which at least part of the area is located within the urban services boundary which is identified on Rhode Island statewide planning program's future land use map tools and on the Rhode Island geographic information system."

This is one of the most succinct pieces of legislation in the housing package and although its text is limited, its intent appears to be going beyond requiring municipalities to amend the 'boilerplate' to actually reevaluating the uses that are allowed within the urban services boundary.

H 5797A: Co-living housing opportunities [P.L. 2025, chapters 327 & 328]

→ Key Takeaway: This legislation permits, but does not require, municipalities to allow co-living housing.

→ Effective Date: 1/1/2026

This legislation amends the ZEA by adding a definition for "co-living housing," defined as "a specific residential development with units which provide living and sleeping space which are independently rented and lockable for the exclusive use of an occupant, but require the occupant to share sanitary and/or food preparation facilities with the other units in the occupancy. This section shall not be read to allow the conversion of existing dwelling units into co-living housing unless authorized by a local zoning ordinance." Municipalities are permitted, but not required, to "authoriz[e] community living options such as co-living housing in areas serviced by transit and other services." The legislation provides further that municipalities may allow co-living housing in adaptive reuse developments, contingent on compliance with the applicable building and fire codes.

H 5798Aaa: Attached single-family dwelling units [P.L. 2025, chapters 261 & 262]

→ Key Takeaway: This legislation amends the ZEA by providing that the construction of attached single-family dwellings shall be allowed in residential zoning districts that allow for the construction of two (2) or more units.

→ Effective Date: 1/1/2026

This type of dwelling is defined as "a dwelling unit constructed side by side or horizontally and separated by a party wall and lot line." Such dwellings shall be allowed in certain zoning districts, subject to the following requirements:

- "(i) The unit(s) have access to public water and sewer, or have adequate access to private water and/or wastewater systems approved by the relevant state agency; and
- (ii) The zoning ordinance shall allow each single-family unit to be located on its own lot, without increased requirements for minimum lot size, lot width, lot frontage or lot depth and shall allow for a zero-lot line setback along the common property line to accommodate the subdivision for these units; provided that, the unit(s) comply with requirements for building and fire codes; and
- (iii) Other dimensional requirements of the base zoning district shall apply to the outside perimeter property lines of the end-units of the development; however, there shall not be increased dimensional requirements solely applicable to attached single-family structures and not applicable to other residential structures containing the same density in the same zoning district; and
- (iv) Cities and towns may establish additional standards for such units; provided that, such standards do not restrict a dwelling to less than three (3) stories, restrict its floor area ratio to less than one, limit the bedrooms to less than three (3), or require more than one off street parking space for up to two (2) bedrooms, and two (2) off-street parking spaces for up to three (3) bedrooms."

The legislation provides that such dwelling units shall be allowed "in residential districts which allow for the construction of two (2) or more units. The number of attached single family units

allowed shall be the same as the corresponding residential density for the property and zoning district."

H 5800: Village/mixed-use zoning [P.L. 2025, chapters 259 & 260]

→ Key Takeaway: This legislation requires municipalities to provide for "residential development in all or some of the areas encompassing commercial district(s)" within the municipality.

→ Effective Date: 1/1/2026

This legislation requires municipalities to adopt "objective standards and criteria addressing the following: (i) standards to ensure that residential uses are allowed and integrated with commercial uses in a mixed use or village development; (ii) provisions that allow residential uses above commercial uses on the ground floor or first floor of a structure(s); (iii) provisions to permit medium to high density residential development in the commercial zones allowing residential use; and (iv) flexible and reasonable dimensional standards that promote and allow for the mixed use or village development." These requirements have been added to the section of the ZEA that sets forth the general purposes of zoning ordinances.

H 5801: LMI Housing Act [P.L. 2025, chapters 363 & 364]

→ Key Takeaway: This legislation restores the master plan stage for comprehensive permit applications, but only as an option to be elected by the developer. Other changes include making pre-applications optional for the developer and not mandatory, eliminating separate findings for denial of comprehensive permit applications, and other changes to the required criteria for approval.

→ Effective Date: July 1, 2025 [Section 1] & January 1, 2026 [Section 2]

Section 1: In addition to some changes in the nature of housekeeping, this section of the legislation allows developers to request review and approval of the master plan for the project. In 2023, the master plan stage was eliminated for comprehensive permits, leaving only a single public hearing to be held at the preliminary plan stage of review. This restores master plan as an optional stage of review, at the choice of the developer. A public hearing would be held only if the developer submitted requests for adjustments (relief from the requirements of the zoning ordinance and/or local regulations).

Additionally, this section of the legislation revises the required findings for comprehensive permits. Currently, the law sets forth a list of required findings for approval and a separate list of required findings for denial. This legislation would instead set forth a single list of required findings, all of which would need to be satisfied for approval. Notable changes to the criteria for approval include the following:

- If the Planning Board finds that the project is not consistent with local needs, "it must also find that the municipality has made significant progress in implementing [its affordable] housing plan."
- The standard for whether the affordable units in the development are "compatible in scale" to the market rate units would be defined as "meaning that the footprint and height of the [affordable] units shall not be less than twenty-five percent (25%) of the footprint and height of the market rate units." Similarly, the standard for whether the affordable units are "of similar architectural style to the market rate units within the project" has been clarified; this is about whether "the exterior of the units looks like an integrated neighborhood with similar rooflines, window patterns, materials and colors."
- There is now an exception to the requirement that affordable units be integrated into the development and be compatible in scale and architectural style for certain dwelling units. Affordable units that are age-restricted (55+ or 62+) are not subject to this requirement "to the extent the age-restricted housing units are designed to meet the physical or social needs of older persons or necessary to provide housing opportunities for older persons."

Section 2: This portion of the legislation, which takes effect on January 1, 2026, will clarify how the LMI Housing Act should be applied to a municipality that has met the milestone of having ten percent (10%) of its year-round housing units designated as affordable housing. As of 2023, the year for which the most current data is available, only four (4) municipalities have achieved this goal and are considered 'exempt' from the LMI Housing Act, meaning that they do not have to accept comprehensive permit applications. This legislation provides that even those municipalities that have met this goal must accept such applications and provide density bonuses for comprehensive permit projects. However, the specific minimum density bonuses that were added to the LMI Housing Act in 2023 would be applicable only to those municipalities that have not achieved the ten-percent goal.

Additionally, the legislation eliminates the ability for a municipality to limit comprehensive permit applications from for-profit developers. Currently, municipalities may do so by ordinance if they are "meeting local housing needs", which is a defined term in the Act. This revision allows only those municipalities that have achieved the ten-percent goal to do so.

The legislation also revises the definition of "consistent with local needs," which is a required finding for comprehensive permit projects. Language indicating when local land use ordinances & regulations are consistent with local needs will be eliminated. This is consistent with the intent of the LMI Housing Act and recent amendments; namely, focusing the Planning Board's review of the project on the local need for affordable housing rather than its consistency (or not) with local requirements.

H 5803A: Electronic permitting expansion [P.L. 2025, chapters 365, 366]

→ Key Takeaway: This legislation expands mandatory electronic permitting for land use applications to state agencies.

→ Effective Date: July 1, 2025, with compliance date of October 1, 2026

This law provides for the "establishment and maintenance of an electronic permitting platform and regulations related to the use of the platform for use in all matters related to the applications and review for state and local building permits, municipal zoning applications, municipal planning applications, applications and permits for the department of environmental management, applications and permits for the department of transportation and applications and permits for the coastal resources management council." This legislation expands upon a law enacted last year that set a deadline of October 1, 2025, for municipalities to go live with an e-permitting platform for development applications. The legislation expands this e-permitting mandate to the Department of Transportation, Coastal Resources Management Council, and the Department of Environmental Management, with those agencies subject to a compliance deadline of October 1, 2026.

H 5804: Building Code [P.L. 2025, chapters 276 & 333]

→ Key Takeaway: This legislation doesn't seem to have much of an effect on the municipal level – it is focused on state-level committees & agencies. It would reduce the quorum requirement to a majority of the "current" members of the 25-member board, which often has several unfilled vacancies. This old quorum requirement had delayed some building board appeals in the past.

→ Effective Date: June 27, 2025

This legislation's effect was summarized by the Legislative Council's office as follows: "This act would amend the composition of the building code standards committee and would make several technical amendments relative to the building code office and would establish a state building code office within the office of the state fire marshal."

H 6392: Outdoor Dining Act Amendments [P.L. 2025, chapters 115 & 116]

→ Key Takeaway: This legislation amends the Outdoor Dining Act by allowing food service businesses to provide temporary outdoor dining services after the occurrence of a casualty such as fire or flood.

→ Effective Date: June 23, 2025

This legislation amends the Outdoor Dining Act by allowing restaurants and other food service businesses to offer temporary outdoor dining services after a fire, flood, or other casualty. The legislation requires approval from the local city or town council and will sunset on June 30, 2027.

H 5076Aaa: Amendments to ZEA re: Remote Work (P.L. 2025, chapter 278, Article 5, Section 17)

→ Key Takeaway: This provision of the budget bill includes amendments to the ZEA that address remote work and revise the definition of a "home occupation."

→ Effective Date: June 30, 2025

It's unusual to see amendments to the Zoning Enabling Act included in the General Assembly's annual budget bill, but this year's budget includes provisions that change the definition of a "home occupation." The previous definition of a "home occupation," set forth at §.45-24-31(35) of the ZEA stated as follows: "Any activity customarily carried out for gain by a resident, conducted as an accessory use in the resident's dwelling unit." This legislation adds the following sentence to this definition: "For purposes of this chapter, home occupation does not include remote work activities as defined in § 45-24-37." The referenced section was also amended to add "remote work" to the list of uses that are permitted within all residential zones, and in industrial and commercial districts except where residential use is prohibited for public health or safety reasons. Remote work is defined as "a work flexibility arrangement under which a W-2 employee or full-time contractor routinely performs the duties and responsibilities of such employee's position from an approved worksite other than the location from which the employee would otherwise work." This definition expressly excludes "any activities that: (A) Relate to the sale of unlawful goods and services; (B) Generate on-street parking or a substantial increase in traffic through the residential area; (C) Occur outside of the residential dwelling; (D) Occur in the yard; or (E) Are visible from the street."

H 6067A: Amendments to Law re: Repurposing Vacant Schools for Housing [P.L. 2025, chapters 155 and 158]

→ Key Takeaway: This provision of the budget bill includes amendments to the ZEA that address remote work and revise the definition of a "home occupation."

→ Effective Date: June 24, 2025

In 2022, the LMI Housing Act was amended by the addition of a section that established a program for repurposing vacant schools as housing. This legislation amends the provisions relating to this program. Now, "each municipality shall provide the [Department of Housing] with a complete list of buildings abandoned or no longer being used by the school district for the purposes of conducting a feasibility assessment to repurpose the building as affordable housing." Nothing in this law takes away local control with respect to any proposals to repurpose vacant schools as housing. In other words, this program is intended to facilitate State assistance for developers who may be interested in doing so, but it does not supersede any other provisions of the LMI Housing Act that require local review and approval of comprehensive permit applications.

H Res. 6027: Extension of Land Use Commission

→ Key Takeaway: This legislation extended the reporting and expiration dates of the House Commission known as the Land Use Commission for an additional year, to June 2026. The continued existence of this legislative commission signals that the General Assembly's work in the land use arena is ongoing and that we can expect more of the same next year.

→ Effective Date: Upon Passage [4/1/25]

The Land Use Commission was created in 2021 and is formally known as the 'Special Legislative Commission to Study the Entire Area of Land Use, Preservation, Development, Housing, Environment, and Regulation." Its original reporting and expiration dates have been extended several times.