



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration  
**DIVISION OF PLANNING**  
One Capitol Hill  
Providence, RI 02908-5870

November 5, 2014

Mr. Philip L. Hervey  
Town Planner  
283 County Road  
Barrington, RI 02806

**Subject: Draft Comprehensive Plan Review – Housing Chapter**

Dear Mr. Hervey:

I am pleased to notify you that our office has completed its review of the above referenced chapter. As part of this review, we also solicited comments from other relevant State agencies. The following constitutes our evaluation of the draft material that you provided to our office. As with our previous reviews, this is a preliminary evaluation and does not constitute official findings.

The draft chapter presents clear goals, policies, and implementation actions and solid methodologies for strategies expected to contribute to achieving its future housing needs and 10% LMI unit goal. However, the most important part of this review is to alert you to any aspect of the draft that could prevent its receiving State approval. This includes any potential conflicts with elements of the State Guide Plan or the goals and policies of State Agencies, any internal inconsistencies within the Plan, and any missing material that is required to be included in a comprehensive plan by the Comprehensive Planning and Land Use Regulation Act (the Act). Our understanding is that the Town intends for this plan to meet the requirements of the Act as amended in 2011 and thereby qualify for a ten-year State approval.

What follows is divided into four sections. Section I enumerates the standards for State approval of local comprehensive plans as outlined in the Act and supplemented by the Division of Planning. Sections II and III set forth concerns with the draft Plan that relate to approvability issues, and Section IV presents other suggestions that, although not directly related to the review requirements, could improve the Plan's overall accuracy, readability, and usability if addressed.

## **I. Standards for State Approval**

The State review is intended to ensure that comprehensive plans comply with the requirements of the Comprehensive Planning and Land Use Regulation Act (the Act). These include that:

- 1) the intent and goals of the Act as stated in § 45-22.2-3(b)(1) and (c)(1) through (10) have been met;
- 2) the plan is internally consistent and complete as required by § 45-22.2-6;
- 3) the plan or amendment is consistent with, and embodies, the goals and policies of the State and its departments and agencies as contained in the State Guide Plan and the laws of the State;
- 4) municipal planning activities have been coordinated according to the provisions of section 45-22.2-7;
- 5) the plan or amendment has been officially adopted and submitted for review in accordance with §45-22.2-8 and other applicable procedures;
- 6) the plan or amendment complies with the rules and regulations adopted by the State Planning Council necessary to implement the standards established by the Act; and, that
- 7) adequate, uniform, and valid data have been used in preparing the plan or amendment.

Although all of the above will be considered in the final review of the Plan once it has been adopted by your Town Council, at this stage of the process, items 4) and 5) do not apply and are not evaluated in this review.

In addition to these general requirements, the Division of Planning is currently in the process of developing a Comprehensive Plan Guidance and Standards Manual that will offer both guidance on the development of comprehensive plans and set detailed standards relating to the above requirements for receiving State approval of comprehensive plans. However, until the Manual is adopted by the State Planning Council, which is anticipated for later this year, the review standards in force are the *interim* standards that were shared with all municipalities in 2013. Therefore, the comments included in this correspondence relating to State approval are divided into two categories, Section II presents comments relating to the current (interim) review standards and Section III presents comments relating to additional draft standards included in the Comprehensive Plan Guidance and Standards Manual. Please note that the draft standards used in this review are subject to change as the Manual is reviewed, finalized, and adopted by the State Planning Council.

Any municipally-adopted plan submitted before the adoption of the new Comprehensive Plan Guidance and Standards Manual by the State Planning Council, must satisfactorily address the comments found in Section II of this letter in order to receive State approval. Any municipally-adopted plan submitted after the adoption of the new Manual may also need to address the concerns identified in Section III.

## **II. State Approval Concerns based on the Interim Standards**

The draft Community Housing Chapter does not appear to contain any State Approval concerns for items 1), 3), or 6). Our comments for items 2) and 7) appear below.

**The plan does not appear to be internally consistent and complete as required by § 45-22.2-6.**

Since this review is limited to a chapter, a full evaluation of internal consistency and completeness cannot be accomplished at this time. However, based on the material provided, we offer the following comments.

The draft Housing chapter, while very well done, does not appear to contain all the required content.

**Comment 1** – The Interim Standards require comprehensive plans to discuss housing patterns and conditions, specifically including:

- data on breakdown of unit types: single- v. multi-family, rental v. ownership, seasonal v. year-round and
- the effects of foreclosure, abandonment and/or blight.

While the draft chapter does contain information about past construction of single and multi-family housing since 1990, this does not adequately satisfy the requirement for data on the breakdown of unit types. It does not appear that the draft plan addresses the effects of foreclosure, abandonment, and/or blight either.

*Suggestion:* Please add information that addresses the above issues. Please see Attachment 1, Item A for suggested data points prepared by Statewide Planning. If information was omitted because some of these issues do not exist, then a statement to that effect should be made. If they do exist, then a discussion of these topics must be added to the draft chapter.

**Comment 2** – The Interim Standards require comprehensive plans to provide a date by which the 10% threshold for low and moderate income housing will be achieved. It does not appear that such a date has been included in the draft chapter.

*Suggestion:* Taking the strategies collectively, provide a realistic estimate, of when the stock of low- and moderate-income housing will equal 10% of the total year-round housing stock.

**Comment 3** –The Interim Standards require comprehensive plans to discuss whether there is a need for more suitable housing options, such as whether there are a range of housing unit sizes and types available (e.g. rental, places to age in place, homes for families, singles, etc.); and whether there is a need for better housing conditions. It does not appear that the need for suitable housing options or the need for better housing conditions has been adequately discussed in the draft chapter.

**Suggestion:** A discussion of the need for more suitable housing options should be added to the draft chapter. To properly address this topic, communities should consider the following guiding questions:

- How is the condition of the housing stock likely to change and what are the likely effects of future natural hazards?
- Do the characteristics of the existing housing stock match the needs of the population?
- What actions can the municipality take to provide a greater variety of housing options to suit population needs?

**Comment 4** – In the housing element’s main text, pg. 15, the draft chapter notes that with 160 LMI units, “Barrington will need to produce 467 more affordable units to meet the 10 percent standard.” A more accurate assessment of what Barrington “will need to produce” accounts for projected population growth. As noted in Appendix IV, 589 additional LMI units will need to be added over the next 20 years before the Town hits the projected 10% mark.

**Suggestion:** Revise the narrative on pg. 15 to reflect the full number of LMI units that will be needed over the next 20 years.

**It does not appear that adequate, uniform, and valid data was used in all aspects of preparing the Plan.**

**Comment 5** – Some data presented in the draft chapter such as income distribution, characteristics, and HUD income classifications, does not reflect the most recently available data or presents data from inconsistent sources.

**Suggestion:** Revise the data to reflect the most recently available data and use consistent sources. Statewide Planning has recommended revisions in Attachment 1, section B.

### **III. State Approval Concerns based on the Draft Standards**

While the Draft Standards and the Interim Standards share some commonalities, the Draft Standards are generally more rigorous. For this reason, some of the issues that appear in the review based on the Interim Standards are also addressed in the Draft Standards below. In some cases, the Draft Standards and the Interim Standards are identical. This is true for comments 2, 4, and 5 above.

The draft Housing chapter does not appear to contain any State Approval concerns for items 1), 3), or 6). Our comments for items 2) and 7) appear below.

**The plan does not appear to be internally consistent and complete as required by § 45-22.2-6.**

Since this review is limited to a chapter, a full evaluation of internal consistency and completeness cannot be accomplished at this time. However, based on the material provided, we offer the following comments.

The draft Housing chapter, while very well done, does not appear to contain all the content required by the draft *Comprehensive Plan Guidance and Standards Manual*.

**Comment 6** – The Draft standards require comprehensive plans to provide an overview of the existing housing context. It appears that some of the data points for this requirement have not been included in the overview of existing housing conditions. Specifically, the draft chapter does not identify the number and percentage of occupied and vacant housing units. Additionally, the plan does not identify the median age of housing units. Finally, it does not appear that the draft chapter addresses the general trend in rental prices over the past 10 or more years.

**Suggestion:** Please add the required data or if it is not applicable to the Town, please add a statement to that effect. Please see Attachment 1, sections C and D for Statewide Planning's recommendation for how to include this data.

**Comment 7** – The Draft standards require comprehensive plans to identify existing housing patterns and conditions, including any condition-related issues that may be occurring within the town, such as high rates of foreclosure or abandonment, general neglect or deterioration of the housing stock, overcrowding of housing units, etc. It does not appear that the draft chapter has described any condition-related issues such as these. The draft guidance also requires comprehensive plans to discuss any ordinances or other land use regulations that may exist whose specific purpose is to limit or restrict residential growth within the Town. It does not appear that such a discussion has been included in this chapter.

**Suggestion:** This may have been omitted because such issues do not exist; if this is the case, then a statement to that effect should be made. If they do exist, then a discussion of these topics must be added to the draft chapter.

**Comment 8** – The Draft standards require comprehensive plans to assess existing and future housing needs, including the need for affordable housing. This assessment must include a discussion of the suitability of housing options such as whether the number of rental units within the community seems adequate or whether there are a range of housing unit sizes and/or types to accommodate a range of population needs. Comprehensive plans must also assess housing conditions, such as how the condition of the housing stock is likely to change due to age, deterioration, and/or attrition or what portion of the housing stock is vulnerable to natural hazards and climate change impacts. The draft chapter has not sufficiently assessed these issues.

**Suggestion:** Describe whether the available housing types and the location of housing match the needs of the existing population, determined by comparing the characteristics of current residents, the existing housing patterns and the characteristics of the existing housing stock. When assessing the suitability of housing options, comprehensive plans should consider the guiding questions included in the attached draft guidance chapter on housing.

**Comment 9** – The Draft standards require comprehensive plans to include policies and/or implementation actions that specifically address preserving the stability and character of existing residential neighborhoods and preventing the displacement of low-income residents. Policies and/or implementation actions regarding promoting the use and rehabilitation of the existing housing stock and maintaining a housing stock that is safe, healthy, and sanitary

must be included as well. It does not appear that policies and/or implementation actions addressing the above topics have been included in the draft chapter.

**Suggestion:** Preserving the stability and character of existing residential neighborhoods is an important part of planning for housing and must be addressed within the comprehensive plan with policies and implementation actions. Please see the attached draft guidance on housing for more information on how to address this comment.

**Comment 10** – The Draft standards require comprehensive plans to include policies and/or implementation actions that specifically address locating new housing in appropriate areas of the community at densities that are appropriate to the characteristics of the land, the availability of infrastructure and community services and the densities of surrounding neighborhoods. The Draft standards also require comprehensive plans to identify areas that may be suitable for future housing development or rehabilitation. These requirements are not thoroughly addressed in this chapter, and should be dealt with in greater depth in the Land Use Chapter. If the Town has not yet drafted the Land Use Chapter, then you should be advised of these requirements before proceeding. The specific requirements that must be addressed in the Land Use Chapter are as follows:

- The FLUM must identify the areas of the municipality in which residential uses are desired as a future land use.
- The land use chapter must describe the characteristics of the various residential future land use categories identified on the FLUM, including the desired density.
- Particular parcels, buildings or areas that will be suitable for redevelopment, if any, must be discussed, either in the housing section or the land use chapter.

**Suggestion:** Including residential districts at varying densities on the Future Land Use Map is the first step and must be complemented with additional policies and actions. In order to determine which policies and actions would be most appropriate to guide new residential growth to desired areas, and consider areas in which future housing development or rehabilitation may be appropriate, please use the attached draft guidance on housing.

#### **IV. Comments and Suggestions to Enhance Accuracy, Readability, and Usability**

**Comment 11** – The draft chapter commendably includes a goal to promote sustainable development features in new housing. The proposed actions to support this goal listed on page 24, however, raise concerns about creating different standards for affordable housing built under the Comprehensive permit process or with a municipal subsidy (action items 4 and 5 under Goal 3). Affordable housing should not be held to a different standard than other housing developments.

**Suggestion:** Revise these actions so that they can be broadly applied to housing development activity town-wide.

**Comment 12** – The draft chapter's assessment of housing affordability indicates that there is a scarcity of multi-family rental property and the income needed to purchase a single family home is unattainable for the majority of Barrington households.

**Suggestion:** If multi-family housing is not allowed by right, the town may wish to add an action to consider amending the zoning ordinance to allow multi-family housing by right, for rental properties other than those that are age restricted, in residential and mixed use zones.

As previously mentioned, this is a preliminary review. At the appropriate time, we encourage the Town to provide us the "final draft", incorporating revisions made to the current draft. As always, please feel free to contact Kevin Nelson, Supervising Planner with any questions, concerns, or requests that you may have at 222-2093 or at [kevin.nelson@doa.ri.gov](mailto:kevin.nelson@doa.ri.gov).

Yours truly,

A handwritten signature in black ink that reads "Kevin Flynn" with a stylized initial "R" to the right.

Kevin M. Flynn  
Associate Director

cc: Jared L. Rhodes II  
Kevin J. Nelson  
Caitlin R. Greeley

## Attachment 1: Statewide Planning Suggested Data Points

In order to facilitate addressing the comments that Statewide Planning has made on the draft Housing Chapter, some of the required data is provided below. Please note that these are Statewide Planning's recommendations, but if the Town has its own data that it would like to use, it is acceptable to use that in lieu of what is provided here.

### A. Data on breakdown of unit types

#### Units in Structure

Total housing units	6,163	
1-unit, detached	5,605	90.9%
1-unit, attached	27	0.4%
2 units	199	3.2%
3 or 4 units	54	0.9%
5 to 9 units	11	0.2%
10 to 19 units	12	0.2%
20 or more units	255	4.1%
Mobile home	0	
Boat, RV, van, etc.	0	

### B. Up-to-date Data

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##### *Income Characteristics* (1<sup>st</sup> paragraph)

Census data indicate that the town's median income increased from \$74,591 in 1999, to \$98,612 in 2009 (see Table 4).

\$74,591 – Income in 1999 (Households) – Median Household Income (Dollars)  
Source: DP-3 Profile of Selected Economic Characteristics, 2000  
Census 2000 Summary 3 File (SF-3) – Sample Data

\$98,612 – Median Household Income (In 2011 Inflation-Adjusted Dollars)  
Source: DP03 Selected Economic Characteristics  
2007-2011 American Community Survey 5-Year Estimates

#### **Table 4: Income Distribution (Households) 2000, 2009 vs. 5-Year ACS Data (2007-11)**

Source: U.S. Census Bureau – 2000 census and 2010 census 2007-2011 American Community Survey 5-Year Estimates (2011 Inflation Adjusted Dollars)

#### Page 14 (2<sup>nd</sup> column; 1<sup>st</sup> paragraph)

In Barrington, the median single-family home price increased 6887 percent from \$221,000\*198,600 in 2000 to \$372,000 in 2013 (see Table 9, previous page), while median household income has increased by 3226 percent (to \$98,912\*\*94,300) in roughly the same timeframe. This mismatch often results in a lack of homeownership

opportunities for new, young, and elderly homeowners. By comparison, the median sales price for a single family home in Rhode Island increased by 5146 percent from \$135,976,130,500 to \$205,000,190,500 in 2013 (as of 2012), while household median income has risen 3070 percent to \$55,975,54,902, (per the 5-Year ACS Data 2007-11 2010 census).

\* <http://www.statewidemls.com/RealtorResources/SalesStats/Documents/YE2000Single.pdf>

\*\* 2007-2011 American Community Survey 5-Year Estimates

#### **Page 14**

The plan incorrectly describes HUD Income Classifications. Below are the correct HUD income classifications:

Extremely Low-Income (0% to 30% of Area Median Income)  
Very low-Income (31% to 50% of Area Median Income)  
Low-Income (51% to 80% of Area Median Income)

HUD defines "Moderate Income" as "Households whose incomes are between 81 percent and 95 percent of the median income for the area, as determined by HUD, with adjustments for smaller or larger families. HUD may establish income ceilings higher or lower than 95 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs, fair market rents, or unusually high or low family incomes.

#### **C. Data on Occupancy Status**

Total Housing Units	6,386
Occupied housing units	5,994
Vacant housing units	392

Source: QT-H1\_General Housing Characteristics  
2010 Census Summary File 1

#### **D. Median Age of Housing Units Built**

Median Year Structure Built – Estimate 1955  
**Median Age of Housing Units Built = 57 Years**  
Source: B25035\_Median Year Structure Built  
Universe: Housing units  
2008-2012 American Community Survey 5-Year Estimates

