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July 27, 2026

Providence City Plan Commission
Department of Planning and Development
Joseph Doorley Municipal Building
444 Westminster Street
Providence, RI 02903

Re: Referral no. 3619 - Student Housing Growth Control Ordinance

Dear Commission Members:

The ACLU of Rhode Island submits this testimony in opposition to the proposed zoning ordinance amendment cited above dealing with student housing that the Commission will be considering at its July 28 meeting.

We oppose this proposal because it could significantly limit the ability of college and university students to live together in Providence. A city that thrives because of its college community simply should not be adopting such an ordinance, especially in light of the City's universally acknowledged serious housing shortage.

As the Commission knows, there have been many attempts over the years – some successful – to limit student housing in the city in various ways. Some are aimed at responding to so-called “quality of life” issues arising from student-occupied housing and others more generally on the impact such housing can have on non-student renters. But in either case, they – like this proposal to create special student-designated zones and limit their occupancy – merely punish students for being students, harm low-income young people trying to afford to live in a city that is already facing a severe housing affordability crisis, and often raise other serious policy and legal concerns.

Regarding our legal concerns, in 2024 the General Assembly amended the state's zoning law to address a municipality's ability to limit the maximum number of unrelated persons who can live together in a dwelling. Previously, the law allowed municipalities to set a limit of no less than three people. The revised statute continues to provide authority for a city or town to restrict the number of unrelated persons in a dwelling unit, but now requires any such limit to not be less than one person per bedroom and up to *five* unrelated people in a dwelling. R.I.G.L. §45-24-31(36)(ii). We believe that Section 1109(A) of the proposed ordinance, by barring non-owner-occupied single-family dwelling units from having more than three students on the property and prohibiting other residential dwellings from having more than three college students in a dwelling unit, is in direct violation of that law and should be rejected on that basis alone.

To the extent this proposal seeks to limit the number of college students in dwellings to prevent the inappropriate party-related conduct that sometimes arises at students' residences, three students, as easily as five, can organize a party that gets out of control. And as we have repeatedly noted in objecting to similar efforts in the past, Providence already has numerous laws in place to address noise, traffic, underage drinking, and other possible nuisances at rental locations. On the other side, limiting the use of property as this ordinance proposes to do can have a significant and adverse financial impact on innocent, hard-working students by making rental housing more difficult and much more expensive for them to obtain.

In short, as we argued when another anti-student ordinance was considered by the City Council last year, this proposal's focus on the collegiate status of renters is also unfair and unlikely to resolve the concerns prompting it. We therefore respectfully urge its rejection.

Thank you in advance for considering our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Brown", with a stylized, flowing script.

Steven Brown
Executive Director

cc: The Hon. Brett Smiley
Providence City Council