

POSTED – OCTOBER 15, 2025
REGULAR MEETING OCTOBER 20, 2025

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on **Monday, October 20, 2025, 5:00 P.M. Executive Session, 6:00 P.M. Promotional Ceremony and 6:30 P.M. Regular Meeting** at the **Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island**. Said meeting will be conducted in person. Virtual access will also be provided by telephone conference call/ webinar and members of the public may access and listen to the meeting in real-time by calling 1-877-853-5257 (Toll Free) or 1-888-475-4499 (Toll Free) and entering Meeting ID: 870 4478 3496 or on the web at <https://us02web.zoom.us/j/87044783496>; **however, virtual access is being provided only as a convenience and is not an official "location" where access to the meeting is guaranteed. Being physically present at the meeting is the only way to guarantee complete access to the meeting, as the meeting will not be paused or rescheduled if the virtual access fails.**

If you choose to join the meeting by zoom or telephone, Council Rules allow for the Public to speak only during the Public Forum and Public Hearings. If calling in by telephone, pressing *9 raises your hand and pressing *6 will unmute.

The items listed on the Consent portion of the agenda are to be considered routine by the Town Council and will ordinarily be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests and the Town Council President permits, in which event the item will be removed from Consent Agenda consideration and considered in its normal sequence on the agenda. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed, and voted upon in executive session and/or open session.

Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to

reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on: If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to **Reconsider** [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

EXECUTIVE SESSION – 5:00 P.M.

1. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a), (5) Land Acquisition (West Main Road), (1) Personnel (Town Administrator), (2) Work session related to collective bargaining, (2) Discussion of Potential Litigation / Legal Strategy - review of statutory obligations, risks, and potential disputes arising from regionalization and legal advice regarding these issues and (5) Collective Discussion of Real Estate and Asset Transfers - potential impacts on ownership/transfer of school facilities and property and discussion and/or potential action and/or vote in executive session and/or open session.

PROMOTIONAL CEREMONY – 6:00 P.M.

2. Memorandum of Police Chief, re: Request for Promotional and Swearing In Ceremony.

REGULAR MEETING – 6:30 P.M.

PUBLIC FORUM

3. Pursuant to Rule 25 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.

CONSENT

4. Application for Dollar Tree Stores, Inc. dba Dollar Tree, 880 West Main Road, for RENEWAL of a Holiday Sales License for the 2025-2026 licensing year.
5. License of Burial, re: John J. Murphy, Section 59, Graves 260, 261, 262 & 263.
6. License of Burial, re: Alan Kirby and Elaine Kirby, Section 56, Graves 40 & 41.

7. Notice from the Town of Middletown Planning Board – Public Hearing Wednesday, November 12, 2025 at 6:00 PM at Middletown Town Hall, Council Chambers, 350 East Main Road for Newport National Real Estate LLC for a waiver from design standards section 521.2 C of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land for the proposed construction of a golf cart storage structure, including proposed use of exterior building materials not meeting design requirements. Property located at 425 Mitchell's Lane, Assessor's Plat 124 Lot 29.
8. Memorandum of Councillor Turano, re: Middletown 5 Year Budget Forecast Review. (Presentation at the November 3, 2025, Regular Meeting)

PERMITS

9. Application for Special Event Permit from Newport Boxfix for Fall Fury, Charity Boxing Event, to be held on Saturday, November 22, 2025, from 4:00 pm to 7:00 pm at St. Georges School, Van Buren Gymnasium, 372 Purgatory Road.
10. Application for Special Event Permit from Gray Matter Marketing for the Aquidneck 10K, 10K around the area starting and ending at Second Beach to be held on Sunday, March 22, 2026, from 6:00 am to 12:30 pm. (Start time of 10K 9:00 am).
11. Application for Special Event Permit from Blue Horizon Racing, LLC for Second Beach Sprint Triathlon, Sprint-Distance Triathlon, to be held on Saturday, September 12, 2026, 7:00 am start from Main parking lot at Sachuest Beach (Second Beach and on Town Roadways).

ORDINANCE

12. An Ordinance of the Town of Middletown (First Reading)
An ordinance in amendment to the Town Code of the Town of Middletown Title XI, General Regulations, Chapter 90 Animals, 90.03 Disposition of Carcasses and Waste.
13. An Ordinance of the Town of Middletown (First Reading)
An ordinance in amendment to the Town Code Title III, Chapter 34, Taxes, Section 34.70 entitled "Tax Classification System".

PUBLIC HEARINGS

14. Public Hearing (Advertised)
Public Hearing Remains Open.
An Ordinance of the Town of Middletown (Second Reading)
An Ordinance in Amendment to the Town Code of the Town of Middletown, Title XV Land Usage, Chapter 152, Zoning Code, Section 602 regarding Multifamily dwelling structure (3-6 dwelling units per lot) and Multifamily dwelling project including condominiums.

15. Public Hearing (Advertised)
Public Hearing Remains Open.
An Ordinance of the Town of Middletown (Second Reading)
An Ordinance in Amendment to the Town Code of the Town of Middletown, Title XV Land Usage, Chapter 152, Zoning Code, Section 603 regarding dimensional requirements for two-family dwelling, multi-family dwelling structure, and multifamily dwelling project, and Section 1504 regarding allowable density for multifamily dwelling structure and multifamily dwelling project.

OTHER COMMUNICATION

16. Memorandum of Terri Flynn and Wendy Riel, re: Proposed library/office/storage space: Location and retrofit funding.

TOWN COUNCIL

17. (Continued from October 6, 2025 Regular Meeting)
Approval of Minutes, re: Regular Meeting, September 15, 2025.
18. Communication of Council President Rodrigues, re: Request for update on the effort to manage the coyote population.
19. At the request of Council President Rodrigues discussion and consideration of the Resolution of the City of Newport, re: Regionalization – Resolution No. 2025-146.

TOWN ADMINISTRATOR

20. Resolution of the Council, re: Annual support of the Community Learning Center Project Director of the Florence Gray Center of \$50,000 for each of FY2026 through FY2031 be approved and funded from the additional 1% local hotel tax.
21. Memorandum of Finance Director thru Town Administrator, re; MIDD-026-004 Pavilion Deck Expansion at Second Beach.
22. Resolution of the Council, re: Award of contract for PAVILION DECK EXPANSION AT SECOND BEACH to E.W. BURMAN INC; funding for the pavilion deck expansion at Second Beach will be from the Parks and Recreation Fund-Capital Replenishment Restricted Fund Balance and the Finance Director is authorized to execute agreements on behalf of the Town.

BOARDS AND COMMITTEES

23. Appointment of three (3) members to for the Beach Commission, terms expiring November 2027.

24. Appointment of one (1) member to the Bicycle and Pedestrian Advisory Committee term expiring March 2028.
25. Appointment of one (1) member to the Board of Canvassers, Bi-Partisan Board, Democrat or Republican representative, alternate member, to complete a term expiring March 2029.
26. Appointment of one (1) member to the Conservation Commission term expiring July 2027.
27. Appointment of three (3) members to the Library Board of Trustees, terms expiring September 2028.
28. Appointment of (3) three members to the Middletown Prevention Coalition: one (1) member (parent sector) to complete a term expiring April 2026 and two (2) members (student sector) terms expiring April 2027.
29. Appointment of one (1) member, term expiring November 2027 and three (3) members, terms expiring November 2028 to the Open Space and Fields Committee.
30. Appointment of two (2) members to the Outreach Committee, indefinite terms.
31. Appointment of one (1) member to the Personnel Board, term expiring December 2028.

Wendy J.W. Marshall, MMC
Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing-impaired should notify the Town Clerk's Office at 847-0009 not less than 48 hours before this meeting.

Posted on October 15, 2025 at Middletown Town Hall, Middletown Public Library and Secretary of State Web Site.

2025-

ORDINANCE OF THE
TOWN OF MIDDLETOWN, RHODE ISLANDAN ORDINANCE AMENDING THE TOWN CODE OF THE
TOWN OF MIDDLETOWN

An ordinance in amendment to the Town Code of the Town of Middletown Title XI, General Regulations, Chapter 90 Animals, 90.03 Disposition of Carcasses and Waste is hereby amended as follows:

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

(Additions are underlined; deletions are stricken)

FIRST: **§ 90.03 DISPOSITION OF CARCASSES AND WASTE.**

(A) Any person owning, keeping or harboring an animal or fowl which dies within the town shall, promptly upon becoming aware of such death, bury or cremate the carcass of such animal or fowl in a lawful and sanitary manner.

(B) Each occupant of private property within the town and each owner or person in charge of unoccupied private property within the town, upon becoming aware of the presence thereon of any animal or fowl carcass, shall promptly notify the owner, keeper or harbinger of such dead animal or fowl, if known, to comply with the provisions of division (A) of this section; and if such owner, keeper or harbinger is not known, then the occupant, owner or person in charge of the private property upon which such carcass is found shall promptly bury or cremate such carcass in a lawful and sanitary manner; provided, that if such carcass be that of a horse or other large animal, such occupant, owner or person in charge may request the town officer designated by the Town Administrator for such purpose to dispose of such carcass.

(C) Animal and fowl carcasses found upon the streets, sidewalks, commonages and other public places within the town shall be disposed of promptly by the town officer designated by the town administrator for such purpose, but the town shall have recourse against the owners, keepers and harborers, when known, of such dead animals and fowl, for the costs incurred thereby.

(D) Any ~~person in control of a~~ horse which defecates on any street, sidewalk or public place must be outfitted with a waste bag. ~~remove the waste as soon as circumstances allow, having due regard for the safety of horse, rider and general public.~~
Penalty, see 94.99(D)

SECOND: Chapter 90 All other Sections remains unchanged.

THIRD: This ordinance shall take effect upon passage and all ordinances or parts of ordinance inconsistent herewith are hereby repealed.

READ AND ADOPTED IN COUNCIL

Wendy J.W. Marshall, MMC
Town Clerk

**ORDINANCE OF THE
TOWN OF MIDDLETOWN, RHODE ISLAND**

**AN ORDINANCE AMENDING THE TOWN CODE OF THE
TOWN OF MIDDLETOWN**

**TITLE III: ADMINISTRATION
Chapter 34, Taxes**

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

FIRST: That Town Code Title III, Chapter 34, Taxes, Section 34.70 entitled "Tax Classification System", is amended by amending Subsection 34.70(A)(1)(f) thereof as follows (language to be deleted is stricken out within brackets; language to be added is underlined):

Section 34.70(A)(1)(f): Any property containing a dwelling unit used or registered as a short-term rental, as that term is defined in Chapter 152, Appendix A, § 400 of the Town Code, for any period of time during the tax year for which the owner-occupied rate is claimed, shall not qualify for said rate; provided however, that the rental of ~~two~~ one or more bedrooms ~~or less~~ to no more than six ~~two~~ persons ~~per room~~ in an owner-occupied dwelling unit while the owner is present, with said dwelling unit being also the principal residence of the owner of said dwelling unit, shall be exempt from the provisions of this division (f).

SECOND: *This ordinance shall take effect upon passage and shall supersede any inconsistent or contrary provision in any other ordinance.*

ORDINANCE OF THE
TOWN OF MIDDLETOWN, RHODE ISLAND

AN ORDINANCE AMENDING THE TOWN CODE OF THE
TOWN OF MIDDLETOWN
TITLE XV: LAND USAGE
Chapter 152, Zoning Code

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

FIRST: That Town Code Title XV, Chapter 152, Entitled "Zoning Code" Section 602 is amended as indicated (language to be deleted is ~~struck~~ within brackets; language to be added is underlined)

ZONING DISTRICT PERMITTED USES																
	Y = Permitted S = Special Use N = Not Permitted															
PRINCIPAL USE	ZONING DISTRICT															
	R60	R40	R30	R20	R10	RM	GB	LB	OB	L1 ¹	L1 ²	OP	OS	P	MT	A B D
Multifamily dwelling structure (3 - 6 dwelling units per lot) See §§ 1500 - 1508	N	N	N	N	N	S	N	S	N	N	N	N	N	N	N	N
Multifamily dwelling project, including condominiums See §§ 1500 - 1508	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N

SECOND: This ordinance shall take effect upon adoption and its provisions shall supersede any inconsistent or contrary provision in any other ordinance.



MIDDLETOWN

Rhode Island

PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

350 East Main Road, Middletown, RI 02842
(401) 849-4027 | MiddletownRI.com

To: Hon. Paul M. Rodrigues, President
Town Council Members

From: Paul A. Croce, Chair
Planning Board

Date: April 30, 2025

Re: Proposed amendments to the Use Table in the Middletown Zoning Ordinance, Section 602 – *Schedule of District Regulations – Uses and Districts* – Multi-family dwelling structure & Multi-family dwelling project.

During its meeting on April 9, 2025 the Planning Board voted to forward to the Town Council with a positive recommendation proposed amendments to the Middletown Zoning Ordinance, Town Code Chapter 152, Section 602, *Schedule of District Regulations – Uses and Districts* regarding Multi-family dwelling structure & Multi-family dwelling project. As part of a larger set of recommended amendments, the board had previously recommended that an amendment be adopted to allow these multi-family uses in the R-10 & R-20 zoning districts by special use permit, where they are currently prohibited. During the public hearing process the Town Council requested that the Planning Board reconsider these particular amendments. Concern was raised about allowing multi-family uses in R-10 and R-20 districts.

Following discussion during the April 9th meeting, the Planning Board voted unanimously to forward the proposed amendments indicated in the table below to the Town Council for consideration. In making this recommendation the Board noted that there has been legislation proposed in the General Assembly that would prohibit towns from allowing only single-family dwellings where public sewer and water are available. This is just one bill of many adopted or considered over the past few years intended to streamline review procedures and increase opportunities for housing development. By the Town taking this action to amend its regulations, it would be taking a proactive step to increase housing stock at a time when the availability of housing is a primary concern across the state and locally.

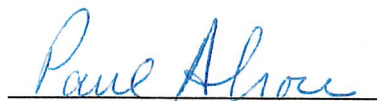
If the amendments are adopted, applications for multi-family development in the R-10 and R-20 districts would require a special use permit, which would provide for oversight on a case-by-case basis. There are also limitations on the number of units that could be developed on a parcel due to density limitations which require at least 6,000 sq.ft. of land per one-bedroom unit.

ZONING DISTRICT PERMITTED USES																	A B D
PRINCIPAL USE	Y = Permitted S = Special Use N = Not Permitted																
	ZONING DISTRICT																
	R60	R40	R30	R20	R10	RM	GB	LB	OB	LI¹	LI²	OP	OS	P	MT		
Multifamily dwelling structure (3 - 6 dwelling units per lot) See §§ 1500 - 1508	N	N	N	NS	NS	S	N	S	N	N	N	N	N	N	N	N	
Multifamily dwelling project, including condominiums See §§ 1500 - 1508	N	N	N	NS	NS	S	N	N	N	N	N	N	N	N	N	N	

The Planning Board respectfully recommends that the Town Council proceed with the process to adopt the amendments. In support of its recommendation the Board made the following findings in accordance with the requirements of Section 45-24-52 of the Rhode Island General Laws:

- (1) The proposed amendment is generally consistent with the Middletown Comprehensive Community Plan, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and
- (2) This recommendation is made in recognition and consideration of each of the applicable purposes of zoning, as presented in § 45-24-30 RIGL

Please feel free to contact me with any questions or concerns regarding the proposed amendments.



Paul A. Croce, Chairman
Planning Board

cc. Town Solicitor

AN ORDINANCE AMENDING THE TOWN CODE OF THE
TOWN OF MIDDLETOWN

TITLE XV: LAND USAGE
Chapter 152, Zoning Code

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

FIRST: That Town Code Title XV, Chapter 152, Entitled "Zoning Code" Section 603 is amended as indicated (language to be added is underlined)

§ 603 DISTRICT DIMENSIONAL REGULATIONS.

The following schedule sets forth the minimum and/or maximum dimensional regulations for uses permitted in the various zoning districts.

ZONING DISTRICT DIMENSIONAL REGULATIONS										
Zoning District and Use	Minimum Lot Size		Maximum Percentage of Lot to be Occupied	Maximum Height of Building		Minimum Yard Dimension			Accessory Buildings Minimum Distance in Feet to	
	Area (S.F.)	Width/ Frontage (Ft.)	Principal and Accessory Buildings	Principal (Ft.)	Accessory (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)	Side Lot Lines	Rear Lot Lines
R60 Residence District										
Single-family dwelling	60,000	200	15%	35	25	40	30	60	30	15
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	60,000	200	15%	35	25	40	30	60	30	15
R40 Residence District										
Single-family dwelling	40,000	150	15%	35	25	40	30	60	30	15
<u>Two-family dwelling</u>	<u>40,000</u>	<u>150</u>	<u>20%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>60</u>	<u>30</u>	<u>15</u>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	40	40	60
Other permitted uses	40,000	150	15%	35	25	40	30	60	30	15
R30 Residence District										
Single-family dwelling	30,000	130	20%	35	20	40	20	50	20	15
<u>Two-family dwelling</u>	<u>40,000</u>	<u>150</u>	<u>20%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>50</u>	<u>30</u>	<u>15</u>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60

Other permitted uses	30,000	130	20%	35	20	40	20	50	20	15
R20 Residence District										
Single-family dwelling	20,000	120	20%	35	20	40	20	50	20	15
Two-family dwelling	40,000	150	20%	35	20	40	30	50	30	15
Multifamily dwelling structure	40,000	150	30%	35	20	40	30	50	30	15
Multifamily dwelling project	5 acres	200	35%	35	25	100	60	60	40	40
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	20,000	120	20%	35	35	40	20	50	20	15
R10 Residence District										
Single-family dwelling	10,000	100	25%	35	15	25	15	30	15	10
Two-family dwelling	15,000	120	25%	35	15	25	20	30	20	10
Multifamily dwelling structure	40,000	150	30%	35	20	40	25	40	25	10
Multifamily dwelling project	5 acres	200	35%	35	25	100	60	60	40	40

SECOND: That Town Code Title XV, Chapter 152, Entitled “Zoning Code” Section 1504 is amended as indicated (language to be removed is ~~[struck in brackets]~~).

§ 1504 ALLOWABLE DENSITY.

(A) In addition to the dimensional regulations provided in § 603, the following provisions will govern the maximum density of residential land use which may be developed in any conventional multifamily dwelling structure or project. Density of townhouses in conservation developments shall be governed by the yield formula in accordance with provisions of Article 19 of this chapter and Article 3 of the Middletown Regulations Regarding the Subdivision and Development of Land.

<i>Minimum Developable Land Area per Dwelling Unit</i>			
[Zoning District]	<i>Studios and 1 Bedroom</i>	<i>2 Bedrooms</i>	<i>3 or More Bedrooms</i>
[RM, LB]	6,000	8,000	10,000

(B) For the purposes of this chapter, a **BEDROOM** shall be defined as a room or portion of a room of at least 70 square feet floor area within a dwelling unit allocated to sleeping, dressing and personal care.

THIRD: This ordinance shall take effect upon adoption and its provisions shall supersede any inconsistent or contrary provision in any other ordinance.



MIDDLETOWN

Rhode Island

PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

350 East Main Road, Middletown, RI 02842
(401) 849-4027 | MiddletownRI.com

To: Hon. Paul M. Rodrigues, President
Town Council Members

From: Paul A. Croce, Chair
Planning Board

Date: May 21, 2025

Re: Review and recommendation to the Town Council on proposed amendments to Town Code Chapter 152, zoning ordinance Section 603 regarding dimensional requirements for two-family dwelling, multi-family dwelling structure, and multi-family dwelling project, and Section 1504 regarding allowable density for multifamily dwelling structure and multifamily dwelling project.

During its meeting on May 14, 2025 the Planning Board voted to forward to the Town Council with a positive recommendation proposed amendments to the Middletown Zoning Ordinance, Town Code Chapter 152, Section 603, *District dimensional regulations* regarding dimensional requirements for two-family and multifamily development, and an associated amendment to section 1504 regarding density requirements for multifamily development.

During its March 17th meeting the Town Council adopted amendments to the zoning ordinance use table, including a change that allows two-family dwellings in the R-30 and R-40 zoning districts by special use permit. With this change the Town must now also adopt dimensional standards for two-family structures in the R-30 & R-40 districts. Since this was not previously a permitted use in these districts, there are currently no specified dimensional standards.

At that time the Town Council also requested further review of the Planning Board proposed amendments that would allow multi-family dwelling structures and projects in the R-10 and R-20 zoning districts by special use permit where they are currently prohibited. During the Planning Board's April 9th meeting, the board decided to again recommend to the Town Council that these amendments be adopted (see separate memo). Since these multifamily uses are not currently permitted in the R-10 & R-20 zoning districts where the Board has recommended they be allowed, there are currently no dimensional requirements in the zoning ordinance for these situations.

Please see the attached amendments proposed to add dimensional requirements for two-family dwellings in the R-30 and R-40 districts, and for multifamily structures and projects in the R-10 and R-20 districts. The suggested setbacks and other requirements are provided for the Town Council's consideration. Note that the dimensional requirements for multifamily in the R-10 & R-20 districts should only be adopted if the Town Council also adopts amendments to the use table to allow such development.

It is also recommended that the Town Council consider amendments to Article 15 – Multi-family Development, Section 1504, to ensure that density limitations for multifamily development will

apply in all districts. Suggested amendments are identified in **red type**, with new language **underlined** and language to be removed **struck**.

§ 1504 ALLOWABLE DENSITY.

(A) In addition to the dimensional regulations provided in § 603, the following provisions will govern the maximum density of residential land use which may be developed in any conventional multifamily dwelling structure or project. Density of townhouses in conservation developments shall be governed by the yield formula in accordance with provisions of Article 19 of this chapter and Article 3 of the Middletown Regulations Regarding the Subdivision and Development of Land.

<i>Minimum Developable Land Area per Dwelling Unit</i>			
<i><u>Zoning District</u></i>	<i><u>Studios and 1 Bedroom</u></i>	<i><u>2 Bedrooms</u></i>	<i><u>3 or More Bedrooms</u></i>
<u>RM, LB</u>	6,000	8,000	10,000

(B) For the purposes of this chapter, a **BEDROOM** shall be defined as a room or portion of a room of at least 70 square feet floor area within a dwelling unit allocated to sleeping, dressing and personal care.

Please note that in making a recommendation to the Town Council on the zoning ordinance amendments, the Planning Board made the following findings in accordance with the requirements of Section 45-24-52 of the Rhode Island General Laws:

- (1) The proposed amendment is generally consistent with the Middletown Comprehensive Community Plan, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and
- (2) This recommendation is made in recognition and consideration of each of the applicable purposes of zoning, as presented in § 45-24-30 RIGL.

Please feel free to contact me with any questions or concerns regarding the proposed amendments.



Paul A. Croce, Chairman
Planning Board

cc. Town Solicitor

§ 603 DISTRICT DIMENSIONAL REGULATIONS.

The following schedule sets forth the minimum and/or maximum dimensional regulations for uses permitted in the various zoning districts.

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R60 Residence District										
Single-family dwelling	60,000	200	15%	35	25	40	30	60	30	15
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	60,000	200	15%	35	25	40	30	60	30	15
R40 Residence District										
Single-family dwelling	40,000	150	15%	35	25	40	30	60	30	15
<u>Two-family dwelling</u>	<u>40,000</u>	<u>150</u>	<u>20%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>60</u>	<u>30</u>	<u>15</u>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	40	40	60
Other permitted uses	40,000	150	15%	35	25	40	30	60	30	15
R30 Residence District										
Single-family dwelling	30,000	130	20%	35	20	40	20	50	20	15
<u>Two-family dwelling</u>	<u>40,000</u>	<u>150</u>	<u>20%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>50</u>	<u>30</u>	<u>15</u>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	30,000	130	20%	35	20	40	20	50	20	15
R20 Residence District										
Single-family dwelling	20,000	120	20%	35	20	40	20	50	20	15
Two-family dwelling	40,000	150	20%	35	20	40	30	50	30	15
<u>Multifamily dwelling structure</u>	<u>40,000</u>	<u>150</u>	<u>30%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>50</u>	<u>30</u>	<u>15</u>
<u>Multifamily dwelling project</u>	<u>5 acres</u>	<u>200</u>	<u>35%</u>	<u>35</u>	<u>25</u>	<u>100</u>	<u>60</u>	<u>60</u>	<u>40</u>	<u>40</u>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	20,000	120	20%	35	35	40	20	50	20	15
R10 Residence District										
Single-family dwelling	10,000	100	25%	35	15	25	15	30	15	10
Two-family dwelling	15,000	120	25%	35	15	25	20	30	20	10
<u>Multifamily dwelling structure</u>	<u>40,000</u>	<u>150</u>	<u>30%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>25</u>	<u>40</u>	<u>25</u>	<u>10</u>
<u>Multifamily dwelling project</u>	<u>5 acres</u>	<u>200</u>	<u>35%</u>	<u>35</u>	<u>25</u>	<u>100</u>	<u>60</u>	<u>60</u>	<u>40</u>	<u>40</u>

Private college or university, preparatory school, elementary of secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	10,000	100	25%	35	35	25	10	30	10	5
RM Residential District										
Single-family dwelling	10,000	100	25%	35	15	25	15	30	15	10
Two-family dwelling	15,000	120	25%	35	15	25	20	30	20	10
Multifamily dwelling structure	40,000	150	30%	35	20	40	25	40	25	10
Multifamily dwelling project	5 acres	200	35%	35	25	100	60	60	40	40
GB Business District										
Private college or university, preparatory school, elementary of secondary school	5 acres	300	20%	40	40	20	40	60	40	60
Large-scale shopping center	80,000	200	25%	40	20	10	50	50	20	15
Small-scale shopping center	20,000	120	25%	40	20	10	20	50	25	5
Other permitted uses	12,000	100	25%	40	20	10	10	20	20	5
LB Business District										
Single-family dwelling	10,000	100	25%	35	15	25	15	30	20	10
Two-family dwelling	15,000	120	25%	35	15	25	20	30	20	10
Multifamily dwelling structure	40,000	150	30%	35	20	25	25	40	25	10
Miniature golf, driving range, pitch and putt, etc.	80,000	200	20%	35	20	10	30	50	25	5
Small-scale shopping center	20,000	120	25%	35	20	10	20	50	25	5
Other permitted uses ¹	20,000	120	25%	35	20	10	20	50	25	5
OB Business District										
Single-family dwelling	20,000	120	20%	35	15	25	20	50	20	10
Two-family dwelling	40,000	150	20%	35	25	25	30	50	30	10
Other permitted uses	40,000	150	35%	35	25	10	35	50	25	15
Multifamily dwelling structure	40,000	150	30%	35	20	25	25	40	25	10
Multifamily dwelling project	5 acres	200	35%	35	25	10	60	60	40	40
LI Industrial District										
Any permitted use	40,000	150	35%	40	20	10	35	40	25	10
OP Office Park										
Any permitted use	40,000	150	35%	40	20	10	35	40	25	10
OS Open Space District										
Any permitted use	100,000	250	10%	30	20	50	50	50	30	10
P Public District										
Any permitted use (See §§ 2600, 2601)										
MT Mobile Home/Transient Trailer District										
Mobile home park	10 acres	50	20%	35	15	See ¹				
Transient trailer park	10 acres	50	20%	35	15	See ²				
Atlantic Beach District (ABD)										
Small-scale shopping center	20,000	120	25%	35	20	10	20	20	10	5
	20,000	120	25%	35	20	10	20	20	10	5

NOTE: Any accessory structure housing livestock requires a rear lot setback of 60 feet. This setback applies to building and

accessory structures only.

¹ See Article 23.

² See Article 24.

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(Ord. passed 10-30-06; Am. Ord. 07-17, passed 12-3-07; Am. Ord. 08-05, passed 5-19-08; Am. Ord. 2011-12, passed 11-21-11; Am. Ord. 2018-10, passed 4-17-18; Am. Ord. 2018-16, passed 9-4-18)