



Town of Middletown Planning Department

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To: Middletown Town Council
From: Ron Wolanski, Town Planner
Paul Croce, Planning Board Chairman
Date: March 31, 2021
Re: Project updates

Following is an update on the status of projects that the Planning Board is involved with, either as part of Comprehensive Plan implementation, or items otherwise initiated by or referred to the board for consideration:

Planning Board work complete

1. **Atlantic Beach District Zoning Overlay** – Final draft of the proposed zoning amendments were forwarded to the Town Solicitor for review on March 27, 2020. Planning Board recommendation and draft sent to the Town Council for consideration on June 15, 2020, received by the Town Council July 6th. **Status: Town Council public hearing and first reading to be scheduled for early Spring.**
2. **Development impact studies** – Crossman Engineering completed analyses of impacts on water resources and traffic resulting from full buildout town-wide. Following Planning Board review Crossman provided the final revised draft, and during its March 11, 2020 meeting the Board forwarded the report to the Town Council with a memo with recommendations. A presentation of the findings of the report was provided to the Town Council during its December 14th meeting, at which time the Town Council authorized the Board to proceed with evaluating and prioritizing recommendations for further action, with Crossman's assistance. The Planning Board subcommittee last met on February 3rd to finalize the prioritized list of action items. This list, including proposed timeframes for completion was forward to the Town Engineer and DPW director for comment. During the March 10th Planning Board meeting prioritized recommendations. **Status: Forwarded to the Town Council for consideration.**
3. **Mixed-use Development Amendments** - Consider modifications to the zoning ordinance regarding mixed-use development, including review of uses, business hours, and other restrictions. A subcommittee forwarded recommendations to the full board for review on August 26, 2019. Amendments were then forwarded to the Town Council with a positive recommendation on September 20, 2019. The amendments were ordered advertised for a Town Council public hearing. **Status: Town Council concluded the public hearing and voted to reject the proposed amendments.**

4. **Future Land Use Plan/Zoning Map Consistency Project** (Comp Plan)– All proposed FLUP amendments have been received by the Town Council and will be scheduled for public hearing. The first set of amendments was approved by the Town Council on June 17, 2019. The second set of amendments was approved by the Town Council on June 15, 2020. **Status: The final set of amendments advertised for a Town Council public hearing on April 5, 2021.**
5. **Marijuana Zoning** - Draft an ordinance on marijuana production, distribution & sales (Town Council) – The Town Solicitor has secured outside consultant assistance, Dwight Merriam, Esq., and a Planning Board subcommittee was established. The latest revised draft of the proposed ordinance was reviewed during a subcommittee held on January 11th, and was finalized by the Town Solicitor. A public workshop meeting to present and accept comment on the draft ordinance was held on February 24th, at which point the Board voted to forward the proposed amendment to the Town Council. **Status: Town Council public hearing to be scheduled.**
6. **Light Pollution** - Consideration of amendments to the Zoning Ordinance to limit light pollution (Comp Plan) – A draft Zoning Ordinance amendment was provided to the Planning Board for the May 13, 2020 meeting. The draft was discussed, and at the Board's October 14th meeting, it was decided to schedule a public workshop. The workshop was held on January 7th, after which the Planning Board voted to forward the amendment to the Town Council for consideration. **Status: Town Council public hearing to be scheduled.**
7. **Building Height Definition** - Draft amendment to building height definition to be consistent with statutory change adopted by the General Assembly in 2019 – Proposed amendments were approved by the Planning Board on September 11, 2019 and forwarded to the Town Council with a positive recommendation. **Status: Town Council completed the public hearing on March 15th and voted to approve the proposed amendments.**
8. **Historic Resource Preservation** - Consideration of potential Regulations and/or Zoning Ordinance amendments to promote preservation of historic buildings (Comp Plan) – Draft documents were revised based on input received during public workshop meetings and Board discussion. During its February 5, 2020 regular meeting the board voted to forward the proposal to the Town Council for consideration. Presentation to the Town Council was delayed due to potential budgetary impacts of the proposed program and uncertainty of COVID-19 impacts on Town finances. **Status: To be presented to the Town Council in coming months.**
9. **West Main/Coddington Development Center** – During its Dec. 2, 2019 meeting, the Town Council voted to approve a contract with 4th Economy to conduct a developer request for information (RFI) to solicit input on the viability and interest in development options. At the request of the Town Council a public workshop was held on February 26, 2020. The RFI was issued on March 9th, with responses due on April 6th. One response was received from The Landings Real Estate, Inc. (Chris Bicho) which was forwarded to 4th Economy. The Town Council discussed The Landings' proposal during its March 15th meeting, following which a motion was made to authorize the administration to proceed with discussion with The Landings to investigate development options. **Status: Motion to proceed with discussion failed to pass. Awaiting additional direction from the Town Council.**

Note: There are only nine completed items because it was not clear that the Solar Array draft ordinance would have to return to the Planning Board for one last final review.

Prioritized ongoing Planning Board work items

1. **Ground-mounted Solar Arrays** - Consideration of amendments to the Zoning Ordinance to allow solar carports and to clarify limitations on ground-mounted solar arrays in residential districts – A draft Zoning Ordinance amendment was provided to the Planning Board for the May 13, 2020 meeting. Discussion was included on the Board's October 14th and November 18th meeting agendas. A revised draft was provided for discussion during the December 9th Planning Board meeting, at which point review by the Town Solicitor was requested. A public workshop meeting was held on February 9th to present the draft and accept public comment. During the March 10th meeting the Planning Board requested revisions to the draft. **Status: Revised draft to be reviewed by the Board during the April 14th meeting.**
2. **Airport Zoning** - Draft overlay for airport zoning (Comp Plan) – A Planning Board Subcommittee asked staff to create a draft ordinance based on the Westerly ordinance, which was approved by the subcommittee and forwarded to the full Planning Board. During its March 11, 2020 meeting the Board requested that a public workshop meeting be scheduled. **Status: A public workshop meeting to present and accept comment on the latest draft ordinance is scheduled for April 7th.**
3. **Use Table Review** - The Board's use table subcommittee has completed review of the LB district use table and has begun review of the full use table. The subcommittee has met on a regular basis to continue work to review and propose revisions to the full use table. **Status: Subcommittee meetings will resume once in-person meetings are possible.**
4. **Application Fees** - Draft Regulations amendments to implement new application fees and revise application checklists (Planning Dept.) – Amendments approved and forwarded to the Town Council in February 2019. At the request of the Town Administrator, the Town Council referred the proposed fees back to the Planning Board for additional study, including review by the Finance Dept. to ensure that all overhead costs are included in the fees. Proposed revised fees to be recalculated based on current town personnel and other costs. **Status: Awaiting current costs from Finance Office**
5. **Rural Village District zoning amendments** (Comp Plan) – The Planning Board subcommittee met with subject property owners to seek input and buy-in for creation of the new district. Given the lack of urgency on the part of the impacted property owners, the subcommittee advised the board that action on this item be delayed. The Planning Board agreed to table the matter. **Status: Tabled by the Planning Board for further discussion at a future date.**
6. **Transportation Options** - Consideration of amendments to the Regulations and/or Zoning Ordinance to promote transportation options (Comp Plan) - Following a public hearing in January 2020 the Planning Board adopted the requirement to provided bike racks (and other items) on site plans and forwarded those amendments to the Town Council for approval. **Status: The Town Council approved the bicycle rack requirement. Planning Department staff are researching other options for promoting transportation alternatives.**

Cc: Town Administrator
Planning Board