

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" is amended as follows (language to be deleted is [~~struck~~] and within brackets; language to be added is underlined):

§ 400 DEFINITIONS.

HOUSEHOLD. One or more persons living together in a single dwelling unit with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit. **HOUSEHOLD UNIT** shall be synonymous with the term **DWELLING UNIT** for determining the number of such units allowed within any structure on any lot in a zoning district. An individual household shall consist of any one of the following:

- (a) A family, which may also include servants and employees living with the family; or
- (b) A person or group of unrelated persons living together not to exceed four (4), or one (1) person per bedroom, whichever is greater, up to a maximum of five (5) unrelated persons per dwelling. The maximum number shall not apply to NARR-certified recovery residences.

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

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

From: William J. Nash, Jr., Chair
Middletown Planning Board

Date: August 16, 2024

Re: 2024 RI General Assembly Session – Zoning Ordinance Amendment Regarding Definition of Household

Due to changes in state law adopted by the General Assembly during the 2024 session, the definition for "household" in the Middletown zoning ordinance must be amended to comply with the new state definition. During its August 14, 2024 meeting the Planning Board reviewed and voted unanimously to forward the attached proposed amendment to the Town Council for consideration. The Planning Board respectfully requests that this amendment be advertised for public hearing and considered for adoption. In making this recommendation the Board made the following findings:

- (1) The proposed amendments are 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

The proposed amendment retains the Town's current maximum of 4 unrelated persons per household, but adds required language from the new state definition which allows one unrelated person per bedroom up to a maximum of 5 per dwelling unit. For example, for a 2-bedroom house, the town currently allows up to 4 unrelated persons to reside there. This would continue to be allowed. A 4-bedroom house would also continue to allow a maximum of 4 unrelated persons. A 5-bedroom house would be capped at 5 unrelated persons, as would houses with more than 5 bedrooms.

Thank you for your consideration. Please feel free to contact me with any questions.

Sincerely,

William J. Nash, Jr., Chair
Middletown Planning Board

cc. Town Solicitor
Town Administrator
Building/Zoning Official