

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 by adding new Article 31 West Main-Coddington Overlay District; adding a new column and other revisions to Section 602 regarding uses allowed in the West Main-Coddington Overlay District; and adding new lines to section 603 regarding dimensional requirements for the West Main-Coddington Overlay District, as follows (language to be added is underlined):*

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Section 3100 - District Defined:

The West Main Coddington Overlay District is defined as the area in the general vicinity of “Two Mile Corner” bounded by Coddington Highway, West Main Road and Lake Erie Street and is comprised of land owned by the Town of Middletown and identified as Lots 3, 4, 5, 6 and 7 on Middletown Tax Assessor’s Plat 102 (“West Main-Coddington”) with an underlying “Limited Business” and “Public” zoning district designation. This land is intended for redevelopment purposes involving a public/private partnership between the Town of Middletown and a development entity. As mixed-use development projects are defined in Article 27A of this code, the intention of this overlay district is to allow for the coordinated development of more than one building, and including not less than three residential dwelling units, and to create a mix of residential and commercial uses. This overlay district recognizes certain differences in allowable uses, dimensions, and performance and development standards in order to encourage economic development and to allow for the creative development of businesses that serve the residents of the district and surrounding areas. A mixed-use development project within the overlay district shall not be subject to individual land use requirements typically associated with each building, use, or lot within the mixed-use development. Mixed-use development project land uses will be evaluated holistically and based upon the mixture of uses, building locations, building types, and overall functional configuration.

Section 3101 Purpose:

The West Main Coddington Overlay Zoning is intended to facilitate the planned redevelopment of the Middletown Center property, including multiple land uses, and to provide regulatory flexibility to enable the implementation of a mixed-use development within the overlay district.

The objectives of the West Main Coddington Overlay District are:

- (A) To facilitate the redevelopment of West Main-Coddington District for a new mixed-use development commonly referred to as the “Middletown Center Project” or other name agreed to by the Town of Middletown and project applicants. The development should reflect traditional New England aesthetics with the character of a traditional town commons project and serve as an attractive gateway to Middletown.
- (B) To ensure the future development of West Main-Coddington District aligns with the Town of Middletown’s Comprehensive Community Plan, the 2011 West Main/Coddington Development Center Master Plan, and municipal efforts promoting such “mixed-use” redevelopment. The Comprehensive Community Plan defines this property as a future “Growth Center” envisioned for a mixed-use development including job growth. The Recreation/Conservation/Open Space element references the relocation of the West Main Recreation Complex to a better-suited location. The Housing element encourages a village style mix of uses in established development areas to protect outlying rural areas with environmental sensitivities from development.
- (C) To promote the implementation of the West Main-Coddington District to ensure the integration of several land uses and provide flexibility for such uses across the entire overlay district addressing intensity, location, design, and construction.

- (D) Ensure that public benefits are included as a part of the Middletown Center Project as proposed to the Town of Middletown and as referenced in supporting legal agreements between the Town and development entity, including, but not limited to, the creation of family and pedestrian-friendly spaces and community usage on both the Leased Land and the Open Space Parcel, as defined below.

Section 3102 Applicability:

The West Main-Coddington Overlay District shall encompass land designated and owned by the Town of Middletown and identified as Lots 3, 4, 5, 6 and 7 on Middletown Tax Assessor’s Plat 102, which is intended to be leased to and redeveloped into a mixed-used development by private entities (the “Leased Land”), which shall have an underlying “Limited Business” zoning district designation; provided that a parcel comprising not less than 1.50 acres, the “Open Space Parcel,” the boundaries of which shall be established on the Zoning Map, shall be not be part of the Leased Land and shall have an underlying “Public” zoning district designation, and which shall be preserved for community use as part of the West Main-Coddington Project. Such redevelopment may be further defined within supplemental agreements such as long-term lease documents.

All subdivisions, land development projects and any other development within the West Main-Coddington District as delineated herein and on the official Middletown zoning map shall be subject to the provisions of this article and all other applicable requirements of this chapter. Where provisions of this article conflict with requirements elsewhere in this chapter or with provisions of the Commercial Development Design Standards contained in Chapter 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land, the requirements of this article shall prevail.

Section 3103 Procedure:

(A) No building permit shall be granted for construction within the West Main-Coddington District until final approval has been granted by the Planning Board and recorded in the land evidence records, except as follows: Small-scale projects, independently developed in accordance with an approved mixed-use project master plan shall be encouraged. If a master plan approval is granted for a major land development project, preliminary approval and final plan approval may then be granted at the discretion of the Planning Board for an individual phase or phases, and construction may commence on that phase or phases independent of other phases.

(B) Any development in the West Main/Coddington Overlay District shall be reviewed and approved by the Planning Board under the unified development review process in accordance with the procedures set forth in the Town of Middletown’s “Rules and Regulations Regarding the Subdivision and Development of Land” (Regulations).

(C) Any development approved under this subchapter that then seeks approval for expansion of, or a change in the distribution of percentage of types of use(s) of existing or proposed buildings shall be reviewed through the development plan review process.

Section 3104 Permitted Uses:

(A) Generally: A mixture of land uses is required. Permitted uses are those listed below; provided that the only uses permitted on the Open Space Parcel are those permitted within a Public Zoning District. The provisions of this section shall take precedence over those of other subchapters that purport to regulate certain specific uses that are otherwise permitted.

The West Main-Coddington Project is intended to include a significant number of multi-family units as a part of the mixed-use development.

Land Uses Permitted by Right or Special Use Permit:

The following land uses, by category, that are deemed compatible for a West Main-Coddington Overlay District and are permitted by right (“Y”) or by special use permit (“S”) within the District:

Agricultural:

- Offices of veterinarians and animal hospitals and associated pet care; (Y)

Residential:

- Hotel/Motel (Y), with one (1) permitted within the District;
- Mixed residential and commercial uses in a single building (Y);
- Mixed Use Development Project (Y);

Retail Commercial:

- General merchandise retailing activities provided that no shop shall have a floor area of greater than 15,000 square feet (Y);
- Restaurant (no alcoholic beverages) (Y);
- Restaurant (alcoholic beverages) (Y);
- Packaged liquor store (Y);

Personal Services:

- Laundry or dry cleaners (pick up only)(no plant) (Y);
- Self-service laundromat (Y);
- Therapeutic massage and physical therapy services, beauty or barber shop (Y)
- Miscellaneous personal services not otherwise classified (S);

Business Services:

- Catering and food packaging (Y);
- Miscellaneous repair shops and related services (non-vehicle) without outdoor storage (Y);
- Duplicating, printing or photocopying services (Y);
- Miscellaneous business services not otherwise classified (S);

Professional Services:

- General professional offices (Y);
- Bank or financial institution without drive-up window/ATM (Y);
- Bank or financial institution with drive-up window/ATM (limit 1) (Y);
- Research or development offices (Y);
- Office - customary home occupation (for use by a resident of the premises up to one employee or associate)(Y);
- Temporary real estate sales office located on the premises being sold (Y);
- Sales and service offices for fuel oil and bottled gas dealers including parts and repairs but excluding storage and distribution of the product on the premises (Y);
- Miscellaneous professional services not otherwise classified (S).

Indoor Commercial Amusement Services:

- Motion picture theaters (S);
- Billiard and pool parlors (S);
- Exercise center court games (S);
- Exercise center, without court games (S).

Governmental, Educational and Institutional on Privately Owned Land:

- Church or other place of worship (S);
- Library or museum (Y);
- Professional or music school (Y);
- Day nursery school, kindergarten or other agency giving day care (Y);

- Clubs, lodges, social and community centers (non-profit only) (Y);
- Medical, chiropractic, mental or physical therapists, urgent care clinics or offices (Y);
- Hospital (S);

Commercial Outdoor Recreation:

- Public and private parks and open space (Y);

Accessory Uses:

- Accessory uses associated with permitted uses.
- Co-Locating cellular and other antenna 6' in height or less on top of structures and shielded from public view (Y);
- Fitness center and court games, excluding pickleball courts, accessory to the hotel or residential uses. (Y);
- Drive-through service for Banks (limit 1 Bank) (Y);
- Drive-through service for restaurant and retail, (limit 1) (Y)

(B) Prohibited Uses: As a broad description, land uses are prohibited that do not compliment or promote a desired high quality mixed-used development in the overlay district. Prohibited uses include the following categories and land uses:

- All land uses in the “Agricultural” category except “Offices of veterinarians and animal hospitals”;
- All land uses in the “Extractive and Industrial Non-Manufacturing” category;
- All land uses in the “Manufacturing” category;
- All land uses in the “Transportation, Communication and Utilities” category;
- All land uses under the “Wholesale Commercial” category;
- All land uses under the “Commercial Outdoor Recreation” category, except public and private parks and open space;
- Single and two-family dwelling units;
- Mobile home park;
- Single mobile home or transient trailer;

- Building material operations;
- Heavy equipment sales or leasing;
- Gasoline or fuel station;
- Commercial greenhouse;
- Retail outlet for wholesale, storage or manufacturing use;
- Funeral home;
- Crematorium;
- Vehicle washing establishment.
- Cultivation, sale, or use of drug paraphernalia, to include, but not limited to, cannabis shops or dispensaries;
- Any use that is unlawful or inherently dangerous;
- Activities involving the storage, treatment, transportation, disposal, or manufacture of toxic or Hazardous Materials, other than in quantities and under conditions in compliance with Applicable Laws;
- Gambling of any sort (other than the sale of lottery tickets in the ordinary course);
- Any establishment exhibiting or selling pornographic materials, adult books, videos, or other adult entertainment;
- Any use not listed in this section as being allowed either by-right or by special use permit is prohibited.

(C) Performance Standards: The commercial performance standards detailed within “Article 27A – Mixed Use development Projects” will generally apply to projects within the West Main-Coddington District with the following exceptions and clarifications:

1. Commercial uses other than hotels and motels, within the overlay district shall limit hours of operation from 5:00 a.m. to 11:00 p.m. However, hotel and apartment operations are exempt from this time limitation and are not subject to any specified operating hours.
2. Maximum permissible noise limits for mixed-use developments will align with residential decibel limitations as described in Chapter 130.
3. Dumpsters within the district shall be emptied only between the hours of 7:00 a.m. and 8:00 p.m.

4. Truck deliveries within the district shall only occur during the hours of 7:00 am and 8:00 pm.

Section 3105 Mix of Land Uses:

This section addresses the mix of uses within the overlay district.

1. Common Area (Public)/Municipal Use/Open Space. There shall be one contiguous public common area of 1.50 acres within the overlay (the “Open Space Parcel”). The Leased Land shall contain public, community, open space and landscaping areas at a minimum of 10% area of the total land area of the Leased Land, which areas shall include the bike path, sidewalks, pergolas, internal landscaping and sitting areas. Such minimum 10% area shall be exclusive of the landscaped perimeter buffers and the area dedicated to landscaping at the corner of West Main Road and Coddington Highway. The Town of Middletown may incorporate its intended use for the Open Space Parcel within an applicant’s petition for development within the district or may define and create said use independently of an applicant’s petition to develop within the district. The purpose of both the Open Space Parcel and the remaining public space created within the Leased Land within the district is to foster a sense of place and community and support the gathering of and use by the public at said locations. For example, and without limiting generality of the foregoing, farmers’ markets, community gardens, recreational fields, passive recreation, community concerts are examples of uses envisioned for said public space. The underlying zoning of this 1.50 acre parcel shall remain Public “P”. There shall be a landscaped park-like parcel of at least 3,000 square feet at the corner of West Main Road and Coddington Highway, which shall contain a feature that will be a prominent aspect of the corner and serve as a gateway to the development and as a gateway to Middletown.
2. Residential Use – Multifamily Dwellings. A minimum of 25% and maximum of 75% of the total gross floor area within any development within the overlay district will be dedicated to multi-family residential use. A minimum of twelve (12%) percent of total residential units shall be restricted to residential that meets the State of Rhode Island’s definition of affordable housing at 80% of “Area Median Income” (AMI). This calculation will be based upon the combined total aggregated land area of the proposed development project. The development plan may include multiple lots of record. Where applicable, development standards in Article 15 Multifamily Dwellings shall be met. Where there is a conflict between the requirements of this subchapter and those in Article 15 Multifamily Dwellings, the provisions of this subchapter shall control. No lease for a residential unit in the development shall have a term of less than six (6) months. Short-term rentals as defined by the Town are expressly prohibited.
3. Retail, Bank, Restaurant, Motel/Hotel and Commercial Uses. Retail, bank, restaurant, motel, hotel, and commercial uses may make up the balance of the development not otherwise dedicated to Common (Public) Area, Municipal Area, Open Space, or Residential Use. The development plan may include multiple lots of record. Article 18 Shopping Center shall not apply to this overlay district. Where applicable, development standards in Article 14 Motels/Hotels shall be met. Where there is a conflict between

the requirements of this subchapter and those in Article 14 Motels/Hotels, the provisions of this subchapter shall control.

Section 3106 Density and Dimensional Standards:

The density and dimensional standards listed below shall pertain exclusively to the West Main-Coddington Overlay District. Where there is conflict between this section and other provisions of the Zoning Ordinance, this section shall control. The calculations and dimensional standards referenced below shall be based on the entire acreage within the overlay district, including municipal space or areas with underlying “Public” zoning.

1. Height. The maximum height for buildings shall be 45 feet for residential and commercial structures. A hotel shall be limited to four (4) stories, excluding attic or mechanical space or height dedicated to the pitched roof. The maximum height for a motel/hotel use is 55 feet.
2. Lot Building Coverage. Lot building coverage calculation shall include all buildings on the parcels within the overlay district. Total land area shall be calculated using all parcels within the district. Open space and public use acreage shall also be included in this total acreage for the purposes of defining lot building coverage. Maximum building coverage shall be 35% as an aggregate for all buildings on all parcels. No single building will exceed a 35,000 square feet lot coverage building footprint.
3. Setbacks. If a proposed project submitted for approval includes only one lot of record, setbacks requirements are required from all property lines. If a proposed project contains multiple-lots and is submitted for approval as one application, the setback requirements shall only pertain to the full project’s perimeter or exterior property lines. Setback requirements shall not be required for interior, abutting lines within such a multi-lot, development project. In addition, “Common Area – Public” uses are allowed within the required setback areas. Perimeter setback requirements for front, side, and rear yard areas shall be:
 - Front (East facing West Main Road): 10 feet;
 - Side (South and North boundaries): 10 feet; and
 - Rear (West boundary): 10 feet.
 - For every 10 feet in building height above 35 feet, the setback requirement shall increase by 2.5 feet. For example, a 55 foot tall building shall have a 15 foot setback from the perimeter boundary.
4. Density. Maximum density calculation allowances shall be based upon a project’s gross and total land area. Multiple lots of record for one project shall be addressed as an aggregate land area. For multi-lot developments, density calculations for each land use shall be calculated on the same gross and total land area without deductions for other land uses for such development.

- Dwelling unit (up to three bedrooms): One unit per 3,500 square feet;
 - Rooming units (hotel, motel, with or without kitchen): One unit per 1,000 square feet land area.
5. Buildings. There is no limit to the number of buildings located on any single parcel or parcels within the overlay district.

Section 3107 Design Standards:

This overlay zoning district’s design standards will generally adhere to the provisions of Article 5 - Required Minimum Standards of Design of the Rules & Regulations Regarding the Subdivision & Development of Land, including Section 521 - Commercial Development, except where they conflict with the following provisions, in which case this section shall prevail.

(A) Site design.

1. Projects shall include mixed-use development addressing a variety of building styles including multi-story buildings, with traditional New England architecture and aesthetics, including the Hotel.
2. Site design shall integrate all buildings and uses rather than focus on a single building or land use. The objective is a balanced and well-planned location of buildings and uses and their functional relationship to each other on the property.
3. More than one principal structure per lot is encouraged and permitted by right.
4. There are no separate stand-alone building setback requirements from other buildings within this mixed-use development.
5. Where practical, stormwater management shall include low impact development best management practices.

(B) Parking. Generally, parking shall be regulated by the provisions of Article 13 “Off Street Parking and Loading”, and the design standards of Article 5 of the “Subdivision and Land Development Regulations except where they conflict with the following provisions, in which case this section shall prevail.

1. Parking areas shall be located anywhere on the parcel outside of the required ten foot (10’) landscape buffer and will be equally distributed throughout the development.
2. Shared parking is recognized and encouraged where each land use has different hour, day, and/or seasonal peak demand.

- a) Residential use shall provide 1.5 spaces per unit.
- b) Hotel use (inclusive of staff and ancillary uses) shall provide 1 space per room.
- c) Retail parking requirement shall be 1 space per 1000 square feet of retail space.
3. Parking shall be designed in a manner to minimize visual appearance through location, landscaping, buffers, screening and other visual means. However, parking shall be allowed within five (5') of buildings or structures, without specific landscaping requirements.
4. Parking lots shall be designed such that pedestrian flow is not interrupted and the number of curb cuts is minimized to the greatest possible extent.
5. Pedestrian walkways and sidewalks shall be incorporated into the project and be placed adjacent to the driveway and parking lot areas.
6. Bicycle racks shall be included and situated in a manner to safely segregate bike use from automobile traffic and parking. Bicycle racks shall be provided in appropriate locations and identified on the site plans. Minimum bicycle parking space for one bike for every ten (10) automobile parking spaces or fraction thereof is required.
7. Installation of electric vehicle charging stations is encouraged.

(C) Circulation.

1. Circulation plan. A circulation plan shall be provided addressing the design of proposed access, internal street and pedestrian circulation, and impacts on adjacent public roads, traffic control, existing traffic conditions, and projected traffic generation. Common driveways and shared access that serves more than one property are encouraged to reduce curb cuts. Roads within a development shall be constructed to the standards for roads established by the Town of Middletown's "Rules and Regulations Regarding the Subdivision and Development of Land" unless the applicant demonstrates such roadways will be privately owned, operated and maintained. For clarity and avoidance of confusion, individual parking stalls shall be no less than 9 feet wide and 18 feet in length and in no case shall the gross area of parking space including aisles be less than 162 square feet per car. Aisles between rows of parking stalls shall not be less than 12 feet for one way traffic, and not less than 24' for two-way drive aisles. Adequate access for emergency vehicles in to and throughout the development must be provided.
2. Access. To the extent possible and to reduce curb cuts, all new uses as part of a development shall be provided with vehicular access to an internal network of streets which shall intersect with arterial roads at locations approved by the

Planning Board. Subject to the approval of the Board, new uses may also have vehicular access from an existing state or local road. The number of curb cuts to access the development shall be minimized.

3. Pedestrian circulation. The circulation plan shall ensure that adequate, safe and attractive pedestrian and bicycle circulation is provided. A sidewalk network shall be provided throughout the development that interconnects all dwelling units, non-residential uses, and common open spaces, and with major activity centers within and adjacent to the development. The Planning Board may require construction of on-site or off-site sidewalks, footpaths, or bicycle paths. Access to off-site areas is required, particularly to permit pedestrian and bicycle access to the existing retail areas on arterial roads. A bike path with a minimum 10-foot width is required to connect the development to other bike paths and walkways on abutting property. Said bike path can be placed within and in lieu of the landscape buffer, but if so, the bike-path and landscape buffer combined shall be a minimum fifteen feet in width, including a minimum of five feet of landscape buffer.
4. Public transit. Accommodations for public transit and other modes of transportation shall be integrated into the development. Such accommodations might include bus stops, pull offs, signage, and other features on public ways and/or within the development.

(D) Landscaping.

1. Landscaping Design Plan. A comprehensive landscape design plan shall be provided for proposed development addressing the integration of designed buffering, screening, and aesthetics for all uses and buildings within the property.
2. A landscaped buffer of no less than ten feet in width shall be required along the perimeter of the overlay development district except in the case of roadway, sidewalk, and pedestrian access connections.
3. There will be a landscaped buffer of 10 feet along Coddington Highway. Such buffer may include the use of hardscape to soften the visual open appearance of the development.
4. Landscaping plantings shall not include Rhode Island invasive or non-native species as defined by the University of Rhode Island's Cooperative Extension Native Plant Guide and should consider species that may be recommended by the Middletown Tree Commission on a case-by-case basis.
5. Landscaping should be used to screen ground-level equipment, ground-mounted lighting fixtures as appropriate.
6. Street trees. Deciduous "street trees" shall be planted along the street side property boundary and along any private streets or internal driveways in planter

strips or tree wells located between the sidewalk and curb. Trees shall be spaced no further apart than thirty (30) feet on center, and shall be a minimum of four (4) inch caliper dbh at time of planting.

7. Parking Lots. A minimum of one (1) tree shall be provided for every five (5) parking spaces. Trees shall be at least four (4) inches caliper (diameter breast height) and seven (7) feet tall at time of planting. Each tree must be surrounded by at least 25 square feet of permeable unpaved area.
8. Dumpsters, storage areas, exposed machinery installation including but not limited to HVAC units, service areas, truck loading areas, utility buildings and similar structures shall be designed and screened or located to provide an audio-visual buffer sufficient to minimize their adverse impact on other land uses within the development area and surrounding properties.
9. Air conditioning and ventilation units, security devices, and other service equipment shall be screened from public view, either by being screened or set back from the roof edge for roof mounted units, or by being screened by landscaping for ground mounted units.
10. A landscape maintenance plan shall be provided including a schedule of initial and ongoing activities to be undertaken by the property owner, property association, or other appropriate party approved by the Planning Board to ensure the long-term maintenance of the landscaping.
11. No landscaping buffer shall be required between parking spaces and buildings or sidewalks.
12. The location and design of any proposed site amenities, such as benches, bus shelters, playgrounds, etc. must be identified on the site plans. Designs shall be compatible with the overall design theme for the development.

(E) Lighting.

1. All exterior lighting shall comply with the requirements of the Middletown zoning ordinance, Article 27B – Outdoor Lighting.

(F) Signage.

1. Signage shall generally be governed by the General Business section of Article 12 of this chapter with the exception of the following superseding regulations to address mixed-use development.
2. Signage plan. A comprehensive signage plan for a mixed-use development shall be provided for all uses, individual buildings, or complex of buildings and uses as part of its review. The signage plan shall include conceptual drawings and supporting information describing the proposed signage for all major buildings and uses, including entrance signs and directional signs.

3. Free-standing signage shall be allowed at the corner of West Main Road and Coddington Highway with a maximum size of 100 square feet and maximum height of 18 feet.
4. Free-standing signage shall be allowed at a primary ingress and egress access on West Main Road for the mixed-use development with a total maximum size of 100 square feet and maximum height of 18 feet.
5. Free-standing signage shall be allowed at a secondary ingress and egress access for the mixed-use development with the total maximum size of 40 square feet and maximum height of 10 feet.
6. Directional signage shall be allowed by right in the interior of a mixed-use development. Total maximum size is 16 square feet per sign. A maximum of eight (8) directional signs are allowed within the mixed-use development.
7. Business signs shall be allowed a maximum of one (1) square foot per one (1) linear foot of exterior walls of the space where the business is located. Businesses are allowed a maximum of one (1) building mounted sign per exterior wall of the space where the business is located.
8. Setbacks. Signs for any individual buildings and/or uses shall not be located within any required setback, except for permanent signs at major entrances to the development. The Planning Board shall limit the number of such major entrance signs to roads or driveways which provide access to major complexes of uses and buildings, and not to individual uses or buildings. No such major entrance sign shall be permitted for individual uses or buildings.
9. Sign design. Signs shall be compatible with architectural style and components of the overall development including building materials, façade, and massing.

(G) Litter and Trash Management

1. Exterior litter receptacles shall be provided as part of any development within the overlay district, to serve patrons, residents and employees.
2. Receptacles shall be appropriately sized and located. The locations and design of receptacles must be identified on site plans.
3. Receptacles shall have decorative designs compatible with the overall design theme for the development.
4. A waste management and litter control plan shall be provided on the site plans or as a separate document, which shall include specific provisions and actions to prevent accumulation of litter on the subject property and to prevent it from entering abutting properties and streets.

Section 3108 Effective Date:

This ordinance shall take effect only after the recreational use covenants and restrictions under the National Park Service Federal Lands to Parks program and the Land and Water Conservation Fund grant program have been removed and/or relocated from any portion of the Overlay District that is to be zoned “Limited Business”, including without limitation, the parcel identified as Lot 3 on Middletown Tax Assessor’s Plat 102.

***SECOND:** The boundaries of the zoning districts as shown on the zoning map entitled “Town of Middletown, Official Zoning Map” dated October 30, 2006 and filed with the Town Clerk (hereinafter “Zoning Map”) are hereby amended and modified to provide that an overlay zoning district designation entitled West Main-Coddington Overlay District be applied to that certain lot or parcel of land presently identified as Lots 3, 4, 5, 6 and 7 on Middletown Tax Assessor's Plate 102, and as shown on the attached plan.*

***THIRD:** This ordinance shall take effect only after the recreational use covenants and restrictions under the National Park Service Federal Lands to Parks program and the Land and Water Conservation Fund grant program have been removed and/or relocated from any portion of the Overlay District that is to be zoned “Limited Business”, including without limitation, the parcel identified as Lot 3 on Middletown Tax Assessor’s Plat 102.*

Wind turbine for generation of electricity, limited to location on properties for which the principal use is field crop farms, horticultural nurseries or livestock farms ³	S	S	S	S	N	N	S	S	S	S	S	N	S	S	N	N	<u>N</u>
RESIDENTIAL - Conventional Development																	

* As per outlined in Title XV, Chapter 152, Article 31, Section 3104(A) Accessory Use - Co-Locating cellular and other antenna 6' in height or less on top of structures and shielded from public view is allowed by right.

	<i>R6 0</i>	<i>R4 0</i>	<i>R3 0</i>	<i>R2 0</i>	<i>R1 0</i>	<i>RM</i>	<i>GB</i>	<i>LB</i>	<i>OB</i>	<i>LI 1</i>	<i>LI 2</i>	<i>OP</i>	<i>OS</i>	<i>P</i>	<i>MT</i>	<i>AB D</i>	<i>WMCD</i>
Single-family dwellings	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	Y	Y	<u>N</u>
Two-family dwellings	N	S	S	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	<u>N</u>
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	<u>N</u>
Multifamily dwelling project, including condominiums See §§ 1500 - 1508	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N	<u>N</u>
<u>Multifamily dwelling project (minimum of 25% and maximum of 75% of total gross floor area within the overlay district with 12% of Units dedicated to affordable housing at 80% of AMI)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>
Mobile home parks See §§ 2300 - 2314	N	N	N	N	N	S	N	N	N	N	N	N	N	N	Y	N	<u>N</u>
Transient trailer parks	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	<u>N</u>
Motel or hotel	N	N	N	N	N	N	S	S	S	N	N	S	N	N	N	S	<u>Y</u> (Limit 1)
Short-term rental	S**	S**	S**	S**	S**	S**	Y	Y	Y	N	N	N	N	N	S**	S**	<u>N</u>

Single mobile home or transient trailer on a lot	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	<u>N</u>
Family day care home	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	<u>N</u>
Community residence	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	Y	Y	Y	<u>N</u>	
Senior independent living facilities	S	S	S	S	S	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	
Time share unit within a multifamily dwelling structure or project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	
Time share unit within a motel or hotel	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	N	N	N	<u>N</u>	
Mixed residential and commercial uses in a single building See § 719	N	N	N	N	N	N	Y	Y	Y	N	N	N	N	N	N	Y	<u>Y</u>	
Mixed Use Development Projects See §§ 27A00 - 27A07	N	N	N	N	N	N	Y	Y	N	N	N	N	N	N	N	Y	<u>Y</u>	
Adaptive reuse See § 728	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>	

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	R6 0	R4 0	R3 0	R2 0	R1 0	RM	GB	LB	OB	LI 1	LI 2	OP	OS	P	MT	AB D	WMCD	
Congregate housing	S	S	S	S	S	N	N	S	S	N	N	N	N	N	N	N	N	<u>N</u>
RESIDENTIAL - Conservation Development																		
Single-family	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
Two-family	Y	Y	Y	Y	Y	Y	N	S	S	N	N	N	N	N	N	N	N	<u>N</u>
Multifamily project, including only townhouse style condominiums	N	N	Y	Y	Y	Y	N	S	S	N	N	N	N	N	N	N	N	<u>N</u>
EXTRACTIVE AND INDUSTRIAL NON-MANUFACTURING																		
Earth removal, quarries, sand and gravel lots	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	<u>N</u>
Storage of bottled gas, oil or other liquid petroleum products	N	N	N	N	N	N	S	N	N	S	N	N	N	N	N	N	N	<u>N</u>
Construction general and special trade contractors, with outdoor storage, but excluding outdoor storage of bulk materials	N	N	N	N	N	N	Y	Y	N	Y	Y	N	N	N	N	N	N	<u>N</u>
Construction general and special trade contractors with outdoor storage, including outdoor storage of bulk materials	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	<u>N</u>

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Other extractive and industrial non-manufacturing not elsewhere classified	N	N	N	N	N	N	S	S	N	S	N	N	N	N	N	N	<u>N</u>
Salvage yard operation	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	<u>N</u>

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	R6 0	R4 0	R3 0	R2 0	R1 0	RM	GB	LB	OB	LI 1	LI 2	OP	OS	P	MT	AB D	WMCD
MANUFACTURING																	
Handicraft/custom manufacturing or small-scale craft or artisan-oriented production of goods	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	S	<u>N</u>
Food and beverage and related products including meat products, dairy products or bakeries; canning, preserving and miscellaneous food processing; no retail sales	N	N	N	N	N	N	Y	N	N	Y	S	N	N	N	N	N	<u>N</u>
Brewery/distillery up to 20,000 sq.ft., with retail sales and/or tasting room required	N	N	N	N	N	N	Y	S	N	Y	S	S	N	N	N	S	<u>N</u>
Brewery/distillery over 20,000 sq.ft., with retail sales and/or tasting room required	N	N	N	N	N	N	Y	N	N	Y	S	S	N	N	N	S	<u>N</u>
Apparel and other finished products made from fabrics and similar materials	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	N	<u>N</u>

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Lumber and wood products including furniture and fixtures; Plastics molding, extrusion and/or assembly of plastic parts; Rubber, leather, stone, clay or glass products	N	N	N	N	N	N	S	N	S	Y	S	N	N	N	N	N	<u>N</u>
Printing, publishing and allied industries	N	N	N	N	N	N	Y	N	Y	Y	Y	Y	N	N	N	N	<u>N</u>
Concrete plant	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
Fabricated metals products, <u>including</u> heavy machinery, transportation equipment, engines etc.	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	<u>N</u>
Fabricated metals products, <u>excluding</u> heavy machinery, transportation equipment, engines etc.	N	N	N	N	N	N	N	N	N	S	S	N	N	N	N	N	<u>N</u>

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	R6 0	R4 0	R3 0	R2 0	R1 0	RM	GB	LB	OB	LI 1	LI 2	OP	OS	P	MT	AB D	<u>WMCD</u>
Boat building and repairing, including storage	N	N	N	N	N	N	S	S	N	Y	S	N	N	N	N	N	<u>N</u>
Engineering, computers, scientific and research instruments, small motors and associated equipment	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	N	<u>N</u>
Gravel processing, with or without outdoor storage of bulk materials	N	N	N	N	N	N	N	N	N	S	S	N	N	N	N	N	<u>N</u>
TRANSPORTATION, COMMUNICATION AND UTILITIES																	
Large solar energy systems	N	N	N	N	N	S	S	S	S	S	S	S	S	S	S	N	<u>N</u>
Small solar energy systems*	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	<u>N</u>
Highway and transportation services, including terminals, storage yards, etc.	N	N	N	N	N	N	N	N	N	Y	S	N	N	N	N	N	<u>N</u>
Airports and heliports	N	N	N	N	N	N	N	N	N	S	N	S	N	N	N	N	<u>N</u>
Commercial dock or pier	N	N	N	N	N	N	N	N	N	N	N	N	S	S	N	N	<u>N</u>
Commercial off-street parking	N	N	N	N	N	N	S	N	S	S	S	S	N	S	N	S	<u>N</u>
Electric power substation	S	S	S	S	S	S	S	S	S	S	S	N	N	S	N	N	<u>N</u>

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High voltage electric transmission towers	S	S	S	S	S	S	S	S	S	S	S	S	N	N	S	N	N	<u>N</u>
Telephone exchange	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	N	N	N	N	<u>N</u>
Sewage treatment plant	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	N	<u>N</u>
Solid waste transfer station	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	N	<u>N</u>
Wind turbine for generation of electricity	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	N	<u>N</u>
WIRELESS COMMUNICATIONS FACILITIES																		
Building-mounted facilities	N	N	N	N	N	N	S	S	S	S	S	S	S	N	S	N	N	<u>N*</u>
Communication tower	N	N	N	N	N	N	S	N	N	S	N	N	N	N	S	N	N	<u>N</u>
Disguised facilities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	N	<u>N*</u>
Pole-mounted antennas	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	N	<u>N</u>
WHOLESALE COMMERCIAL																		

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	R6 0	R4 0	R3 0	R2 0	R1 0	RM	GB	LB	OB	LI 1	LI 2	OP	OS	P	MT	AB D	<u>WMCD</u>
Wholesale distribution establishments (no retail sales)	N	N	N	N	N	N	Y	S	S	Y	Y	Y	N	N	N	N	<u>N</u>
Wholesale distribution establishments (no retail sales), with outdoor storage of bulk materials	N	N	N	N	N	N	N	N	N	Y	S	N	N	N	N	N	<u>N</u>
Warehousing, self-storage, public and private	N	N	N	N	N	N	Y	S	S	Y	Y	S	N	N	N	N	<u>N</u>
RETAIL COMMERCIAL																	
Lumber, building materials, heavy equipment	N	N	N	N	N	N	Y	N	N	Y	N	N	N	N	N	N	<u>N</u>
Lumber, building materials, heavy equipment, plumbing, electrical supply and service, with outdoor storage of bulk materials	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	<u>N</u>

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General merchandise retailing activities, including department stores (storage areas not to exceed 30% of gross floor area) under 20,000 sq. ft.	N	N	N	N	N	N	Y	Y	N	N	N	N	N	N	N	Y	<u>Y</u> <u>(Limit to 15,000 sq. ft.)</u>
General merchandise retailing activities, including department stores (storage areas not to exceed 30% of gross floor area) over 20,000 sq. ft.	N	N	N	N	N	N	Y	S	N	N	N	N	N	N	N	N	<u>N</u>
Small-scale shopping center	N	N	N	N	N	N	Y	Y	N	N	N	N	N	N	N	S	<u>N</u>
Large-scale shopping center	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	<u>N</u>
Auto dealers, trailers (new and used)	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	<u>N</u>
Gasoline or electric vehicle service station (minor repairs only)	N	N	N	N	N	N	S	S	N	N	N	N	N	N	N	N	<u>N</u>
Gasoline or electric vehicle station with convenience store	N	N	N	N	N	N	S	S	N	N	N	N	N	N	N	S	<u>N</u>
Boat sales, including trailers	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	<u>N</u>

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	R6 0	R4 0	R3 0	R2 0	R1 0	RM	GB	LB	OB	LI 1	LI 2	OP	OS	P	MT	AB D	<u>WMCD</u>
Commercial greenhouse under 20,000 sq.ft.	N	N	N	N	N	N	Y	Y	N	N	N	N	N	N	N	N	<u>N</u>
Commercial greenhouse over 20,000 sq.ft.	N	N	N	N	N	N	Y	S	N	N	N	N	N	N	N	N	<u>N</u>
Restaurant (no alcoholic beverages) hours of operation 7am-7pm	N	N	N	N	N	N	Y	Y	S	Y	N	N	N	N	N	Y	<u>Y</u>
Restaurant (no alcoholic beverages) hours of operation beyond 7am-7pm	N	N	N	N	N	N	Y	S	S	Y	N	N	N	N	N	S	<u>Y</u>
Restaurant (alcoholic beverages)	N	N	N	N	N	N	Y	S	S	S	N	N	N	N	N	S	<u>Y</u>
Packaged wine, beer, or liquor store	N	N	N	N	N	N	Y	Y	N	N	N	N	N	N	N	Y	<u>Y</u>

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Retail outlet for wholesale, storage or manufacturing use up to 20,000 sq.ft. (provided that floor area devoted to such retail selling shall not exceed 25% of the gross floor area)	N	N	N	N	N	N	Y	S	N	Y	N	N	N	N	N	N	N	<u>N</u>
Retail outlet for wholesale, storage or manufacturing use over 20,000 sq.ft. (provided that floor area devoted to such retail selling shall not exceed 25% of the gross floor area)	N	N	N	N	N	N	Y	N	N	Y	N	N	N	N	N	N	N	<u>N</u>
Compassion center (medical cannabis)	N	N	N	N	N	N	S	N	N	S	S	N	N	N	N	N	N	<u>N</u>
Cannabis retailer (medical or recreational)	N	N	N	N	N	N	S	N	N	S	S	N	N	N	N	N	N	<u>N</u>
Cannabis product manufacturer (medical or recreational)	N	N	N	N	N	N	N	N	N	S	S	S	N	N	N	N	N	<u>N</u>
Cannabis cultivation center (medical or recreational)	N	N	N	N	N	N	N	N	N	S	S	N	N	N	N	N	N	<u>N</u>

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Nonresidential cooperative cultivation (medical cannabis)	N	N	N	N	N	N	N	N	N	N	S	S	N	N	N	N	N	<u>N</u>
Residential cooperative cultivation (medical cannabis)	S	S	S	S	S	S	N	N	N	N	N	N	N	N	N	S	N	<u>N</u>
Patient cultivation (medical cannabis)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	<u>N</u>

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Caregiver cultivation (medical cannabis)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	<u>N</u>
Cannabis laboratory (medical or recreational cannabis)	N	N	N	N	N	N	N	N	N	N	N	S	N	N	N	N	<u>N</u>
PERSONAL SERVICES																	
Laundry or dry cleaners, pick up only (no plant)	N	N	N	N	N	N	Y	Y	N	Y	Y	N	N	N	N	Y	<u>Y</u>
Laundry or dry cleaners with plant	N	N	N	N	N	N	Y	Y	N	Y	S	N	N	N	N	N	<u>N</u>
Self service laundromat	N	N	N	N	N	N	Y	Y	N	Y	Y	N	N	N	N	Y	<u>Y</u>
Beauty or barber shop	N	N	N	N	N	N	Y	Y	Y	N	N	N	N	N	N	Y	<u>Y</u>
Mortuary or funeral home without cremation services	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	<u>N</u>
Crematorium	N	N	N	N	N	N	S	S	S	S	N	N	N	N	N	N	<u>N</u>
Therapeutic massage and physical therapy services	N	N	N	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	<u>Y</u>
Miscellaneous personal services not otherwise classified	N	N	N	N	N	N	S	S	N	N	N	N	N	N	N	S	<u>S</u>
BUSINESS SERVICES																	

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Automotive repair, service and garages, vehicle body shop 7,500 sq.ft. or less	N	N	N	N	N	N	S	S	N	Y	S	N	N	N	N	N	<u>N</u>
Automotive repair, service and garages, vehicle body shop more than 7,500 sq.ft	N	N	N	N	N	N	S	N	N	Y	S	N	N	N	N	N	<u>N</u>
Catering and food packaging	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	N	<u>Y</u>
Miscellaneous repair shops and related services (non-vehicle) without outdoor storage	N	N	N	N	N	N	Y	Y	N	Y	Y	N	N	N	N	Y	<u>Y</u>
Miscellaneous repair shops and related services (non-vehicle) with outdoor storage	N	N	N	N	N	N	S	S	N	S	S	N	N	N	N	N	<u>N</u>
Vehicle washing establishment (mechanical car wash or self-wash)	N	N	N	N	N	N	Y	S	N	Y	N	N	N	N	N	N	<u>N</u>
Auto detailing (without mechanical car wash or self-wash)	N	N	N	N	N	N	Y	S	N	Y	S	N	N	N	N	S	<u>N</u>

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Vehicle or equipment rentals	N	N	N	N	N	N	Y	S	N	Y	S	N	N	N	N	S	<u>N</u>
Duplicating, printing or photocopying services	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	Y	<u>Y</u>
Miscellaneous business services not otherwise classified	N	N	N	N	N	N	S	S	S	N	S	S	N	N	N	S	<u>S</u>
PROFESSIONAL SERVICES																	
General professional offices	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	N	N	Y	<u>Y</u>
Bank or financial institution without drive-up window/ATM	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N	N	N	Y	<u>Y</u> <u>(Limit 1 in District)</u>
Bank or financial institution with drive-up window/ATM	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N	N	N	S	<u>Y</u> <u>(Limit 1 in District)</u>
Research or development offices	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	S	<u>Y</u>
Office - customary home occupation (for use by a resident of the premises up to one employee or associate)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	<u>Y</u>

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Temporary real estate sales office located on the premises being sold	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	N	<u>Y</u>
Sales and service offices for fuel oil and bottled gas dealers including parts and repairs but excluding storage and distribution of the product on the premises	N	N	N	N	N	N	Y	S	N	Y	S	N	N	N	N	N	N	<u>Y</u>
Miscellaneous professional services not otherwise classified	N	N	N	N	N	N	S	S	S	S	N	N	N	N	N	N	S	<u>S</u>
INDOOR COMMERCIAL AMUSEMENT SERVICES																		
Motion picture/performing arts theaters, 50 seats or less	N	N	N	N	N	N	Y	Y	N	N	N	N	N	N	N	N	S	<u>S</u>
Motion picture/performing arts theaters, more than 50 seats	N	N	N	N	N	N	S	S	N	N	N	N	N	N	N	N	S	<u>S</u>
Video and amusement arcades	N	N	N	N	N	N	S	S	N	N	N	N	N	N	N	N	S	<u>N</u>
Bowling alleys	N	N	N	N	N	N	Y	S	N	N	N	N	N	N	N	N	N	<u>N</u>
Billiard and pool parlors	N	N	N	N	N	N	Y	S	N	N	N	N	N	N	N	N	S	<u>S</u>

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	R6 0	R4 0	R3 0	R2 0	R1 0	RM	GB	LB	OB	LI 1	LI 2	OP	OS	P	MT	ABD	WMCD
Exercise center, court games	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	N	N	N	<u>S</u>
Exercise center, without court games	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	N	N	Y	<u>S</u>
Skating rinks	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	<u>N</u>
Indoor roller blade and skateboarding facility	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	<u>N</u>
GOVERNMENTAL, EDUCATIONAL AND INSTITUTIONAL ON PRIVATELY OWNED LAND																	
Church or other place of worship	Y	Y	Y	Y	Y	Y	Y	S	S	N	N	N	N	N	N	S	<u>S</u>
Library or museum	S	S	S	S	S	S	Y	Y	Y	N	N	S	Y	N	N	Y	<u>Y</u>
Private college or university, preparatory school, elementary or secondary school, including dormitories and other accessory buildings	Y	Y	Y	N	N	N	S	S	N	N	N	S	N	Y	N	N	<u>N</u>
Professional or musical schools	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	N	N	S	<u>Y</u>
Day nursery school, kindergarten or other agency giving day care	S	S	S	S	S	S	Y	Y	Y	N	N	S	N	N	N	S	<u>Y</u>

* As per outlined in Title XV, Chapter 152, Article 31, Section 3104(A) Accessory Use - Co-Locating cellular and other antenna 6' in height or less on top of structures and shielded from public view is allowed by right.

Trade school, private vocational school teaching industrial skills using heavy machinery or industrial processes	N	N	N	N	N	N	S	N	N	Y	S	S	N	N	N	N	<u>N</u>
Cemeteries	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	<u>N</u>
Clubs, lodges, social and community centers (non-profit only)	N	N	N	N	N	N	Y	Y	Y	N	N	N	N	N	N	S	<u>Y</u>
Membership athletic clubs (non-profit only)	N	N	N	N	N	N	Y	S	S	N	N	N	N	N	N	S	<u>N</u>
Hospital, medical center or clinic	N	N	N	N	N	S	Y	S	S	N	N	N	N	N	N	S	<u>S</u>
<u>Medical, chiropractic, mental health services or clinic</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S</u>	<u>Y</u>	<u>S</u>	<u>S</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S</u>	<u>Y</u>
Emergency counseling service or drop-in center	N	N	N	N	N	S	Y	S	S	N	N	N	N	N	N	S	<u>N</u>
Rest, retirement, convalescent or nursing homes	S	S	S	S	S	S	S	S	S	S	S	S	N	N	N	S	<u>N</u>
GOVERNMENTAL, EDUCATIONAL AND INSTITUTIONAL ON PRIVATELY OWNED LAND (Cont'd)																	
Residential care and assisted living facility	S	S	S	S	S	S	S	S	S	S	S	S	N	N	N	S	<u>N</u>
COMMERCIAL OUTDOOR RECREATION																	

* As per outlined in Title XV, Chapter 152, Article 31, Section 3104(A) Accessory Use - Co-Locating cellular and other antenna 6' in height or less on top of structures and shielded from public view is allowed by right.

	R6 0	R4 0	R3 0	R2 0	R1 0	RM	GB	LB	OB	LJ¹	LJ²	OP	OS	P	MT	ABD	<u>WMCD</u>	
Amusement parks	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N	<u>N</u>
Miniature golf, driving range, pitch and putt, etc.	N	N	N	N	N	N	S	S	N	N	N	N	N	N	N	N	S	<u>N</u>
Campgrounds	N	N	N	N	N	N	N	N	N	N	N	N	S	N	N	N	N	<u>N</u>
Riding academies and schools	N	N	N	N	N	N	N	N	N	N	N	N	S	N	N	N	N	<u>N</u>
Golf courses	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	<u>N</u>
Drive-in theater	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N	<u>N</u>
Tennis/other outdoor court games	N	N	N	N	N	N	S	N	S	N	N	N	N	N	N	N	S	<u>N</u>
Swimming pools, water slides, other water-based amusements	N	N	N	N	N	N	S	S	N	N	N	N	N	N	N	N	N	<u>N</u>
Boat liveries (small boat rentals)	N	N	N	N	N	N	Y	Y	N	N	N	N	N	N	N	N	S	<u>N</u>
Stadia and fairgrounds	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N	<u>N</u>
Conservation lands, bird sanctuaries, wildlife preserves	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>N</u>
Public and private parks	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
Bathing beaches, public or non-profit ownership	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	<u>N</u>

¹ Refer to § 725 and Article 23 of this chapter for use and design restrictions and performance standards applicable to uses in light industrial districts.

² (Abutting Residential) Light industrial (adjacent to residential) is not a separate zoning district. It is a subset of light industry and is shown here for clarity only.

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3 Refer to Article 25A of this chapter for use restrictions, design standards and application procedures for wind turbines.

** Any special use permit granted for a short-term rental shall be subject to the conditions set forth in Article 27C

* As per outlined in Title XV, Chapter 152, Article 31, Section 3104(A) Accessory Use - Co-Locating cellular and other antenna 6' in height or less on top of structures and shielded from public view is allowed by right.

Section 603

ZONING DISTRICT DIMENSIONAL REGULATIONS										
<i>Zoning District and Use</i>	<i>Minimum Lot Size</i>		<i>Maximum Percentage of District to be Occupied</i>	<i>Maximum Height of Building</i>		<i>Minimum Yard Dimension</i>			<i>Accessory Buildings Minimum Distance in Feet to</i>	
	<i>Area (S.F.)</i>	<i>Width/Frontage (Ft.)</i>	<i>Principal and Accessory Buildings</i>	<i>Principal (Ft.)</i>	<i>Accessory (Ft.)</i>	<i>Front (Ft.)</i>	<i>Side (Ft.)</i>	<i>Rear (Ft.)</i>	<i>Side Lot Lines</i>	<i>Rear Lot Lines</i>
<u>West Main-Coddington District (WMCD)</u>										

<u>Hotel/Motel</u>	<u>N/A¹</u>	<u>N/A¹</u>	<u>35%</u>	<u>55'</u>	<u>20'</u>	<u>10'^{2&3}</u>	<u>10'^{2&3}</u>	<u>10'^{2&3}</u>	<u>10'^{2&3}</u>	<u>10'^{2&3}</u>
<u>Other Structures</u>	<u>N/A¹</u>	<u>N/A¹</u>		<u>45'</u>						
<u>If Leased Land is not developed as a single unified mix-use development, standard LB dimensional requirements shall apply.</u>										

¹ The minimum lot size is not applicable provided that the lease area is developed as single unified mixed-use development.

² Minimum front, side, and rear yard requirements shall increase by 2.5' for every 10' of building height above 35.'

³ The minimum yard dimension requirements (front, side, rear) apply only to the property lines around the perimeter of the district, and not to the interior property lines. This is due to the fact that the Leased Land is developed as single unified mixed-use development.