



MIDDLETOWN
Rhode Island

PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

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

To: Paul A. Croce, Chairman
Planning Board Members

From: Anita Guo, Principal Planner

Date: April 19, 2023

Re: Draft Airport Overlay District zoning amendments.

A public workshop meeting on October 13th, 2022 and a special meeting with officials from the Rhode Island Airport Corporation (RIAC) on November 29th, 2023 were held to discuss the draft proposed zoning ordinance amendments to implement airport area overlay zoning (as required by state law).

Following the public workshop and the meeting with RIAC, the Planning Board determined that the runway protection zone (RPZ) area on the draft zoning map will be revised to reflect the Federal Aviation Administration (FAA) RPZ definition. The Board also requested Planning staff to further refine the height compliance area (HCA) and to research the status of other municipalities' airport overlay zoning. During the meeting, RIAC officials shared that they were willing to assist and provide resources to the Town.

Stantec, the consultant for RIAC, provided Planning staff with the FAR Part 77 height restriction analysis they have done for Newport State Airport. Planning staff were then able to use that data to map the new HCA and identify properties that are in the RPZ and HCA. Please see the attached draft zoning maps showing the FAA RPZ area and the new HCA area. The RPZ is shown on the map with yellow slashes and the HCA is shown in turquoise. The two areas overlap each other. The HCA shows where a 35 feet or higher structure could potentially penetrate the FAR Part 77 surface. The total number of properties in those two zones is 68, with 36 of those condominiums.

Planning staff also reached out to the following municipalities regarding their airport overlay zoning status: Portsmouth, Smithfield, Lincoln, North Kingstown, and New Shoreham. All municipalities shared that airport zoning is not a priority item currently.

If adopted the ordinance would result in the following:

- Establish two regulated areas, including the Runway Protection Zone (RPZ) and the Height Compliance Area.
- The RPZ would prohibit most development, except for parking lots, roads, and agriculture. Any structures and vegetation would be limited to 15 feet in height.

- Uses within the Height Compliance Area would be limited in accordance with the underlying zoning, with structure height to not exceed that which would penetrate a FAR Part 77 surface. As currently drafted, there is no limitation on the height of vegetation.
- Any proposed development within the RPZ or Height Compliance Area would require Development Plan Review (DPR) conducted by the Planning Board, with the exception of proposed single-family dwellings in the Height Compliance Area. FAA approval of the proposed development would be a submission requirement for DPR.
- Pre-existing structures not in compliance with provisions of the ordinance would not be required to comply unless such structure is altered. The alteration shall not increase the hazard to air navigation.

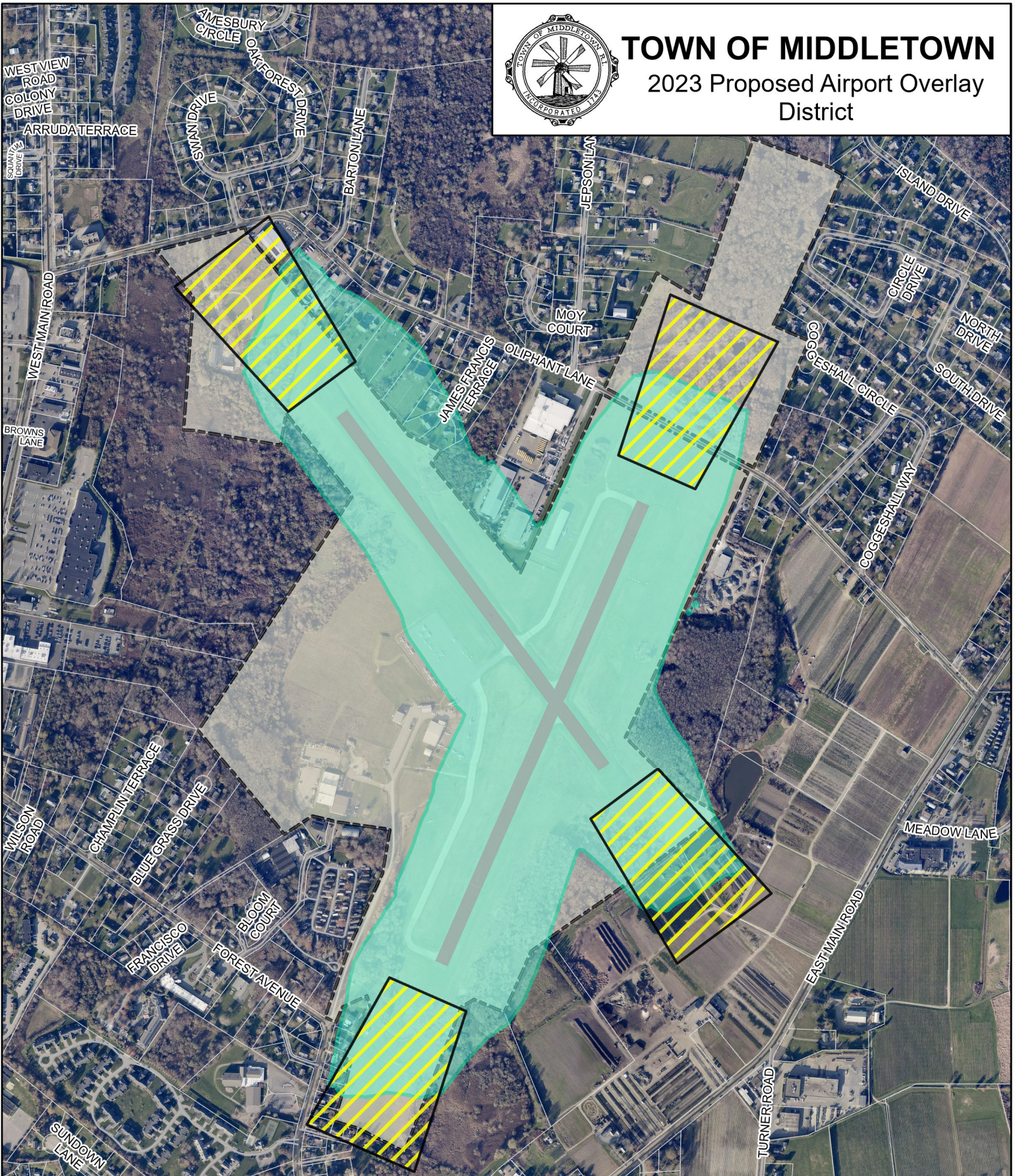
If the board wishes to move forward with consideration of the revised draft, ultimately a recommendation would be made to the Town Council to consider adoption. Please contact me with any questions.

cc. Town Solicitor



TOWN OF MIDDLETOWN






2023 Proposed Airport Overlay District



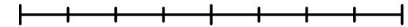
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Legend

-  Runway Protection Zone (RPZ)
-  Height Compliance Area (HCA)
-  Airport Property
-  Airport Runway
-  Property Lines

0 375 750 1,500 Feet



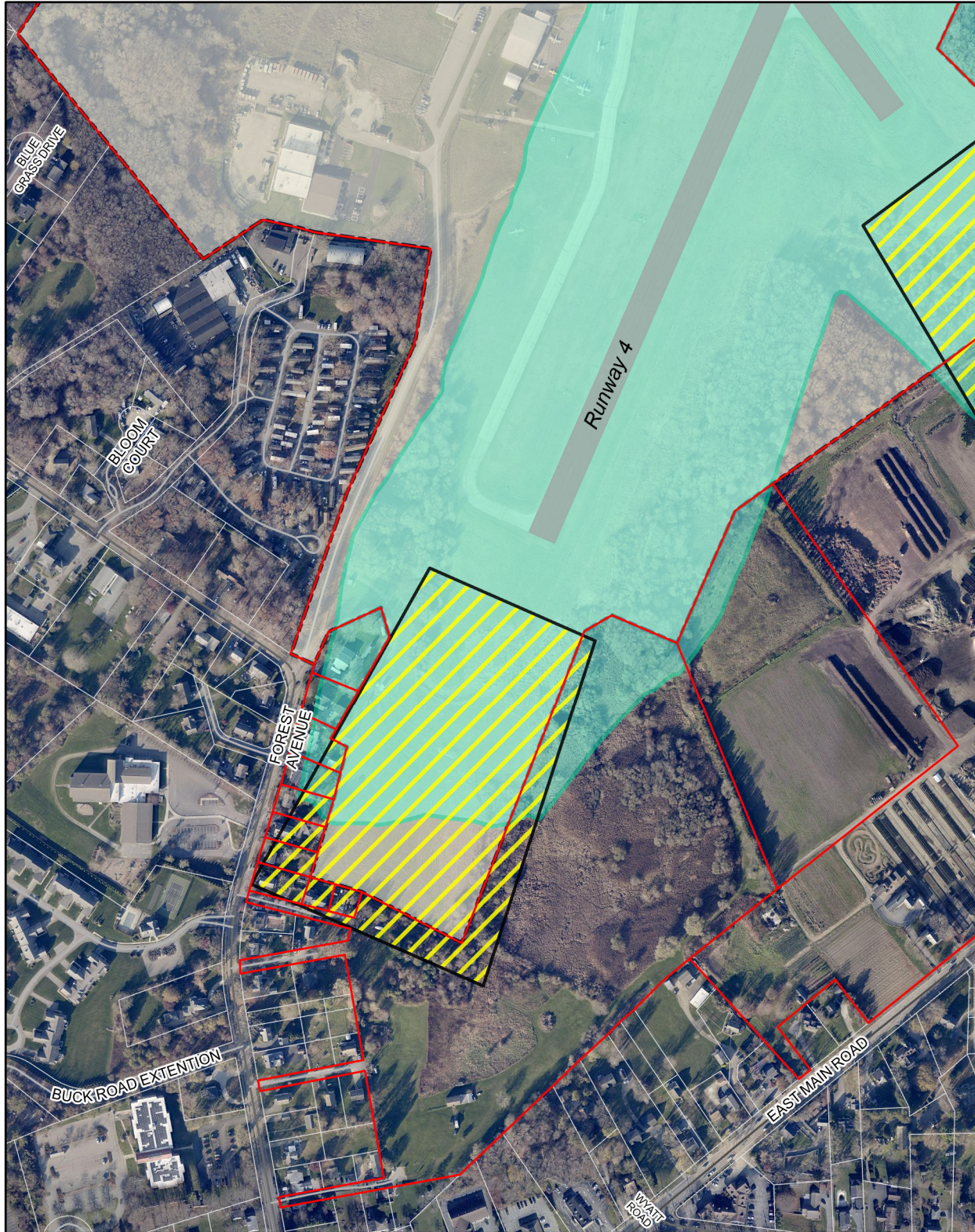
The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analysis. Sources: RIGIS, RIAC, Stantec, Town of Middletown. Author: AG.

Date Saved: 4/12/2023

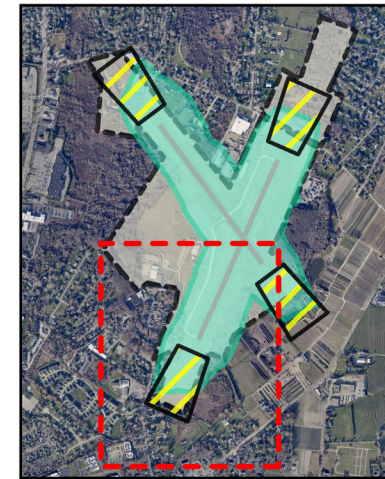


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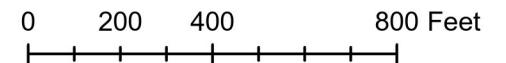


Zone	Number of Properties in Zone
RPZ	21
HCA	63 (36 are condos)
RPZ and HCA	68 (36 are condos)



Legend

- Properties in Overlay
- Runway Protection Zone (RPZ)
- Height Compliance Area (HCA)
- Airport Property
- Airport Runway
- Property Lines



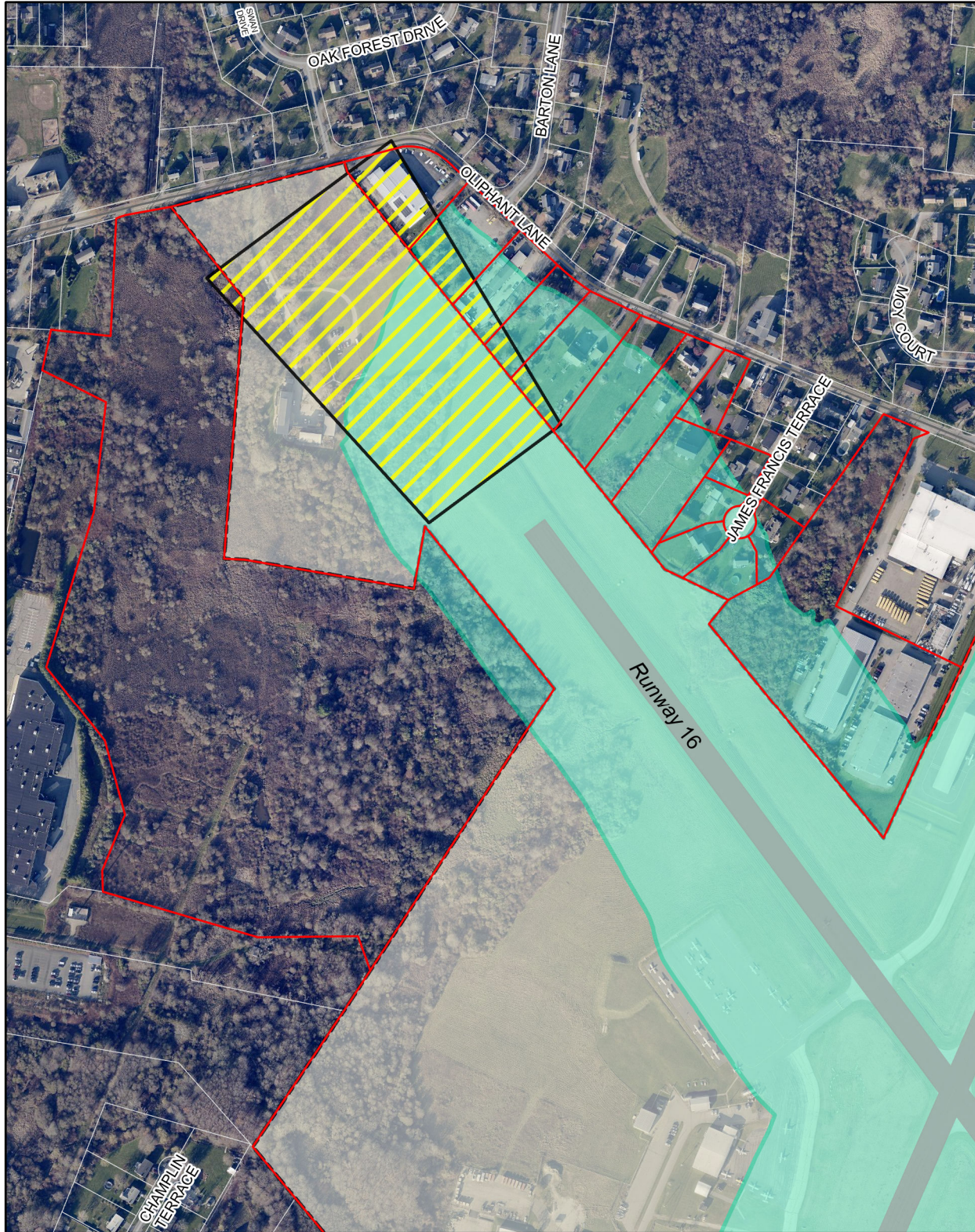
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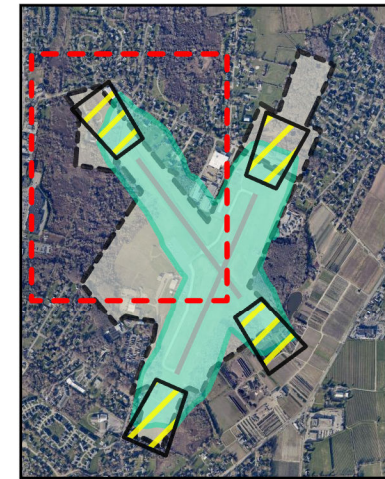


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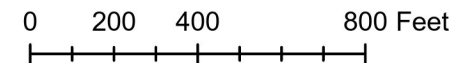


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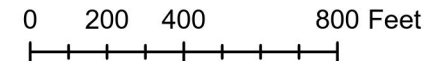
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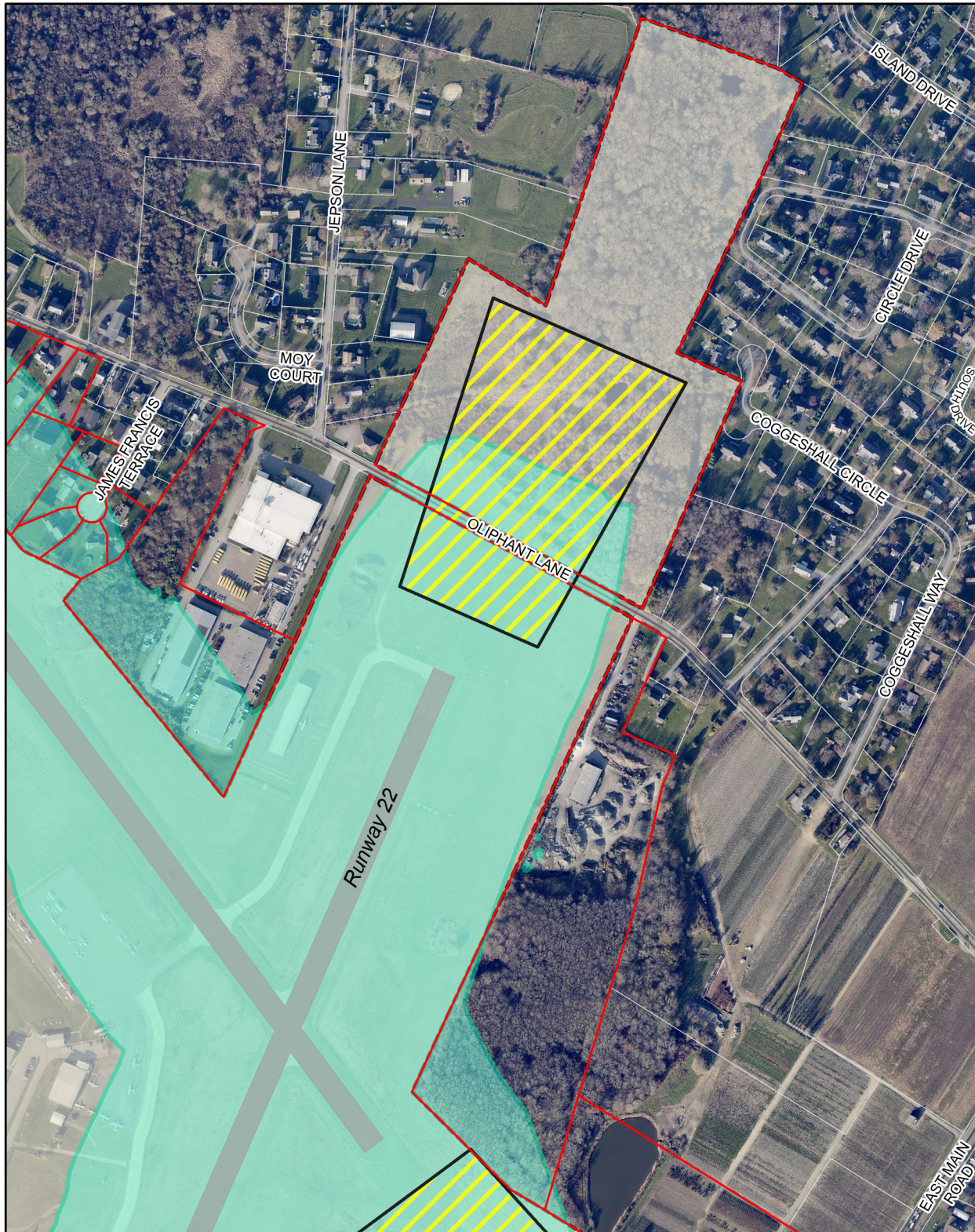
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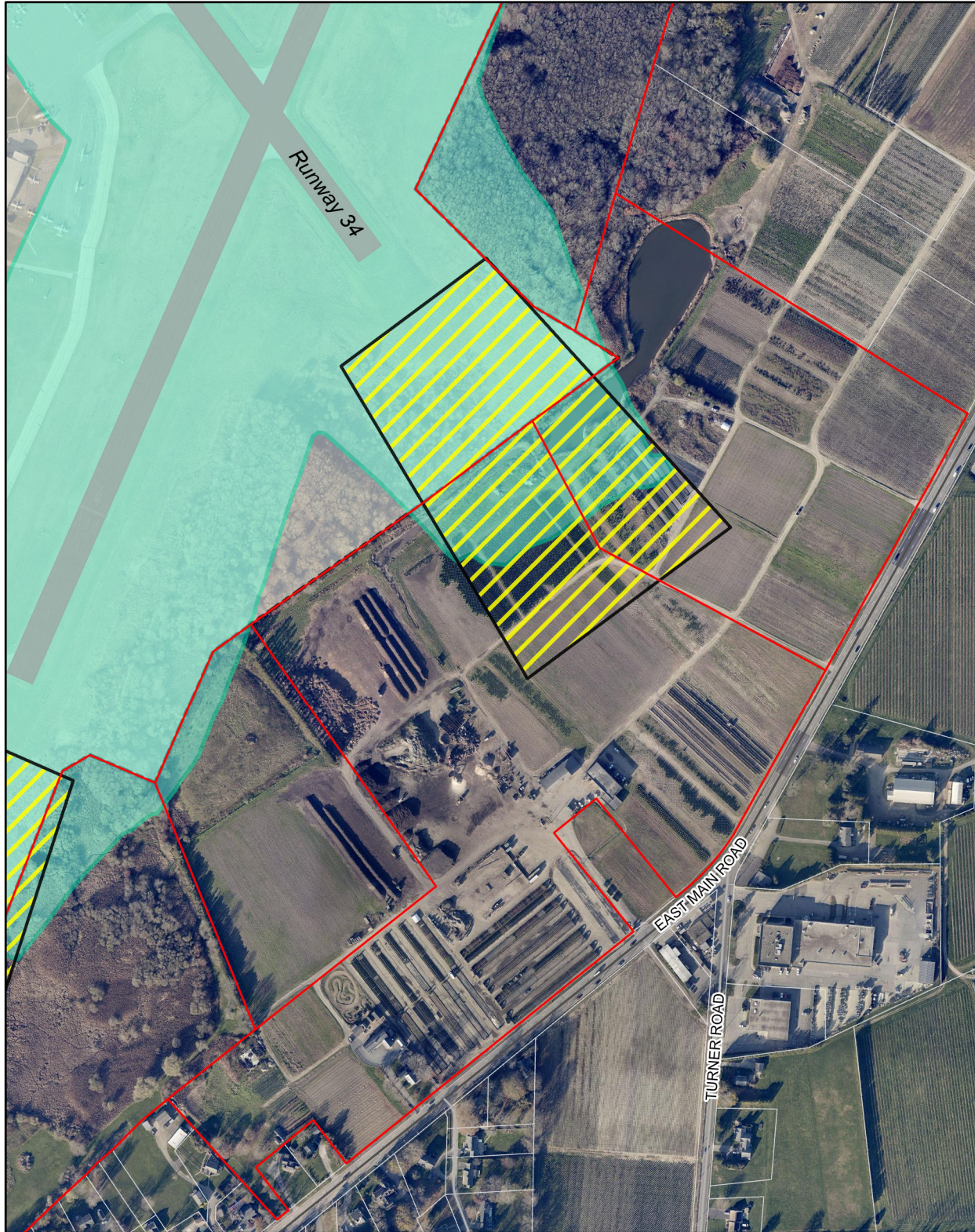
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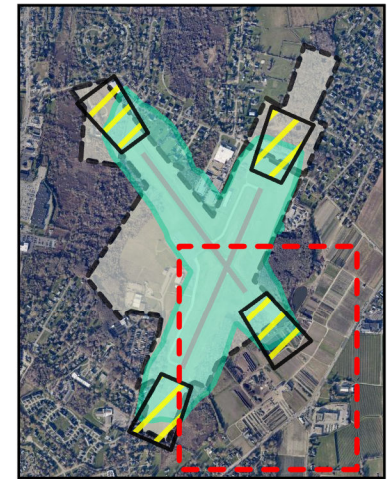


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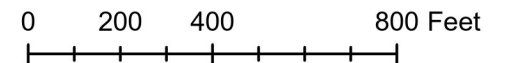


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