



MIDDLETOWN
Rhode Island

PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

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MEMORANDUM

To: Paul A. Croce, Chairman
Planning Board Members

From: Ron Wolanski, Town Planner

Date: May 2, 2022

Re: Potential amendments to the Middletown Zoning Ordinance, Article 13 - *Off-street Parking and Loading*. Proposed amendments to modify the minimum off-street parking requirements throughout the town

The Town Council referred two requests to the Planning Board to investigate potential zoning ordinance amendments to Article 13 - *Off-street Parking and Loading*. These include a request for an overall review of Article 13, and a request specific to review of requirements for residential uses. A subcommittee of the Planning Board presented the draft amendments to the full board during the February 9, 2022 Planning Board meeting. The Planning Board conducted a public workshop meeting on March 30th to present and discuss the draft and accept public input. The attached draft was revised after the March 30th meeting to address comments. These include:

- Revise language regarding one- and two-family dwellings.
- Require a parking minimum for veterinary hospitals.
- Add parking requirement for restaurants in hotels.
- Add parking requirement for retail associated with manufacturing uses.
- Add parking requirement for storage facilities. (suggestions based on a wide range of options)
- Add parking requirements for outdoor courts and pools. (suggestions based on a wide range of options)

Once the Board is satisfied with the final draft, it should be forwarded to the Town Council for consideration. The Town Council must then hold a formal public hearing before amendments are adopted. In support of its recommendation to the Town Council on a zoning ordinance amendment the Planning Board must make 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 contact me with any questions.

cc. Town Solicitor

ARTICLE 13 OFF-STREET PARKING AND LOADING

§ 1300 GENERAL REQUIREMENTS.

No structure or use shall be erected, substantially altered or developed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this chapter.

(Ord. passed 10-30-06)

§ 1301 SITE IMPROVEMENTS.

Off-street parking and loading facilities shall conform to the following regulations:

~~(A) —(A)—Except for one- or two-family dwelling uses, T~~he area shall be permanently paved and maintained and shall have adequate and safe ingress and egress. ~~Parking spaces required in connection with one- or two-family dwelling uses need not be permanently paved.~~ For the purposes of this section, the term PAVING shall mean a uniform, hard, smooth covering which will bear travel by vehicles or by pedestrians in all seasons, which includes concrete, bituminous concrete, oil-penetrated gravel, brick and paving stone but shall not include such materials as gravel, crushed clamshells or any other similar material. The use of porous pavements, space paving blocks or similar pavements which provide for infiltration of ground water are permitted and encouraged, provided they will result in a durable and dust-free surface.

~~(A)(B)~~ Parking spaces required in connection with one- or two-family dwelling uses need not be permanently paved, but must have a durable, dust-free, all-weather surface that does not result in soil erosion. Surface materials such as gravel, crushed stone, and clam shells are permitted, provided that an appropriate base material is provided to support vehicle parking, subject to the approval of the Town Engineer. If not paved, the boundaries of the area dedicated to parking must be clearly delineated, such as by use of landscape blocks, stones, or wooden ties.

~~(B)(C)~~ Except for one- or two-family dwelling uses, Wwhere an off-street parking or loading area adjoins or lies within a residential district or abuts a residential use in any zoning district, a landscaped buffer strip of not less than 20 feet in width containing a double row of compact evergreen vegetative screening not less than four feet in height shall be erected and maintained between such area and the adjoining residential district or use. This screening requirement shall not apply to parking places required in connection with dwelling uses, except motels or hotels.

~~(C) Lighting fixtures used to illuminate the parking or loading area shall reflect the light away from adjoining property and away from adjacent streets and shall not exceed one foot candle projection onto abutting property.~~

~~(D)(D)~~ No off-street parking facility shall be located closer than ten feet to any front lot line, street line, rear lot line or side lot line in any commercial or industrial zoning district.

~~(E)(E)~~ Access driveways serving any required parking lot from a street shall not be less than 12 feet in width for one-way traffic, and not less than 24 feet in width for two-way traffic.

(~~FEF~~) Individual parking stalls shall be no less than nine 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 feet for two-way traffic.

(~~GFG~~) Except for one- or two-family dwelling uses, Aall parking areas shall be landscaped in accordance with the Rules and Regulations Regarding the Subdivision and Development of Land. Design of landscaping area(s) as bio-retention cells to accept and infiltrate stormwater runoff is encouraged whenever site conditions allow.

(~~HGH~~) Handicapped parking spaces accessible to disabled persons shall be provided as may be applicable under the Americans with Disabilities Act (ADA) and any federal or state regulations promulgated thereunder.

(~~IHI~~) All off-street parking and loading facilities shall be suitably sloped and drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys, so as not to cause any nuisance to adjacent or public property. The design of all parking ~~lot area~~ drainage shall conform to the Rules and Regulations Regarding the Subdivision and Development of Land and Chapter 153 of this code.

(~~JJI~~) All off-street parking and loading facilities shall maintain distances from buildings, fire hydrants, post indicator valves and emergency access ways as required by the applicable Fire Code.

(~~KKJ~~) No motor vehicle repair work or service of any kind shall be permitted in conjunction with parking or loading facilities provided in commercial districts, except emergency repair service necessary to start vehicles.

(~~LKL~~) Any parking area and loading space as defined in this chapter shall be continually maintained in satisfactory condition so as to be safe and attractive and free of hazard, nuisance, weeds, overgrown grass or other unsafe condition.

(Ord. passed 10-30-06)

§ 1302 LOCATION OF FACILITY.

(~~A~~) All parking and loading facilities required by this chapter shall be located on the same lot as the principal use it is intended to serve. Shared parking facility plans may be approved as part of the development plan review process, if applicable. Parking plans shall be a part of overall site planning and shall be subject to review and approval by the Planning Board. All parking shall be in accordance with the Rules and Regulations Regarding the Subdivision and Development of Land, as applicable.

(B) For one- and two-family dwelling uses, required off-street parking spaces shall be contained entirely on the subject property. Driveways and other designated parking spaces located in the front yard, which is the area located between the dwelling structure and the street, shall not occupy more than 50% of the front yard area.

(Ord. passed 10-30-06)

§ 1303 SUBMISSION OF PLANS.

Plans and specifications for the required parking or loading facility shall be submitted at the time of application for a building permit for the main use or at the time of application for development plan review pursuant to § 305.

(Ord. passed 10-30-06)

§ 1304 MINIMUM AND MAXIMUM OFF-STREET PARKING REQUIREMENTS.

The following minimum off-street parking space requirements shall apply to all principal and accessory uses [as listed in §602 of this code](#). The total parking spaces provided shall not exceed 150% of the minimum number required, except that for retail uses the total parking spaces shall not exceed 125% of the minimum number required. [Where more than one use occurs on one site, the requirements of this Section shall be cumulative unless the Board finds that the periods during which a given use requires parking which will not substantially overlap the parking periods of other uses on the site and accordingly approves a proportional reduction in required spaces. In no case shall the number of required spaces be less than the number of spaces required by the use requiring the greater number of spaces.](#)

~~MINIMUM AND MAXIMUM OFF-STREET PARKING REQUIREMENTS~~

<i>Type of Use (Principal and Accessory)</i>	<i>Minimum Parking Spaces Required</i>
Residential dwellings, except elderly housing	2 spaces per dwelling
Elderly housing	1 space per dwelling unit
Hotel or motel with restaurant/meeting room	5 spaces plus 1 space per unit
Hotel or motel only	4 parking spaces plus 1 per unit
Extractive and industrial non-manufacturing; manufacturing uses; transportation, communication and utilities; wholesale commercial	1 space for every 2 employees on the largest shift for which the building is designed, plus 1 for each motor vehicle maintained or used on the premises (minimum of 4 total spaces)
Automobile service stations	1 for each employee, minimum 2; plus 4 for each service bay
Gas station/mini-mart	1 for each employee plus 3 each 1,000 sq. ft. of GFA (not to include parking at the pumps)
Lunchrooms, restaurants, taverns, etc.	1 space for each 3 persons of total capacity
Large scale shopping center	2.5 for each 1,000 sq. ft. gross leasable floor area (GFA)
Small scale shopping center	3 for each 1,000 sq. ft. gross leasable floor area (GFA)
General retail/all other commercial uses	4 spaces per 1,000 sq. ft. of gross leasable floor area (GFA)

	Boarding and rooming houses	2 spaces plus 1 for each room
Personal, Business and Professional Services		
	Offices, public or professional administration or service buildings	3 for each 1,000 sq. ft. of GFA
	Banks, financial institutions and similar uses	4 for each 1,000 sq. ft. of GFA
	ATM machine	2 per machine
	Theaters, concert halls, auditoriums and similar uses	1 for each 3 seats of total capacity
	Bowling alleys	4 for each alley or lane plus 1 additional space for each 100 sq. ft. of the floor area used for restaurant, cocktail lounge or similar use
	Funeral parlors, mortuaries and similar uses	1 for each 3 seats total capacity
	Unspecified personal and business uses	4 for each 1,000 sq. ft. of GFA
Government, Institutional and Educational		
	Churches and other places of religious assembly	1 for each 5 seats
	Hospitals	1 for each bed
	Rest, retirement, convalescent or nursing homes and similar uses	1 for each 3 beds
	Medical and dental offices	1 for every 100 sq. ft. floor area of examination, treating room, office and waiting room (Minimum of 4 spaces)
	Libraries, museums and art galleries	1 for each 400 sq. ft. floor area (Minimum of 4 spaces)
	Elementary schools (private)	2 for each classroom plus 1 for every 5 seats in auditoriums or assembly halls
	High schools (private, except boarding schools)	1 for every 10 students or 1 for every 5 seats in auditoriums or assembly halls, whichever is greater
	Business, technical and trade	1 for each 2 students
	Colleges, universities (private)	1 for each 2 students
	Kindergartens, child care centers, nursery schools and similar uses	2 for each classroom but not less than 6 for the building

	Recreation	
	Marina or yacht club	1.5 spaces per boat slip
	Athletic fields and courts	1 space for each 4 persons of total capacity
	Swimming pool, ice rink, public or community club or hall	1 for each 5 persons capacity plus one 1 for each 4 seats; or 1 for each 30 sq. ft. floor area used for seating purposes, whichever is greater
	Golf course (18 holes)	80 spaces
	Golf course (18 holes) with dining facilities add:	1 space for each 3 persons of total capacity
	Health club	1 for every 250 sq. ft. of GFA plus 5 employee spaces
	Golf driving range	2 plus 1 per tee
	Miniature golf	1.25 per hole plus 2 for employees

{Ord. passed 10-30-06; Am. Ord. 2011-12, passed 11-21-11}

MINIMUM AND MAXIMUM OFF-STREET PARKING REQUIREMENTS

	<u>PRINCIPAL USE as per §602 of this code</u>	<u>MINIMUM OFFSTREET PARKING REQUIREMENTS</u>
A	<u>AGRICULTURAL</u>	
	<u>A.1 Veterinary Hospitals</u>	<u>3 spaces for each 1,000 sq.ft. of gross leasable floor area (GFLA)</u>
	<u>A.12 all other uses under the agricultural principal use category</u>	<u>No parking minimums</u>
B	<u>RESIDENTIAL – CONVENTIONAL DEVELOPMENT*</u>	
	<u>B.1 all uses under the residential conventional development use category unless otherwise specified</u>	<u>2 spaces per dwelling unit</u>
	<u>B.2 Single family, two-family & multi-family dwellings</u>	<u>2 spaces for per dwellings up to 2,500 sq.ft. of finished space plus 1 additional space for each 1,000 sq.ft. or fraction thereof over 2,500 sq.ft.</u>
	<u>B.3 Motel or hotel</u>	<u>4 parking spaces plus 1 per unit or if with restaurant/meeting room then 5 add 1 space per 3 persons of permitted fire code occupancy for restaurant/meeting room space space plus 1 space per unit</u>
	<u>B.4 Rooming Houses</u>	<u>2 spaces plus 1 for each room</u>
	<u>B.5 Senior independent living facilities</u>	<u>1 space per dwelling unit</u>
	<u>B.6 Rest, retirement, convalescent, or nursing homes</u>	<u>1 space for each 3 persons based on fire code occupancy limits</u>

	B. 7 Residential care and assisted living facility	1 space per dwelling unit
	*see §2700 for additional parking requirements for mixed use developments; Chapter 98 for parking requirements related to short-term residential leases; and §709-710 for additional restriction on parking of trailers and motorhomes	
C	RESIDENTIAL – CONSERVATION DEVELOPMENT	
	C.1 all uses under the residential conservation development use category unless otherwise specified	2 spaces per dwelling unit
	C.2 Single family dwellings	2 spaces for dwellings up to 2,500 sq.ft. of finished space plus 1 additional space for each 1,000 sq.ft. or fraction thereof over 2,500 sq.ft.
D	EXTRACTIVE AND INDUSTRIAL NON-MANUFACTURING	
	D.1 all uses under the extractive and industrial non-manufacturing principal use category unless otherwise specified	1 space for every 2 employees on the largest shift for which the building is designed, plus 1 space for each motor vehicle maintained or used on the premises (minimum of 4 total spaces)
	D.2 Construction general contractors, including storage of materials and equipment, but excluding outdoor storage of bulk materials	1 space for every 1.5 employees on the largest shift for which the building is designed, plus 1 space for each motor vehicle maintained or used on the premises (minimum of 4 total spaces)
	D.3 Miscellaneous special trade contractors, with outdoor storage, but excluding outdoor storage of bulk materials	1 space for every 1.5 employees on the largest shift for which the building is designed, plus 1 space for each motor vehicle maintained or used on the premises (minimum of 4 total spaces)
	D.4 Miscellaneous special trade contractors with outdoor storage, including outdoor storage of bulk materials	1 space for every 1.5 employees on the largest shift for which the building is designed, plus 1 space for each motor vehicle maintained or used on the premises (minimum of 4 total spaces)
E	MANUFACTURING	
	E.1 all uses under the manufacturing principal use category	1 space for every 2 employees on the largest shift for which the building is designed, plus 1 space for each motor vehicle maintained

		<u>or used on the premises (minimum of 4 total spaces). If retail space is included, add 1 space per 3 persons of permitted fire code occupancy for the retail space.</u>
F	<u>TRANSPORTATION, COMMUNICATIONS AND UTILITIES</u>	
	<u>F.1 all uses under the transportation, communications, and utilities principal use category unless otherwise specified.</u>	<u>1 space for every 2 employees on the largest shift for which the building is designed, plus 1 space for each motor vehicle maintained or used on the premises (minimum of 4 total spaces)</u>
	<u>F.2 Self-storage</u>	<u>1 space per 2,000 sq.ft. of floor area or 1 space per 100 storage units (minimum of 4 spaces)</u>
G	<u>WIRELESS COMMUNICATION FACILITIES</u>	
	<u>G.1 all uses under the wireless communication facilities principal use category</u>	<u>No parking minimums</u>
H	<u>WHOLESALE COMMERCIAL</u>	
	<u>H.1 all uses under the wholesale commercial principal use category</u>	<u>1 space for every 2 employees on the largest shift for which the building is designed, plus 1 space for each motor vehicle maintained or used on the premises (minimum of 4 total spaces)</u>
I	<u>RETAIL COMMERCIAL</u>	
	<u>I. 1 all uses under the retail commercial principal use category unless otherwise specified</u>	<u>1 space per 1,000 sq.ft of gross leasable floor area (GFLA)</u>
	<u>I. 2 Small-scale shopping center</u>	<u>3 spaces per 1,000 sq.ft of gross leasable floor area (GFLA)</u>
	<u>I. 3 Large-scale shipping center</u>	<u>2.5 spaces per 1,000 sq.ft of gross leasable floor area (GFLA)</u>
	<u>I. 4 Gasoline service station (minor repairs only)</u>	<u>1 space for each employee, minimum 2 spaces; plus 4 for each service bay</u>
	<u>I. 5 Gasoline station with convenience store</u>	<u>1 for each employee plus 3 spaces per 1,000 sq.ft of gross leasable floor area (GFLA), does not include parking at the pumps</u>
	<u>I.6 Lunchroom or restaurant (no alcoholic beverages)</u>	<u>1 space for each 3 persons based on fire code occupancy limits</u>

	I.7 Lunchroom or restaurant (alcoholic beverages)	1 space for each 3 persons based on fire code occupancy limits
	I.8 Tavern, café, club bar or cocktail lounge (alcoholic beverages)	1 space for each 3 persons based on fire code occupancy limits
I	PERSONAL SERVICES	
	I.1 all uses under the personal services principal use category unless otherwise specified	3 spaces for each 1,000 sq.ft. of gross leasable floor area (GFLA)
	I.2 Mortuary of funeral home without cremation services	1 space for each 3 persons based on fire code occupancy
	I.3 Crematorium	1 space for each 3 persons based on fire code occupancy
K	BUSINESS SERVICES	
	K.1 all uses under the business services principal use category	3 spaces for each 1,000 sq.ft. of gross leasable floor area (GFLA)
L	PROFESSIONAL SERVICES	
	L.1 all uses under the professional services principal use category	3 spaces for each 1,000 sq.ft. of gross leasable floor area (GFLA)
M	INDOOR COMMERCIAL AMUSEMENT AND ENTERTAINMENT SERVICES	
	M.1 all uses under the indoor commercial amusement services principal use category	5 spaces for each 1,000 sq.ft. of gross leasable floor area (GFLA)
N	GOVERNMENTAL, EDUCATIONAL, AND INSTITUTIONAL ON PRIVATELY OWNED LAND	
	N.1 all uses under the governmental, education, and institutional on privately owned land principal use category unless otherwise specified	1 space for each 5 persons based on fire code occupancy
	N.2 Day nursery school kindergarten or other agency giving day care	2 spaces for each classroom but not less than 6 total spaces
	N.3 Cemeteries	No parking minimums
O	COMMERCIAL OUTDOOR RECREATION	
	O.1 all uses under commercial outdoor recreation unless otherwise specified	No parking minimums
	O.2 Miniature golf, driving range, pitch and putt, etc.	Driving range: 2 spaces plus 2 per tee; Mini Golf: 1.25 spaces per hole plus 2 spaces per employee
	O.3 Golf course	80 spaces for 18-hole courses and 1 space for each 3 persons based on fire code occupancy if dining is included
	O.4 Tennis/other outdoor court games	1 space per court

	0.5 Swimming pools, water slides, other water-based amusements	1 space for each 5 persons of of total pool/slide capacity plus 1 space for each 4 seats; or 1 space for each 30 sq.ft. of customer accessible floor area used for seating purposes, whichever is greater
P	ACCESSORY USES	
	P.1 all accessory uses	No parking minimums, except see parking requirements for Farm-Promotion Accessory Uses, Section 722 of this Chapter

§ 1305 OFF-STREET LOADING - APPLICABILITY.

No land shall be used or occupied and no structure shall be erected or used for nonresidential purposes in any zoning district unless the off-street loading spaces required herein are provided. Off-street loading spaces as specified in this chapter shall be provided for any enlargement or alterations to any such existing structure of use. These off-street loading requirements shall not apply to residential uses except motels or hotels.
(Ord. passed 10-30-06)

§ 1306 OFF-STREET LOADING - LOCATION.

No off-street loading spaces required by this chapter shall be located closer than ten feet to any front lot line, street line or side lot line in any zoning district. Off-street loading spaces may be located closer than ten feet to any rear lot line, provided, however, that if the use lies within a residential zoning district, or the rear lot line abuts a residential zoning district or existing residential use, said off-street loading space shall be screened from said adjacent residential district or use as required in § 1301(B).
(Ord. passed 10-30-06)

§ 1307 OFF-STREET LOADING - REQUIREMENTS.

Each nonresidential use or structure in which services or commodities are used, sold, displayed, serviced, repaired, altered or fabricated as the principal or special use permit use of the parcel or lot shall provide the following:

(A) Each use or structure of under 1,000 square feet of gross floor area or ground area shall provide one off-street loading space of at least 300 square feet in area.

(B) Each use or structure of over 1,000 square feet of gross floor area or used ground area shall provide one off-street loading space, plus one additional loading space for each 20,000 square feet of area. Each loading space shall have a minimum area of 450 square feet, with a minimum vertical clearance of 14 feet and shall include sufficient space for standing, loading and unloading of commercial vehicles.

(Ord. passed 10-30-06)