

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" , Article 4 – Definitions, Section 400, Article 6, § 602. Schedule of District Regulations – Uses and Districts and Article 27C. Short Term Rentals, § 27C01. Short-Term Rental. Application of District Regulations is amended as follows (language to be deleted is ~~struck~~ out within brackets; language to be added is underlined):

§ 400. Definitions

~~Rooming House Short-Term Rental. A building in which one or more dwelling units or rooms for sleeping are rented for lodging accommodations for periods of thirty-one (31) consecutive days or less with or without the furnishing of meals and with the owner who is in charge and manages such rentals residing in said building at all times during the period of such rental. No more than six short-term renters, regardless of age, shall be allowed during any rental period irrespective of the number of dwelling units or rooms for sleeping that are contained in the building. Only one building on a lot or parcel of land shall be allowed a Short-Term Rental use. All Short-Term Rentals must be registered in accordance with the requirements of Chapter 98 of the Town Code of Ordinances, titled Short-Term Rental Leases, and must fully comply with the restrictions stated therein. A single-family dwelling in which the principal resident rents not more than two rooms, without kitchen facilities and with or without provision of meals, to not more than two persons per room.~~

Article 6. Application of District Regulations

§ 602. Schedule of District Regulations – Uses and Districts

	R60	R40	R30	R20	R10	RM	GB	LB	OB	LI	L2	OP	OS	P	MT	ABD
Residential – Conventional Development																
Rooming houses Short-Term Rental	S*	S*	S*	S*	S*	S*	Y	Y	Y	N	N	N	N	N	S*	S*

\*Any special use permit granted for a Short-Term Rental shall be subject to the conditions set forth in Article 27C of this ordinance.

**Article 27C. Short Term Rentals**

**§ 27C01. Short-Term Rental.**

Short-Term Rental shall only be permitted by special use permit in all residential zoning districts, and must fully comply with the restrictions set forth for said use in the definition of “Short-Term Rental” as stated in Article 4 of this Zoning Ordinance, or else the use is prohibited. In addition to any other requirements set forth in this zoning code for granting of a special use permit, a special use permit may only be granted for a Short-Term Rental if the following standards are also met:

- (1) The use of the property must fully comply with Chapter 98 of the Middletown Code of Ordinances, as currently drafted and as may hereafter be amended, titled Short-Term Rental Leases.
- (2) The property owner must submit an affidavit to the Zoning Enforcement Officer attesting that the use fully complies with the restrictions stated in Article 4 of this Zoning Ordinance in the definition of “Short-Term Rental.”
- (3) The grant of any special use permit set forth may be granted upon any condition allowed under § 904 of this zoning code.

SECOND: This ordinance shall take effect upon adoption and its provisions shall supersede any inconsistent or contrary provision in any other ordinance.

READ AND PASSED IN COUNCIL

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Wendy J. W. Marshall, MMC  
Town Clerk



**MIDDLETOWN**  
Rhode Island

**PLANNING DEPARTMENT**

**TOWN OF MIDDLETOWN**

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

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

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

Date: August 16, 2024

Re: Planning Board Recommendation – Zoning Ordinance Amendments for Short-term Rentals

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During its August 14, 2024 meeting the Planning Board reviewed and voted to forward a positive recommendation to the Town Council on the attached proposed zoning ordinance amendments regarding regulation of short-term rentals as presented to it by the Town Council. The vote was 6-1-0, with Mr. Amarant voting in opposition. 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

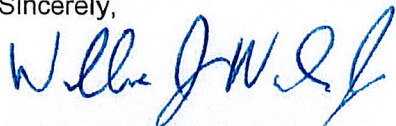
In considering this recommendation the Board discussed the following aspects of the proposed amendments presented by the Town Council:

- Amendment to Section 400 to delete the definition for rooming house and insert a definition for short-term rental. This new definition indicates that the owner must reside in the building, which may contain one or more dwelling units, during the time it is being rented. The definition also calls for a maximum of six (6) renters per building, regardless of the number of dwelling units or bedrooms in the building.
- Amendment to Section 602, the use table, to delete the line for rooming house and add a line for short-term rentals. Short-term rentals meeting the new definition would be allowed by special use permit in residential zoning districts, by right in business districts, and prohibited elsewhere.
- New Article 27C would require that a short-term rental meet the following criteria before a special use permit could be issued:
  - Compliance with Chapter 98, the town's short-term rental ordinance.

- The owner must submit an affidavit confirming compliance with the short-term rental definition of Article 4.
- The use would be subject to any conditions applied to the special use permit as allowed under Section 904 of the zoning ordinance.

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

# Version A

## Middletown – Draft Zoning Ordinance Amendment – Short-Term Rental

### Chapter 152 – Zoning Code

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#### Article 4. Definitions

##### § 400. Definitions

\* \* \*

~~*Rooming House Short-Term Rental.*~~ A building in which one or more dwelling units or rooms for sleeping are rented for lodging accommodations for periods of thirty-one (31) consecutive days or less with or without the furnishing of meals and with the owner who is in charge and manages such rentals residing in said building at all times during the period of such rental. No more than six short-term renters, regardless of age, shall be allowed during any rental period irrespective of the number of dwelling units or rooms for sleeping that are contained in the building. Only one building on a lot or parcel of land shall be allowed a Short-Term Rental use. All Short-Term Rentals must be registered in accordance with the requirements of Chapter 98 of the Town Code of Ordinances, titled Short-Term Rental Leases, and must fully comply with the restrictions stated therein. A single family dwelling in which the principal resident rents not more than two rooms, without kitchen facilities and with or without provision of meals, to not more than two persons per room.

\* \* \*

#### Article 6. Application of District Regulations

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##### § 602. Schedule of District Regulations – Uses and Districts

\* \* \*

Middletown – Draft Zoning Ordinance Amendment – Short-Term Rental

	R60	R40	R30	R20	R10	RM	GB	LB	OB	LJ	L2	OP	OS	P	MT	ABD
Residential – Conventional Development																
<del>Residential</del> Residential Short-Term Rental	<u>S*</u>	<u>S*</u>	<u>S*</u>	<u>S*</u>	<u>S*</u>		<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S*</u>	<u>S*</u>

\* Any special use permit granted for a Short-Term Rental shall be subject to the conditions set forth in Article 27C of this ordinance.

## Middletown – Draft Zoning Ordinance Amendment – Short-Term Rental

### Article 27C. Short Term Rentals

\* \* \*

#### § 27C01. Short-Term Rental.

Short-Term Rental shall only be permitted by special use permit in all residential zoning districts, and must fully comply with the restrictions set forth for said use in the definition of “Short-Term Rental” as stated in Article 4 of this Zoning Ordinance, or else the use is prohibited. In addition to any other requirements set forth in this zoning code for granting of a special use permit, a special use permit may only be granted for a Short-Term Rental if the following standards are also met:

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