



Town of Richmond, Rhode Island

5 Richmond Townhouse Road, Wyoming, RI 02898
www.richmondri.com

Date: June 20, 2023
 To: Town Council
 From: Shaun Lacey, AICP, Town Planner

STAFF REPORT

Scheduling of public hearing for proposed amendments to the Zoning Ordinance and Zoning Map as related to the Town's Aquifer Protection Overlay District, including but not limited to: 1) Repeal of Ch. 18.37, Aquifer Protection Overlay District (adopted Dec. 19, 1994, amended Nov. 16, 2002, Aug. 12, 2014); 2) Adoption of Ch. 18.21, Aquifer Protection Overlay District; 3) Amendments to Ch. 18.12, Districts and Maps; 4) Amendments to Ch. 18.16, Use Regulations; 5) Amendments to Ch. 18.26, Planned Development Resort District; and 6) Amendments to the Zoning Map.

Recommended Town Council Action

Schedule a public hearing to consider the proposed amendments to the Zoning Ordinance and Zoning Map for July 18, 2023

Richmond obtains all of its drinking water from the Wood-Pawcatuck River basin watershed aquifer, an underground reservoir of potable water. The Planning Board has developed a draft of a new Chapter 18.21 to the Zoning Ordinance entitled "Aquifer Protection Overlay District," along with supporting amendments to other chapters to the Zoning Ordinance and amendments to the Zoning Map. The purpose of these changes is to protect the public health, safety, and welfare by maintaining the quality of groundwater, which provides the community's water supply. These changes are also intended to align the Zoning Ordinance with the goals and objectives contained within the Comprehensive Community Plan.

Attached to this memorandum are the following proposed amendments to the Zoning Ordinance and Zoning Map:

- Repeal of Ch. 18.37, Aquifer Protection Overlay District (adopted Dec. 19, 1994, amended Nov. 16, 2002, Aug. 12, 2014)
- Adoption of Ch. 18.21, Aquifer Protection Overlay District
- Amendments to Ch. 18.12, Districts and Maps
- Amendments to Ch. 18.16, Use Regulations
- Amendments to Ch. 18.26, Planned Development Resort District
- Amendments to the Zoning Map

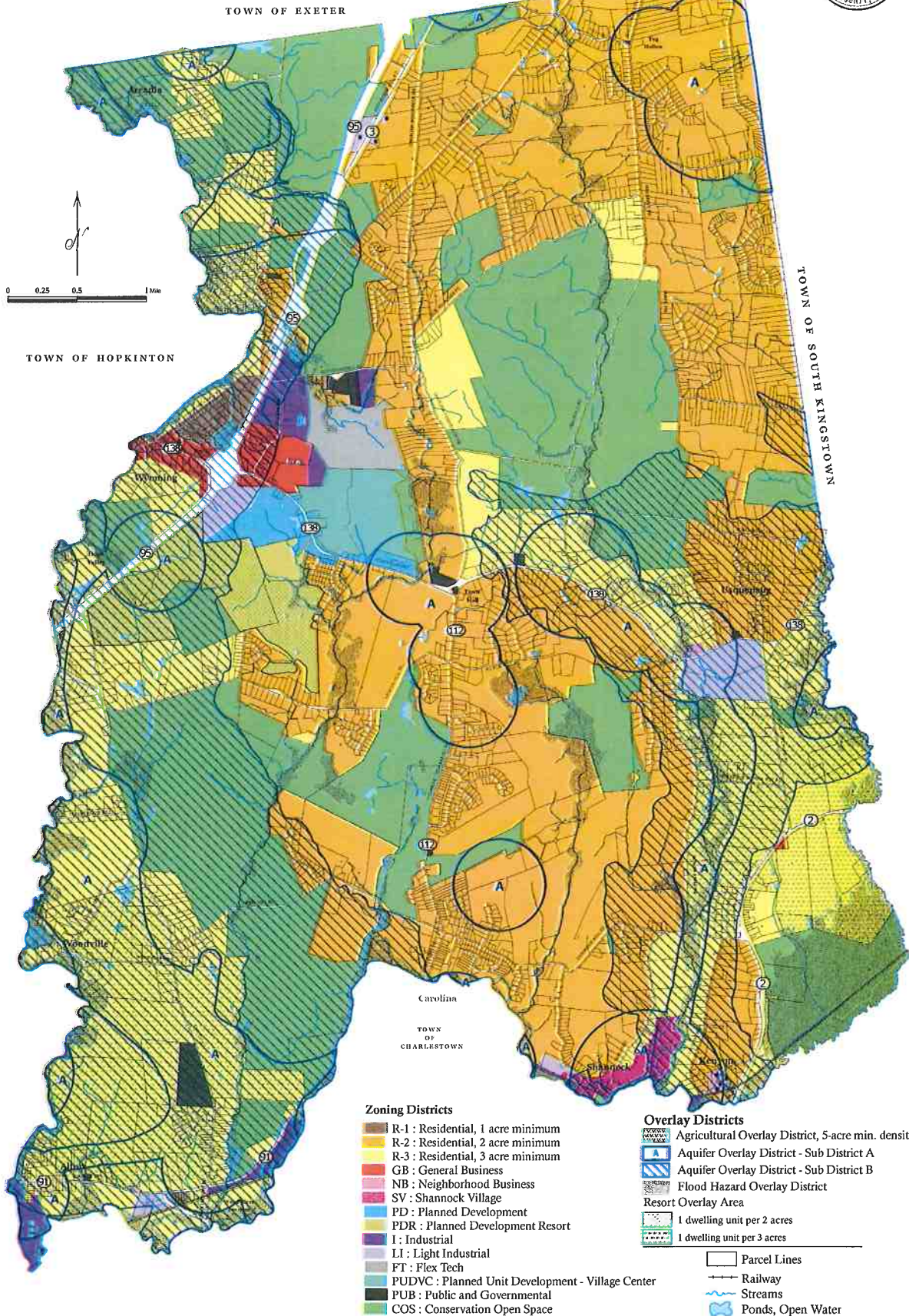
Enactment of amendments to the Zoning Ordinance and the Zoning Map must be approved by the Town Council following a public hearing. Staff recommends that the Town Council authorize the scheduling of a public hearing for July 18, 2023. A detailed analysis of the draft amendments to the Zoning Ordinance and Zoning Map – including the Planning Board’s recommendation – will be provided in advance of the July 18, 2023 meeting.

Attachments:

1. Ch. 18.21, Aquifer Protection Overlay District, draft of May 10, 2023.
2. Ch. 18.16, Use Regulations, draft of May 10, 2023.
3. Ch. 18.12, District and Maps, draft of September 28, 2022.
4. Ch. 18.26, Planned Development Resort District, draft of May 10, 2023.
5. Ch. 18.37, Aquifer Protection Overlay District, draft of September 19, 2022.
6. Zoning Map revisions dated May, 2023.

TOWN OF RICHMOND, RI ZONING MAP

~ includes amendments through March 23, 2022 and proposed revisions to Aquifer Overlay District ~



The Town Council of the Town of Richmond hereby ordains that the Code of Ordinances is amended by adding a chapter to Title 18 to be numbered as 18.21 that reads as follows:

Chapter 18.21
AQUIFER PROTECTION OVERLAY DISTRICT

<u>18.21.010</u>	<u>Purpose.</u>
<u>18.21.020</u>	<u>District boundaries.</u>
<u>18.21.030</u>	<u>Definitions.</u>
<u>18.21.040</u>	<u>Compliance.</u>
<u>18.21.050</u>	<u>Development standards.</u>
<u>18.21.060</u>	<u>Development plan review.</u>
<u>18.21.070</u>	<u>Major land development project approval – hydrogeologic evaluation.</u>

18.21.010 Purpose.

A. The town of Richmond obtains all of its potable water from the Wood-Pawcatuck River basin watershed aquifer. The U.S. environmental protection agency has designated the aquifer as a sole-source aquifer, and the U.S. Congress has designated the Wood and Pawcatuck Rivers as wild and scenic rivers. The purpose of the aquifer protection overlay district is to protect the public health, safety and welfare by maintaining the quality of the groundwater that provides all of the town's water supply.

B. The requirements applicable to the overlay district are in addition to those of the underlying zoning district. In the case of a conflict between the requirements of the overlay district and those of the underlying zoning district, the more restrictive requirements shall apply.

18.21.020 District boundaries.

A. The boundaries of the aquifer protection overlay district are identical to those established by the R.I. department of environmental management to delineate the boundaries of the Pawcatuck basin aquifer, wellhead protection areas, and groundwater recharge areas.

B. Within the aquifer overlay protection district, there are two subdistricts that provide for different levels of groundwater protection:

1. The aquifer and all wellhead protection areas shall comprise subdistrict A.
2. The groundwater recharge areas shall comprise subdistrict B.

C. Uses permitted, allowed by special use permit, and prohibited in each subdistrict are shown in Chapter 18.16 of this Title.

D. The boundaries of the aquifer protection overlay district and its two subdistricts are shown on the official zoning map in the custody of the town clerk. The requirements of this Chapter apply

only to the property included within those boundaries, regardless of the location of lot lines or zoning district lines, unless otherwise specifically provided.

18.21.030 Definitions.

The following words have the following meaning when used in this Chapter.

Aquifer. A geologic formation, group of formations, or part of a formation that contains sufficient saturated, permeable material to yield significant quantities of water to wells and springs.

Containment area. A separate area with an impervious floor, covered by a roof, and surrounded on all sides by an impervious barrier intended to prevent substances from flowing in or out.

Groundwater. Underground water that completely fills the open spaces between particles of sand, gravel, clay, silt, and consolidated rock fractures.

Groundwater recharge area. The land surface from which water is added to the zone of saturation. The recharge area for a particular well or aquifer is that land surface from which water moves to the well or aquifer or may move to the well or aquifer under certain hydraulic conditions.

Hazardous material. A solid, semi-solid, liquid, or gaseous material that, because of its quantity, concentration, or physical or chemical characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment. Hazardous materials include materials defined as hazardous substances by the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), materials defined as hazardous waste by the department of environmental management rules and regulations for hazardous waste management (250-RICR-140-10-1), and petroleum products as defined by the department of environmental management rules and regulations for underground storage facilities used for regulated substances and hazardous materials (250-RICR-140-25-1). Hazardous materials include, but are not limited to, petroleum products, fertilizers, pesticides, and other substances in one or more of the following categories:

1. *Ignitable.* A gas, liquid or solid that may cause fire through friction or absorption of moisture, or a gas, liquid or solid that has a low flash point.
2. *Carcinogenic.* A gas, liquid, or solid that is considered by the U.S. environmental protection agency or the R.I. department of environmental management to cause cancer or genetic mutation.
3. *Explosive.* A reactive gas, liquid or solid that will react uncontrollably if exposed to heat, shock, pressure or any combinations thereof.
4. *Toxic.* A gas, liquid, or solid that endangers the life or health of any living thing coming into contact with it through a single exposure or repeated exposure.

5. Corrosive. An acid or alkaline material that will cause severe damage to human tissue or is capable of destroying containers of hazardous material and causing the release of their contents.

Wellhead protection area. The critical portion of a three-dimensional zone surrounding a public well or wellfield through which water will move toward and reach the well or wellfield.

Zone of saturation. The subsurface zone in which all open spaces are filled with water.

18.21.040 Compliance.

A. No land shall be used and no structure shall be erected or renovated in the overlay district except in compliance with this Chapter.

B. Failure to maintain any use or structure in compliance with the requirements of this Chapter or in compliance with conditions imposed by the planning board or the zoning board of review shall be considered a violation of this Chapter.

18.21.050 Development standards. All new structures in the overlay district, and all renovations of existing structures in the overlay district for which a building permit is required, shall comply with the following standards. All standards apply to the entire overlay district unless otherwise specified.

A. Sink drains. In any building where hazardous materials are likely to enter sinks, all sinks shall be directly connected to an above-ground holding tank separated from the onsite wastewater treatment system. The applicant shall submit details of the tank construction and conveyance system design, information about controls and alarm systems, and a service contract for pump-out and off-site disposal.

B. Floor drains. New structures shall be constructed with floor drains that empty into an above-ground holding tank separated from the onsite wastewater treatment system. The applicant shall submit details of the tank construction and conveyance system design, information about controls and alarm systems, and a service contract for pump-out and off-site disposal.

C. Indoor storage of hazardous materials. Every indoor area where hazardous materials will be stored shall be enclosed by a secondary containment system with a capacity of 110% of the volume of material in the storage area.

D. Outdoor storage of hazardous materials. Every outdoor area where hazardous materials will be stored shall have a roof, shall be enclosed on three sides, and shall be constructed to prevent precipitation from flowing into the area. If the area will be used to store liquid materials, the area shall be designed to hold 110% of the liquid stored inside it.

E. Loading areas. All loading areas where hazardous materials will be handled shall be enclosed by a roof and two sides to prevent precipitation from entering the area.

F. *Dumpsters.* Dumpsters shall have drain plugs intact and shall be covered or located under a roof.

G. *Exterior catch basins.* All exterior catch basins, trench drains, and other conveyance systems for collecting and managing stormwater shall be equipped with sumps and water quality hoods to prevent discharge of spilled oil or petroleum products.

H. *Above-ground storage tanks.* Every interior and exterior above-ground storage tank for fuel or heating oil, except those in single-family and two-family residential structures, shall include a secondary containment system with a capacity that is 110% of the tank volume. The system shall include a dedicated basin, tub or tray specifically manufactured for use as a secondary containment area for petroleum products.

I. *Underground storage tanks.* Installation of new underground storage tanks for hazardous materials is prohibited.

18.21.060 Development plan review.

The purpose of development plan review of uses in the aquifer overlay protection district is to ensure that all changes in the nature and intensity of land use are designed and constructed in a way that will minimize impact on the aquifer.

A. Development plan review pursuant to Chapter 18.54 of this Title is required for:

1. Development of all new principal uses and accessory uses that are permitted by right, except single-family and two-family structures.
2. Construction of all new structures that are permitted by right, except single-family and two-family structures and structures in major land development projects.
3. All changes of use from one use code to another.

B. Advisory development plan review is required for all special permit uses, including special use permits for enlargement, expansion, or intensification of a legal nonconforming use. The zoning board of review shall not open a public hearing on a special use permit application until the planning board's advisory development plan review decision has been issued.

C. The following information shall be submitted with a development plan review application:

1. The name and quantity of every hazardous material that will be used or stored on the premises, the location where it will be used or stored, and a material safety data sheet for each hazardous substance.
2. For all buildings and uses where hazardous materials will be used or stored, a spill prevention plan and a hazardous waste contingency plan that complies with the

department of environmental management rules and regulations for hazardous waste management (250-RICR-140-10-1).

3. Proposed water source and estimated volume of water use, including fire protection flow demands.
4. Documents illustrating how the proposed use or uses and structure or structures will comply with the requirements of this Chapter.

D. The planning board shall have the authority to require an applicant for development plan review to submit a nitrate loading analysis to evaluate the potential impacts on the parcel and surrounding parcels if there is a reasonable basis to believe that past uses, current uses, or proposed uses of the property could significantly increase the nitrate level of the groundwater. The analysis should compare the existing and proposed nitrate load concentrations to the maximum contaminant level of 10 milligrams per liter (10 mg/L) established by the U.S. environmental protection agency. The analysis shall be submitted after a pre-application conference and shall be peer-reviewed before development plan review takes place.

E. Conditions of approval.

1. The planning board shall have the authority to impose conditions on development plan approval that are intended to maintain groundwater quality and to minimize groundwater withdrawal. The conditions shall be based on competent evidence in the record, and the planning board shall make findings of fact to support the imposition of conditions.
2. For advisory development plan review, the planning board shall have the authority to recommend to the zoning board of review conditions on approval that are intended to maintain groundwater quality and to minimize groundwater withdrawal. The conditions shall be based on competent evidence in the record, and the planning board shall include in its recommendation findings of fact to support the recommended conditions.

F. The administrative officer shall have the authority to review and approve applications for development plan review that involve only changes in use code or minor alterations to existing structures. The applicant shall have the right to request planning board review of any conditions imposed by the administrative officer on administrative development plan approval.

G. The planning board shall have the authority to require peer review of any technical submission. The applicant shall bear the cost of such review. The administrative officer shall obtain an estimate of the cost of the review and the applicant shall pay a project review fee adequate to cover the estimated cost. Section 11.3.2 of the land development and subdivision regulations shall govern the manner in which the fees are collected and refunded and the applicant's right to request an account balance or request a different peer reviewer.

18.21.070 Major land development project approval – hazardous materials.

A. For every major land development project that includes buildings or uses where hazardous materials will be used or stored, the following information shall be provided with the Master Plan submission:

1. The name and maximum quantity of every hazardous material that will be used or stored on the premises and the location where it will be used or stored.
2. A spill prevention plan and a hazardous waste contingency plan that complies with the department of environmental management rules and regulations for hazardous waste management (250-RICR-140-10-1).

The planning board shall have the authority to impose conditions on approval that are intended to prevent groundwater contamination.

18.21.080 Major land development project approval -- hydrogeologic evaluation.

A. At Master Plan submission, the applicant shall submit a preliminary hydrogeologic evaluation of the property to determine whether any conditions are present that would affect the quality of the groundwater, based on observation and examination of available public data, and to determine how the proposed development will affect the quality and quantity of the groundwater.

B. The preliminary hydrogeologic evaluation shall be prepared by a registered professional engineer with advanced training in hydrogeology.

C. The preliminary hydrogeologic evaluation should include:

1. A site visit to observe the general condition of the property and surrounding properties, including use of the property, topography, utilities, bedrock outcrops, and wetlands and water bodies.
2. Examination of public records including historical aerial photographs and records of existing septic systems and wells.
3. Determination of the current and past uses of the property and whether there are any known concerns about water quality or quantity or past contamination.
4. A geological assessment including groundwater classification, groundwater flow direction, contributing watersheds, bedrock, soil types, and soil strata, thickness, and composition.
5. A description of the surface water and watershed characteristics.
6. Test pit and percolation test results, with a site plan showing the test locations.
7. A nitrate loading analysis to evaluate the potential impacts on the parcel and surrounding parcels. The analysis should compare the existing and proposed nitrate load concentrations to the maximum contaminant level of 10 milligrams per liter (10 mg/L) established by the U.S. environmental protection agency.

8. The Site Context Plan, Existing Conditions and Resources Plan, and Development Overlay Plan submitted with the Master Plan application, supplemented as necessary to show hydrogeologic features.

D. A peer-reviewed preliminary hydrogeologic evaluation shall remain valid for the purpose of land development project approval unless there is a substantial change in conditions at or near the site that could affect groundwater quality, including but not limited to new construction, installation of onsite wastewater treatment systems or wells, or hazardous material spills or other environmental events that could affect soil or groundwater.

E. If the proposed development projects maximum daily groundwater use of 4,600 gallons a day or greater, if wells will be closer than 200 feet to each other, if industrial development is proposed, or if the Planning Board finds, based on the peer review of the preliminary hydrogeologic evaluation, that the proposed development could have a significant impact on the quality or quantity of the groundwater at the property or adjacent properties, the applicant shall carry out a well field test. The purpose of the well field test is to conduct pumping tests to determine available yield and groundwater flow direction, and to demonstrate that wells on the property will produce potable water. Pumping test data must be plotted, interpreted, and analyzed. The method of analysis and the resulting aquifer properties, including well yield, specific capacity, transmissivity, and storage, must be described. The analysis shall be submitted with the Preliminary Plan application.

F. The following requirements apply to well field tests:

1. Test wells shall be drilled bedrock wells unless overburden wells are planned for the proposed development.
2. For residential development, two wells are required for five to ten units, three wells are required for eleven to twenty-four units, four wells are required for twenty-five to fifty units, five wells are required for fifty-one to seventy-five units, and six wells are required for seventy-six to one hundred units.
3. For residential development, the test well should be located throughout the property in a way that will accurately reflect the hydrogeologic conditions throughout the site. For commercial or industrial development, the test well shall be located at the proposed location of the water supply well. Wells must be located so that well water is discharged a sufficient distance away from other test wells to prevent inaccurate readings.
4. Construction of test wells must comply with applicable State regulations and must be supervised by a qualified engineer, geologist or hydrologist who will record detailed site geology information during installation.
5. Pumping tests should be carried out at all test wells. Before pumping tests take place, wells should be free of sand and mud. Discharge water should be checked periodically for sediment during the test. Excessive sediment indicates that the well needs additional development.

6. Initial step drawdown pumping tests appropriate for the proposed use should be performed in all test wells to estimate well yields and to determine the optimum rate for a constant rate pumping test. The step drawdown pumping tests should include a minimum of four pumping intervals consisting of a minimum period of thirty minutes each. The constant rate pumping tests should begin with a static water level and should be performed at a fixed pumping rate (plus or minus 5%) for a minimum of eight hours for residential development, and forty-eight hours for commercial or industrial development.
7. Before a constant rate pumping test, test wells should be sufficiently recovered. When a constant rate pumping test is taking place on one well, other test wells should be used as observation wells, with drawdown and recovery times recorded. A pumping test should include regular water level measurements during and after pumping until 95% recovery occurs, or until sufficient data have been collected to establish a recovery curve. Water levels should be continuously monitored at an appropriate frequency in pumping wells and observation wells.
8. Water level should be measured in feet and hundredths of a foot. The flow rate during the pump test should be measured using a flow meter and flow totalizer. Flow rate readings should be documented every hour and confirmed with a 5-gallon bucket and stopwatch.
9. A water sample should be collected at the end of the pump test. Water quality testing must comply with approved U.S. environmental protection agency methods. Samples must be analyzed by a State certified laboratory for the substances listed below, and for any other substances the planning board has reason to believe might be present.
 - a. Arsenic
 - b. Alkalinity
 - c. Hardness
 - d. pH
 - e. Chloride
 - f. Cadmium
 - g. Iron
 - h. Sodium
 - i. Total dissolved solids
 - j. Conductivity
 - k. Lead
 - l. Total coliform bacteria
 - m. Copper
 - n. Manganese
 - o. E. coli bacteria
 - p. Fluoride
 - q. Sulfate
 - r. Zinc
 - s. Mercury
 - t. Nitrate/nitrite
 - u. Volatile organic compounds (VOCs)

v. Methyl tert-butyl ether (MTBE)

w. Pesticides

10. If a well is drilled into bedrock, gross alpha screen and radon testing shall be performed. If the gross alpha screen detects radiation of 15 or more picocuries per liter of air (pCi/L), the water must be analyzed for radium and uranium concentrations.
11. After field testing is complete, test wells that will not be used for water supply or long-term monitoring must be decommissioned.

F. The planning board shall have the authority to impose conditions on approval that are intended to maintain groundwater quality and to minimize groundwater withdrawal. The planning board shall make findings of fact to support the imposition of any condition.

REFERENCES

Title 46, chapter 13.1 of the general laws; R.I. Gen. Laws § 45-24-30(3)(i), § 45-24-30(4); § 45-24-33(a)(7), (20).

250-RICR-150-05-3 - DEM Groundwater Quality Rules.

250-RICR-150-10-6 - DEM Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems.

250-RICR-140-25-1 - DEM Rules and Regulations for Underground Storage Facilities Used for Regulated Substances and Hazardous Materials.

250-RICR-140-10-1 - DEM Rules and Regulations for Hazardous Waste Management.

This amendment shall take effect upon passage.

The Town Council of the Town of Richmond hereby ordains that Chapter 18.12 of the Code of Ordinances is amended to read as follows:

**Chapter 18.12
DISTRICTS AND MAPS**

- 18.12.010 Division into districts.
18.12.020 Zoning districts defined.
18.12.030 Official zoning map.

18.12.010 Division into districts. The zoning ordinance divides the town into the following zoning use districts. Zoning use districts are depicted by type and location on the official zoning map:

ZONE	DESCRIPTION
R-1	Residential use - 43,560 sq. ft. minimum lot size
R-2	Residential use - 87,120 sq. ft. minimum lot size
R-3	Residential use - 130,680 sq. ft. minimum lot size
N.B.	Neighborhood business
G.B.	General business
L.I.	Light industrial
I.	Industrial
AQU Overlay <u>OL A</u>	Aquifer protection overlay <u>subdistrict A</u>
<u>AQU OL B</u>	<u>Aquifer protection overlay subdistrict B</u>
PUD-VC	Planned unit development-village center
P.D.	Planned development
F.T.	Flex Tech
AGR Overlay	Agricultural overlay district
FH	Flood hazard overlay
SV	Shannock Village
RD	Planned Development Resort District
COS	Conservation and Open Space

PUB	Public and Governmental
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(Ord. dated 12-19-94 (part); Ord. dated 11-16-02; Ord. dated 11-17-02; Ord. dated 9-2-03 (part); Ord. dated 11-19-13; Ord. dated 8-12-14; Ord. dated 6-16-15; Ord. dated 9-20-16; Ord. dated 7-20-21; Ord. dated 8-23-22)

18.12.020 Zoning districts defined.

A. Residence 3 (R-3). This district is located on fragile aquifer, watershed, streambelt, inland wetland and significant adjoining areas as delineated on a map entitled “Richmond, Rhode Island, Showing Area Underlain by the Stratified Drift Deposited” (adopted as the aquifer protection district map by the town of Richmond in 1985). Permitted uses in this district are limited to low density residential uses not to exceed a density of one dwelling unit per three acres and, by special use permit, low intensity non-residential uses that meet performance standards with regard to groundwater protection.

B. Residence 2 (R-2). This district contains areas of the community that are partially or fully developed at an approximated density of one dwelling unit per two acres and areas that are planned for future development of this density.

C. Residence 1 (R-1). This district contains areas of the community that are partially or fully developed at an approximated density of one dwelling unit per acre and areas for which this density of development is considered appropriate.

D. Neighborhood Business (NB). This district is established to provide areas for small scale retailing and personal service activities, primarily intended to serve the day-to-day needs of persons living nearby.
(Ord. dated 1-19-21)

E. General Business (GB). This district is established to provide areas for commercial uses that depend on greater volumes of vehicular traffic and highway related uses. Typical uses include those which offer accommodations and services to motorists, specialized retail outlets and uses that are more community oriented than those permitted in the neighborhood business district.

F. Light Industrial (LI). This district contains land that is considered suitable for more restrictive light manufacturing and related uses, such as commercial offices and warehouses, in order to protect the water quality of adjacent streams and wetlands.

G. Industrial (I). This district contains land that is currently in manufacturing use and related uses, and land that is considered suitable for future development in manufacturing.

H. Planned Development (PD). This district is in the area of town along Route 138 and Route I-95. The planned district will allow for a mix of residential and commercial uses with design standards and a unified site design that allows for the clustering of buildings, common open

space, building types and land uses. Planned developments require approval by the Planning Board as land development projects or through the development plan review process.

I. Aquifer Protection Overlay District (AQU). ~~The boundaries of the aquifer protection overlay district coincide with the boundaries of the GAA groundwater quality classification, including the groundwater reservoir and associated recharge areas, delineated on a map prepared by the department of environmental management, office of water resources, groundwater quality rules, and adopted in June 2010. The overlay provides for protection of surface and groundwater resources by preventing contamination of the water supply.~~ The boundaries of the aquifer protection overlay district are identical to those established by the R.I. department of environmental management and the R.I. department of health office of drinking water quality to delineate the boundaries of the Wood-Pawcatuck River basin aquifer, wellhead protection areas, and groundwater recharge areas. Those boundaries are shown on maps maintained on the R.I. geographic information system webpage at www.rigis.org. Subdistrict A is comprised of the aquifer and all wellhead protection areas. Subdistrict B is comprised of the groundwater recharge areas.

(Ord. dated 12-19-94(part); Ord. dated 6-16-15)

J. Agricultural Overlay District. The purpose of the agricultural overlay district is to protect large contiguous areas of prime agricultural soils by imposing special low-density residential development requirements that create parcels reserved for farming.

(Ord. dated 9-7-10)

K. Flood Hazard Overlay District (FH). The purpose of the flood hazard overlay district is to protect the public safety, minimize property damage, protect watercourses from encroachment, and preserve the ability of floodplains to retain and carry off floodwaters.

L. Flex Tech (FT). This district incorporates a mixture of general business and light industrial uses in a unified design that provides for clustering of buildings and areas of open space.

M. Planned Unit Development-Village Center (PUD-VC). This district incorporates a mixture of residential uses at different densities, neighborhood businesses, professional offices, retail uses, governmental uses, and recreational facilities designed to create a distinct “sense of place” that has the scale and character of a traditional New England village center.

(Ord. dated 12-19-94(part), Ord. dated 7-15-97(part); Ord. dated 11-16-02 (part); Ord. dated 11-17-02 (part); Ord. dated 9-7-10; Ord. dated 10-5-10; Ord. dated 11-19-13)

N. Shannock Village District (SV). The purposes of this district are to preserve the historic character of Shannock Village and to encourage economic vitality by allowing a mixture of residential and commercial uses.

(Ord. dated 8-12-14)

O. Planned Development Resort District (RD). This district provides regulations for a unified development that includes commercial and non-commercial recreational facilities; hotel and event facilities, restaurants, and limited commercial uses to provide amenities for residents and guests; and a restricted-access residential area.

P. Conservation and Open Space (COS). This district is for recreation or conservation land owned by the town, the state, or the federal government, and for public or private land protected from development by open space, conservation, or preservation easements or restrictions.

Q. Public and Governmental (PUB) This district is for land owned by the town or by another governmental or quasi-governmental entity such as a chartered fire district or a regional school district.

(Ord. dated 9-20-16; Ord. dated 7-20-21; Ord. dated 8-23-22)

18.12.030 Official zoning map. The location and boundaries of the zoning districts are established as shown on a map in the custody of the town clerk entitled “Town of Richmond, R.I. – Official Zoning Map,” revised March 2010 to show amendments through October 2009. This map and its subsequent amendments are made a part of this Title.

(Ord. dated 12-19-94; Ord. dated 9-7-10; Ord. dated 11-19-13)

REFERENCES

R.I. Gen. Laws § 45-24-36.

These amendments shall take effect upon passage.

The Town Council of the Town of Richmond hereby ordains that Chapter 18.26 of the Code of Ordinances is amended to read as follows:

Chapter 18.26
PLANNED DEVELOPMENT RESORT DISTRICT

18.26.010	Purpose.
18.26.020	Location.
18.26.030	Definitions.
18.26.040	Permitted uses.
18.26.050	Development density.
18.26.060	Open space.
18.26.070	Development standards.
18.26.080	Dimensional regulations.
18.26.090	Streets.
18.26.100	Signs.
18.26.110	Parking and loading.
18.26.120	Camping recreational vehicles.
18.26.130	Approval procedure.

18.26.010 Purpose. The purpose of this Chapter is to establish regulations for a unified development that includes commercial and non-commercial recreational facilities; hotel and event facilities, restaurants, and limited commercial uses to provide amenities for residents, guests, and the public; and a restricted-access residential area. The provisions of this Chapter shall apply exclusively to this district and shall supersede inconsistent provisions elsewhere in this Title.

(Ord. dated 9-20-16)

18.26.020 Location. The boundaries of the district are delineated on the Zoning Map. The following lots are located in the district: Assessor's Plat 6A, Lots 5 and 25 and Assessor's Plat 6B, Lots 2 and 4.

(Ord. dated 9-20-16)

18.26.030 Definitions. The following words or phrases have the following meaning when used in this Chapter.

Brewpub – A restaurant at which malt beverages are manufactured and consumed or purchased in compliance with R.I. Gen. Laws § 3-6-1.2. See Sec. 18.26.070 G.

Clubhouse – A building that may contain, without limitation, accessory facilities for recreational or athletic activities, function rooms or restaurants, retail sales areas, and the administrative

offices of the corporation that owns or operates the resort and uses or structures associated with the resort.

Commercial recreation activity or facility – A recreational activity or facility that is open to the public or for which a fee is charged.

Equestrian complex – Barns, stables, utility buildings, paddocks, corrals, pastures, riding rings and arenas, including polo grounds, where livestock are kept or boarded and where activities such as riding instruction, hiring of horses for riding, horse training, and equestrian shows, exhibits or competitions are held.

General store – A store primarily selling convenience items such as snack foods, candy, bottled beverages, coffee, milk, newspapers, magazines, cigarettes, over-the-counter medicines, personal care appliances, health and beauty aids, and a limited number of grocery or general items.

Guest cottage – A structure that has a sleeping area and sanitary facilities but no cooking facilities, and is not a dwelling unit as that term is defined in Chapter 18.08 of this Title. Guest cottages are intended for short-term use by members or their guests. Guest cottages are accessory buildings to the clubhouse.

Helipad – An area used exclusively for landing of helicopters that does not include facilities for refueling.

Individual accessory solar energy system – An off-grid or interconnected system of solar panels or other solar energy conversion hardware used to convert sunlight into thermal or electric energy that produces 125% or less of the average annual electric energy used by the building it serves.

Livestock – Horses, ponies, mules, asses, burros, donkeys, cattle, cows, sheep; and animals for which the owner has a possession permit issued by the department of environmental management.

Livestock keeping, breeding, or raising – Barns, utility buildings, and enclosed areas where livestock and game birds are kept, bred, or raised.

Novelty dwelling structure – A yurt, tree house, hobbit house, or similar unconventional residential structure that contains cooking and sanitary facilities but is not intended for permanent year-round occupancy by the same person or household. Novelty dwelling structures are considered dwelling units for the purpose of calculating residential development density under Section 18.26.050 of this Chapter, but are not subject to the provisions of Ch. 18.18 of this Title.

Novelty accessory sleeping structure – A yurt, tree house, hobbit house, or similar unconventional structure that may be designed for overnight occupancy but lacks cooking facilities, sanitary facilities, or both, and is not a dwelling unit as that term is defined in Chapter 18.08 of this Title. Novelty sleeping structures are accessory buildings to the clubhouse. (Ord. dated 9-20-16; Ord. dated 1-2-18; Ord. dated 12-17-19)

18.26.040 Permitted uses.

~~A. The following principal uses in Chapter 18.16 of this Title are permitted on all property in this district except for use codes 104, 105, 732, 740, 754, and 854, which are prohibited in the Aquifer Protection Overlay District.~~

A. The following principal uses in Chapter 18.16 of this Title are permitted on all property in this district except for use codes 732, 854, and 905, which are allowed by special use permit in the aquifer protection overlay district, and use codes 740 and 754, which are allowed by special use permit in subdistrict A of the aquifer protection overlay district.

Use code	Description
101	<i>Single detached dwelling unit.</i>
102	<i>Two-dwelling-unit building.</i>
103	<i>Dwelling unit in a mixed use building.</i>
104	<i>Multi-family building(s): 3-4 dwelling units.</i>
105	<i>Multi-family building(s): 5-12 dwelling units.</i>
212	<i>Horticulture.</i>
308	<i>Cemetery.</i>
408	<i>Golf course.</i>
414	<i>Health club.</i>
434	<i>Wildlife refuge, conservation area.</i>
436	<i>Indoor shooting range.</i>
460	<i>Theater or other indoor privately-owned public gathering place.</i>
732	<i>Hotel, motel.</i>
734	<i>Health-related services.</i>
736	<i>Personal services.</i>
738	<i>Retail services.</i>

740	<i>Repair services.</i>
754	<i>Dog boarding or breeding kennel.</i>
804	<i>Specialty food store.</i>
812	<i>Pharmacy in a building less than 2,500 sq. ft. gross floor area.</i>
816	<i>General retailer in a building less than 20,000 sq. ft. gross floor area.</i>
854	<i>Artisan studio.</i>
864	<i>Restaurant serving alcoholic beverages.</i>
866	<i>Eating place, no service of alcoholic beverages.</i>
905	<i>Winery at vineyard.</i>

(Ord. dated 9-20-16; Ord. dated 1-2-18)

B. The following principal uses are permitted only in this zoning district. Use code 1015 is prohibited in subdistrict A and allowed by special use permit in subdistrict B of the aquifer protection overlay district. The descriptions are intended to illustrate some of the specific uses covered by each use code; they are not intended to be exclusive.

Use code	Description
1010	<i>Brewpub.</i>
1012	<i>Clubhouse.</i>
1015	<i>Equestrian complex.</i>
1020	<i>Indoor commercial or non-commercial recreational facility.</i> Includes courts for racquet sports; swimming pools; bowling alleys; pinball and electronic games; miniature golf courses; pool and billiards; climbing walls; and rental of recreational equipment.
1025	<i>Outdoor commercial or non-commercial recreational facility.</i> Includes courts for racquet sports; swimming pools with cabanas; miniature golf; skating rinks; driving ranges; softball and other playing fields; volleyball courts; bocce courts; polo grounds ; rock climbing; cross-country skiing; archery; use of skimobiles; use of all-terrain vehicles by residents and guests at least 25 feet from district boundary lines except where existing trails or paths are located; mountain biking; zip lines; fishing; hunting; trapshooting, skeet shooting and sporting clays; tent camping; and rental of recreational equipment.

1030	<i>Helipad.</i>
1035	<i>Livestock keeping, breeding, or raising.</i>
1040	<i>Novelty dwelling structure.</i>
1050	<i>Outdoor privately-owned public gathering place.</i> Includes amphitheaters, gazebos, and picnic areas.
1055	<i>General store.</i>

(Ord. dated 9-20-16; Ord. dated 1-2-18; Ord. dated 12-17-19)

18.26.050 Development density.

A. The maximum residential density permitted in the area encompassing Lot 5 on Assessor's Plat 6A, Lot 25 on Assessor's Plat 6A, and the western portion of Lot 2 on Assessor's Plat 6B, as shown on the Zoning Map, shall be one dwelling unit per three acres of land suitable for development.

B. The maximum residential density permitted in the area encompassing the eastern portion of Lot 2 on Assessor's Plat 6B and the southern portion of Lot 4 on Assessor's Plat 6B, as shown on the Zoning Map, shall be one dwelling unit per two acres of land suitable for development.
(Ord. dated 9-20-16; Ord. dated 1-2-18)

18.26.060 Open space. At least twenty-five percent (25%) of the property in the district shall be open space. Use of the open space for any commercial or non-commercial recreational activity or construction of any permanent structure in the open space must be specifically approved by the planning board and permitted by the recorded instrument that protects the open space from further development.
(Ord. dated 9-20-16)

18.26.070 Development standards.

A. All outdoor lighting shall have full cut-off fixtures approved by the International Dark Sky Association. Fixtures shall be mounted no higher than twenty-four (24) feet from the ground. Light shall be directed away from adjacent property.

B. Two acres of paddock, corral or pasture, or any combination thereof, shall be provided for each head of livestock.

C. The following standards apply to equestrian complexes and to livestock keeping, raising and breeding facilities.

1. Barns, stables, utility buildings, paddocks, corrals, pastures, riding rings, and arenas used as equestrian facilities or for keeping, raising, or breeding livestock shall be located at least one hundred (100) feet from any zoning district boundary.
2. Amplified outdoor sound systems shall not be used between 9:00 p.m. and 8:00 a.m.
3. Manure shall not be stored or composted within two hundred (200) feet of a district boundary or a well, or within two hundred (200) feet of a wetland or stormwater drainage feature.
4. Stormwater runoff from paddocks, corrals, arenas, and riding rings shall be diverted from wetlands and wells on the same property or adjacent property in accordance with a plan approved by the R. I. department of environmental management.
5. The preliminary plan submission for any portion or phase of development that includes an equestrian complex or a facility for keeping, raising or breeding of livestock shall include a plan for the sanitary storage, disposal or use of all animal waste. The plan must be approved by the U.S. department of agriculture natural resources conservation service (NRCS). The plan may include a composting facility that complies with state department of environmental management regulations.

D. An indoor shooting range shall be entirely enclosed and shall be located in a free-standing building constructed with sufficient noise and reverberation mitigation so that the sound at any point within ten (10) feet of the exterior of the building does not exceed sixty (60) decibels.

E. Buildings and outdoor exercise areas or runs for dog boarding or breeding kennels shall be at least one hundred fifty (150) feet from the nearest district boundary line.

F. Helipads shall be located at least five hundred (500) feet from the nearest district boundary line.

G. The following standards apply to a brewpub.

1. The water supply to the manufacturing facility shall be installed with a dedicated meter that can be read using a radio frequency reading system.
2. The manufacturing facility shall consume no more than 20,000 gallons of water per month.

(Ord. dated 9-20-16)

18.26.080 Dimensional regulations.

A. A one-hundred (100) foot buffer area shall be maintained on the perimeter of the district except where the adjacent property outside the district is owned by a person or entity with an ownership interest in property within the district. No structure shall be constructed within the buffer area. Existing vegetation in the buffer area shall not be removed.

B. The maximum building height shall be forty (40) feet, measured from the average post-construction grade at the front of the structure to the top of the highest point of the roof, except for use code 732, for which the maximum building height shall be sixty-five (65) feet. (Ord. dated 9-20-16; Ord. dated 12-17-19)

18.26.090 Streets.

A. Streets in the zoning district shall be private, notwithstanding the requirements of Article 13 of the land development and subdivision regulations.

B. Streets providing access to residences shall be constructed according to the requirements for rural local streets in Articles 13 and 14 of the land development and subdivision regulations, with the following exceptions:

1. The required gravel base course thickness may be reduced from thirteen (13) inches to nine (9) inches.
2. The required bituminous pavement thickness may be reduced to two inches of binder and one and one-half inches of Type-I-1 surface course.

If a street is not constructed according to the requirements of Article 13 of the land development and subdivision regulations, the owner shall record a document in the land evidence records at the time the plat is recorded certifying that neither the owner nor his successors in title shall ask the Town of Richmond to accept for Town ownership any street in the district that is not constructed to the standards for rural local streets.

C. Common driveways shall be constructed according to the requirements of Article 13 of the land development and subdivision regulations. (Ord. dated 9-20-16)

18.26.100 Signs. The definitions in Section 18.24.010 of Chapter 18.24 of this Title apply to this Section.

A. The following signs are permitted with the issuance of a sign permit.

1. Signs no larger than forty (40) square feet identifying the restricted-access residential portion of the district. One such sign may be constructed at each entrance to a restricted-access residential area.
2. On the main entrance wall of a building, one or more signs that identify the business(es), profession(s) or service(s) located in the building. The sign or signs:
 - a. Shall not occupy more than seventy percent (70%) of the linear frontage of the building.
 - b. Shall be no more than forty-eight (48) inches high.

- c. If perpendicular to the wall, shall protrude no more than five (5) feet from the wall and shall have an area no larger than nine (9) square feet; and
 - d. Shall not project above the roofline of the building more than five (5) feet.
 - 3. One or more signs on or behind a window or windows, provided that the total area of the signs shall not exceed fifty percent (50%) of the surface area of the windows to which they are applied.
 - 4. For each business, one internally or externally illuminated freestanding sign no more than fifteen (15) feet above the ground at its highest point, with an area of no more than thirty-six (36) square feet, or where multiple buildings or uses share one entrance, a directory sign with an area no larger than eighty (80) square feet, and no higher than sixteen (16) feet from the ground at its highest point.
 - 5. Inflatable objects or figures not larger than three cubic yard in size and no higher at their highest point than ten (10) feet above the roof of the building. Such inflatable objects or figures may be displayed for no more than seven (7) days. The object or figure shall be adequately secured. No more than one such permit shall be issued to a business in any calendar year.
 - 6. An internally or externally illuminated freestanding sign no more than sixty-five (65) feet above the ground at its highest point, with two faces, each face having an area no larger than seven hundred seventy (770) square feet that may be digital or may have blinking, flashing or fluttering lights or other illuminating devices that change intensity, brightness or color.
 - 7. At each Kingstown Road entrance to the district, one internally or externally illuminated freestanding sign no more than sixteen (16) feet above the ground at its highest point, with two faces, each face having an area no larger than three hundred sixty (360) square feet, that may be digital or may have blinking, flashing or fluttering lights or other illuminating devices that change intensity, brightness or color.
- B. The following signs are permitted without the issuance of a sign permit.
- 1. One sandwich sign per business, provided it is not located on any public sidewalk or street right of way, and provided it is adequately secured.
 - 2. Signs not larger than thirty two (32) square feet advertising property for sale or lease.
 - 3. "No Trespassing," "No Hunting," and similar signs used to post property.
 - 4. Signs (including directional signs) erected next to streets or parking lots to protect the safety of those using the streets or to promote safe and efficient traffic flow.
 - 5. One banner, no larger than twenty-four (24) square feet in area, for each business. A banner shall be displayed for no more than ninety (90) days.
 - 6. Signs no larger than thirty-two (32) square feet identifying individual buildings.

(Ord. dated 9-20-16; Ord. dated 12-17-19)

18.26.110 Parking and loading.

A. Buildings and uses shall provide the number of parking spaces required by Chapter 18.29 of this Title. The planning board shall have the authority to reduce the required number of parking spaces for any use or structure. If such a reduction is approved, the reason for the reduction shall be stated in the preliminary plan decision. Shared parking shall be permitted.

B. Adequate off-street loading areas shall be provided for each building or use to which deliveries will be made.

(Ord. dated 9-20-16; Ord. dated 1-2-18)

18.26.120 Camping recreational vehicles. A maximum of 250 camping vehicles, as defined by R.I. Gen. Laws § 32-7-7(31), may be parked temporarily or permanently in the zoning district, provided that no more than eight (8) such vehicles shall be parked on any one acre of land.

18.26.130 Approval procedure.

A. Each phase or portion of development shall be approved as a major land development project pursuant to the land development and subdivision regulations. Minor changes to a recorded portion or phase may be approved by the administrative officer pursuant to section 6.2 of the land development and subdivision regulations. Major changes to a recorded portion or phase require planning board approval.

B. Final approval of each phase of the development includes approval of the development plan and site features. If individual sites in any phase will not be developed immediately after final plan approval, the applicant may request bifurcation of land development project approval and development plan review. When land development project approval and development plan review are bifurcated, the final plan decision shall specify the buildings or areas for which development plan approval must be obtained before development can begin. When this procedure is used, the application for development plan review shall be treated as an application for review of a site plan for a permitted use under Ch. 18.54 of this Title, and the planning board's decision shall be appealable.

C. Administrative fees are those in section 11.3 of the land development and subdivision regulations.

(Ord. dated 9-20-16)

These amendments shall take effect upon passage.

The Town Council of the Town of Richmond hereby ordains that Section 18.16.010 of Chapter 18.16 the Code of Ordinances is amended to read as follows:

Chapter 18.16
USE REGULATIONS

18.16.010	Table of uses.
18.16.020	Use code descriptions.
18.16.030	Accessory uses.

18.16.010 Table of uses. The following table lists general categories of uses and, within each category, specific types of uses. Each use is identified by a use code. “P” indicates a use allowed by right in the zoning district, “S” indicates a use allowed by special use permit, and “X” indicates a use prohibited in the zoning district. In overlay districts, “U” indicates that the requirements are the same as for the underlying zoning district.

A. All uses listed are principal uses unless otherwise specified.

B. The provisions of an overlay district apply to each use in addition to the provisions of the underlying zoning district. If the provision applicable in the underlying zoning district and the provision applicable in the overlay district are different, the more restrictive provision applies to the use. Uses prohibited in an overlay district are designated with “X.”

C. Uses not included in the table are prohibited.

(Ord. dated 11-19-13; Ord. dated 4-1-14; Ord. dated 8-12-14; Ord. dated 6-16-15; Ord. dated 5-16-17; Ord. dated 7-25-17; Ord. dated 1-2-18; Ord. dated 10-15-19; Ord. dated 2-18-20; Ord. dated 7-20-21)

18.16.010 - TABLE

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
10	RESIDENTIAL																
101	Single detached dwelling unit	P	P	P	P	X	X	X	X	P	X	P	P	U	U	X	See §18.36.100 E
102	Two-dwelling unit building	P	P	P	S	X	X	X	X	P	X	P	X	U	U	X	See Ch. 18.20, §18.36.100 E
103	Dwelling unit in a mixed-use building	X	X	X	P	P	X	X	P	P	X	P	X	U	U	X	
104	Multi-family building(s): 3-4 dwelling units	X	P	P	X	P	X	X	P	P	X	P	X	U	U	X	See §18.36.100; Ch.18.41
105	Multi-family building(s): 5 - 12 dwelling units	X	X	X	X	P	X	X	P	P	X	X	X	U	U	X	See §18.36.100
106	Multi-family building(s): 13-28 dwelling units	X	X	X	X	X	X	X	X	P	X	X	X	U	U	X	See Ch. 18.42
112	Community residence	P	P	P	P	P	X	X	P	P	X	P	P	U	U	X	
114	Single mobile or manufactured home	X	X	X	X	X	X	X	X	X	X	X	X	U	U	X	See RIGL § 45-24-37(c) and Ch. 15.02 (temporary use)

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
116	Mobile or manufactured home park	P	P	X	X	X	X	X	P	X	X	X	X	<u>U</u>	<u>U</u>	X	See §18.36.030 Needs approval as a Land Development Project
20	AGRICULTURAL																
210	Keeping, breeding domestic livestock	P	P	S	P	X	X	X	P	X	X	P	P	<u>U</u>	<u>U</u>	X	See Ch. 18.31; accessory uses see Ch. 18.30 and §18.36.060
212	Horticulture	P	P	P	P	P	P	P	P	P	P	P	P	<u>U</u>	<u>U</u>	P	See RIGL § 45-24-37
214	Indoor horticulture	P	P	P	P	P	P	P	P	P	P	P	P	<u>U</u>	<u>U</u>	X	See § 18.54.020
216	Commercial cultivation of medical marijuana	X	X	X	X	P	P	P	X	P	P	X	U	<u>U</u>	<u>U</u>	X	See RIGL § 21-28.6-16
224	Keeping, breeding swine	S	S	X	X	X	S	S	X	X	X	X	S	<u>X</u>	<u>X</u>	X	As accessory use see Ch.18.30
240	Indoor commercial aquaculture or fish hatchery	X	X	X	X	X	P	P	X	X	P	X	X	<u>S</u>	<u>S</u>	X	
30	INSTITUTIONAL, GOVERNMENTAL																
301	Public school	X	X	X	X	X	X	X	X	X	X	X	U	<u>U</u>	<u>U</u>	X	See § 18.04.040

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OLA	Aqu. OLB	COS	Notes
302	Private school	S	S	S	X	P	X	X	P	P	X	S	X	U	U	X	
303	Private technical, trade school	X	X	X	S	P	P	P	P	P	P	X	X	U	U	X	
306	Private nursery school or kindergarten	S	S	S	P	P	X	X	P	P	X	S	X	U	U	X	
308	Cemetery	S	S	X	X	X	X	X	X	X	X	X	S	U	U	X	See §18.20.060
310	Municipal or quasi-municipal public safety or other facilities	X	X	X	X	X	X	X	X	X	X	X	X	U	U	X	See § 18.04.040
320	Child or adult day care for up to 8 persons	X	X	X	P	P	X	X	P	P	P	P	X	U	U	X	
322	Child or adult day care for 9 or more persons	X	X	X	S	P	X	X	P	P	P	X	X	U	U	X	
324	Halfway house	X	X	X	S	P	P	P	X	X	P	X	X	U	U	X	See RIGL § 45-24-31(31)
326	Homeless shelter	X	X	S	S	P	P	X	X	X	X	X	X	U	U	X	
330	Nursing home, assisted living, continuing care, hospice	X	X	X	S	P	P	X	P	P	P	X	X	U	U	X	
332	Substance abuse treatment facility	X	X	X	X	P	P	P	P	P	P	X	X	U	U	X	

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
340	Hospital	X	X	X	X	P	P	P	P	P	P	X	X	<u>U</u>	<u>U</u>	X	Needs approval as a Land Development Project
342	Medical treatment facility less than 15,000 sq. ft. gross floor area	X	X	X	P	P	P	X	P	P	P	S	X	<u>U</u>	<u>U</u>	X	
350	Private not-for-profit public service facility not otherwise classified	X	X	X	S	P	P	X	P	P	P	S	X	<u>U</u>	<u>U</u>	X	
40	RECREATIONAL, CULTURAL, ENTERTAINMENT																
	Recreational																
402	Indoor recreational facility	X	X	X	X	P	P	P	P	P	P	S	X	<u>U</u>	<u>U</u>	X	
406	Outdoor recreational facility	X	X	X	X	P	X	X	S	P	P	P	X	<u>U</u>	<u>U</u>	X	
408	Golf course	P	P	X	X	X	X	X	P	P	P	X	P	<u>U</u>	<u>U</u>	X	
409	Fairgrounds	P	P	X	X	X	X	X	X	X	X	X	P	<u>X</u>	<u>S</u>	X	
410	Equestrian academy; equestrian boarding or breeding facility	P	P	X	X	X	X	X	X	X	X	S	P	<u>S</u>	<u>S</u>	X	See Ch. 18.31

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
414	Health club	X	X	X	P	P	P	P	P	P	P	P	X	<u>U</u>	<u>U</u>	X	
420	Recreational campground	S	S	X	X	X	X	X	X	X	S	X	X	<u>X</u>	<u>S</u>	X	See Ch. 18.55
424	Seasonal camp	S	S	X	X	X	X	X	S	X	S	X	X	<u>U</u>	<u>U</u>	X	
432	Park, botanical garden open to public	P	P	P	P	P	P	P	P	P	P	P	P	<u>U</u>	<u>U</u>	X	
434	Wildlife refuge	P	P	P	P	P	P	P	P	P	P	P	P	<u>U</u>	<u>U</u>	X	
435	Conservation area	P	P	P	P	P	P	P	P	P	P	P	P	<u>U</u>	<u>U</u>	P	
436	Indoor shooting range	X	X	X	X	S	P	P	X	X	X	X	X	<u>U</u>	<u>U</u>	X	See §18.36.080
	Cultural																
442	Museum, library	X	S	S	S	P	X	X	P	P	X	P	X	<u>U</u>	<u>U</u>	X	
444	Place of worship	X	X	X	S	P	X	X	P	P	X	S	X	<u>U</u>	<u>U</u>	X	
446	Private club	X	X	X	S	P	P	X	P	P	X	S	X	<u>U</u>	<u>U</u>	X	
	Entertainment																
460	Theater or other indoor privately-owned public gathering place	X	X	X	S	P	P	P	P	P	X	S	X	<u>U</u>	<u>U</u>	X	

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
462	Stadium, arena, or other outdoor privately-owned public gathering place	X	X	X	S	P	P	P	P	P	X	S	X	<u>X</u>	<u>X</u>	X	
464	Race track for motorized vehicles	X	X	X	X	X	X	X	X	X	X	X	X	<u>X</u>	<u>X</u>	X	
466	Casino or other wagering or betting facility	X	X	X	X	X	X	X	X	X	X	X	X	<u>U</u>	<u>U</u>	X	
468	Adult entertainment	X	X	X	X	X	X	P	X	X	X	X	X	<u>U</u>	<u>U</u>	X	See §8.08.010; §18.36.110
50	UTILITIES, TRANSPORTATION																
	Utilities																
502	Power generation	X	X	X	X	P	P	P	X	X	P	X	X	<u>X</u>	<u>S</u>	X	
504	Commercial wind energy system	X	X	X	X	X	X	X	X	X	X	X	X	<u>U</u>	<u>U</u>	X	Reserved
506	Solar energy system	X	X	X	X	P	P	P	X	X	P	X	U	<u>U</u>	<u>U</u>	X	See Ch. 18.34
508	Commercial cellular communication tower	S	S	S	S	S	P	P	S	S	P	S	S	<u>U</u>	<u>U</u>	X	See Ch. 18.53
510	Broadcast studio, antenna	X	X	X	S	P	P	P	P	P	P	X	X	<u>U</u>	<u>U</u>	X	

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
	Transportation																
532	Transportation terminal	X	X	X	X	P	P	P	X	X	P	X	X	X	S	X	
534	Airport, helipad	X	X	X	X	X	P	P	X	X	P	X	X	X	X	X	
536	Towing with vehicle storage	X	X	X	X	X	P	P	X	X	P	X	X	X	S	X	
537	Office with indoor or outdoor vehicle storage not otherwise classified	X	X	X	X	P	P	P	X	X	P	X	X	U	U	X	
538	Parking lot, garage	X	X	X	X	P	P	P	P	P	P	X	X	S	S	X	
540	Vehicle leasing with outdoor vehicle storage	X	X	X	X	P	P	P	X	P	P	X	X	S	S	X	
	Waste management																
554	Privately-owned refuse transfer station	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
556	Privately-owned refuse storage, disposal	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
557	Privately-owned recycling facility	X	X	X	X	X	X	S	X	X	X	X	X	X	S	X	
558	Septic pumping business with vehicle storage	X	X	X	X	X	X	P	X	X	X	X	X	X	S	X	

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
560	Wood waste product composting	X	X	X	X	X	P	P	X	X	X	X	X	X	X	X	
562	Junkyard	X	X	X	X	X	X	P	X	X	X	X	X	X	X	X	See Ch. 5.24
566	Solid waste incineration or combustion	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
60	CONTRACTING, AUTOMOTIVE, WHOLESALE																
	Contracting																
602	Construction trades contractor	X	X	X	P	P	P	P	X	X	P	S	X	S	S	X	
604	Fuel sales and delivery	X	X	X	S	P	P	P	X	X	X	X	X	X	X	X	
606	Maintenance services	X	X	X	P	P	P	P	P	P	P	X	X	U	U	X	
	Automotive																
622	Vehicle repair, auto body shop	X	X	X	X	P	P	P	X	X	P	X	X	X	X	X	See §18.36.090
624	Vehicle service station with convenience store	X	X	X	X	S	S	S	S	S	S	X	X	X	X	X	See §18.36.090
626	Vehicle service station with body or automotive repair shop	X	X	X	X	S	S	S	S	S	S	X	X	X	X	X	See §18.36.090

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OLA	Aqu. OLB	COS	Notes
628	Car wash	X	X	X	X	P	P	P	X	X	P	X	X	X	S	X	
	Wholesale																
642	Warehouse sales with indoor storage only	X	X	X	X	P	P	P	X	X	P	X	X	S	U	X	
644	Warehouse sales with outdoor storage	X	X	X	X	X	P	P	X	X	P	X	X	X	S	X	
70	PROFESSIONAL & PERSONAL SERVICES																
	Professional services																
702	Professional offices	X	X	X	P	P	P	P	P	P	P	P	X	U	U	X	
704	Bank, financial institution	X	X	X	S	P	P	P	P	P	P	P	X	U	U	X	See §18.16.030 for drive-thru window
706	Motion picture, sound recording studio	X	X	X	X	P	P	P	X	X	P	X	X	U	U	X	
710	Business offices not otherwise specified	X	X	X	S	P	P	X	P	P	P	S	X	U	U	X	
	Personal services																
732	Hotel, motel	X	X	X	P	S	P	X	P	P	P	X	X	S	S	X	
733	Guest cottages	X	X	X	X	X	X	X	X	X	X	X	X	U	U	X	

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
734	Health-related services	X	X	X	S	P	P	X	P	P	P	S	X	<u>U</u>	<u>U</u>	X	
736	Personal services	X	X	X	S	P	P	X	P	P	P	S	X	<u>U</u>	<u>U</u>	X	
738	Retail services	X	X	X	S	P	P	X	P	P	P	S	X	<u>U</u>	<u>U</u>	X	
740	Repair services	X	X	X	S	P	P	X	P	P	P	S	X	<u>S</u>	<u>U</u>	X	
752	Pet grooming	X	X	X	S	P	P	X	P	P	P	S	X	<u>U</u>	<u>U</u>	X	
754	Dog boarding or breeding kennel	S	S	X	X	X	P	X	P	X	P	X	S	<u>S</u>	<u>U</u>	X	See §18.16.030; §18.20.060
756	Pet cemetery	X	X	X	X	X	P	P	X	X	P	X	S	<u>X</u>	<u>X</u>	X	See §18.20.060
762	Laundry, laundromat	X	X	X	S	P	P	P	P	P	P	X	X	<u>X</u>	<u>X</u>	X	
764	Dry cleaner, drop off and pick up only	X	X	X	P	P	P	X	P	P	X	P	X	<u>U</u>	<u>U</u>	X	See §18.16.030 for drive-thru window
765	Dry cleaner, on-site cleaning facility	X	X	X	X	X	X	S	X	X	X	X	X	<u>X</u>	<u>X</u>	X	See §18.16.030 for drive-thru window
772	Self storage facility	X	X	X	X	X	P	P	X	X	P	X	X	<u>X</u>	<u>S</u>	X	
774	Equipment rental with on-site outdoor storage	X	X	X	X	P	P	P	X	X	P	X	X	<u>X</u>	<u>S</u>	X	
776	Funeral home, mortuary	X	X	X	S	P	P	X	P	P	P	X	X	<u>X</u>	<u>X</u>	X	
80	RETAILERS, RESTAURANTS																

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
802	Supermarket	X	X	X	X	P	P	X	P	P	X	X	X	X	S	X	See Ch. 18.08
804	Specialty food store	X	X	X	P	P	P	X	P	P	X	P	X	U	U	X	
812	Pharmacy	X	X	X	X	P	P	X	P	P	X	S	X	U	U	X	See § 18.16.030 for drive-thru window
813	Compassion center	X	X	X	X	X	X	X	X	X	X	X	X	U	U	X	See RIGL §§ 21-28.6-3, 21-28.6-12.
814	Convenience store	X	X	X	S	P	P	X	P	P	P	S	X	U	U	X	
816	General retailer in a building less than 20,000 sq. ft. gross floor area	X	X	X	P	P	P	P	P	P	X	P	X	U	U	X	
817	General retailer in a building 20,000 sq. ft. or more gross floor area	X	X	X	X	X	P	P	X	P	X	X	X	X	S	X	See “large scale retail development” in §18.08.010; §18.20.050
820	Package store	X	X	X	S	P	P	P	P	P	X	S	X	U	U	X	
832	Farm, gardening, or landscaping supplies, including plants, seed, mulch, stone	X	X	X	S	P	P	P	P	P	X	S	X	X	S	X	See §18.20.060
834	Lumber, construction materials	X	X	X	X	P	P	P	P	X	P	X	X	X	X	X	

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
842	Vehicle sales, service	X	X	X	X	P	P	P	X	X	P	X	X	X	X	X	
852	Flea market; outdoor sales of new or used goods	X	X	X	S	P	P	P	P	P	P	X	X	U	U	X	
854	Artisan studio	X	X	X	P	P	P	P	P	P	X	P	X	S	S	X	
856	Farmers' market	P	P	X	P	P	P	X	P	P	P	P	U	U	U	X	See § 18.36.140
862	Bar, lounge, tavern	X	X	X	P	P	P	X	P	P	X	S	X	U	U	X	
863	Microbrewery	X	X	X	P	P	P	P	P	P	X	P	X	X	X	X	
864	Restaurant serving alcoholic beverages	X	X	X	P	P	P	P	P	P	X	P	X	U	U	X	
866	Eating place, no service of alcoholic beverages	X	X	X	P	P	P	P	P	P	P	P	X	U	U	X	See §18.16.030 for drive-thru window
870	Retail uses not otherwise classified	X	X	X	X	P	P	X	P	P	X	S	X	X	S	X	
90	MANUFACTURING & EXTRACTIVE																
	Manufacturing																
902	Food, beverage manufacturing, processing	X	X	X	X	X	P	P	X	X	P	X	X	X	X	X	

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OLA	Aqu. OLB	COS	Notes
904	Winery	X	X	X	S	P	P	P	X	X	X	S	P	X	S	X	
905	Winery at a vineyard	S	S	X	X	P	P	X	X	X	X	P	S	S	S	X	
906	Brewery	X	X	X	X	S	S	S	S	S	S	S	X	X	X	X	
910	Millwork, wood products, furniture manufacturing	X	X	X	X	S	S	P	P	X	P	S	X	X	X	X	
912	Sawmill	X	X	X	X	X	X	P	X	X	P	X	X	X	X	X	
914	Commercial printing, manufacture of paper products	X	X	X	X	P	P	P	X	X	P	X	X	X	X	X	
918	Textile manufacturing, processing	X	X	X	X	X	S	P	X	X	P	X	X	X	X	X	
920	Metals fabrication, machinery manufacturing	X	X	X	X	X	P	P	X	X	P	X	X	X	X	X	
930	Pharmaceutical, chemical product manufacturing	X	X	X	X	X	P	P	X	X	P	X	X	X	X	X	
932	Glass manufacturing or processing	X	X	X	X	X	P	P	X	X	P	X	X	X	X	X	

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
934	Rubber, plastic, petroleum products manufacturing	X	X	X	X	X	X	S	X	X	X	X	X	X	X	X	
938	Electronics, scientific equipment manufacturing	X	X	X	X	P	P	P	X	X	P	X	X	X	X	X	
952	Producing, processing mulch, compost, potting soil, soil amendments	X	X	X	X	P	P	P	X	X	P	X	X	X	X	X	
954	Concrete manufacturing	X	X	X	X	X	S	P	X	X	S	X	X	X	X	X	
958	Manufacturing or processing not otherwise classified	X	X	X	X	X	X	S	X	X	S	X	X	X	X	X	
962	Warehousing, general storage	X	X	X	X	X	P	P	X	X	P	X	X	X	S	X	
	Extractive																
972	Gravel, earth removal	X	X	X	X	X	X	P	X	X	X	X	X	X	X	X	
974	Rock quarrying	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
975	Extraction of coal, ore, petroleum, gases	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL A	Aqu. OL B	COS	Notes
976	Processing of extractive materials	X	X	X	X	X	X	P	X	X	P	X	X	X	X	X	
980	Extraction of water for off-site commercial or industrial use	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

18.16.020 Use code descriptions. The following descriptions are intended to assist the zoning enforcement officer in applying the use code table in 18.16.010 by illustrating the range of specific uses covered by each use code. The descriptions are not intended to be exclusive. Specific dimensional requirements for some uses are contained in chapter 18.20, dimensional regulations, and in chapter 18.36, special regulations.

112 *Community residence.* A group home or residential facility where children or adults live in a family setting and may or may not receive supervised care; or transitional housing for the homeless or victims of abuse. It does not include halfway houses or substance abuse treatment facilities. See R.I. Gen. Laws §§ 45-24-31(15) and 45-24-37(b).

210 *Keeping, breeding domestic livestock other than swine.* Includes accessory uses such as spraying, dipping, shearing, and shoeing.

212 *Horticulture.* Includes growing of vegetables, grain, hay, fruit, turf, trees, flowers, herbs, mushrooms, and ornamental plants.

214 *Indoor horticulture.* Commercial cultivation of plants, including but not limited to vegetables, fruit, flowers, herbs, mushrooms, and ornamental plants in a fully-enclosed structure.
(Ord. dated 1-2-18; Ord. dated 2-18-20)

216 *Commercial cultivating of medical marijuana.* The cultivation and processing of medical marijuana and the production of medical marijuana products inside a facility licensed by the state department of business regulation, for sale or transfer to compassion centers or to other licensed commercial cultivators.
(Ord. dated 2-18-20)

308 *Cemetery.* Does not include historical family burying grounds on private property that were established before 1900.
(Ord. dated 7-20-21)

310 *Municipal or quasi-municipal public safety or other facilities.* Includes police stations, fire stations, community centers, and animal pounds.
(Ord. dated 7-20-21)

320 *Child or adult day care for up to 8 persons.* Includes “day care center” as defined in chapter 18.08. It does not include home day care, which is a residential accessory use. See R.I. Gen. Laws § 45-24-31(17).

326 *Homeless shelter.* A transitional residential facility for more than six unrelated persons or more than three families.

342 *Medical treatment facility less than 15,000 sq. ft. gross floor area.* Includes urgent care centers and clinics.

402 *Indoor recreational facility*. Includes a tennis court, swimming pool, bowling, pinball or electronic game arcade, miniature golf, and a pool or billiards hall.

406 *Outdoor recreational facility*. Includes tennis court, swimming pool, miniature golf, skating rink, driving range, and mechanical rides and amusements.

408 *Golf course*. Includes a clubhouse that may contain a restaurant or a function facility serving alcoholic beverages.

410 *Equestrian academy and equestrian boarding or breeding facility*. Defined in Ch. 18.31; constitutes a principal use whether or not it is located on the same premises as a residence.

414 *Health club*. A commercial or nonprofit indoor facility that may have a swimming pool, exercise equipment, courts for tennis or other racquet sports, studios for yoga or aerobic exercise, and classrooms for non-academic instruction.

420 *Recreational campground*. Includes restaurants, dining facilities, indoor and outdoor recreational facilities, convenience store, all of which are open only to campers and their guests, as accessory uses to the principal campground use.

424 *Seasonal camp*. A recreational or educational facility for children or adults operated between May and October. The facility may include permanent structures for dining and sleeping.

434 *Wildlife refuge*. An area reserved for the protection of wildlife. Wildlife means species of animals occurring naturally, either presently or historically, within the boundaries of the State of Rhode Island, regardless of where the animal originated. See R.I. Code of Regulation § 250-RICR- 40-05-3.6. A fully-enclosed building in which wild animals are rehabilitated is not a wildlife refuge.

435 *Conservation area*. An undeveloped area set aside for preservation of land in its natural state. The use does not include construction of buildings.

444 *Place of worship*. Includes accessory facilities such as classrooms for religious instruction, offices, and meeting rooms.

446 *Private club*. Includes meeting halls or lodges of fraternal or cultural organizations that may be rented for private functions.

460 *Theater or other indoor privately-owned facility open to public*. Does not include businesses such as restaurants or lounges that offer entertainment as an accessory use.

502 *Power generation*. Includes hydroelectric, cogeneration, or other plants or facilities that produce power.

506 *Solar energy system.* A facility that collects energy from the sun and converts it into electrical power as a principal use of a property. This use does not include accessory solar energy systems.

532 *Transportation terminal.* A facility where buses, trucks, or other motor vehicles are parked and where passengers may board or disembark or freight may be loaded or unloaded, with associated offices and warehouses; includes private courier or delivery services, taxi services, and limousine services.

540 *Vehicle leasing.* Vehicles include automobiles, utility trailers, trucks, and recreational vehicles; use includes vehicle storage on site.

557 *Privately-owned recycling facility.* An indoor or enclosed facility where recyclable material is collected, sorted, and prepared for shipment by baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding or cleaning. The facility must be licensed by the department of environmental management. Cleaning with solvents or water is prohibited.
(Ord. dated 7-19-16)

562 *Junkyard.* Includes automobile junkyards where unserviceable or junked automobiles, auto bodies, engines, tires, parts, or accessories of junked automobiles, are stored, and automobile wrecking and salvage yards licensed by the department of business regulation.

602 *Construction trades contractor.* Includes a business office and indoor or outdoor storage of equipment and vehicles for a carpenter, electrician, plumber, stonemason, landscape contractor, excavator, or other contractor who works primary at an off-site location.

604 *Fuel sales and delivery.* Includes dealers in heating oil, propane gas, coal, and wood pellets; fuel storage; and parking for delivery vehicles.

606 *Maintenance services.* Includes a business office and indoor and outdoor storage of equipment and vehicles for contractors who provide maintenance and related services to residential or commercial customers such as janitors, chimney sweeps, gutter cleaners, carpet and floor cleaners, power washers, and exterminators.

622 *Vehicle repair, auto body shop.* Includes repair of automobiles, boats, recreational vehicles, motorcycles, or farm or construction equipment powered by gasoline, electricity, or propane.

624 *Vehicle service station with convenience store.* Provides fuel and limited service for vehicles powered by gasoline, electricity, or propane and includes retail sale of a limited number and variety of snack foods, magazines and newspapers, cigarettes, grocery, and general items.
(Ord. dated 7-19-16)

626 *Vehicle service station with body or automotive repair shop.* Provides fuel and service for vehicles powered by gasoline, electricity, or propane.
(Ord. dated 7-19-16)

642 *Warehouse sales with indoor storage only.* A business that sells a limited range of merchandise to wholesale customers.
(Ord. dated 7-19-16)

644 *Warehouse sales with outdoor storage.* A business that sells a limited range of merchandise to wholesale customers at which stock may be stored outdoors.
(Ord. dated 7-19-16)

702 *Professional offices.* Includes offices of physicians, dentists, counselors, veterinarians, lawyers, accountants, architects, chiropractors, engineers, land surveyors, and real estate sales and management, stockbrokerages, and insurance agencies.

733 *Guest cottages.* Accommodations for tourists operated on a seasonal basis and occupied by the day, week, month, or season.

734 *Health-related services.* Includes physical therapy, occupational therapy, speech therapy, acupuncture, massage therapy, audiology, and optometry.

736 *Personal services.* Include barber shop, beauty shop, day spa, tattoo parlor, body piercing, and tanning parlor.

738 *Retail services.* Include photography studios, travel agencies, private investigators, security services, locksmiths, florists, interior designers, and printers and copiers.

740 *Repair services.* Including repair of shoes, clocks, watches, jewelry, electronics, and upholstery.

754 *Dog boarding or breeding kennel.* A dog boarding kennel is a facility other than a pound or animal shelter where dogs not owned by the proprietor are sheltered, fed, and watered in return for a fee. A dog breeding kennel is a facility where purebred dogs are kept for breeding, stud, and exhibition purposes.

804 *Specialty food store.* Includes butcher, confectioner, and store selling primarily baked goods, produce, or dairy foods.

812 *Pharmacy.* Items sold include prescription pharmaceuticals and health and beauty products, over the counter medicines, and small personal appliances such as razors and hair dryers.

814 *Convenience store.* A store primarily selling snack foods, candy, bottled beverages, coffee, milk, newspapers, magazines, cigarettes, and a limited number of grocery or general items.

816 *General retailer.* Items sold include durable goods such as furniture, household appliances, machinery, and equipment; personal appliances; electronics; apparel and shoes; toys and sporting goods; and household furnishings such as cookware and linens.

820 *Package store.* A retailer holding a Class A alcoholic beverage retail license.

842 *Vehicle sales, service.* Sales of new or used vehicles with vehicle repair as an accessory use.

852 *Flea market; outdoor sales of new or used goods.* Retail sales at a seasonal or temporary outdoor facility.

854 *Artisan studio.* A shop where an artist or artisan makes and sells artwork, jewelry, pottery, glass items, sculpture, and other handcrafted items.

862 *Bar, lounge, tavern.* An establishment holding a Class C alcoholic beverage license. No food is prepared for consumption on the premises.

902 *Food, beverage manufacturing, processing.* Does not include manufacturing of alcoholic beverages or cannabis products.

914 *Commercial printing and binding.* Includes lithography, screen printing on textiles, and printing of books and magazines; does not include copying, digital printing.
(Ord. dated 11-19-13; Ord. dated 7-19-16)

18.16.030 Accessory uses. The following uses are accessory uses to principal uses in the circumstances specified.

A. *Bed and breakfast.* A bed and breakfast, an owner-occupied home that provides lodging and meals to temporary guests for a fee, is permitted in all zoning districts as an accessory use to a single-household structure. Hosting functions such as weddings for a fee or in conjunction with the bed and breakfast use is prohibited.

B. *Boarding house.* Renting of a room for a fee to a boarder in an owner-occupied home is permitted in all zoning districts as an accessory use to a single-household structure. No more than two boarders are permitted in a single-family household. Cooking facilities are not permitted in a room occupied by a boarder.

C. *Child or adult day care for up to 8 persons or for 8 or more persons.* A day care center is permitted as an accessory use to a business or industrial facility.

D. *Domestic livestock.* The keeping and/or breeding of domestic livestock as an accessory to a residential use in compliance with chapters 18.30 and 6.18 of this Code is permitted in all zoning districts.

E. *Dog boarding or breeding kennel.* A dog boarding or breeding kennel (use code 754) with five (5) or fewer dogs is allowed as an accessory use to a single-family residence by special use permit in all zoning districts. The minimum lot size is three (3) acres.

F. *Drive-through window.* One or more drive-through window as an accessory use to a bank or financial institution (use code 704), dry cleaner (use codes 764 and 765), pharmacy (use code 812), or eating place with

no service of alcoholic beverages (use code 866) is allowed by special use permit only in zoning districts where the principal use is a permitted use and not a conditionally permitted (special permit) use, and only on a lot that complies with the minimum requirements for lot area, lot width, and lot frontage for the zoning district. An advisory development plan review by the planning board is required for every application for a special use permit for a drive-through window.

G. Farm stand. A farm stand is a retail outlet accessory to a principal horticultural use located on the same lot as the horticultural use or on an adjacent lot at which products not produced on the premises may be sold. Buildings, outside sales areas, and driveways and parking areas shall not occupy a total of more than ten thousand (10,000) square feet.
(Ord. dated 7-19-16)

H. Family cemetery. A cemetery with a maximum area of 10,000 square feet is allowed by special use permit as an accessory use to a single-family or two-family dwelling. An easement must be provided for access to the cemetery from the nearest street.

I. Family day care. Family day care is supervision of no more than eight persons, no more than two of whom are residents of the home. It is permitted in all zoning districts as an accessory to a residential use.

J. Helipad. A helicopter landing pad is allowed as an accessory use to a hospital.

K. Horticulture. Horticulture (use code 212) is permitted as an accessory to a residential use in all zoning districts.

L. Small wind energy system. Prohibited.

M. Individual solar energy system. Solar panels or other solar energy conversion hardware used to convert sunlight into thermal or electric energy is permitted as an accessory to any single residential, commercial, institutional, or industrial use or building to provide energy to that use or building. An off-grid system or an interconnected solar energy system that produces 125% or less of the average annual electric energy utilized by the primary use is accessory to that use.

N. Solar energy system on a commercial farm. A system of solar panels or other solar energy conversion hardware used to convert sunlight into thermal or electric energy is permitted as an accessory to an agricultural operation that occupies ten (10) or more contiguous acres, is owned or operated by an individual or business entity with a state farm tax number, and has earned \$2,500 in gross income on agricultural products in each of the preceding two years, provided that all of the following requirements are met:

1. All of the energy produced by the system is sold to a public utility.
2. The system, including fencing or vegetative screening, occupies no more than 50,000 square feet.
3. No prime agricultural soil is removed for construction of the system;

4. The system receives development plan approval. As a condition of development plan approval, the planning board may require the system to be partially or totally concealed from view by a deer-resistant vegetative buffer or a solid fence at least as high as the top of the solar panels.
(Ord. dated 7-19-16; Ord. dated 10-15-19)

O. Private community center or clubhouse. A private community center or clubhouse is a facility owned by residents of a land development project at which access is limited to residents and guests. It may include indoor or outdoor recreational facilities. It is permitted as an accessory use to a residential subdivision or a land development project with residential dwelling units.

P. Privately-owned sewage treatment facility. A privately-owned sewage treatment facility is permitted as an accessory to a permitted use or a special permit use.

Q. Home produce stand. A home produce stand is a stand no larger than three feet high, five feet wide, and eighteen inches deep from which garden produce, fruit, flowers, eggs, or honey grown or produced on the premises may be sold. A home produce stand is permitted as an accessory use to a single-family residence.
(Ord. dated 6-16-15)

R. See Chapter 18.47 for accessory uses permitted on certain farms.
(Ord. dated 7-19-16)

(Ord. dated 11-19-13; Ord. dated 6-16-15; Ord. dated 7-19-16)

REFERENCES

R.I. Gen. Laws § 45-24-33(a)(24).

These amendments shall take effect upon passage.

The Town Council of the Town of Richmond hereby ordains that Chapter 18.37 of the Zoning Ordinance, entitled Aquifer Protection Overlay District, as enacted on 19 December 1994 and amended on 16 November 2002 and 12 August 2014, be repealed in its entirety.

Chapter 18.37
AQUIFER PROTECTION OVERLAY DISTRICT

- 18.37.010 — Purpose and findings.
- 18.37.020 — Definitions.
- 18.37.030 — Aquifer protection overlay district.
- 18.37.040 — Lands to which regulations apply.
- 18.37.050 — Compliance.
- 18.37.060 — Regulations.

18.37.010 Purpose and findings.

A. ~~The purpose of the aquifer protection overlay district is to protect, preserve and maintain the quality of the groundwater that provides a substantial portion of the town's water supply through regulation of certain land uses and activities in the areas over the groundwater reservoirs and recharge areas. The requirements applicable to the overlay district are in addition to those of the underlying district. In the case of a conflict between the requirements of the underlying district and those of the overlay district, the requirements of the overlay district shall apply.~~
(Ord. dated 12-19-94 (part); Ord. dated 8-12-14)

B. ~~The aquifer protection overlay district is based on the groundwater classification system developed by the Rhode Island department of environmental management under the authority of Rhode Island Groundwater Protection Act of 1985.~~
(Ord. dated 8-12-14)

C. ~~The United States environmental protection agency in accordance with section 1424(e) of the federal Safe Drinking Water Act of 1974 has designated the Pawcatuck basin as a sole source aquifer.~~
(Ord. dated 8-12-14)

18.37.020 Definitions.

~~**Aquifer** means a geologic formation, group of formations, or part of a formation capable of yielding a significant amount of groundwater to wells, springs, or surface water.~~

~~**GAA** is a classification used by the department of environmental management for a groundwater source that provides water suitable for public drinking without treatment.~~

Groundwater means underground water that completely fills the open spaces between particles of sand, gravel, clay, silt, and consolidated rock fractures. The zone of materials filled with groundwater is called the **zone of saturation**.

Groundwater quality classification is the system the department of environmental management uses to classify water as usable for particular purposes based on its physical, chemical, and hydrological characteristics.

Groundwater recharge means the processes by which water is added to the zone of saturation.

Recharge area means the land surface from which water is added to the zone of saturation.

A **sole source aquifer** is an aquifer designated by the environmental protection agency as the only source of more than fifty percent of the drinking water for the area above the aquifer.

Water table means the surface of groundwater in the saturated zone of an aquifer. The level of a water table fluctuates with varying rates of recharge and withdrawal.
(Ord. dated 8-12-14)

18.37.030 Aquifer protection overlay district. The boundaries of the aquifer protection overlay district coincide with the boundaries of the GAA groundwater quality classification, including the groundwater reservoir and associated recharge areas, delineated on a map prepared by the department of environmental management, office of water resources, groundwater quality rules, and adopted in June 2010. The boundaries shown on that map are identical to the overlay district boundaries on the official zoning map.
(Ord. dated 12-19-94 (part); Ord. dated 8-12-14)

18.37.040 Lands to which regulations apply. The provisions of this Chapter shall apply to all land within aquifer protection districts.
(Ord. dated 12-19-94 (part); Ord. dated 8-12-14)

18.37.050 Compliance. Within the boundaries of aquifer protection districts, no structure shall be erected and no land shall be used except in compliance with the provisions of this chapter. Aquifer protection districts shall be superimposed as an overlay on existing zoning districts. The building inspector shall determine when the overlay map of aquifer protection districts and its requirements regulate the granting of a building permit within said district(s). The location of the principal structure or use shall determine the application of overlay requirements.
(Ord. dated 12-19-94(part); Ord. dated 8-12-14)

18.37.060 Regulations. The special requirements of this Chapter shall be in addition to all the other applicable provisions of the town zoning ordinance within aquifer protection districts.

~~A. Subsurface Disposal of Domestic Sewage. Sanitary wastewater discharge into on-site septic systems (ISDS) shall not average more than three hundred fifty gallons per acre per day.~~

~~B. Industrial, Commercial and Flex Tech Uses. Industrial, commercial and Flex Tech uses shall be subject to development plan review by the planning board and any restrictions or requirements imposed by the planning board upon approval of the site plan shall be prepared in accordance with the provisions of section 18.54.100.~~

~~1. In addition to the site plan requirements of section 18.54.100, the site plan shall be accompanied by a report which includes the following information:~~

- ~~a. Amount and composition of industrial or commercial wastes including fly ash, and proposed methods of disposal of such wastes outside of the aquifer protection district;~~
- ~~b. Amount and composition of any hazardous materials, including, but not limited to, hazardous materials identified by section 3001 of the Resource Conservation and Recovery Act, that are handled, transported, stored or discharged to the ground or air at the site.~~

~~C. Prohibited Uses.~~

- ~~1. Road salt storage and loading;~~
- ~~2. Solid waste disposal;~~
- ~~3. Septage disposal;~~
- ~~4. All commercial or industrial uses which involve the use or storage of hazardous materials.~~

~~(Ord. dated 12-19-94 (part); Ord. dated 11-16-02 (part); Ord. dated 8-12-14)~~

REFERENCES

~~Title 46, chapter 13.1 of the general laws; §§ 45-24-30(3)(i), (4); 45-24-33(a)(7), (20).~~

Repeal of this Chapter shall take effect upon enactment of Chapter 18.21 and corresponding amendments to Ch. 18.12, Ch. 18.16, and Ch. 18.26.