

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” Section 602 is amended as indicated (language to be deleted is ~~struck~~ within brackets; language to be added is underlined)

<i>ZONING DISTRICT PERMITTED USES</i>																	
<i>Y = Permitted    S = Special Use    N = Not Permitted</i>																	
<i>PRINCIPAL USE</i>	<i>ZONING DISTRICT</i>																
	<i>R60</i>	<i>R40</i>	<i>R30</i>	<i>R20</i>	<i>R10</i>	<i>RM</i>	<i>GB</i>	<i>LB</i>	<i>OB</i>	<i>LI<sup>1</sup></i>	<i>LI<sup>2</sup></i>	<i>OP</i>	<i>OS</i>	<i>P</i>	<i>MT</i>	<i>A B D</i>	
Multifamily dwelling structure (3 - 6 dwelling units per lot) See §§ 1500 - 1508	N	N	N	<del>Y</del>	<del>Y</del>	S	N	S	N	N	N	N	N	N	N	N	N
Multifamily dwelling project, including condominiums See §§ 1500 - 1508	N	N	N	<del>Y</del>	<del>Y</del>	S	N	N	N	N	N	N	N	N	N	N	N

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



**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: Paul A. Croce, Chair  
Planning Board

Date: April 30, 2025

Re: Proposed amendments to the Use Table in the Middletown Zoning Ordinance, Section 602 – *Schedule of District Regulations – Uses and Districts* – Multi-family dwelling structure & Multi-family dwelling project.

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During its meeting on April 9, 2025 the Planning Board voted to forward to the Town Council with a positive recommendation proposed amendments to the Middletown Zoning Ordinance, Town Code Chapter 152, Section 602, *Schedule of District Regulations – Uses and Districts* regarding Multi-family dwelling structure & Multi-family dwelling project. As part of a larger set of recommended amendments, the board had previously recommended that an amendment be adopted to allow these multi-family uses in the R-10 & R-20 zoning districts by special use permit, where they are currently prohibited. During the public hearing process the Town Council requested that the Planning Board reconsider these particular amendments. Concern was raised about allowing multi-family uses in R-10 and R-20 districts.

Following discussion during the April 9<sup>th</sup> meeting, the Planning Board voted unanimously to forward the proposed amendments indicated in the table below to the Town Council for consideration. In making this recommendation the Board noted that there has been legislation proposed in the General Assembly that would prohibit towns from allowing only single-family dwellings where public sewer and water are available. This is just one bill of many adopted or considered over the past few years intended to streamline review procedures and increase opportunities for housing development. By the Town taking this action to amend its regulations, it would be taking a proactive step to increase housing stock at a time when the availability of housing is a primary concern across the state and locally.

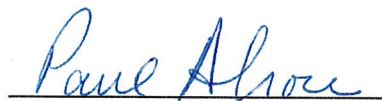
If the amendments are adopted, applications for multi-family development in the R-10 and R-20 districts would require a special use permit, which would provide for oversight on a case-by-case basis. There are also limitations on the number of units that could be developed on a parcel due to density limitations which require at least 6,000 sq.ft. of land per one-bedroom unit.

ZONING DISTRICT PERMITTED USES																	
PRINCIPAL USE	Y = Permitted      S = Special Use      N = Not Permitted																
	ZONING DISTRICT																
	R60	R40	R30	R20	R10	RM	GB	LB	OB	L1'	L1 <sup>2</sup>	OP	OS	P	MT	A B D	
Multifamily dwelling structure (3 - 6 dwelling units per lot) See §§ 1500 - 1508	N	N	N	NS	NS	S	N	S	N	N	N	N	N	N	N	N	N
Multifamily dwelling project, including condominiums See §§ 1500 - 1508	N	N	N	NS	NS	S	N	N	N	N	N	N	N	N	N	N	N

The Planning Board respectfully recommends that the Town Council proceed with the process to adopt the amendments. In support of its recommendation the Board made the following findings in accordance with the requirements of Section 45-24-52 of the Rhode Island General Laws:

- (1) The proposed amendment is generally consistent with the Middletown Comprehensive Community Plan, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and
- (2) This recommendation is made in recognition and consideration of each of the applicable purposes of zoning, as presented in § 45-24-30 RIGL

Please feel free to contact me with any questions or concerns regarding the proposed amendments.



Paul A. Croce, Chairman  
Planning Board

cc. Town Solicitor

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” Section 603 is amended as indicated (language to be added is underlined)

**§ 603 DISTRICT DIMENSIONAL REGULATIONS.**

The following schedule sets forth the minimum and/or maximum dimensional regulations for uses permitted in the various zoning districts.

ZONING DISTRICT DIMENSIONAL REGULATIONS										
Zoning District and Use	Minimum Lot Size		Maximum Percentage of Lot to be Occupied	Maximum Height of Building		Minimum Yard Dimension			Accessory Buildings Minimum Distance in Feet to	
	Area (S.F.)	Width/ Frontage (Ft.)	Principal and Accessory Buildings	Principal (Ft.)	Accessory (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)	Side Lot Lines	Rear Lot Lines
<b>R60 Residence District</b>										
Single-family dwelling	60,000	200	15%	35	25	40	30	60	30	15
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	60,000	200	15%	35	25	40	30	60	30	15
<b>R40 Residence District</b>										
Single-family dwelling	40,000	150	15%	35	25	40	30	60	30	15
<u>Two-family dwelling</u>	<u>40,000</u>	<u>150</u>	<u>20%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>60</u>	<u>30</u>	<u>15</u>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	40	40	60
Other permitted uses	40,000	150	15%	35	25	40	30	60	30	15
<b>R30 Residence District</b>										
Single-family dwelling	30,000	130	20%	35	20	40	20	50	20	15
<u>Two-family dwelling</u>	<u>40,000</u>	<u>150</u>	<u>20%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>50</u>	<u>30</u>	<u>15</u>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60

Other permitted uses	30,000	130	20%	35	20	40	20	50	20	15
<b>R20 Residence District</b>										
Single-family dwelling	20,000	120	20%	35	20	40	20	50	20	15
Two-family dwelling	40,000	150	20%	35	20	40	30	50	30	15
<b>Multifamily dwelling structure</b>	<b>40,000</b>	<b>150</b>	<b>30%</b>	<b>35</b>	<b>20</b>	<b>40</b>	<b>30</b>	<b>50</b>	<b>30</b>	<b>15</b>
<b>Multifamily dwelling project</b>	<b>5 acres</b>	<b>200</b>	<b>35%</b>	<b>35</b>	<b>25</b>	<b>100</b>	<b>60</b>	<b>60</b>	<b>40</b>	<b>40</b>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	20,000	120	20%	35	35	40	20	50	20	15
<b>R10 Residence District</b>										
Single-family dwelling	10,000	100	25%	35	15	25	15	30	15	10
Two-family dwelling	15,000	120	25%	35	15	25	20	30	20	10
<b>Multifamily dwelling structure</b>	<b>40,000</b>	<b>150</b>	<b>30%</b>	<b>35</b>	<b>20</b>	<b>40</b>	<b>25</b>	<b>40</b>	<b>25</b>	<b>10</b>
<b>Multifamily dwelling project</b>	<b>5 acres</b>	<b>200</b>	<b>35%</b>	<b>35</b>	<b>25</b>	<b>100</b>	<b>60</b>	<b>60</b>	<b>40</b>	<b>40</b>

SECOND: That Town Code Title XV, Chapter 152, Entitled “Zoning Code” Section 1504 is amended as indicated (language to be removed is ~~[struck in brackets]~~).

**§ 1504 ALLOWABLE DENSITY.**

(A) In addition to the dimensional regulations provided in § 603, the following provisions will govern the maximum density of residential land use which may be developed in any conventional multifamily dwelling structure or project. Density of townhouses in conservation developments shall be governed by the yield formula in accordance with provisions of Article 19 of this chapter and Article 3 of the Middletown Regulations Regarding the Subdivision and Development of Land.

<i>Minimum Developable Land Area per Dwelling Unit</i>			
<del>[Zoning District]</del>	<i>Studios and 1 Bedroom</i>	<i>2 Bedrooms</i>	<i>3 or More Bedrooms</i>
<del>[RM, LB]</del>	6,000	8,000	10,000

(B) For the purposes of this chapter, a **BEDROOM** shall be defined as a room or portion of a room of at least 70 square feet floor area within a dwelling unit allocated to sleeping, dressing and personal care.

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



**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: Paul A. Croce, Chair  
Planning Board

Date: May 21, 2025

Re: Review and recommendation to the Town Council on proposed amendments to Town Code Chapter 152, zoning ordinance Section 603 regarding dimensional requirements for two-family dwelling, multi-family dwelling structure, and multi-family dwelling project, and Section 1504 regarding allowable density for multifamily dwelling structure and multifamily dwelling project.

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During its meeting on May 14, 2025 the Planning Board voted to forward to the Town Council with a positive recommendation proposed amendments to the Middletown Zoning Ordinance, Town Code Chapter 152, Section 603, *District dimensional regulations* regarding dimensional requirements for two-family and multifamily development, and an associated amendment to section 1504 regarding density requirements for multifamily development.

During its March 17<sup>th</sup> meeting the Town Council adopted amendments to the zoning ordinance use table, including a change that allows two-family dwellings in the R-30 and R-40 zoning districts by special use permit. With this change the Town must now also adopt dimensional standards for two-family structures in the R-30 & R-40 districts. Since this was not previously a permitted use in these districts, there are currently no specified dimensional standards.

At that time the Town Council also requested further review of the Planning Board proposed amendments that would allow multi-family dwelling structures and projects in the R-10 and R-20 zoning districts by special use permit where they are currently prohibited. During the Planning Board's April 9<sup>th</sup> meeting, the board decided to again recommend to the Town Council that these amendments be adopted (see separate memo). Since these multifamily uses are not currently permitted in the R-10 & R-20 zoning districts where the Board has recommended they be allowed, there are currently no dimensional requirements in the zoning ordinance for these situations.

Please see the attached amendments proposed to add dimensional requirements for two-family dwellings in the R-30 and R-40 districts, and for multifamily structures and projects in the R-10 and R-20 districts. The suggested setbacks and other requirements are provided for the Town Council's consideration. Note that the dimensional requirements for multifamily in the R-10 & R-20 districts should only be adopted if the Town Council also adopts amendments to the use table to allow such development.

It is also recommended that the Town Council consider amendments to Article 15 – Multi-family Development, Section 1504, to ensure that density limitations for multifamily development will

apply in all districts. Suggested amendments are identified in **red type**, with new language **underlined** and language to be removed **struck**.

**§ 1504 ALLOWABLE DENSITY.**

(A) In addition to the dimensional regulations provided in § 603, the following provisions will govern the maximum density of residential land use which may be developed in any conventional multifamily dwelling structure or project. Density of townhouses in conservation developments shall be governed by the yield formula in accordance with provisions of Article 19 of this chapter and Article 3 of the Middletown Regulations Regarding the Subdivision and Development of Land.

<i>Minimum Developable Land Area per Dwelling Unit</i>			
<i><del>Zoning District</del></i>	<i>Studios and 1 Bedroom</i>	<i>2 Bedrooms</i>	<i>3 or More Bedrooms</i>
<del>RM, LB</del>	6,000	8,000	10,000

(B) For the purposes of this chapter, a **BEDROOM** shall be defined as a room or portion of a room of at least 70 square feet floor area within a dwelling unit allocated to sleeping, dressing and personal care.

Please note that in making a recommendation to the Town Council on the zoning ordinance amendments, the Planning Board made the following findings in accordance with the requirements of Section 45-24-52 of the Rhode Island General Laws:

- (1) The proposed amendment is generally consistent with the Middletown Comprehensive Community Plan, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and
- (2) This recommendation is made in recognition and consideration of each of the applicable purposes of zoning, as presented in § 45-24-30 RIGL.

Please feel free to contact me with any questions or concerns regarding the proposed amendments.



Paul A. Croce, Chairman  
Planning Board

cc. Town Solicitor

**§ 603 DISTRICT DIMENSIONAL REGULATIONS.**

The following schedule sets forth the minimum and/or maximum dimensional regulations for uses permitted in the various zoning districts.

ZONING DISTRICT DIMENSIONAL REGULATIONS										
Zoning District and Use	Minimum Lot Size		Maximum Percentage of Lot to be Occupied	Maximum Height of Building		Minimum Yard Dimension			Accessory Buildings Minimum Distance in Feet to	
	Area (S.F.)	Width/ Frontage (Ft.)	Principal and Accessory Buildings	Principal (Ft.)	Accessory (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)	Side Lot Lines	Rear Lot Lines
<b>R60 Residence District</b>										
Single-family dwelling	60,000	200	15%	35	25	40	30	60	30	15
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	60,000	200	15%	35	25	40	30	60	30	15
<b>R40 Residence District</b>										
Single-family dwelling	40,000	150	15%	35	25	40	30	60	30	15
<u>Two-family dwelling</u>	<u>40,000</u>	<u>150</u>	<u>20%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>60</u>	<u>30</u>	<u>15</u>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	40	40	60
Other permitted uses	40,000	150	15%	35	25	40	30	60	30	15
<b>R30 Residence District</b>										
Single-family dwelling	30,000	130	20%	35	20	40	20	50	20	15
<u>Two-family dwelling</u>	<u>40,000</u>	<u>150</u>	<u>20%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>50</u>	<u>30</u>	<u>15</u>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	30,000	130	20%	35	20	40	20	50	20	15
<b>R20 Residence District</b>										
Single-family dwelling	20,000	120	20%	35	20	40	20	50	20	15
Two-family dwelling	40,000	150	20%	35	20	40	30	50	30	15
<u>Multifamily dwelling structure</u>	<u>40,000</u>	<u>150</u>	<u>30%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>50</u>	<u>30</u>	<u>15</u>
<u>Multifamily dwelling project</u>	<u>5 acres</u>	<u>200</u>	<u>35%</u>	<u>35</u>	<u>25</u>	<u>100</u>	<u>60</u>	<u>60</u>	<u>40</u>	<u>40</u>
Livestock farm or animal husbandry services	100,000	250	10%	35	25	50	30	60	30	15
Private college or university, preparatory school, elementary or secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	20,000	120	20%	35	35	40	20	50	20	15
<b>R10 Residence District</b>										
Single-family dwelling	10,000	100	25%	35	15	25	15	30	15	10
Two-family dwelling	15,000	120	25%	35	15	25	20	30	20	10
<u>Multifamily dwelling structure</u>	<u>40,000</u>	<u>150</u>	<u>30%</u>	<u>35</u>	<u>20</u>	<u>40</u>	<u>25</u>	<u>40</u>	<u>25</u>	<u>10</u>
<u>Multifamily dwelling project</u>	<u>5 acres</u>	<u>200</u>	<u>35%</u>	<u>35</u>	<u>25</u>	<u>100</u>	<u>60</u>	<u>60</u>	<u>40</u>	<u>40</u>

Private college or university, preparatory school, elementary of secondary school	5 acres	300	20%	40	40	60	40	60	40	60
Other permitted uses	10,000	100	25%	35	35	25	10	30	10	5
<b>RM Residential District</b>										
Single-family dwelling	10,000	100	25%	35	15	25	15	30	15	10
Two-family dwelling	15,000	120	25%	35	15	25	20	30	20	10
Multifamily dwelling structure	40,000	150	30%	35	20	40	25	40	25	10
Multifamily dwelling project	5 acres	200	35%	35	25	100	60	60	40	40
<b>GB Business District</b>										
Private college or university, preparatory school, elementary of secondary school	5 acres	300	20%	40	40	20	40	60	40	60
Large-scale shopping center	80,000	200	25%	40	20	10	50	50	20	15
Small-scale shopping center	20,000	120	25%	40	20	10	20	50	25	5
Other permitted uses	12,000	100	25%	40	20	10	10	20	20	5
<b>LB Business District</b>										
Single-family dwelling	10,000	100	25%	35	15	25	15	30	20	10
Two-family dwelling	15,000	120	25%	35	15	25	20	30	20	10
Multifamily dwelling structure	40,000	150	30%	35	20	25	25	40	25	10
Miniature golf, driving range, pitch and putt, etc.	80,000	200	20%	35	20	10	30	50	25	5
Small-scale shopping center	20,000	120	25%	35	20	10	20	50	25	5
Other permitted uses <sup>1</sup>	20,000	120	25%	35	20	10	20	50	25	5
<b>OB Business District</b>										
Single-family dwelling	20,000	120	20%	35	15	25	20	50	20	10
Two-family dwelling	40,000	150	20%	35	25	25	30	50	30	10
Other permitted uses	40,000	150	35%	35	25	10	35	50	25	15
Multifamily dwelling structure	40,000	150	30%	35	20	25	25	40	25	10
Multifamily dwelling project	5 acres	200	35%	35	25	10	60	60	40	40
<b>LI Industrial District</b>										
Any permitted use	40,000	150	35%	40	20	10	35	40	25	10
<b>OP Office Park</b>										
Any permitted use	40,000	150	35%	40	20	10	35	40	25	10
<b>OS Open Space District</b>										
Any permitted use	100,000	250	10%	30	20	50	50	50	30	10
<b>P Public District</b>										
Any permitted use (See §§ 2600, 2601)										
<b>MT Mobile Home/Transient Trailer District</b>										
Mobile home park	10 acres	50	20%	35	15	See <sup>1</sup>				
Transient trailer park	10 acres	50	20%	35	15	See <sup>2</sup>				
<b>Atlantic Beach District (ABD)</b>										
Small-scale shopping center	20,000	120	25%	35	20	10	20	20	10	5
	20,000	120	25%	35	20	10	20	20	10	5

NOTE: Any accessory structure housing livestock requires a rear lot setback of 60 feet. This setback applies to building and

accessory structures only.

<sup>1</sup> See Article 23.

<sup>2</sup> See Article 24.

[Click here to view the above table in a PDF document.](#)

(Ord. passed 10-30-06; Am. Ord. 07-17, passed 12-3-07; Am. Ord. 08-05, passed 5-19-08; Am. Ord. 2011-12, passed 11-21-11; Am. Ord. 2018-10, passed 4-17-18; Am. Ord. 2018-16, passed 9-4-18)