



Town of South Kingstown Planning Board

Work Session Meeting Minutes
Tuesday, March 10, 2026 at 6:30 PM
South Kingstown Town Hall, **2nd Floor Conference Room**
180 High Street, Wakefield, RI 02879
www.southkingstownri.gov

Maria H. Mack, Chair
Susan Axelrod, Vice Chair
Elizabeth Karp, Secretary
Joseph Murphy
Robyn Pothier
Kaiper Wilson
Armand Monaco

A. Call to Order & Roll Call:

PRESENT: Planning Board A. Kaiper Wilson
Planning Board Elizabeth Karp
Planning Board Joseph Murphy
Planning Board Maria Mack
Planning Board Robyn Pothier
Planning Board Susan Axelrod
Planning Board Armando Monaco

Also present: James Rabbitt, Director of Planning; Brian Wagner, Deputy Director of Planning; Tracy Owens, Principal Planner; Mark Conboy, Town Engineer; and Andrew Teitz, Special Legal Counsel. The meeting was called to order at: 06:30 PM.

B. Recommendations to Town Council:

1. **ZONING TEXT AMENDMENT - Palisades Mill** Application (referral from Town Council) to amend the Town's Zoning Ordinance to permit restaurants (without alcohol sales) in the Town's Industrial -1 District(s) for property located at 1070 Kingstown Road, Peace Dale, AP49-4, Lot 141. Palisades Mill LLC, owner/applicant.

Mr. Rabbitt introduced the application and gave the history of the dynamics associated with zoning regulation changes made in 2023 as a result of Rhode Island legislative changes, primarily the Industrial One district.

Attorney for the applicant, Michael Monti, of Sayer Regan & Thayer and the applicant, Eric Thunberg, of Palisades Mill, LLC, both appeared to present the application. Discussion ensued regarding the application, the language of the proposed text amendment, and the current uses of the property.

Discussion ensued regarding: noise; 50' setback; entertainment license; outside service areas; screening; parking plan; lighting plan; proposed restaurant use; historic mill; UDR/special use conditions a board may impose; and the draft motion provided by staff.

The following motion, made by Mr. Murphy, was duly seconded by Ms. Wilson and passed by unanimous vote.

Motion: The South Kingstown Planning Board moves to refer the amendments to the town council and recommend approval of the proposed amendments associated with allowing restaurants without alcohol in the Town's Industrial Zoning districts as submitted by the applicant, Palisades Mill, LLC, 1174 Kingstown Road, Wakefield, Rhode Island. The approval is based on the following findings of fact and findings of consistency with the Town's Comprehensive Community Plan contained within the Staff's February 24, 2026, project review memo. Findings of Facts 1 through 5, 1 through 4 are as written and 5 are as discussed by the board and reviewed and stated by administrative officers.

C. Land Use:

1. Old Tower Hill Road (Form Based Code)

Mr. Rabbitt discussed the fact that due to the Blizzard of 2026, the meeting with the Town Council to discuss the "Form-Based Code" scheduled for February 26th was canceled. The new meeting date is April 9, 2026, from 7:00 p.m. to 9:00 p.m. Mr. Rabbitt put renderings on the screen for the Board to review and discussion ensued.

D. Planning Board Liaison Activities: Updates from Planning Board members acting as liaison to various Board, Committees, projects, and activities.

Ms. Mack reported that the Planning Board Landscape Sub-Committee meeting needs to be rescheduled.

Mr. Wagner reminded the group that a duty member was needed for both the March 12, 2026, and the April 8, 2026, TRC meetings Ms. Axelrod volunteered to attend TRC on March 12th; and Ms. Karp volunteered to attend TRC on April 8th.

E. Updates from Planning Department Staff - General updates from Planning Director regarding Planning Department staffing and activities including Budget Process and Capital Improvement Programs.

Mr. Rabbitt reported that the Town Council members did not have any questions on the submitted 2026-2027 Planning Department budget.

F. Update on Legal Issues - Update from Special Legal Counsel for Planning and Zoning relative to any new or ongoing legal issues.

Mr. Teitz stated there were no updates on legal issues.

G. Adjournment:

Upon Motion made by Ms. Wilson, duly seconded by Ms. Pothier, the meeting was adjourned at 8:23 p.m., by unanimous vote.

Article 3, Section 301 of Appendix A of the Code of Ordinances of the Town of South Kingstown, Rhode Island (“Schedule of Use Regulations Table”), to be amended as follows (**red denotes additions**, ~~strike through denotes subtractions~~):

Sec. 301. Schedule of Use Regulations Table.

USE CODE	USE	R200	R80	R40	R30	R20	R10	RM	MU	CN	CN-M	CD	CH	CW	COD-R MOD-R	NOTES
	0.0 AGRICULTURAL															
01	Crop Farm	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
02	Livestock Farm	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
03	Pig Farm	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
04	Fish Hatchery	Y	Y	N	N	N	N	N	N	N	N	N	N	Y	N	
05	Boarding Animals	S	S	S	S	N	N	N	N	N	N	N	N	N	N	See section 504.10
05.1	Pet Day Care Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.10
	1.0 RESIDENTIAL															
10	Single-Household Detached Structure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
11	Two-Household Detached Structure	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
12	Multi-Household Detached Structure, up to 12 Units, LDP	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.1	Multi-Household Land Development Project	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.4	Residential Compound	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	
12.5	Flexible Design Residential Projects	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	
12.6	Mixed-Use Detached Structure, up to 12 units, Land Development Project (LDP)	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	
12.7	Mixed-Use Detached Structure (elderly residential occupancy only), LDP	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	
13	Loft, Commercial Artist	N	N	N	N	N	N	N	N	Y	Y	Y	N	Y	N	
14	Sorority or Fraternity House	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

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15	Community Residence	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
15.1	Halfway House	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
15.2	Transient Residential Facility	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	
16	Single Mobile or Manufactured Home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
16.1	Mobile or Manufactured Home Park Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
16.2	Senior Residential Community LDP, Elderly Only	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	See section 501.7
2.0 INSTITUTIONAL AND GOVERNMENTAL SERVICES																
20	Educational Institution, Primary through Secondary	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	Special use criteria under development
20.1	Special Needs School	N	S	S	S	S	S	S	S	S	S	Y	Y	N	N	See section 504.11
21	Higher Educational Institution, Privately Owned and Operated	N	N	N	N	N	N	N	N	N	N	N	S	N	N	Special use criteria under development
21.1	Higher Educational Institution, State Owned and Operated	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
22	Special Schools	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
23	Religious Services	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	Special use criteria under development
23.1	Religious Housing	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	See section 501.10
24	Health Care Institution Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 603.2
24.1	Drug or Alcohol Rehabilitation Facility	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	Special use criteria under development
24.2	Medical or Dental Office	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
24.3	Veterinary Office	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	No boarding of healthy animals. See section 504.10
24.3.1	Veterinary Hospital	N	N	N	N	N	N	N	N	Y	Y	N	N	N	N	See section 504.10
24.4	Residential Care and Assisted Living Land Development Project	S	S	S	S	S	S	N	N	N	N	N	N	N	N	Special use criteria under development
25	Government Garage or Utility	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
25.1	Correctional Institution	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
25.2	Public Safety Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

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25.3	Government Use, Not Herein Specified	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
25.4	Government Waste Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
26	Day Care Home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
26.1	Day Care Center, up to 12 people	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	Special use criteria under development
26.2	Day Care Center, more than 12 people	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	Special use criteria under development
27	Service organization	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
28	Cemetery	Y	Y	N	N	N	N	N	N	N	N	N	N	N	N	
28.1	Crematorium	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
3.0 CULTURAL, ENTERTAINMENT AND RECREATION SERVICES																
31	Nonprofit Museum or Library	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	
32	Spectator Assembly	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
32.1	Race Track	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
32.2	Casino	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
32.3	Legitimate Theater without alcohol	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
32.4	Legitimate Theater with alcohol	N	N	N	N	N	N	N	N	S	S	S	S	N	N	See section 504.18
33	Outdoor Recreation Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
33.1	Outdoor Shooting Range	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
33.1.1	Bow and Arrow Range/Clay Shooting	S	S	S	N	N	N	N	N	N	N	N	N	N	N	See section 501.12
33.1.2	Indoor Shooting Range	S	S	N	N	N	N	N	N	N	N	N	N	N	N	See section 501.11
33.1.3	Field Trials	Y	Y	N	N	N	N	N	N	N	N	N	N	N	N	See section 501.12
33.2	Country Club	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
33.3	Tennis Courts	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	
33.4	Marina/Yacht Club	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
33.5	Transient Amusement	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
33.6	Outdoor Entertainment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
33.11	Golf Course, without alcohol	N	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	
33.12	Golf Course, with alcohol	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
34	Indoor Sports Facility	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	

35	Nonprofit Community Park or Playground	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
35.1	Nonprofit Community Center	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
35.2	Nonprofit Fraternal Organization	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	
36	Wildlife Refuge	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
	4.0 GENERAL SERVICES															
40	Bed and Breakfast, up to 12 rooms	S	S	S	S	S	S	Y	Y	Y	Y	Y	N	S	N	See section 504.9
40.1	Hotel, up to 20 rooms	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	See section 501.9
40.2	Motel or Hotel, over 20 rooms	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	See section 501.9
40.3	Transient Trailer Park Land Development Project	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	See section 501.8
41	Office, Personal and Limited Business Service, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
41.1	Mortuary or Funeral Home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
42	Office, Personal and Limited Business Service, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
43	Office, Personal and Limited Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
44	General Business Service, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
44.1	General Business Service, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
44.2	General Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
45	Automotive or Gasoline Service Station	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
46	Construction Service	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	Indoor only.
46.1	Artisan Workshop	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
47	Heavy Construction Service	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
	5.0 TRADE															

51	Wholesale Trade, within enclosed structure	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
51.1	General Warehouse	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
51.2	Self Storage Facility	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
51.3	Wholesale Trade of Seafood Products (including land based aquaculture support services) - Up to 5,000 s.f. GLFA	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
52	Wholesale Trade, with outdoor storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
52.1	Boat Storage	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
53	Wholesale or Retail Trade of Petroleum Products, up to 100,000 gal.	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
53.1	Wholesale or Retail Trade of Petroleum Products, more than 100,000 gal.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
53.2	Wholesale or Retail Trade of Liquified Gas	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
54	Retail Trade of Building Materials, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	N	N	Y	Y	N	N	
54.1	Retail Trade of Building Materials, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
54.2	Retail Trade of Building Materials, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
55	Retail Trade, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
55.1	Retail Trade, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
55.2	Retail Trade, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
55.3	Liquor Store	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
55.4	Retail Trade of Automotive Products	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	

55.5	Retail Trade of Marine Products	N	N	N	N	N	N	N	N	N	N	N	Y	Y	N	
55.6	Retail Trade, Automotive and Marine, Indoor Only	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
55.7	Retail Trade of Seafood Products - Up to 5,000 s.f. GLFA	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
56	Restaurant, without alcohol	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
56.1	Restaurant, with alcohol	N	N	N	N	N	N	N	S	S	S	S	S	S	N	See section 504.18
56.2	Brewpub	N	N	N	N	N	N	N	N	N	S	N	N	N	N	
56.3	Accessory Entertainment to Restaurant or Bar	N	N	N	N	N	N	N	S	N	N	S	S	N	N	See section 504.19
56.4	Mobile Food Establishment	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	See section 511
56.5	Mobile Food Court	N	N	N	N	N	N	N	S	S	S	S	S	S	N	See section 511
56.6	Brewery	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
57	Adult Entertainment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
57.1	Adult Entertainment, with alcohol	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
58	Accessory Drive-up Window	N	N	N	N	N	N	N	N	N	N	N*	N	N	N	* S in CD for financial institutions only. Special use criteria under development
58.1	Accessory Walk-up Window	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
	6.0 TRANSPORTATION, COMMUNICATION, AND UTILITIES															
61	Transportation Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
61.1	Motor Vehicle Rental Service	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
61.2	Marine Passenger Terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
61.3	Truck or Trailer Rental Service	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
62	Freight Terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
62.1	Marine Freight Terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
63	Aircraft Transportation and Maintenance	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
64	Parking Garage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
64.1	Parking Lot	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
65	Utilities Infrastructure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
65.1	Satellite Dish Antenna, over 1 meter diameter	N	N	N	N	N	N	N	Y	N	N	Y	Y	N	N	

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65.2	Private Cellular Communications Antenna Array on Existing Residential Structure	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 508
65.3	Private Cellular Communications Antenna Array on Existing Nonresidential Structure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	See section 508
65.4	Public Cellular Communications Antenna Array on Existing Structure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	See section 508
65.5	Private Cellular Communications Tower	N	N	N	N	N	N	N	N	N	N	N	S	N	N	See section 508
65.6	Public Cellular Communications Tower	N	N	N	N	N	N	N	N	N	N	N	S	N	N	See section 508
65.7	Other Communications Tower, including Broadcast TV or Radio	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
65.8	Broadcasting Studio	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
66	Power Plant, wind, gas, low sulfur, oil	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.1	Power Plant, other	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.2	Incinerator	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.3	Private Waste Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.4	Major Solar Energy System Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 510
66.5	Minor Solar Energy System	S	S	S	N	N	N	N	N	N	N	N	N	N	N	See section 510
66.7	Accessory Solar Energy System	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	See section 503.9
66.8	Contaminated Site Solar Energy System	S	S	S	S	S	S	S	S	S	S	S	S	S	N	See section 510
67	Landfill	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
67.1	Waste Tire Storage Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
68	Off-Premises Sign	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
	7.0 INDUSTRIAL															
71	Food Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
72	Textile Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

73	Wood Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
73.1	Paper Products Manufacturing and Printing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
74	Chemical Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
74.1	Agricultural Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
74.2	Rubber and Plastic Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
75	Petroleum Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
75.1	Paving and Building Materials Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
76	Stone, Clay and Glass Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
77	Mineral Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
77.1	Junk Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78	Primary Metal Industries	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.1	Fabricated Metal Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.2	Drop Forge Industries	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.3	Machinery Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.4	Transportation Equipment Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.5	Ship Building and Repair	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
79	Scientific Equipment Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
79.1	Jewelry Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
79.2	Arts and Crafts Manufacturing	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N	
	8.0 NOXIOUS INDUSTRIAL															
81	Nuclear Industries	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
82	Slaughter of Animals	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
82.1	Seafood Canning and Preserving	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

82.2	Leather and Fur Tanning	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
82.3	Glue Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
83	Tobacco Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
84	Pulp or Paper Mills	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
85	Acid Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
85.1	Toxic Gases or Chemicals Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
86	Petroleum Refining	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
86.1	Creosote Manufacturing or Treatment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
86.2	Tire Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
87	Explosives Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
88	Lime, Gypsum or Plaster of Paris Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
9.0 EXTRACTIVE INDUSTRIAL																
90	Earth Removal Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
91	Rock Quarrying Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
92	Extractive Materials Processing, Distribution, and Storage Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
10.0 MARIJUANA/CANNABIS-RELATED USES																
100	Cannabis and/or marijuana retail facility	N	N	N	N	N	N	N	N	N	N	N	S	N	S	See section 504.15
101	Cannabis and/or marijuana cultivation facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
102	Cannabis retailer/ Hybrid cannabis retailer	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
103	Cannabis and/or Marijuana Cultivator	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
104	Cannabis and/or Marijuana Product Manufacturer	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15

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105	Cannabis and/or Marijuana Testing Laboratory	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
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USE CODE	USE	IND-1	IND-2	IND-3	GI	GI-1	OS	COD-CMT MOD-CMT	COD-MT MOD-MT	NOTES
	0.0 AGRICULTURAL									
01	Crop Farm	Y	Y	Y	Y	N	Y	N	N	
02	Livestock Farm	Y	Y	Y	Y	N	Y	N	N	
03	Pig Farm	N	N	N	N	N	N	N	N	
04	Fish Hatchery	Y	Y	Y	Y	N	Y	N	N	
05	Boarding Animals	N	Y	Y	Y	N	Y	N	N	See section 504.10
05.1	Pet Day Care Facility	Y	N	N	N	N	N	N	N	See section 504.10
	1.0 RESIDENTIAL									
10	Single-Household Detached Structure	N	N	N	N	N	N	N	N	Farm residence permitted as accessory use in OS Zone.
11	Two-Household Detached Structure	N	N	N	N	N	N	N	N	Farm residence permitted as accessory use in OS Zone.
12	Multi-Household Detached Structure, up to 12 Units, LDP	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.1	Multi-Household Land Development Project	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations

12.2	Multi-Household Detached Structure, up to 12 Units, Elderly Only, LDP	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.3	Multi-Household Land Development Project, Elderly Only	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.4	Residential Compound	N	N	N	N	N	N	N	N	
12.5	Flexible Design Residential Projects	N	N	N	N	N	N	N	N	
13	Loft, Commercial Artist	Y	N	N	N	N	N	N	N	
14	Sorority or Fraternity House	N	N	N	Y	N	N	N	N	
15	Community Residence	N	N	N	Y	N	N	N	N	
15.1	Halfway House	N	N	N	N	N	N	N	N	
15.2	Transient Residential Facility	N	N	N	N	N	N	N	N	
16	Single Mobile or Manufactured Home	N	N	N	N	N	N	N	N	
16.1	Mobile or Manufactured Home Park Land Development Project	N	N	N	N	N	N	N	N	
16.2	Senior Residential Community LDP, Elderly Only	N	N	N	N	N	N	N	N	See section 501.7
2.0 INSTITUTIONAL AND GOVERNMENTAL SERVICES										

20	Educational Institution, Primary through Secondary	N	N	N	Y	N	N	N	N	
20.1	Special Needs Schools	N	N	N	Y	N	N	N	N	
21	Higher Educational Institution, Privately Owned and Operated	N	N	N	Y	N	N	N	N	Permitted as accessory use in IND-1 zone. See also section 101 Zoning Districts
21.1	Higher Educational Institution, State Owned and Operated	N	N	N	Y	N	N	N	N	Permitted as accessory use in IND-1 zone. See also section 101 Zoning Districts
22	Special Schools	Y	Y	Y	N	N	N	N	N	
23	Religious Services	Y	N	N	N	N	N	N	N	
23.1	Religious Housing	N	N	N	N	N	N	N	N	See section 501.10
24	Health Care Institution Land Development Project	N	N	N	Y	N	N	N	N	See section 603.2
24.1	Drug or Alcohol Rehabilitation Facility	Y	N	N	Y	N	N	N	N	
24.2	Medical or Dental Office	Y	N	N	Y	N	N	N	N	
24.3	Veterinary Office	S	N	N	N	N	N	N	N	See section 504.10
24.3.1	Veterinary Hospital	N	N	N	N	N	N	N	N	See section 504.10
24.4	Residential Care and Assisted Living Land Development Project	N	N	N	N	N	N	N	N	See Subdivision and Land Development Regulations for required standards
25	Government Garage or Utility	N	Y	Y	Y	N	N	N	N	
25.1	Correctional Institution	N	N	N	N	N	N	N	N	
25.2	Public Safety Facility	N	Y	Y	Y	Y	N	N	N	
25.3	Government Use, Not Herein Specified	Y	Y	Y	Y	N	Y	N	N	

25.4	Government Waste Facility	N	N	N	Y	N	N	N	N	
26	Day Care Home	N	N	N	N	N	N	N	N	
26.1	Day Care Center, up to 12 people	Y	N	N	Y	N	N	N	N	
26.2	Day Care Center, more than 12 people	Y	N	N	Y	N	N	N	N	
27	Service Organization	Y	N	N	Y	N	N	N	N	
28	Cemetery	N	N	N	Y	N	N	N	N	
28.1	Crematorium	N	N	N	N	N	N	N	N	
3.0 CULTURAL, ENTERTAINMENT AND RECREATION SERVICES										
31	Nonprofit Museum or Library	Y	Y	Y	Y	N	N	N	N	
32	Spectator Assembly	N	N	N	N	N	N	N	N	
32.1	Race Track	N	N	N	N	N	N	N	N	
32.2	Casino	N	N	N	N	N	N	N	N	
32.3	Legitimate Theater without alcohol	N	N	N	Y	N	N	N	N	
32.4	Legitimate Theater with alcohol	N	N	N	S	N	N	N	N	See section 504.18
33	Outdoor Recreation Facility	N	N	N	Y	N	Y	N	N	See section 501.11 Supplementary Use Regulations for additional mandatory regulatory standards
33.1	Outdoor Shooting Range	N	N	N	N	N	N	N	N	
33.1.1	Bow and Arrow Range/Clay Shooting	N	N	N	N	N	S	N	N	See Sec. 501.12
33.1.2	Indoor Shooting Range	S	S	S	N	N	N	N	N	See Sec. 501.11
33.1.3	Field Trials	N	N	N	N	N	S	N	N	See Sec. 501.12
33.2	Country Club	N	N	N	N	N	N	N	N	

33.3	Tennis Courts	N	N	N	Y	N	Y	N	N	
33.4	Marina/Yacht Club	N	N	N	Y	N	N	N	N	
33.5	Transient Amusement	N	Y	Y	Y	N	Y	N	N	
33.6	Outdoor Entertainment	N	N	N	N	N	N	N	N	
33.11	Golf Course, without alcohol	N	Y	Y	Y	N	N	N	N	
33.12	Golf Course, with alcohol	N	N	N	N	N	N	N	N	
34	Indoor Sports Facility	Y	Y	Y	Y	N	N	N	N	
35	Nonprofit Community Park or Playground	Y	Y	N	Y	N	Y	N	N	
35.1	Nonprofit Community Center	Y	Y	Y	Y	N	N	N	N	
35.2	Nonprofit Fraternal Organization	Y	N	N	Y	N	N	N	N	
36	Wildlife Refuge	Y	Y	Y	Y	N	Y	N	N	
37	Arts based, Industrial Facility Adaptive Reuse	Y/N*	N	N	N	N	N	N	N	*Not permitted in IND-1 zoned areas in West Kingston
4.0 GENERAL SERVICES										
40	Bed and Breakfast, up to 12 rooms	N	N	N	N	N	N	N	N	See section 504.9 - In OS zone, existing structure only
40.1	Hotel, up to 20 rooms	N	N	N	N	N	N	N	N	See section 501.9
40.2	Motel or Hotel, over 20 rooms	N	N	N	N	N	N	N	N	See section 501.9
40.3	Transient Trailer Park Land Development Project	N	N	N	N	N	N	N	N	See section 501.9
41	Office, Personal and Limited Business Service, up to 10,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	

41.1	Mortuary or Funeral Home	N	N	N	N	N	N	N	N	
42	Office, Personal and Limited Business Service, 10,001—50,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	
43	Office, Personal and Limited Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
44	General Business Service, up to 10,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	
44.1	General Business Service, 10,001—50,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	
44.2	General Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
45	Automotive or Gasoline Service Station	Y	Y	N	N	N	N	N	N	
46	Construction Service	Y	Y	Y	N	N	N	N	N	
46.1	Artisan Workshop	Y	N	N	N	N	N	N	N	
47	Heavy Construction Service	Y	Y	Y	N	N	N	N	N	
	5.0 TRADE									
51	Wholesale Trade, within enclosed structure	Y	Y	Y	N	N	N	N	N	
51.1	General Warehouse	Y	Y	Y	N	N	N	N	N	
51.2	Self Storage Facility	Y	Y	Y	N	N	N	N	N	

51.3	Wholesale Trade of Seafood Products (including land based aquaculture support services) - Up to 5,000 s.f. GLFA	Y	N	N	N	N	N	N	N	
52	Wholesale Trade, with outdoor storage	Y	Y	Y	N	N	N	N	N	
52.1	Boat Storage	Y	Y	Y	N	N	N	N	N	
53	Wholesale or Retail Trade of Petroleum Products, up to 100,000 gal.	Y	Y	Y	N	N	N	N	N	
53.1	Wholesale or Retail Trade of Petroleum Products, more than 100,000 gal.	N	Y	Y	N	N	N	N	N	
53.2	Wholesale or Retail Trade of Liquified Gas	Y	Y	Y	N	N	N	N	N	
54	Retail Trade of Building Materials, up to 10,001 s.f. GLFA/use	Y	Y	Y	N	N	N	N	N	
54.1	Retail Trade of Building Materials, 10,001—50,000 s.f. GLFA/use	Y	Y	Y	N	N	N	N	N	
54.2	Retail Trade of Building Materials, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
55	Retail Trade, up to 10,000 s.f.	N	N	N	N	N	N	N	N	
55.1	Retail Trade, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	

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55.2	Retail Trade, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
55.3	Liquor Store	N	N	N	N	N	N	N	N	
55.4	Retail Trade of Automotive Products	N	N	N	N	N	N	N	N	
55.5	Retail Trade of Marine Products	N	N	N	N	N	N	N	N	
55.6	Retail Trade, Automotive and Marine, Indoor Only	Y	N	N	N	N	N	N	N	
55.7	Retail Trade of Seafood Products - Up to 5,000 s.f. GLFA	N	N	N	N	N	N	N	N	
56	Restaurant, without alcohol	N S	N	N	N	N	N	N	N	See section 504.21
56.1	Restaurant, with alcohol	N	N	N	N	N	N	N	N	See section 504.19
56.2	Brewpub	S	N	N	N	N	N	N	N	
56.3	Accessory Entertainment to Restaurant or Bar	N	N	N	N	N	N	N	N	See section 504.19
56.4	Mobile Food Establishment	Y	Y	Y	Y	N	Y	N	N	See section 511
56.5	Mobile Food Court	S	S	S	S	N	S	N	N	See section 511
56.6	Brewery	Y	Y	Y	N	N	—	—	—	
57	Adult Entertainment	N	Y	N	N	N	N	N	N	
57.1	Adult Entertainment, with alcohol	N	N	N	N	N	N	N	N	
58	Accessory Drive-up Window	N	N	N	N	N	N	N	N	
58.1	Accessory Walk-up Window	Y	Y	Y	Y	N	Y	N	N	

6.0 TRANSPORTATION, COMMUNICATION, AND UTILITIES										
61	Transportation Center	Y	Y	N	Y	N	N	N	N	
61.1	Motor Vehicle Rental Service	Y	Y	N	N	N	N	N	N	
61.2	Marine Passenger Terminal	N	N	N	Y	N	N	N	N	
61.3	Truck or Trailer Rental Service	Y	Y	Y	N	N	N	N	N	
62	Freight Terminal	N	Y	Y	N	N	N	N	N	
62.1	Marine Freight Terminal	N	N	N	N	N	N	N	N	
63	Aircraft Transportation and Maintenance	N	N	N	N	N	N	N	N	
64	Parking Garage	N	N	N	Y	N	N	N	N	
64.1	Parking Lot	Y	Y	Y	Y	N	N	N	N	
65	Utilities Infrastructure	Y	Y	Y	Y	N	Y	N	N	
65.1	Satellite Dish Antenna, over 1 meter diameter	Y	Y	Y	Y	N	N	N	N	
65.2	Private Cellular Communications Antenna Array on Existing Residential Structure	N	N	N	Y	N	N	N	N	See section 508
65.3	Private Cellular Communications Antenna Array on Existing Nonresidential Structure	Y	Y	Y	Y	N	Y	N	N	See section 508
65.4	Public Cellular Communications Antenna Array on Existing Structure	Y	Y	Y	Y	N	Y	N	N	See section 508

65.5	Private Cellular Communications Tower	S	S	S	S	N	S	N	N	See section 508
65.6	Public Cellular Communications Tower	S	S	S	Y	N	S	N	N	See section 508
65.7	Other Communications Tower, including Broadcast TV or Radio	N	N	N	N	N	N	N	N	
65.8	Broadcasting Studio	Y	Y	Y	N	N	N	N	N	
66	Power Plant, wind, gas, low sulfur, oil, other	N	N	N	N	N	N	N	N	
66.1	Power Plant, other	N	N	N	N	N	N	N	N	
66.2	Incinerator	N	N	N	N	N	N	N	N	
66.3	Private Waste Facility	N	N	N	N	N	N	N	N	
66.4	Major Solar Energy System Land Development Project	S	S	S	Y	N	N	N	N	See section 510
66.5	Minor Solar Energy System	S	S	S	Y	N	N	N	N	See section 510
66.7	Accessory Solar Energy System	Y	Y	Y	Y	N	Y	N	N	See section 503.9
66.8	Contaminated Site Solar Energy System	S	S	S	Y	N	N	N	N	See section 510
67	Landfill	N	N	N	N	N	N	N	N	
67.1	Waste Tire Storage Facility	N	N	N	N	N	N	N	N	
68	Off-Premises Sign	N	N	N	N	N	N	N	N	
	7.0 INDUSTRIAL									
71	Food Products Manufacturing	Y	Y	Y	N	N	N	N	N	
72	Textile Products Manufacturing	Y	Y	Y	N	N	N	N	N	

73	Wood Products Manufacturing	Y	Y	Y	N	N	N	N	N	
73.1	Paper Products Manufacturing and Printing	Y	N	Y	N	N	N	N	N	
74	Chemical Products Manufacturing	Y	N	N	N	N	N	N	N	
74.1	Agricultural Products Manufacturing	N	N	N	N	N	N	N	N	
74.2	Rubber and Plastic Products Manufacturing	N	N	Y	N	N	N	N	N	
75	Petroleum Products Manufacturing	N	N	Y	N	N	N	N	N	
75.1	Paving and Building Materials Manufacturing	N	N	S	N	N	N	N	N	
76	Stone, Clay and Glass Products Manufacturing	N	N	S	N	N	N	N	N	
77	Mineral Products Manufacturing	N	N	N	N	N	N	N	N	
77.1	Junk Yard	N	N	N	N	N	N	N	N	
78	Primary Metal Industries	N	N	N	N	N	N	N	N	
78.1	Fabricated Metal Products Manufacturing	Y	Y	Y	N	N	N	N	N	
78.2	Drop Forge Industries	N	N	N	N	N	N	N	N	
78.3	Machinery Manufacturing	Y	Y	Y	N	N	N	N	N	
78.4	Transportation Equipment Manufacturing	Y	Y	Y	N	N	N	N	N	

78.5	Ship Building and Repairing	Y	Y	Y	N	N	N	N	N	
79	Scientific Equipment Manufacturing	Y	Y	Y	N	N	N	N	N	
79.1	Jewelry Manufacturing	Y	Y	Y	N	N	N	N	N	
79.2	Arts and Crafts Manufacturing	Y	Y	Y	N	N	N	N	N	
	8.0 NOXIOUS INDUSTRIAL									
81	Nuclear Industries	N	N	N	N	N	N	N	N	
82	Slaughter of Animals	N	N	N	N	N	N	N	N	
82.1	Seafood Canning and Preserving	N	N	N	N	N	N	N	N	
82.2	Leather and Fur Tanning	N	N	N	N	N	N	N	N	
82.3	Glue Manufacturing	N	N	N	N	N	N	N	N	
83	Tobacco Products Manufacturing	N	N	N	N	N	N	N	N	
84	Pulp or Paper Mills	N	N	N	N	N	N	N	N	
85	Acid Manufacturing	N	N	N	N	N	N	N	N	
85.1	Toxic Gases or Chemicals Manufacturing	N	N	N	N	N	N	N	N	
86	Petroleum Refining	N	N	N	N	N	N	N	N	
86.1	Creosote Manufacturing or Treatment	N	N	N	N	N	N	N	N	
86.2	Tire Manufacturing	N	N	N	N	N	N	N	N	
87	Explosives Manufacturing	N	N	N	N	N	N	N	N	
88	Lime, Gypsum or Plaster of Paris Manufacturing	N	N	N	N	N	N	N	N	
	9.0 EXTRACTIVE INDUSTRIAL									

90	Earth Removal Land Development Project	N	Y	Y	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
91	Rock Quarrying Land Development Project	N	Y	Y	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
92	Extractive Materials Processing, Distribution, and Storage Land Development Project	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
10.0 MARIJUANA/CANNABIS-RELATED USES										
100	Marijuana retail facility	N	N	N	N	N	N	N	N	
101	Marijuana cultivation facility	N	N	N	N	N	N	S	S	
102	Cannabis retailer/hybrid cannabis retailer	N	N	N	N	N	N	N	N	
103	Cannabis and/or Marijuana Cultivator	N	N	N	N	N	N	S	N	See section 504.15
104	Cannabis and/or Marijuana Product Manufacturer	N	N	N	N	N	N	S	S	See section 504.15
105	Cannabis and/or Marijuana Testing Laboratory	N	N	N	N	N	N	S	S	See section 504.15

(Ord. of 3-12-01, § I; Ord. of 7-23-01; Ord. of 5-13-02; Ord. of 7-22-02, §§ 1a, 1b; Ord. of 8-12-03; Ord. of 4-10-06; Ord. of 5-12-08(2); Ord. of 5-12-08(3); Ord. of 5-26-09; Ord. of 11-14-11; Ord. of 9-24-12; Ord. of 3-9-15; Ord. of 7-25-16; Ord. of 9-26-16(2); Ord. of 10-24-16; Ord. of 5- 8-17; Ord. of 6-12-17; Ord. of 6-25-18; Ord. of 2-25-19(1); Ord. of 7-22-19(1); Ord. of 10-15-19(2); Ord. of 12-9-19(3); Ord. of 3-13-23(2); Ord. of 10-23-23(1); Ord. of 10-23-23(2); Ord. of 12-11-23(3); Ord. of 1-13-25(2))

Article 5, Section 504 of Appendix A of the Code of Ordinances of the Town of South Kingstown, Rhode Island (“Special Use Permits”), to be amended as follows (red denotes additions, strike through denotes subtractions):

Sec. 504. Special use permits.

504.1. *Location of OWTS.*

- A. No onsite wastewater treatment system (OWTS), disposal trench, disposal bed, or other facility designed to leach wastewater into the soil from any development which includes construction of a new dwelling or the complete replacement of an existing dwelling, shall be located in areas outlined below, except by the granting of a special use permit by the zoning board of review.
 - 1. Within one hundred fifty (150) feet of "fresh water wetlands" as defined in article 12 (as wetlands, freshwater) of this ordinance excluding from such definition that area of land within fifty (50) feet of the edge of any bog, marsh, swamp or pond. Also excluded from such definition are "river and stream flood plains and banks."
 - 2. Within one hundred fifty (150) feet of a "coastal wetland" as defined in article 12 of this ordinance (as wetlands, coastal) or within one hundred fifty (150) feet of the line of mean high water of any tidal water body as defined in the regulations adopted by the Coastal Resources Management Council of the State of Rhode Island and subsequent amendments thereto, except by the granting of a modification or special use permit.
- B. The zoning board of review shall review these projects in accordance with the criteria found in this ordinance to determine the potential cumulative and integrated impacts to wetlands through the use of OWTS, the clearing and grading of land, and/or the generation of stormwater runoff from impervious surfaces. It is specifically noted that residential construction associated with an application for a special use permit for an OWTS must meet the minimum dimensional setbacks of the zoning district in which the property is situated. The zoning board may not grant any dimensional relief for setbacks concurrent with the special use permit application.
- C. Notwithstanding the foregoing, an existing OWTS, leach field or other facility designed to leach wastewater into the soil located within one hundred fifty (150) feet of a fresh water wetland or coastal wetland may be replaced and/or its associated leach field repaired upon approval by the building official/zoning officer, without the need for a special use permit, if the replacement, or repairs meet the performance standards for alternative technologies contained in section 504.4.

504.2. *Conditions for OWTS.*

- A. An application involving any onsite wastewater treatment system (OWTS), requiring approval by the zoning board of review shall require an advisory opinion from the conservation commission prior to filing. The conservation commission shall prepare an advisory opinion based on the following information to be submitted by the applicant as part of any application:
 - 1. Proximity to the one hundred-year floodplain level;
 - 2. Location of coastal features and relationship to jurisdiction of the Coastal Resources Management Council Special Area Management Plans for the Narrow River and the Salt Pond Region;
 - 3. The location and delineation of, and distance from the nearest public water supply watershed or aquifer;
 - 4. Proximity to Class SA and/or Class A water body or area where the water quality is suitable for harvesting shellfish for direct consumption, where applicable;
 - 5. Soil types present on the site within the vicinity of proposed construction and land disturbance (referencing the Soil Survey of Rhode Island and based on collected field data) to include, but not

[be] limited to: depth of soil to the seasonal high water table, with areas having a depth of eighteen (18) inches clearly shown, hydric soils, and hydrologic soil groups;

6. The presence of a restrictive layer, ledge and/or dense basal till between the soil surface and groundwater;
7. Detailed soil morphological characteristics to a depth of four (4) feet as analyzed by a licensed Class IV Soil Evaluator, for the purpose of determining seasonal high water table;
8. Direction of groundwater flow;
9. Direction and characteristics of stormwater flow based on an analysis of area topography, existing impervious surfaces, drainage infrastructure, soils and ground cover;
10. Availability of public water system;
11. The dimensions of the proposed structure, the square footage apportioned to living space for each floor and number of bedrooms. The number of bedrooms in the proposed structure shall not exceed the design capacity of the OWTS servicing the same;
12. The acreage and percentage of impervious cover of the lot under current conditions and with proposed development;
13. Drinking water wells within two hundred (200) feet of the proposed OWTS;
14. Precise reference points to aid in locating the property and the proposed OWTS site. For example, street number of adjacent dwellings, utility pole number, curb drains, distance to the nearest street intersection, benchmark of coastal and geodetic survey marker;
15. The surveyed edge of all coastal and freshwater wetlands within two hundred (200) feet of the leach field, where feasible, as flagged by a qualified professional who meets the minimum qualifications for professionals that delineate wetlands as set forth in the Freshwater Wetlands Program guidelines noted in Rule 12.01(C) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act;
16. Documentation that the wetland edge has been verified pursuant to Rule 9.02(A)(2) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act;
17. Approximate location and type of OWTS of properties within two hundred (200) feet of the subject site; and
18. Use of LID (Low Impact Design) Techniques. The applicant shall demonstrate that the design of the OWTS, residence and other site alterations addresses the ten (10) objectives of LID Site Planning and Design Criteria as detailed in the "Rhode Island Stormwater Design and Installation Standards Manual" to the maximum extent practicable).

504.3. *OWTS design.*

The separation distance between the bottom of any OWTS leaching field and the season high water table shall be as follows.

- A. Conventional OWTS design—no less than three (3) feet.
- B. Advanced Technology OWTS design—no less than the distance required by RIDEM.
- C. Critical Resource areas—no less than four (4) feet for OWTSs located within a critical resource area, as defined in Rule 38 of Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems, RIDEM, January 1, 2008, as amended.

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- D. Where RIDEM grants a variance to permit separation distances that are less than the above, a modification or Special use permit pursuant to article 9 of this ordinance shall also be required.

504.4. *Performance standards.*

Applications for a special use permit under provisions of section 504 of the zoning ordinance shall meet the following minimum performance standards.

- A. *Alternative technologies.* Alternative technologies that provide advanced treatment shall be used in all new, replacement and OWTS alterations or repairs to leachfields, to achieve minimum treatment requirements as set forth in section B below where the OWTS is or will be located within the following areas.
1. The CRMC Salt Pond Region Special Area Management Plan;
 2. The CRMC Narrow River Special Area Management Plan;
 3. Within a designated community Well Head Protection Area (WHPA) and/or the town's Groundwater Protection Overlay District (GPOD) per section 602;
 4. A site where the seasonal high ground water table is located less than or equal to forty eight (48) inches below the original grade;
 5. A site requiring a special use permit under the provisions of section 504.1 or 504.3 of the zoning ordinance; and
 6. Where the proposed or existing OWTS leach field is less than one hundred (100) feet from any well used as a potable water supply.
- B. *Minimum requirements for advanced OWTS treatment.* All new, replacement and OWTS alterations or repairs to leachfields for OWTSs located within those conditions set forth in section A above shall be approved by RIDEM and provide advanced treatment to achieve the following levels, as measured at the outlet of the treatment unit prior to discharge to a drain field:
1. Minimum total nitrogen removal of fifty (50) percent and a reduction to less than or equal to 19 mg/l total nitrogen;
 2. TSS (Total Suspended Solids) and BOD₅ (Biological Oxygen Demand-5 Day) shall be equal to or less than 30 mg/l each;
 3. Minimum fecal coliform removal to less than or equal to 1,000 fecal coliform MPN/100 ml.
- C. *Additional treatment requirements.* Where the distance between a drainfield and private potable water supply well is less than one hundred (100) feet alternative OWTS microbiological treatment of the effluent shall result in a final leach field effluent fecal coliform concentration of less than or equal to 200 MPN/100ml.
- D. *Permitted OWTS technologies.* Installation of alternative OWTS technologies permitted shall be those technologies approved by RIDEM pursuant to their procedures and regulations. Alternative OWTS technologies shall have documented the ability to achieve the minimum treatment requirements set forth in this ordinance.
- E. *Seasonal high water table determinations.* For the purpose of determining the seasonal high water table, detailed soil morphological data to a depth of four (4) feet shall be prepared and submitted by a Rhode Island licensed Class IV Soil Evaluator.
- F. *Operation and maintenance.* All installations of alternative OWTS technologies shall include a continuous Operation and Maintenance (O & M) agreement with the property owner that shall be duly recorded in land evidence records.

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- G. *Minimum requirements for storm water management.* Development of an individual residential lot shall include storm water control measures to ensure that no net increase between pre and post development site conditions in volume or rate of storm water runoff for a twenty-four-hour, twenty-five-year frequency rainfall event occurs onto adjacent properties or roadways from the proposed individual residential lot development. Said plan shall include a certification by a registered professional engineer that the post development site conditions will meet or exceed the criteria noted herein.
 - H. *Use of subsurface drains.* The installation of subsurface drains designed to intercept and lower the groundwater table for the installation of an OWTS is prohibited.
 - I. *Drainage design.* A detailed stormwater management design shall be submitted to the town, for all projects proposing a new OWTS. Said plan shall include drainage calculations for a twenty-four-hour, twenty-five-year storm event prepared by a Rhode Island Registered Professional Engineer. Proposed grading shall maintain existing natural drainage patterns to the degree feasible.
 - J. *Storm water controls and OWTS location.* Storm water runoff shall be diverted from any OWTS. Also, there shall be a minimum fifteen (15) foot horizontal separation distance between any OWTS drain field and the edge of any storm water infiltration system.
 - K. *Maximum impervious lot coverage.* In the consideration of a special use permit under this section, the maximum impervious coverage allowable for the lot (all areas of the lot proposed to be covered including: driveways and parking areas, walkways, patios and rooftops of the principal and any accessory structures, where impenetrable) shall not exceed fifteen (15) percent of the buildable area of the lot.
 - L. *Minimize wetland and site disturbance.* The applicant shall demonstrate that the proposed use will result in the least disturbance to the site as possible; that the OWTS and dwelling have been located as far as possible from the wetland edge; and that the size of the dwelling, its configuration, and extent of disturbance has been reduced by the maximum extent practicable.
 - M. *Site restoration.* The wetland buffer shall be revegetated to restore buffer functions using native plants; permanent fencing will be used to demarcate the protected wetland buffer edge to avoid future encroachment. Soils compacted during construction shall be restored using compost amendments appropriate to the soil types present and plant materials utilized to restore site infiltration capabilities.

504.5. *Required information.*

In addition to the submittal requirements under section 504.2 above, all projects proposing a new OWTS shall provide a development plan that shall be filed with the planning department to show the following information:

- A. Property boundary lines with area and dimensions of property to be developed;
- B. Vicinity plan showing adjacent or nearby properties, uses, OWTSs, wells, wetlands, streams or surface water reservoirs within a five hundred-foot radius, where feasible;
- C. Site plan showing the proposed location of the OWTS, residence, impervious cover, and all other improvements, including the total area to be disturbed with limits clearly shown along with calculation of the impervious area and percentage lot coverage under current and proposed conditions;
- D. Topographic map/grading plan of property showing existing and proposed two-foot contours within and proximal to areas of the property to be developed;
- E. Site specific soils map of property including at a minimum, delineation of soil features required in section 504.2;

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- F. Stormwater management plan;
 - G. Soil erosion and sediment control plan;
 - H. Wetlands delineation map, as field verified by DEM;
 - I. Plan for revegetation of the site, including buffer restoration using native plants and fencing to prevent future disturbance; and
 - J. Any additional information related to the location of the floodplain, the profile of existing soils, the availability of water supply and any other site features or constraints that will be required by the conservation commission to prepare an advisory opinion pursuant to section 504.2.A.

504.6. *Post-construction certification.*

For all approved applications under this section, the applicant shall, upon completion of construction, provide a certification from a registered professional engineer that all site infrastructure and improvements have been installed per the approved plans and is compliant with all conditions imposed on the special use permit by the zoning board of review.

504.7. *Reduction of yard requirements in CN and CD Districts.*

In any CN or CD Zoning District, the zoning board of review may, by special use permit, allow the reduction of the side or rear yard requirements; except that no corner side yard shall be reduced to less than the depth of the required front yard of adjacent lots on the side street; nor shall any side or rear yard be reduced to less than ten (10) feet where such yard abuts a residential district.

504.8. *Extension of zoning district boundary lines.*

Where a zoning district boundary line divides a lot, the zoning board of review may permit by special use permit, the application of the regulations for either portion of the lot to extend into the remaining portion of the lot, but not more than thirty (30) feet beyond the zoning district boundary line.

504.9. *Bed and breakfast uses.*

The purpose of this section is to establish procedural requirements and standards relative to the regulation of bed and breakfast (B&B) uses within the town. It is recognized that B&B uses provide a valuable economic service to the town in support of the tourism industry and help to preserve larger historic homes in the community by providing an opportunity to the owner for income to support continued use of the structure and maintenance of the property. A bed and breakfast (B&B) may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:

- A. In addition to the restrictions on the number of guest rooms set forth in section 301, the number of guest rooms shall be further limited to the following formulae:
 - 1. There shall be at least five hundred (500) square feet of GLFA of the building per guest room, and
 - 2. The lot on which the B&B facility is sited shall be conforming to the gross parcel area requirements of the zoning district(s) on which it is situated.
- B. Parking shall be provided as required by article 7. Where accessory type events are proposed, the B&B operator shall, during the annual licensure review before the town council, demonstrate that sufficient parking, on-site and on surrounding streets where such parking is permitted, is available to support such uses in accord with the standards contained in article 7. For events and meetings such parking shall be available on the basis of one (1) space per three (3) persons of capacity of the room or area in which the event is held. For outdoor events the same ratio shall apply. Event capacity shall be determined by the fire marshal. The town council may also require the operator to provide police details to control traffic and parking during events held at the bed and breakfast facility.

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- C. Each guest room shall neither accommodate nor be provided to more than two (2) individual guests, provided that children may accompany their parents in a room.
 - D. Bed and breakfast uses shall be subject to the requirements of section 505.1, Development Plan Review.
 - E. New bed and breakfast uses that propose to hold events, as an accessory component of their principal use, shall list such events in their special use application before the zoning board of review. Such listing shall identify and describe the type, estimated number/frequency and capacity/scale of such events. The applicant shall also document that proposed parking and septic disposal facilities are adequate for the scale of the event. Where outdoor events are proposed, a site plan depicting the area of the parcel to be utilized shall be provided.
 - F. Bed and breakfast uses lawfully established as of April 23, 2007 shall be permitted to conduct events as an accessory use without securing a special use permit under this section. Such allowance is made contingent upon annual licensure by the town council of the B&B facility with permitted events. In applying for this license the operator shall provide a listing that fully describes anticipated events and demonstrates the adequacy of on-site event parking, septic disposal facilities and buffers to adjoining properties. Where outdoor events are proposed, a site plan depicting the location on the parcel where the event activities and supporting features will be conducted shall be provided.

504.10. *Pet/Animal Services.* Veterinary, boarding, daycare and grooming services for animals may be allowed by special use permit in those zones specified in section 301 subject to the conditions of this section, such conditions being in addition to all state regulations establishing minimum standards for animal care facilities (250-RICR-40-05-4).

- A. *Veterinary Hospitals.* A veterinary hospital may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:
 - 1. The lot or parcel on which the veterinary hospital is to be located consists of at least fifty thousand (50,000) square feet.
 - 2. The veterinary hospital may include one (1) accessory single-family residence, with no more than two (2) bedrooms containing no more than one thousand five hundred (1,500) square feet of living area for the caretaker/employee family of the hospital only. The accessory residence shall be designed and constructed in such a way as to maintain the appearance of the use of the lot as a veterinary hospital.
 - 3. The veterinary hospital use shall meet all the requirements of section 505.1, Development Plan Review.
 - 4. In reviewing a veterinary use the zoning board shall consider the mitigation of impacts related to noise, solid waste disposal, handling and disposal of animal waste, facility lighting and septic disposal.
- B. *Boarding, Daycare and Grooming Services.*
 - 1. Minimum Dimensional Requirements. All outdoor runs or exercise areas shall comply with all dimensional setback requirements applicable to the principal structure.
 - 2. Supplemental Application Materials. The applicant shall provide the following materials with its application for a special use permit:
 - (a) Copies of its RIDEM licensing application and approval.
 - (b) A site plan/floor plan showing:

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- Front desk or reception area
 - Waste storage (interior & exterior)
 - Food storage areas
 - Location of fire all suppression equipment including sprinklers and fire extinguishers
 - All indoor & outdoor animal holding areas, including: rooms, enclosures, communal areas, cages, runs, medical treatment and quarantine areas (labeled with use & dimensions)
 - Location of cleaning logs and posted emergency protocols (e.g. medical, fire or disaster) including contact information and evacuation plans/maps
 - Parking & vehicle circulation plan
 - Medicine storage areas (including refrigeration)
 - Staff break areas
 - All doors & windows (interior & exterior)
 - Heating, cooling & ventilation systems
 - Drainage systems

(c) An operations and maintenance plan describing all proposed activities, including, but not limited to: staffing numbers and hours, number of animals (by size/weight), types of services provided, retail sales, animal residence times, hours of operation, waste management protocols, health and safety protocols, emergency protocols.

3. *Parking, Drop-Off and Pick-Up Areas.* In addition to any parking requirements associated with on-site residential uses, all facilities shall provide one (1) off-street parking space for each employee and three (3) short-term parking spaces for customer drop-off & pick-up of animals.
4. *Supervision.* Staff supervision shall be present on-site at all times while animals are in residence. Facilities providing overnight boarding shall include overnight facilities for staff.
5. *Waste Storage and Removal.* All indoor solid waste shall be collected and stored in covered receptacles in areas that are not readily accessible by animals. Outdoor waste storage containers shall be fully enclosed and shall remain closed at all times except when opened to accept waste; shall be stored at least twenty (20) feet from all property boundaries and shall be screened from view by an enclosure. All waste shall be removed from the site not less than two (2) times each week.
6. *Retail Sales.* Facilities may engage in retail sales of pet products reasonably related to the services provided by the facility. Sales shall be limited to customers of the services provided by the facility. Retail sales of animal food shall be limited to food consumed on-site.

504.11. *Special needs school.*

A special needs school may be allowed by special use permit or otherwise, as specified in section 301, subject to the following conditions:

- A. The lot or parcel on which the special needs school is to be located consists of at least one hundred fifty thousand (150,000) square feet.
- B. The special needs school shall be limited to a maximum of one hundred (100) students.
- C. The square footage associated with any accessory use shall be included as part of the twenty (20) percent maximum lot building coverage.
- D. The use shall meet all the requirements of section 505.1, Development Plan Review.
- E. Parking shall be provided as required by article 7.

504.12. *Boat storage and retail trade of marine products.*

Use code 52.1, Boat Storage, and use code 55.5, Retail Trade of Marine Products, may be allowed by special use permit or otherwise, as specified in section 301, subject to the following conditions:

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- A. The lot or parcel on which the use is to be located shall contain a minimum of forty thousand (40,000) square feet of land suitable for development.
 - B. The lot or parcel on which the use is to be located shall be serviced by the municipal sewer system.
 - C. No boat that exceeds thirty (30) feet in length or twenty-five (25) feet in height (including support stands) shall be serviced or stored on the lot or parcel.
 - D. No service bays within any structure shall face a residential zoning district.
 - E. The use shall meet all of the requirements of section 505.1, Development Plan Review.
 - F. Parking shall be as required by article 7.

The amendment permits the storage of boats and the retail trade of marine products in a CN zone subject to the zoning board of review granting a special use permit.

504.13. *Wholesale trade of seafood products (including land based aquaculture support services).*

Up to five thousand (5,000) square feet GLFA. Use code 51.3 may be permitted by special use permit, as specified in section 301, subject to the following conditions:

- A. Outdoor storage or stockpiling of fish or shellfish waste products is not permitted under this use code. This standard shall not apply to the temporary storage of shell stock intended for use as growth media for shellfish spat/seed or for shellfish bed restoration purposes.
- B. Outdoor processing and handling of fish and shellfish products, where permitted, shall be appropriately screened from any adjoining public/private street or residence.
- C. The use shall meet all the requirements of section 505.1, Development Plan Review.

504.14. *Household occupancy by more than three unrelated individuals.*

- A. The purposes of this section, household occupancy by more than three (3) unrelated individuals, are as follows:
 - 1. To establish procedural requirements and standards relative to permitting household occupancy by more than three (3) unrelated individuals in residential buildings within the town.
 - 2. Provide a clear and effective means that will enable timely enforcement of standards, criteria, and conditions, and enable the abatement of nuisance conditions that may arise from such occupancy.
 - 3. Protect the quality of life in residential neighborhoods in the community through such regulations, enforcement, conditions and minimum standards.
 - 4. Ensure that the proposed occupancy is in accordance with the ordinance requirements and the fit of the proposed usage is appropriate for the context of its setting.
 - 5. Establish a public review and hearing procedure before the zoning board for the consideration of a special use permit to allow this type of household occupancy.
- B. Household occupancy by more than three (3) unrelated persons may be permitted by special use permit in all residential zones subject to the following criteria, minimum standards and conditions:
 - 1. All special use permits granted under this section shall expire after three (3) years. If a property owner desires to continue use of the property for household occupancy by more than three (3) unrelated individuals, re-application must be made to the zoning board of review for a renewal special use permit prior to the date of expiration.

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2. Development plan review and approval shall be required for all initial and renewal applications for special use permits pursuant to this section. Development plan review shall not be required for applications relative to properties that have previously been granted a special use permit under this section, unless the special use permit has expired prior to re-application or unless substantial changes are proposed, as determined by the administrative officer upon referral by the zoning enforcement officer. When required, development plan review is to be conducted by the planning board, and shall be a pre-requisite to formal consideration of the application by the zoning board of review. In addition to the standards set forth in the town's subdivision and land development regulations, development plan review applications shall include proposed exterior building elevations and interior floor plans.
 3. The property must be in conformance with the town's zoning ordinance and the Rhode Island State Building Code for the proposed occupancy.
 4. There shall be one (1) parking space for each potential occupant. The proposed parking area shall be delineated on the site. Impervious parking surfaces (paved, pavers, etc.) are preferred, however pervious surfaces may be permitted subject to the planning board's recommendation during the development plan review process. There shall be no parking on lawn or landscaped areas. The proposed parking areas shall be limited to occupants of the property and their guests. There shall be no rental, lease or grant of the use of parking spaces by non-occupants. The parking area(s) shall comply with the standards set forth in the town's subdivision and land development regulations relative to parking lot design and landscaping.
 5. There shall be at least three hundred thirty (330) square feet of GLFA (gross leasable floor area, see article 12 definition) of the building per proposed occupant. There shall be a minimum of seventy (70) square feet of bedroom area for bedrooms containing one (1) occupant. There shall be a minimum of one hundred (100) square feet of bedroom area for bedrooms containing two (2) occupants. There shall be no more than two (2) occupants per bedroom.
 6. The property's exterior appearance as a single-household residence shall be maintained. For any proposed occupancy of duplex and multi-household occupancy under this section exterior appearance of the premises shall be of a residential character.
 7. The owner shall file with the town's zoning officer, the name and contact information of the person or agency acting as the property manager. The property manager shall be a resident of the state. Such information shall be updated annually or as necessary if changes to property management are made. All complaints or notices of violations shall be forwarded directly to the identified property manager and the owner of the property.
 8. Prior to initial occupancy, the premises for which a special use permit is granted shall be subject to inspection for building and fire code compliance by the South Kingstown Building Official/Zoning Officer and requisite fire district (Kingston Fire District or Union Fire District, as applicable). Properties determined to be non-compliant regarding building or fire code requirements shall not be occupied under this section until such issues are resolved.
 9. In granting any special use permit pursuant to this section the zoning board of review may impose any and all conditions determined to be necessary to achieve the purposes and intents of this section and section 907A.2.(b).
 10. In addition to the standards set forth in section 907, when granting a renewal special use permit under this section, the zoning board of review shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:

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- (a) That compliance with the requirements of this section has been maintained during the previous three-year period, or that prompt action was taken to correct any identified deficiencies;
 - (b) That there is no record of police activity relative to the subject property for the previous three-year period, or that prompt action was taken to correct any issues that may have led to police action; and
 - (c) That there were no complaints registered with the zoning enforcement officer by neighboring property owners, or that prompt action was taken to correct any issues that may have led to the complaint.

504.15. *Marijuana/cannabis-related uses.*

I. Marijuana retail facilities, and/or marijuana cultivation facilities may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:

- A. The application for a special use permit shall provide the legal name and address of the retail or cultivation facility, a copy of the articles of incorporation, and the name, address, and date of birth of each principal officer and board member of the facility. The application shall include the development plan approved pursuant to this section, as well as a vicinity map, which shall identify the distances between the proposed facility and the nearest edge of abutting zoning districts. The application shall also include a copy of the licensing application submitted pursuant to the State of Rhode Island "Rules and Regulations Related to the Medical Marijuana Program Administered by the Department of Business Regulation," Regulation 230-RICR-800-05-1.
- B. The marijuana retail facility must not be located within:
 - 1. One thousand (1,000) feet from a pre-existing public or private school, or pre-school, or any licensed day-care center, not including higher education facilities; or
 - 2. Two thousand (2,000) feet from any other marijuana retail facility or marijuana cultivation facility.
- C. The distances specified in the immediately preceding section B. shall be measured by a straight line from the nearest property line of the premises on which the proposed marijuana retail facility or marijuana cultivation facility is to be located to the nearest property line of any of the other designated uses set forth therein.
- D. Hours of operation for a marijuana retail facility or marijuana cultivation facility shall be limited to 8:00 a.m. to 8:00 p.m.
- E. The proposed facilities shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing marijuana and shall ensure that each location has an operational security/alarm system.
- F. Development plan review and approval shall be required prior to application for the special use permit and is to be conducted by the planning board. In addition to the development plan review standards set forth in the subdivision and land development regulations, the planning board shall ensure compliance with the following conditions:
 - 1. The requested use at the proposed location is sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.
 - 2. The exterior appearance of the structure is consistent with the exterior appearance of existing structures within the immediate neighborhood that take on the architectural vernacular of traditional coastal New England, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.

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3. Lighting is provided to illuminate the marijuana retail facility or marijuana cultivation facility, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk.
 4. Development plan review applications for all marijuana cultivation facilities shall include detailed plans of the facility's wastewater treatment system(s). Such plans shall be approved by the department of public services prior to issuance of the development plan approval.
- G. All marijuana retail facilities and marijuana cultivation facilities shall fully comply with all other licensing requirements of the town and the laws of the state.

II. Cannabis-related facilities may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:

- A. The application for a special use permit shall provide the legal name and address of the cannabis facility, a copy of the articles of incorporation, and the name, address, and date of birth of each principal officer and board member of the facility. The application shall include the development plan approved pursuant to this section, as well as a vicinity map, which shall identify the distances between the proposed facility and the nearest edge of abutting zoning districts. The application shall also include a copy of the licensing application submitted pursuant to the State of Rhode Island Cannabis Control Commission and/or Department of Business Regulation.
- B. Pursuant to Section 21-28.11-17.1(b)(3) of the Cannabis Act, the cannabis facility must not be located within:
1. Five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12). This distance shall be measured by a straight line from the nearest property line of the premises on which the proposed cannabis facility is to be located to the nearest property line of the parcel on which the school is located.
- C. The proposed facility shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing cannabis and shall ensure that each location has an operational security/alarm system.
- D. Development plan review and approval shall be required prior to application for the special use permit, and is to be conducted by the planning board. In addition to the development plan review standards set forth in the subdivision and land development regulations, the planning board shall ensure compliance with the following conditions:
1. The requested use at the proposed location is sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.
 2. The exterior appearance of the structure is consistent with the exterior appearance of existing structures within the immediate neighborhood that take on the architectural vernacular of traditional coastal New England, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.
 3. Lighting is provided to illuminate the cannabis facility, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk.
 4. In addition to any requirement of Rhode Island State Law, all facilities (retail, production and/or cultivation) shall submit a plan to control odor (i.e., carbon air filtration, air filters, biofiltration, high pressure fog, odor neutralizers, negative air space control, ozone generators). The applicant's odor control plan is subject to third party review as determined by the Planning Board. The costs associated with third party review shall be borne by the applicant.

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5. Development plan review applications for all cannabis facilities shall include detailed plans of the facility's wastewater treatment system(s). Such plans shall be approved by the department of public services prior to issuance of the development plan approval.
 - E. Cannabis retailers/hybrid cannabis retailers shall only be permitted where ingress and egress to the facility is via direct access from State Route 108, or Old Tower Hill Road.
 - F. All cannabis facilities shall fully comply with all other licensing requirements of the town and the laws of the state.

504.16. *Temporary storage containers.*

- A. The long-term use of prefabricated relocatable steel buildings, box trailers or shipping or cargo containers (hereafter "storage containers") is discouraged, and the zoning board shall only approve a special use permit for a clearly demonstrated need. A storage container special use permit shall expire one (1) year from the date of issuance and may only be extended for not more than one (1) year at a time after reapplication and further approval by the zoning board.
- B. The zoning board shall impose the following conditions on the special use permit, unless the board determines that compliance with these conditions would be infeasible based on the dimensions and layout of the subject property:
 1. Containers may not be located on the front lawn of any property, defined as any area between the principal building and the street frontage;
 2. Containers shall not be located so as to reduce the amount of available off-street parking spaces to below the required minimum;
 3. Containers must be screened by a solid fence or hedge from public view from the road; and
 4. Containers shall comply with setbacks for accessory structures.
- C. Notwithstanding the foregoing, a storage container placed on property in connection with a valid building permit shall not be subject to the requirements of this section so long as the building permit remains valid.

504.17. *Major, minor and contaminated site solar energy systems.*

Major, minor and contaminated site solar energy systems may be allowed by special use permit in those zones specified in section 301, subject to the zoning board of review finding that the procedures and performance standards outlined in section 510 have been met.

504.18. *Standards for Legitimate Theater and Restaurant With Alcohol (Use Codes 32.4, and 56.1).* In reviewing an application for a special use permit for a legitimate theater or restaurant with alcohol, the Zoning Board or Planning Board (if under Unified Development) shall require that following criteria be met:

- A. The character of the neighborhood shall be predominantly non-residential. A plan prepared by a licensed land surveyor or civil engineer or a GIS map shall be submitted into the record to convey this information.
- B. At least ninety (90) percent of the seats in the restaurant shall be associated with tables or booths, and not more than ten (10) percent of the seats may be at a bar, whether or not food is also served at the bar. The area to be used for alcohol service shall be clearly delineated, as well as the seating area, serving areas, and exits. A full kitchen shall also be required. A detailed floor plan prepared by a licensed architect or civil engineer shall be submitted into the record to verify this information.
- C. Parking shall be adequate to meet all zoning requirements. An existing restaurant use without alcohol that is non-conforming by parking shall not be eligible. A detailed parking and circulation plan prepared by a licensed engineer shall be submitted into the record to verify this information.

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- D. A lighting plan prepared by a licensed architect that shows sufficient lighting for nighttime safety shall be submitted with the special use permit application.
 - E. A security plan including information relating to entrance procedure, police details and video and lighting locations shall be submitted with the application.
 - F. Any substantial future changes to those items depicted on any of the aforementioned plans shall be submitted for consideration as a new special use permit.

504.19. *Standards for Accessory Entertainment to Restaurant or Bar (Use Code 56.3).* As defined by Appendix A—Use Code Descriptions: Where the permitted use of a property is a restaurant, bar or tavern (with or without alcohol), any musical, theatrical, dance, cabaret or comedy act or similar performance by one (1) or more persons, which is provided for the pleasure of patrons.)

In reviewing an application for a special use permit for Accessory Entertainment to Restaurant Bar, the Zoning Board or Planning Board (if under Unified Development) shall require that following criteria be met:

- A. The nature of the entertainment requested shall be specified, including, but not limited to, the number of entertainers, the type of entertainment (musicians, DJs, dancers, etc.), amplified or acoustic, how many days per year, which days of the week, specific hours of entertainment, and whether indoor or outdoor or both.
- B. The nature of the entertainment shall be compatible with the character of the neighborhood. The Board shall consider the nature, duration, and especially the frequency of such accessory entertainment in determining the compatibility with the neighborhood. A plan prepared by a licensed land surveyor or civil engineer shall be submitted into the record to verify this information.
- C. Specific occupancy projections and limits shall be provided to the board, and violation of such limits shall be a violation of the Zoning Ordinance.
- D. The area for the entertainment shall be specifically delineated on a plan submitted to the board. If dancing is anticipated, the location of the dance floor and change in capacity from table service if any A detailed floor plan prepared by a licensed architect or civil engineer shall be submitted into the record to verify this information.
- E. Parking shall be adequate to meet all zoning requirements. An existing restaurant or bar use without accessory entertainment that is non-conforming by parking shall not be eligible. A detailed parking and circulation plan prepared by a licensed engineer shall be submitted into the record to verify this information.
- F. A lighting plan prepared by a licensed architect that shows sufficient lighting for nighttime safety shall be submitted with the special use permit application, including confirmation of the shut off of all amplification upon the triggering of a fire alarm.
- G. A security plan including information relating to entrance procedure, police details and video and lighting locations shall be submitted with the application.
- H. Any substantial future changes to those items depicted on any of the aforementioned plans shall be submitted for consideration as a new special use permit.

504.20. *Brewpubs.* Recommended standards and objective criteria for special use permits for brewpubs:

- (1) Brewpubs are required to obtain a Brewpub Manufacturer's License in accordance with G.L. 1956, § 3-6-1.2, as amended. All conditions associated with the approval of any special use permit for brewpub use shall be incorporated into the requisite license issued by the Town of South Kingstown. Such conditions shall be reviewed for compliance as part of the annual licensing for any brewpub establishment;

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- (2) Brewpubs shall be subject to the property owner obtaining and holding a Class A, B, or BM license, or other license deemed applicable as required by the Town of South Kingstown or the State of Rhode Island;
 - (3) Brewpubs shall be subject to the limits applicable to the sale, distribution, and on-site/off-site consumption, as regulated by G.L. 1956, § 3-6-1.2, as amended;
 - (4) All brewing operations shall occur on the property and/or premises in which the brewpub is located in accordance with applicable local and state licensing.
 - (5) *Production Capacity.* Brewing capacity for any proposed brewpub may be limited by site conditions including, but not limited to, storage of material, onsite wastewater treatment capabilities, South Kingstown's Wastewater Treatment facilities ability to process effluent from the proposed facility and/or pumping and disposal. Any brewpub use shall submit an effluent management plan to the Town of South Kingstown, Department of Public Service for review and approval. Effluent discharge from the brewing operation of a brewpub shall be stored onsite and disposed of off-site by a septage hauler. No discharge from a brewpub brewing operation will be allowed into the municipal wastewater system due to the exceedingly high levels of Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) associated with the production of malt beverages.
 - a. The maximum capacity of the brewing equipment and/or systems at any brewpub shall not exceed seven barrels (7 BBLs).
 - b. The Planning Board may limit the capacity of brewing equipment and/or the rate of beer production at a brewpub based on the following criteria:
 - i. Requirements of the Subdivision and Land Development Regulations, Zoning Ordinance and Comprehensive Plan;
 - ii. Requirements and/or conditions established by any other state or local government agencies;
 - iii. Solid and liquid waste storage and off-site disposal plans;
 - iv. The type and proximity of abutting property uses;
 - (6) *Waste Management Plan.* All brewpubs shall submit a waste management plan for review and approval by the Department of Public Services. The waste management plan shall address the storage and disposal of all solid waste and wastewater (wastes) generated by brewpub operations. All waste management plans shall include or provide for:
 - a. Plans showing adequate capacity to store all waste generated by brewing operations when conducted at the maximum rate of production.
 - b. Written confirmation that the applicant has secured the means to legally transport and dispose of all wastes generated by the brewpub operations.
 - c. Copies of any transportation or disposal permits/approvals required for the applicant and/or the applicant's contractors to haul or accept waste for disposal.
 - d. Onsite disposal of brewpub waste is prohibited in the absence of required state and federal permits/approvals, which shall be submitted with the application materials.
 - (7) *Solid Waste.* Onsite solid waste storage systems shall utilize fully enclosed, airtight storage containers designed, constructed, operated and maintained in accordance with best practices in the brewing industry to reduce/prevent the discharge of odors and the attraction of vectors. Solid waste may be accumulated onsite for no longer than forty-eight (48) hours before being removed for disposal.

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- (8) *Wastewater.* Brewpub operations generate wastewater with very high levels of Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS); regulated pollutants that are damaging to Onsite Wastewater Treatment System (OWTS) and capable of exceeding the treatment capacity of municipal sewage treatment systems. Accordingly:
- a. All brewpubs shall maintain separate wastewater collection and disposal systems for standard sanitary wastewater (e.g. lavatory, kitchen, laundry) and process wastewater from brewpub operations.
 - b. Disposal of wastewater from brewpub operations to the South Kingstown sewage treatment system is prohibited. This prohibition extends to both onsite discharge to the town's sanitary sewer system and the delivery of wastewater by tank-truck to the South Kingstown treatment facility.
 - c. Disposal of wastewater from brewpub operations to an OWTS approved by the Rhode Island Department of Environmental Management (RIDEM) for disposal of sanitary wastewater is prohibited.
 - d. Onsite disposal of wastewater from brewpub operations to an industrial or commercial onsite wastewater disposal system designed to handle wastewater generated by brewing operations is permitted provided that the discharge system has received all required state and federal pollutant discharge approvals.
 - e. Onsite wastewater storage systems shall utilize one (1) or methods to reduce TSS in the wastewater stream prior to transporting the wastewater for disposal, such as settling, screens, filters, chemical flocculation or other system.
 - f. Onsite wastewater storage systems shall be designed, constructed, operated and maintained in accordance with best practices in the brewing industry to reduce/prevent fermentation in the storage tanks, prevent discharge of odors and minimize the attraction of vectors. Wastewater may be accumulated onsite for no longer than forty-eight (48) hours before being removed for disposal.
- (9) All brewpubs shall be subject to the parking requirements outlined within Article 7, Standards for Parking Lots and Loading Facilities, and all other standards and requirements associated with Use Code 56.1, Restaurant with Alcohol, shall be adhered to;
- (10) Brewpub operators shall employ best management practices in the collection, storage, repurposing, and/or disposal of waste byproducts generated from brewing operations, as suggested by RIDEM. All waste byproducts shall be stored in suitable leak-proof containers specifically designed for waste storage in a secure and fully screened location that is not visible or accessible to the general public, and shall be physically removed from the property within twenty-four-hours of being generated;
- (11) Brewpub operations shall not emit any noxious odors other than those ordinarily associated with and/or generated by a typical restaurant. If compliance with this standard is not met, the Town of South Kingstown may require that mitigation measures be employed as part of the annual licensing review process. Failure to correct said noncompliance may be cause for revocation or denial of requisite licensing.

Failure to clearly demonstrate compliance with the above-referenced standards and objective criteria may result in the denial the special use permit. Failure of brewpub uses permitted under this section in maintaining compliance with these standards shall constitute a zoning violation and be subject to enforcement action and/or recommendations to revoke requisite license(s). Consequently, the recommendation to modify the Town's existing Zoning Ordinance to allow restaurants to add a brewing component should have limited impact to an existing restaurant's operation and any characteristics of said operation that may be of concern could be mitigated through standards required to be met in the granting of a special use permit. Further, noncompliance with these standards

could be reviewed and/or enforced during the establishment's annual business license renewals conducted by the Town Council.

(Ord. of 5-13-02, § 4; Ord. of 5-13-02, § 4; Ord. of 7-22-02, § 3; Ord. of 8-12-03; Ord. of 10-23-06; Ord. of 4-23-07(2); Ord. of 5-26-09; Ord. of 4-11-11; Ord. of 3-13-17; Ord. of 5- 8-17; Ord. of 8-14-18; Ord. of 10-15-19(1); Ord. of 10-15-19(2); Ord. of 03-13-23(2); Ord. of 12-11-23(2); Ord. of 1-13-25(2))

504.21. *Special Standards for Restaurant, without alcohol (use code 56) in Ind-1 District Only.* In reviewing an application for a special use permit for a restaurant, without alcohol, in the Ind-1 District, the Zoning Board or Planning Board (if under Unified Development) shall require that the following criteria be met:

- A. Only 1 restaurant, without the service of alcohol, shall be permitted on any given tax lot in the Ind-1 District.
- B. The service area of the restaurant shall not exceed 3,000 SF. All outdoor service areas (if any) shall be adequately screened from any abutting property that is zoned residential or used for residential purposes. Moreover, outdoor services areas (if any) shall not be located within fifty feet (50') of any property line abutting property that is zoned residential or used for residential purposes.
- C. Dumpsters and/or other waste storage shall be screened from view and on all sides and shall not be located within twenty feet (20') of any lot line abutting property that is zoned residential or used for residential purposes.
- E. A detailed floor plan prepared by a licensed architect shall be submitted into the record to verify item B above.

Article 3, Section 301 of Appendix A of the Code of Ordinances of the Town of South Kingstown, Rhode Island (“Schedule of Use Regulations Table”), to be amended as follows (**red** denotes additions, ~~strike through~~ denotes subtractions):

Sec. 301. Schedule of Use Regulations Table.

USE CODE	USE	R200	R80	R40	R30	R20	R10	RM	MU	CN	CN-M	CD	CH	CW	COD-R MOD-R	NOTES
	0.0 AGRICULTURAL															
01	Crop Farm	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
02	Livestock Farm	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
03	Pig Farm	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
04	Fish Hatchery	Y	Y	N	N	N	N	N	N	N	N	N	N	Y	N	
05	Boarding Animals	S	S	S	S	N	N	N	N	N	N	N	N	N	N	See section 504.10
05.1	Pet Day Care Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.10
	1.0 RESIDENTIAL															
10	Single-Household Detached Structure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
11	Two-Household Detached Structure	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
12	Multi-Household Detached Structure, up to 12 Units, LDP	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.1	Multi-Household Land Development Project	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.4	Residential Compound	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	
12.5	Flexible Design Residential Projects	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	
12.6	Mixed-Use Detached Structure, up to 12 units, Land Development Project (LDP)	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	
12.7	Mixed-Use Detached Structure (elderly residential occupancy only), LDP	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	
13	Loft, Commercial Artist	N	N	N	N	N	N	N	N	Y	Y	Y	N	Y	N	
14	Sorority or Fraternity House	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

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15	Community Residence	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
15.1	Halfway House	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
15.2	Transient Residential Facility	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	
16	Single Mobile or Manufactured Home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
16.1	Mobile or Manufactured Home Park Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
16.2	Senior Residential Community LDP, Elderly Only	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	See section 501.7
2.0 INSTITUTIONAL AND GOVERNMENTAL SERVICES																
20	Educational Institution, Primary through Secondary	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	Special use criteria under development
20.1	Special Needs School	N	S	S	S	S	S	S	S	S	S	Y	Y	N	N	See section 504.11
21	Higher Educational Institution, Privately Owned and Operated	N	N	N	N	N	N	N	N	N	N	N	S	N	N	Special use criteria under development
21.1	Higher Educational Institution, State Owned and Operated	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
22	Special Schools	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
23	Religious Services	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	Special use criteria under development
23.1	Religious Housing	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	See section 501.10
24	Health Care Institution Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 603.2
24.1	Drug or Alcohol Rehabilitation Facility	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	Special use criteria under development
24.2	Medical or Dental Office	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
24.3	Veterinary Office	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	No boarding of healthy animals. See section 504.10
24.3.1	Veterinary Hospital	N	N	N	N	N	N	N	N	Y	Y	N	N	N	N	See section 504.10
24.4	Residential Care and Assisted Living Land Development Project	S	S	S	S	S	S	N	N	N	N	N	N	N	N	Special use criteria under development
25	Government Garage or Utility	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
25.1	Correctional Institution	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
25.2	Public Safety Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

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25.3	Government Use, Not Herein Specified	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
25.4	Government Waste Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
26	Day Care Home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
26.1	Day Care Center, up to 12 people	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	Special use criteria under development
26.2	Day Care Center, more than 12 people	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	Special use criteria under development
27	Service organization	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
28	Cemetery	Y	Y	N	N	N	N	N	N	N	N	N	N	N	N	
28.1	Crematorium	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
3.0 CULTURAL, ENTERTAINMENT AND RECREATION SERVICES																
31	Nonprofit Museum or Library	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	
32	Spectator Assembly	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
32.1	Race Track	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
32.2	Casino	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
32.3	Legitimate Theater without alcohol	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
32.4	Legitimate Theater with alcohol	N	N	N	N	N	N	N	N	S	S	S	S	N	N	See section 504.18
33	Outdoor Recreation Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
33.1	Outdoor Shooting Range	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
33.1.1	Bow and Arrow Range/Clay Shooting	S	S	S	N	N	N	N	N	N	N	N	N	N	N	See section 501.12
33.1.2	Indoor Shooting Range	S	S	N	N	N	N	N	N	N	N	N	N	N	N	See section 501.11
33.1.3	Field Trials	Y	Y	N	N	N	N	N	N	N	N	N	N	N	N	See section 501.12
33.2	Country Club	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
33.3	Tennis Courts	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	
33.4	Marina/Yacht Club	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
33.5	Transient Amusement	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
33.6	Outdoor Entertainment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
33.11	Golf Course, without alcohol	N	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	
33.12	Golf Course, with alcohol	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
34	Indoor Sports Facility	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	

35	Nonprofit Community Park or Playground	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
35.1	Nonprofit Community Center	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
35.2	Nonprofit Fraternal Organization	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	
36	Wildlife Refuge	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
	4.0 GENERAL SERVICES															
40	Bed and Breakfast, up to 12 rooms	S	S	S	S	S	S	Y	Y	Y	Y	Y	N	S	N	See section 504.9
40.1	Hotel, up to 20 rooms	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	See section 501.9
40.2	Motel or Hotel, over 20 rooms	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	See section 501.9
40.3	Transient Trailer Park Land Development Project	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	See section 501.8
41	Office, Personal and Limited Business Service, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
41.1	Mortuary or Funeral Home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
42	Office, Personal and Limited Business Service, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
43	Office, Personal and Limited Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
44	General Business Service, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
44.1	General Business Service, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
44.2	General Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
45	Automotive or Gasoline Service Station	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
46	Construction Service	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	Indoor only.
46.1	Artisan Workshop	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
47	Heavy Construction Service	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
	5.0 TRADE															

51	Wholesale Trade, within enclosed structure	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
51.1	General Warehouse	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
51.2	Self Storage Facility	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
51.3	Wholesale Trade of Seafood Products (including land based aquaculture support services) - Up to 5,000 s.f. GLFA	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
52	Wholesale Trade, with outdoor storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
52.1	Boat Storage	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
53	Wholesale or Retail Trade of Petroleum Products, up to 100,000 gal.	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
53.1	Wholesale or Retail Trade of Petroleum Products, more than 100,000 gal.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
53.2	Wholesale or Retail Trade of Liquified Gas	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
54	Retail Trade of Building Materials, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	N	N	Y	Y	N	N	
54.1	Retail Trade of Building Materials, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
54.2	Retail Trade of Building Materials, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
55	Retail Trade, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
55.1	Retail Trade, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
55.2	Retail Trade, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
55.3	Liquor Store	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
55.4	Retail Trade of Automotive Products	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	

55.5	Retail Trade of Marine Products	N	N	N	N	N	N	N	N	N	N	N	Y	Y	N	
55.6	Retail Trade, Automotive and Marine, Indoor Only	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
55.7	Retail Trade of Seafood Products - Up to 5,000 s.f. GLFA	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
56	Restaurant, without alcohol	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
56.1	Restaurant, with alcohol	N	N	N	N	N	N	N	S	S	S	S	S	S	N	See section 504.18
56.2	Brewpub	N	N	N	N	N	N	N	N	N	S	N	N	N	N	
56.3	Accessory Entertainment to Restaurant or Bar	N	N	N	N	N	N	N	S	N	N	S	S	N	N	See section 504.19
56.4	Mobile Food Establishment	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	See section 511
56.5	Mobile Food Court	N	N	N	N	N	N	N	S	S	S	S	S	S	N	See section 511
56.6	Brewery	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
57	Adult Entertainment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
57.1	Adult Entertainment, with alcohol	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
58	Accessory Drive-up Window	N	N	N	N	N	N	N	N	N	N	N*	N	N	N	* S in CD for financial institutions only. Special use criteria under development
58.1	Accessory Walk-up Window	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
	6.0 TRANSPORTATION, COMMUNICATION, AND UTILITIES															
61	Transportation Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
61.1	Motor Vehicle Rental Service	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
61.2	Marine Passenger Terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
61.3	Truck or Trailer Rental Service	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
62	Freight Terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
62.1	Marine Freight Terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
63	Aircraft Transportation and Maintenance	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
64	Parking Garage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
64.1	Parking Lot	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
65	Utilities Infrastructure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
65.1	Satellite Dish Antenna, over 1 meter diameter	N	N	N	N	N	N	N	Y	N	N	Y	Y	N	N	

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65.2	Private Cellular Communications Antenna Array on Existing Residential Structure	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 508
65.3	Private Cellular Communications Antenna Array on Existing Nonresidential Structure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	See section 508
65.4	Public Cellular Communications Antenna Array on Existing Structure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	See section 508
65.5	Private Cellular Communications Tower	N	N	N	N	N	N	N	N	N	N	N	S	N	N	See section 508
65.6	Public Cellular Communications Tower	N	N	N	N	N	N	N	N	N	N	N	S	N	N	See section 508
65.7	Other Communications Tower, including Broadcast TV or Radio	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
65.8	Broadcasting Studio	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N
66	Power Plant, wind, gas, low sulfur, oil	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.1	Power Plant, other	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.2	Incinerator	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.3	Private Waste Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.4	Major Solar Energy System Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 510
66.5	Minor Solar Energy System	S	S	S	N	N	N	N	N	N	N	N	N	N	N	See section 510
66.7	Accessory Solar Energy System	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	See section 503.9
66.8	Contaminated Site Solar Energy System	S	S	S	S	S	S	S	S	S	S	S	S	S	N	See section 510
67	Landfill	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
67.1	Waste Tire Storage Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
68	Off-Premises Sign	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
	7.0 INDUSTRIAL															
71	Food Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
72	Textile Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

73	Wood Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
73.1	Paper Products Manufacturing and Printing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
74	Chemical Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
74.1	Agricultural Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
74.2	Rubber and Plastic Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
75	Petroleum Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
75.1	Paving and Building Materials Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
76	Stone, Clay and Glass Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
77	Mineral Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
77.1	Junk Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78	Primary Metal Industries	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.1	Fabricated Metal Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.2	Drop Forge Industries	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.3	Machinery Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.4	Transportation Equipment Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.5	Ship Building and Repair	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
79	Scientific Equipment Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
79.1	Jewelry Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
79.2	Arts and Crafts Manufacturing	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N	
	8.0 NOXIOUS INDUSTRIAL															
81	Nuclear Industries	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
82	Slaughter of Animals	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
82.1	Seafood Canning and Preserving	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

82.2	Leather and Fur Tanning	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
82.3	Glue Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
83	Tobacco Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
84	Pulp or Paper Mills	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
85	Acid Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
85.1	Toxic Gases or Chemicals Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
86	Petroleum Refining	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
86.1	Creosote Manufacturing or Treatment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
86.2	Tire Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
87	Explosives Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
88	Lime, Gypsum or Plaster of Paris Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
9.0 EXTRACTIVE INDUSTRIAL																
90	Earth Removal Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
91	Rock Quarrying Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
92	Extractive Materials Processing, Distribution, and Storage Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
10.0 MARIJUANA/CANNABIS-RELATED USES																
100	Cannabis and/or marijuana retail facility	N	N	N	N	N	N	N	N	N	N	N	S	N	S	See section 504.15
101	Cannabis and/or marijuana cultivation facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
102	Cannabis retailer/ Hybrid cannabis retailer	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
103	Cannabis and/or Marijuana Cultivator	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
104	Cannabis and/or Marijuana Product Manufacturer	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15

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105	Cannabis and/or Marijuana Testing Laboratory	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
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USE CODE	USE	IND-1	IND-2	IND-3	GI	GI-1	OS	COD-CMT MOD-CMT	COD-MT MOD-MT	NOTES
	0.0 AGRICULTURAL									
01	Crop Farm	Y	Y	Y	Y	N	Y	N	N	
02	Livestock Farm	Y	Y	Y	Y	N	Y	N	N	
03	Pig Farm	N	N	N	N	N	N	N	N	
04	Fish Hatchery	Y	Y	Y	Y	N	Y	N	N	
05	Boarding Animals	N	Y	Y	Y	N	Y	N	N	See section 504.10
05.1	Pet Day Care Facility	Y	N	N	N	N	N	N	N	See section 504.10
	1.0 RESIDENTIAL									
10	Single-Household Detached Structure	N	N	N	N	N	N	N	N	Farm residence permitted as accessory use in OS Zone.
11	Two-Household Detached Structure	N	N	N	N	N	N	N	N	Farm residence permitted as accessory use in OS Zone.
12	Multi-Household Detached Structure, up to 12 Units, LDP	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.1	Multi-Household Land Development Project	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations

12.2	Multi-Household Detached Structure, up to 12 Units, Elderly Only, LDP	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.3	Multi-Household Land Development Project, Elderly Only	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.4	Residential Compound	N	N	N	N	N	N	N	N	
12.5	Flexible Design Residential Projects	N	N	N	N	N	N	N	N	
13	Loft, Commercial Artist	Y	N	N	N	N	N	N	N	
14	Sorority or Fraternity House	N	N	N	Y	N	N	N	N	
15	Community Residence	N	N	N	Y	N	N	N	N	
15.1	Halfway House	N	N	N	N	N	N	N	N	
15.2	Transient Residential Facility	N	N	N	N	N	N	N	N	
16	Single Mobile or Manufactured Home	N	N	N	N	N	N	N	N	
16.1	Mobile or Manufactured Home Park Land Development Project	N	N	N	N	N	N	N	N	
16.2	Senior Residential Community LDP, Elderly Only	N	N	N	N	N	N	N	N	See section 501.7
2.0 INSTITUTIONAL AND GOVERNMENTAL SERVICES										

20	Educational Institution, Primary through Secondary	N	N	N	Y	N	N	N	N	
20.1	Special Needs Schools	N	N	N	Y	N	N	N	N	
21	Higher Educational Institution, Privately Owned and Operated	N	N	N	Y	N	N	N	N	Permitted as accessory use in IND-1 zone. See also section 101 Zoning Districts
21.1	Higher Educational Institution, State Owned and Operated	N	N	N	Y	N	N	N	N	Permitted as accessory use in IND-1 zone. See also section 101 Zoning Districts
22	Special Schools	Y	Y	Y	N	N	N	N	N	
23	Religious Services	Y	N	N	N	N	N	N	N	
23.1	Religious Housing	N	N	N	N	N	N	N	N	See section 501.10
24	Health Care Institution Land Development Project	N	N	N	Y	N	N	N	N	See section 603.2
24.1	Drug or Alcohol Rehabilitation Facility	Y	N	N	Y	N	N	N	N	
24.2	Medical or Dental Office	Y	N	N	Y	N	N	N	N	
24.3	Veterinary Office	S	N	N	N	N	N	N	N	See section 504.10
24.3.1	Veterinary Hospital	N	N	N	N	N	N	N	N	See section 504.10
24.4	Residential Care and Assisted Living Land Development Project	N	N	N	N	N	N	N	N	See Subdivision and Land Development Regulations for required standards
25	Government Garage or Utility	N	Y	Y	Y	N	N	N	N	
25.1	Correctional Institution	N	N	N	N	N	N	N	N	
25.2	Public Safety Facility	N	Y	Y	Y	Y	N	N	N	
25.3	Government Use, Not Herein Specified	Y	Y	Y	Y	N	Y	N	N	

25.4	Government Waste Facility	N	N	N	Y	N	N	N	N	
26	Day Care Home	N	N	N	N	N	N	N	N	
26.1	Day Care Center, up to 12 people	Y	N	N	Y	N	N	N	N	
26.2	Day Care Center, more than 12 people	Y	N	N	Y	N	N	N	N	
27	Service Organization	Y	N	N	Y	N	N	N	N	
28	Cemetery	N	N	N	Y	N	N	N	N	
28.1	Crematorium	N	N	N	N	N	N	N	N	
3.0 CULTURAL, ENTERTAINMENT AND RECREATION SERVICES										
31	Nonprofit Museum or Library	Y	Y	Y	Y	N	N	N	N	
32	Spectator Assembly	N	N	N	N	N	N	N	N	
32.1	Race Track	N	N	N	N	N	N	N	N	
32.2	Casino	N	N	N	N	N	N	N	N	
32.3	Legitimate Theater without alcohol	N	N	N	Y	N	N	N	N	
32.4	Legitimate Theater with alcohol	N	N	N	S	N	N	N	N	See section 504.18
33	Outdoor Recreation Facility	N	N	N	Y	N	Y	N	N	See section 501.11 Supplementary Use Regulations for additional mandatory regulatory standards
33.1	Outdoor Shooting Range	N	N	N	N	N	N	N	N	
33.1.1	Bow and Arrow Range/Clay Shooting	N	N	N	N	N	S	N	N	See Sec. 501.12
33.1.2	Indoor Shooting Range	S	S	S	N	N	N	N	N	See Sec. 501.11
33.1.3	Field Trials	N	N	N	N	N	S	N	N	See Sec. 501.12
33.2	Country Club	N	N	N	N	N	N	N	N	

33.3	Tennis Courts	N	N	N	Y	N	Y	N	N	
33.4	Marina/Yacht Club	N	N	N	Y	N	N	N	N	
33.5	Transient Amusement	N	Y	Y	Y	N	Y	N	N	
33.6	Outdoor Entertainment	N	N	N	N	N	N	N	N	
33.11	Golf Course, without alcohol	N	Y	Y	Y	N	N	N	N	
33.12	Golf Course, with alcohol	N	N	N	N	N	N	N	N	
34	Indoor Sports Facility	Y	Y	Y	Y	N	N	N	N	
35	Nonprofit Community Park or Playground	Y	Y	N	Y	N	Y	N	N	
35.1	Nonprofit Community Center	Y	Y	Y	Y	N	N	N	N	
35.2	Nonprofit Fraternal Organization	Y	N	N	Y	N	N	N	N	
36	Wildlife Refuge	Y	Y	Y	Y	N	Y	N	N	
37	Arts based, Industrial Facility Adaptive Reuse	Y/N*	N	N	N	N	N	N	N	*Not permitted in IND-1 zoned areas in West Kingston
4.0 GENERAL SERVICES										
40	Bed and Breakfast, up to 12 rooms	N	N	N	N	N	N	N	N	See section 504.9 - In OS zone, existing structure only
40.1	Hotel, up to 20 rooms	N	N	N	N	N	N	N	N	See section 501.9
40.2	Motel or Hotel, over 20 rooms	N	N	N	N	N	N	N	N	See section 501.9
40.3	Transient Trailer Park Land Development Project	N	N	N	N	N	N	N	N	See section 501.9
41	Office, Personal and Limited Business Service, up to 10,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	

41.1	Mortuary or Funeral Home	N	N	N	N	N	N	N	N	
42	Office, Personal and Limited Business Service, 10,001—50,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	
43	Office, Personal and Limited Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
44	General Business Service, up to 10,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	
44.1	General Business Service, 10,001—50,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	
44.2	General Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
45	Automotive or Gasoline Service Station	Y	Y	N	N	N	N	N	N	
46	Construction Service	Y	Y	Y	N	N	N	N	N	
46.1	Artisan Workshop	Y	N	N	N	N	N	N	N	
47	Heavy Construction Service	Y	Y	Y	N	N	N	N	N	
	5.0 TRADE									
51	Wholesale Trade, within enclosed structure	Y	Y	Y	N	N	N	N	N	
51.1	General Warehouse	Y	Y	Y	N	N	N	N	N	
51.2	Self Storage Facility	Y	Y	Y	N	N	N	N	N	

51.3	Wholesale Trade of Seafood Products (including land based aquaculture support services) - Up to 5,000 s.f. GLFA	Y	N	N	N	N	N	N	N	
52	Wholesale Trade, with outdoor storage	Y	Y	Y	N	N	N	N	N	
52.1	Boat Storage	Y	Y	Y	N	N	N	N	N	
53	Wholesale or Retail Trade of Petroleum Products, up to 100,000 gal.	Y	Y	Y	N	N	N	N	N	
53.1	Wholesale or Retail Trade of Petroleum Products, more than 100,000 gal.	N	Y	Y	N	N	N	N	N	
53.2	Wholesale or Retail Trade of Liquified Gas	Y	Y	Y	N	N	N	N	N	
54	Retail Trade of Building Materials, up to 10,001 s.f. GLFA/use	Y	Y	Y	N	N	N	N	N	
54.1	Retail Trade of Building Materials, 10,001—50,000 s.f. GLFA/use	Y	Y	Y	N	N	N	N	N	
54.2	Retail Trade of Building Materials, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
55	Retail Trade, up to 10,000 s.f.	N	N	N	N	N	N	N	N	
55.1	Retail Trade, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	

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55.2	Retail Trade, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
55.3	Liquor Store	N	N	N	N	N	N	N	N	
55.4	Retail Trade of Automotive Products	N	N	N	N	N	N	N	N	
55.5	Retail Trade of Marine Products	N	N	N	N	N	N	N	N	
55.6	Retail Trade, Automotive and Marine, Indoor Only	Y	N	N	N	N	N	N	N	
55.7	Retail Trade of Seafood Products - Up to 5,000 s.f. GLFA	N	N	N	N	N	N	N	N	
56	Restaurant, without alcohol	N S	N	N	N	N	N	N	N	See section 504.21
56.1	Restaurant, with alcohol	N	N	N	N	N	N	N	N	See section 504.19
56.2	Brewpub	S	N	N	N	N	N	N	N	
56.3	Accessory Entertainment to Restaurant or Bar	N	N	N	N	N	N	N	N	See section 504.19
56.4	Mobile Food Establishment	Y	Y	Y	Y	N	Y	N	N	See section 511
56.5	Mobile Food Court	S	S	S	S	N	S	N	N	See section 511
56.6	Brewery	Y	Y	Y	N	N	—	—	—	
57	Adult Entertainment	N	Y	N	N	N	N	N	N	
57.1	Adult Entertainment, with alcohol	N	N	N	N	N	N	N	N	
58	Accessory Drive-up Window	N	N	N	N	N	N	N	N	
58.1	Accessory Walk-up Window	Y	Y	Y	Y	N	Y	N	N	

	6.0 TRANSPORTATION, COMMUNICATION, AND UTILITIES									
61	Transportation Center	Y	Y	N	Y	N	N	N	N	
61.1	Motor Vehicle Rental Service	Y	Y	N	N	N	N	N	N	
61.2	Marine Passenger Terminal	N	N	N	Y	N	N	N	N	
61.3	Truck or Trailer Rental Service	Y	Y	Y	N	N	N	N	N	
62	Freight Terminal	N	Y	Y	N	N	N	N	N	
62.1	Marine Freight Terminal	N	N	N	N	N	N	N	N	
63	Aircraft Transportation and Maintenance	N	N	N	N	N	N	N	N	
64	Parking Garage	N	N	N	Y	N	N	N	N	
64.1	Parking Lot	Y	Y	Y	Y	N	N	N	N	
65	Utilities Infrastructure	Y	Y	Y	Y	N	Y	N	N	
65.1	Satellite Dish Antenna, over 1 meter diameter	Y	Y	Y	Y	N	N	N	N	
65.2	Private Cellular Communications Antenna Array on Existing Residential Structure	N	N	N	Y	N	N	N	N	See section 508
65.3	Private Cellular Communications Antenna Array on Existing Nonresidential Structure	Y	Y	Y	Y	N	Y	N	N	See section 508
65.4	Public Cellular Communications Antenna Array on Existing Structure	Y	Y	Y	Y	N	Y	N	N	See section 508

65.5	Private Cellular Communications Tower	S	S	S	S	N	S	N	N	See section 508
65.6	Public Cellular Communications Tower	S	S	S	Y	N	S	N	N	See section 508
65.7	Other Communications Tower, including Broadcast TV or Radio	N	N	N	N	N	N	N	N	
65.8	Broadcasting Studio	Y	Y	Y	N	N	N	N	N	
66	Power Plant, wind, gas, low sulfur, oil, other	N	N	N	N	N	N	N	N	
66.1	Power Plant, other	N	N	N	N	N	N	N	N	
66.2	Incinerator	N	N	N	N	N	N	N	N	
66.3	Private Waste Facility	N	N	N	N	N	N	N	N	
66.4	Major Solar Energy System Land Development Project	S	S	S	Y	N	N	N	N	See section 510
66.5	Minor Solar Energy System	S	S	S	Y	N	N	N	N	See section 510
66.7	Accessory Solar Energy System	Y	Y	Y	Y	N	Y	N	N	See section 503.9
66.8	Contaminated Site Solar Energy System	S	S	S	Y	N	N	N	N	See section 510
67	Landfill	N	N	N	N	N	N	N	N	
67.1	Waste Tire Storage Facility	N	N	N	N	N	N	N	N	
68	Off-Premises Sign	N	N	N	N	N	N	N	N	
	7.0 INDUSTRIAL									
71	Food Products Manufacturing	Y	Y	Y	N	N	N	N	N	
72	Textile Products Manufacturing	Y	Y	Y	N	N	N	N	N	

73	Wood Products Manufacturing	Y	Y	Y	N	N	N	N	N	
73.1	Paper Products Manufacturing and Printing	Y	N	Y	N	N	N	N	N	
74	Chemical Products Manufacturing	Y	N	N	N	N	N	N	N	
74.1	Agricultural Products Manufacturing	N	N	N	N	N	N	N	N	
74.2	Rubber and Plastic Products Manufacturing	N	N	Y	N	N	N	N	N	
75	Petroleum Products Manufacturing	N	N	Y	N	N	N	N	N	
75.1	Paving and Building Materials Manufacturing	N	N	S	N	N	N	N	N	
76	Stone, Clay and Glass Products Manufacturing	N	N	S	N	N	N	N	N	
77	Mineral Products Manufacturing	N	N	N	N	N	N	N	N	
77.1	Junk Yard	N	N	N	N	N	N	N	N	
78	Primary Metal Industries	N	N	N	N	N	N	N	N	
78.1	Fabricated Metal Products Manufacturing	Y	Y	Y	N	N	N	N	N	
78.2	Drop Forge Industries	N	N	N	N	N	N	N	N	
78.3	Machinery Manufacturing	Y	Y	Y	N	N	N	N	N	
78.4	Transportation Equipment Manufacturing	Y	Y	Y	N	N	N	N	N	

78.5	Ship Building and Repairing	Y	Y	Y	N	N	N	N	N	
79	Scientific Equipment Manufacturing	Y	Y	Y	N	N	N	N	N	
79.1	Jewelry Manufacturing	Y	Y	Y	N	N	N	N	N	
79.2	Arts and Crafts Manufacturing	Y	Y	Y	N	N	N	N	N	
	8.0 NOXIOUS INDUSTRIAL									
81	Nuclear Industries	N	N	N	N	N	N	N	N	
82	Slaughter of Animals	N	N	N	N	N	N	N	N	
82.1	Seafood Canning and Preserving	N	N	N	N	N	N	N	N	
82.2	Leather and Fur Tanning	N	N	N	N	N	N	N	N	
82.3	Glue Manufacturing	N	N	N	N	N	N	N	N	
83	Tobacco Products Manufacturing	N	N	N	N	N	N	N	N	
84	Pulp or Paper Mills	N	N	N	N	N	N	N	N	
85	Acid Manufacturing	N	N	N	N	N	N	N	N	
85.1	Toxic Gases or Chemicals Manufacturing	N	N	N	N	N	N	N	N	
86	Petroleum Refining	N	N	N	N	N	N	N	N	
86.1	Creosote Manufacturing or Treatment	N	N	N	N	N	N	N	N	
86.2	Tire Manufacturing	N	N	N	N	N	N	N	N	
87	Explosives Manufacturing	N	N	N	N	N	N	N	N	
88	Lime, Gypsum or Plaster of Paris Manufacturing	N	N	N	N	N	N	N	N	
	9.0 EXTRACTIVE INDUSTRIAL									

90	Earth Removal Land Development Project	N	Y	Y	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
91	Rock Quarrying Land Development Project	N	Y	Y	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
92	Extractive Materials Processing, Distribution, and Storage Land Development Project	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
10.0 MARIJUANA/CANNABIS-RELATED USES										
100	Marijuana retail facility	N	N	N	N	N	N	N	N	
101	Marijuana cultivation facility	N	N	N	N	N	N	S	S	
102	Cannabis retailer/hybrid cannabis retailer	N	N	N	N	N	N	N	N	
103	Cannabis and/or Marijuana Cultivator	N	N	N	N	N	N	S	N	See section 504.15
104	Cannabis and/or Marijuana Product Manufacturer	N	N	N	N	N	N	S	S	See section 504.15
105	Cannabis and/or Marijuana Testing Laboratory	N	N	N	N	N	N	S	S	See section 504.15

(Ord. of 3-12-01, § I; Ord. of 7-23-01; Ord. of 5-13-02; Ord. of 7-22-02, §§ 1a, 1b; Ord. of 8-12-03; Ord. of 4-10-06; Ord. of 5-12-08(2); Ord. of 5-12-08(3); Ord. of 5-26-09; Ord. of 11-14-11; Ord. of 9-24-12; Ord. of 3-9-15; Ord. of 7-25-16; Ord. of 9-26-16(2); Ord. of 10-24-16; Ord. of 5- 8-17; Ord. of 6-12-17; Ord. of 6-25-18; Ord. of 2-25-19(1); Ord. of 7-22-19(1); Ord. of 10-15-19(2); Ord. of 12-9-19(3); Ord. of 3-13-23(2); Ord. of 10-23-23(1); Ord. of 10-23-23(2); Ord. of 12-11-23(3); Ord. of 1-13-25(2))

Article 5, Section 504 of Appendix A of the Code of Ordinances of the Town of South Kingstown, Rhode Island (“Special Use Permits”), to be amended as follows (red denotes additions, ~~strike through denotes subtractions~~):

Sec. 504. Special use permits.

504.1. *Location of OWTS.*

- A. No onsite wastewater treatment system (OWTS), disposal trench, disposal bed, or other facility designed to leach wastewater into the soil from any development which includes construction of a new dwelling or the complete replacement of an existing dwelling, shall be located in areas outlined below, except by the granting of a special use permit by the zoning board of review.
 - 1. Within one hundred fifty (150) feet of "fresh water wetlands" as defined in article 12 (as wetlands, freshwater) of this ordinance excluding from such definition that area of land within fifty (50) feet of the edge of any bog, marsh, swamp or pond. Also excluded from such definition are "river and stream flood plains and banks."
 - 2. Within one hundred fifty (150) feet of a "coastal wetland" as defined in article 12 of this ordinance (as wetlands, coastal) or within one hundred fifty (150) feet of the line of mean high water of any tidal water body as defined in the regulations adopted by the Coastal Resources Management Council of the State of Rhode Island and subsequent amendments thereto, except by the granting of a modification or special use permit.
- B. The zoning board of review shall review these projects in accordance with the criteria found in this ordinance to determine the potential cumulative and integrated impacts to wetlands through the use of OWTS, the clearing and grading of land, and/or the generation of stormwater runoff from impervious surfaces. It is specifically noted that residential construction associated with an application for a special use permit for an OWTS must meet the minimum dimensional setbacks of the zoning district in which the property is situated. The zoning board may not grant any dimensional relief for setbacks concurrent with the special use permit application.
- C. Notwithstanding the foregoing, an existing OWTS, leach field or other facility designed to leach wastewater into the soil located within one hundred fifty (150) feet of a fresh water wetland or coastal wetland may be replaced and/or its associated leach field repaired upon approval by the building official/zoning officer, without the need for a special use permit, if the replacement, or repairs meet the performance standards for alternative technologies contained in section 504.4.

504.2. *Conditions for OWTS.*

- A. An application involving any onsite wastewater treatment system (OWTS), requiring approval by the zoning board of review shall require an advisory opinion from the conservation commission prior to filing. The conservation commission shall prepare an advisory opinion based on the following information to be submitted by the applicant as part of any application:
 - 1. Proximity to the one hundred-year floodplain level;
 - 2. Location of coastal features and relationship to jurisdiction of the Coastal Resources Management Council Special Area Management Plans for the Narrow River and the Salt Pond Region;
 - 3. The location and delineation of, and distance from the nearest public water supply watershed or aquifer;
 - 4. Proximity to Class SA and/or Class A water body or area where the water quality is suitable for harvesting shellfish for direct consumption, where applicable;
 - 5. Soil types present on the site within the vicinity of proposed construction and land disturbance (referencing the Soil Survey of Rhode Island and based on collected field data) to include, but not

[be] limited to: depth of soil to the seasonal high water table, with areas having a depth of eighteen (18) inches clearly shown, hydric soils, and hydrologic soil groups;

6. The presence of a restrictive layer, ledge and/or dense basal till between the soil surface and groundwater;
7. Detailed soil morphological characteristics to a depth of four (4) feet as analyzed by a licensed Class IV Soil Evaluator, for the purpose of determining seasonal high water table;
8. Direction of groundwater flow;
9. Direction and characteristics of stormwater flow based on an analysis of area topography, existing impervious surfaces, drainage infrastructure, soils and ground cover;
10. Availability of public water system;
11. The dimensions of the proposed structure, the square footage apportioned to living space for each floor and number of bedrooms. The number of bedrooms in the proposed structure shall not exceed the design capacity of the OWTS servicing the same;
12. The acreage and percentage of impervious cover of the lot under current conditions and with proposed development;
13. Drinking water wells within two hundred (200) feet of the proposed OWTS;
14. Precise reference points to aid in locating the property and the proposed OWTS site. For example, street number of adjacent dwellings, utility pole number, curb drains, distance to the nearest street intersection, benchmark of coastal and geodetic survey marker;
15. The surveyed edge of all coastal and freshwater wetlands within two hundred (200) feet of the leach field, where feasible, as flagged by a qualified professional who meets the minimum qualifications for professionals that delineate wetlands as set forth in the Freshwater Wetlands Program guidelines noted in Rule 12.01(C) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act;
16. Documentation that the wetland edge has been verified pursuant to Rule 9.02(A)(2) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act;
17. Approximate location and type of OWTS of properties within two hundred (200) feet of the subject site; and
18. Use of LID (Low Impact Design) Techniques. The applicant shall demonstrate that the design of the OWTS, residence and other site alterations addresses the ten (10) objectives of LID Site Planning and Design Criteria as detailed in the "Rhode Island Stormwater Design and Installation Standards Manual" to the maximum extent practicable).

504.3. *OWTS design.*

The separation distance between the bottom of any OWTS leaching field and the season high water table shall be as follows.

- A. Conventional OWTS design—no less than three (3) feet.
- B. Advanced Technology OWTS design—no less than the distance required by RIDEM.
- C. Critical Resource areas—no less than four (4) feet for OWTSs located within a critical resource area, as defined in Rule 38 of Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems, RIDEM, January 1, 2008, as amended.

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- D. Where RIDEM grants a variance to permit separation distances that are less than the above, a modification or Special use permit pursuant to article 9 of this ordinance shall also be required.

504.4. *Performance standards.*

Applications for a special use permit under provisions of section 504 of the zoning ordinance shall meet the following minimum performance standards.

- A. *Alternative technologies.* Alternative technologies that provide advanced treatment shall be used in all new, replacement and OWTS alterations or repairs to leachfields, to achieve minimum treatment requirements as set forth in section B below where the OWTS is or will be located within the following areas.
1. The CRMC Salt Pond Region Special Area Management Plan;
 2. The CRMC Narrow River Special Area Management Plan;
 3. Within a designated community Well Head Protection Area (WHPA) and/or the town's Groundwater Protection Overlay District (GPOD) per section 602;
 4. A site where the seasonal high ground water table is located less than or equal to forty eight (48) inches below the original grade;
 5. A site requiring a special use permit under the provisions of section 504.1 or 504.3 of the zoning ordinance; and
 6. Where the proposed or existing OWTS leach field is less than one hundred (100) feet from any well used as a potable water supply.
- B. *Minimum requirements for advanced OWTS treatment.* All new, replacement and OWTS alterations or repairs to leachfields for OWTSs located within those conditions set forth in section A above shall be approved by RIDEM and provide advanced treatment to achieve the following levels, as measured at the outlet of the treatment unit prior to discharge to a drain field:
1. Minimum total nitrogen removal of fifty (50) percent and a reduction to less than or equal to 19 mg/l total nitrogen;
 2. TSS (Total Suspended Solids) and BOD₅ (Biological Oxygen Demand-5 Day) shall be equal to or less than 30 mg/l each;
 3. Minimum fecal coliform removal to less than or equal to 1,000 fecal coliform MPN/100 ml.
- C. *Additional treatment requirements.* Where the distance between a drainfield and private potable water supply well is less than one hundred (100) feet alternative OWTS microbiological treatment of the effluent shall result in a final leach field effluent fecal coliform concentration of less than or equal to 200 MPN/100ml.
- D. *Permitted OWTS technologies.* Installation of alternative OWTS technologies permitted shall be those technologies approved by RIDEM pursuant to their procedures and regulations. Alternative OWTS technologies shall have documented the ability to achieve the minimum treatment requirements set forth in this ordinance.
- E. *Seasonal high water table determinations.* For the purpose of determining the seasonal high water table, detailed soil morphological data to a depth of four (4) feet shall be prepared and submitted by a Rhode Island licensed Class IV Soil Evaluator.
- F. *Operation and maintenance.* All installations of alternative OWTS technologies shall include a continuous Operation and Maintenance (O & M) agreement with the property owner that shall be duly recorded in land evidence records.

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- G. *Minimum requirements for storm water management.* Development of an individual residential lot shall include storm water control measures to ensure that no net increase between pre and post development site conditions in volume or rate of storm water runoff for a twenty-four-hour, twenty-five-year frequency rainfall event occurs onto adjacent properties or roadways from the proposed individual residential lot development. Said plan shall include a certification by a registered professional engineer that the post development site conditions will meet or exceed the criteria noted herein.
 - H. *Use of subsurface drains.* The installation of subsurface drains designed to intercept and lower the groundwater table for the installation of an OWTS is prohibited.
 - I. *Drainage design.* A detailed stormwater management design shall be submitted to the town, for all projects proposing a new OWTS. Said plan shall include drainage calculations for a twenty-four-hour, twenty-five-year storm event prepared by a Rhode Island Registered Professional Engineer. Proposed grading shall maintain existing natural drainage patterns to the degree feasible.
 - J. *Storm water controls and OWTS location.* Storm water runoff shall be diverted from any OWTS. Also, there shall be a minimum fifteen (15) foot horizontal separation distance between any OWTS drain field and the edge of any storm water infiltration system.
 - K. *Maximum impervious lot coverage.* In the consideration of a special use permit under this section, the maximum impervious coverage allowable for the lot (all areas of the lot proposed to be covered including: driveways and parking areas, walkways, patios and rooftops of the principal and any accessory structures, where impenetrable) shall not exceed fifteen (15) percent of the buildable area of the lot.
 - L. *Minimize wetland and site disturbance.* The applicant shall demonstrate that the proposed use will result in the least disturbance to the site as possible; that the OWTS and dwelling have been located as far as possible from the wetland edge; and that the size of the dwelling, its configuration, and extent of disturbance has been reduced by the maximum extent practicable.
 - M. *Site restoration.* The wetland buffer shall be revegetated to restore buffer functions using native plants; permanent fencing will be used to demarcate the protected wetland buffer edge to avoid future encroachment. Soils compacted during construction shall be restored using compost amendments appropriate to the soil types present and plant materials utilized to restore site infiltration capabilities.

504.5. *Required information.*

In addition to the submittal requirements under section 504.2 above, all projects proposing a new OWTS shall provide a development plan that shall be filed with the planning department to show the following information:

- A. Property boundary lines with area and dimensions of property to be developed;
- B. Vicinity plan showing adjacent or nearby properties, uses, OWTSs, wells, wetlands, streams or surface water reservoirs within a five hundred-foot radius, where feasible;
- C. Site plan showing the proposed location of the OWTS, residence, impervious cover, and all other improvements, including the total area to be disturbed with limits clearly shown along with calculation of the impervious area and percentage lot coverage under current and proposed conditions;
- D. Topographic map/grading plan of property showing existing and proposed two-foot contours within and proximal to areas of the property to be developed;
- E. Site specific soils map of property including at a minimum, delineation of soil features required in section 504.2;

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- F. Stormwater management plan;
 - G. Soil erosion and sediment control plan;
 - H. Wetlands delineation map, as field verified by DEM;
 - I. Plan for revegetation of the site, including buffer restoration using native plants and fencing to prevent future disturbance; and
 - J. Any additional information related to the location of the floodplain, the profile of existing soils, the availability of water supply and any other site features or constraints that will be required by the conservation commission to prepare an advisory opinion pursuant to section 504.2.A.

504.6. *Post-construction certification.*

For all approved applications under this section, the applicant shall, upon completion of construction, provide a certification from a registered professional engineer that all site infrastructure and improvements have been installed per the approved plans and is compliant with all conditions imposed on the special use permit by the zoning board of review.

504.7. *Reduction of yard requirements in CN and CD Districts.*

In any CN or CD Zoning District, the zoning board of review may, by special use permit, allow the reduction of the side or rear yard requirements; except that no corner side yard shall be reduced to less than the depth of the required front yard of adjacent lots on the side street; nor shall any side or rear yard be reduced to less than ten (10) feet where such yard abuts a residential district.

504.8. *Extension of zoning district boundary lines.*

Where a zoning district boundary line divides a lot, the zoning board of review may permit by special use permit, the application of the regulations for either portion of the lot to extend into the remaining portion of the lot, but not more than thirty (30) feet beyond the zoning district boundary line.

504.9. *Bed and breakfast uses.*

The purpose of this section is to establish procedural requirements and standards relative to the regulation of bed and breakfast (B&B) uses within the town. It is recognized that B&B uses provide a valuable economic service to the town in support of the tourism industry and help to preserve larger historic homes in the community by providing an opportunity to the owner for income to support continued use of the structure and maintenance of the property. A bed and breakfast (B&B) may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:

- A. In addition to the restrictions on the number of guest rooms set forth in section 301, the number of guest rooms shall be further limited to the following formulae:
 - 1. There shall be at least five hundred (500) square feet of GLFA of the building per guest room, and
 - 2. The lot on which the B&B facility is sited shall be conforming to the gross parcel area requirements of the zoning district(s) on which it is situated.
- B. Parking shall be provided as required by article 7. Where accessory type events are proposed, the B&B operator shall, during the annual licensure review before the town council, demonstrate that sufficient parking, on-site and on surrounding streets where such parking is permitted, is available to support such uses in accord with the standards contained in article 7. For events and meetings such parking shall be available on the basis of one (1) space per three (3) persons of capacity of the room or area in which the event is held. For outdoor events the same ratio shall apply. Event capacity shall be determined by the fire marshal. The town council may also require the operator to provide police details to control traffic and parking during events held at the bed and breakfast facility.

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- C. Each guest room shall neither accommodate nor be provided to more than two (2) individual guests, provided that children may accompany their parents in a room.
 - D. Bed and breakfast uses shall be subject to the requirements of section 505.1, Development Plan Review.
 - E. New bed and breakfast uses that propose to hold events, as an accessory component of their principal use, shall list such events in their special use application before the zoning board of review. Such listing shall identify and describe the type, estimated number/frequency and capacity/scale of such events. The applicant shall also document that proposed parking and septic disposal facilities are adequate for the scale of the event. Where outdoor events are proposed, a site plan depicting the area of the parcel to be utilized shall be provided.
 - F. Bed and breakfast uses lawfully established as of April 23, 2007 shall be permitted to conduct events as an accessory use without securing a special use permit under this section. Such allowance is made contingent upon annual licensure by the town council of the B&B facility with permitted events. In applying for this license the operator shall provide a listing that fully describes anticipated events and demonstrates the adequacy of on-site event parking, septic disposal facilities and buffers to adjoining properties. Where outdoor events are proposed, a site plan depicting the location on the parcel where the event activities and supporting features will be conducted shall be provided.

504.10. *Pet/Animal Services.* Veterinary, boarding, daycare and grooming services for animals may be allowed by special use permit in those zones specified in section 301 subject to the conditions of this section, such conditions being in addition to all state regulations establishing minimum standards for animal care facilities (250-RICR-40-05-4).

- A. *Veterinary Hospitals.* A veterinary hospital may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:
 - 1. The lot or parcel on which the veterinary hospital is to be located consists of at least fifty thousand (50,000) square feet.
 - 2. The veterinary hospital may include one (1) accessory single-family residence, with no more than two (2) bedrooms containing no more than one thousand five hundred (1,500) square feet of living area for the caretaker/employee family of the hospital only. The accessory residence shall be designed and constructed in such a way as to maintain the appearance of the use of the lot as a veterinary hospital.
 - 3. The veterinary hospital use shall meet all the requirements of section 505.1, Development Plan Review.
 - 4. In reviewing a veterinary use the zoning board shall consider the mitigation of impacts related to noise, solid waste disposal, handling and disposal of animal waste, facility lighting and septic disposal.
- B. *Boarding, Daycare and Grooming Services.*
 - 1. Minimum Dimensional Requirements. All outdoor runs or exercise areas shall comply with all dimensional setback requirements applicable to the principal structure.
 - 2. Supplemental Application Materials. The applicant shall provide the following materials with its application for a special use permit:
 - (a) Copies of its RIDEM licensing application and approval.
 - (b) A site plan/floor plan showing:

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- Front desk or reception area
 - Waste storage (interior & exterior)
 - Food storage areas
 - Location of fire all suppression equipment including sprinklers and fire extinguishers
 - All indoor & outdoor animal holding areas, including: rooms, enclosures, communal areas, cages, runs, medical treatment and quarantine areas (labeled with use & dimensions)
 - Location of cleaning logs and posted emergency protocols (e.g. medical, fire or disaster) including contact information and evacuation plans/maps
 - Parking & vehicle circulation plan
 - Medicine storage areas (including refrigeration)
 - Staff break areas
 - All doors & windows (interior & exterior)
 - Heating, cooling & ventilation systems
 - Drainage systems

(c) An operations and maintenance plan describing all proposed activities, including, but not limited to: staffing numbers and hours, number of animals (by size/weight), types of services provided, retail sales, animal residence times, hours of operation, waste management protocols, health and safety protocols, emergency protocols.

3. *Parking, Drop-Off and Pick-Up Areas.* In addition to any parking requirements associated with on-site residential uses, all facilities shall provide one (1) off-street parking space for each employee and three (3) short-term parking spaces for customer drop-off & pick-up of animals.
4. *Supervision.* Staff supervision shall be present on-site at all times while animals are in residence. Facilities providing overnight boarding shall include overnight facilities for staff.
5. *Waste Storage and Removal.* All indoor solid waste shall be collected and stored in covered receptacles in areas that are not readily accessible by animals. Outdoor waste storage containers shall be fully enclosed and shall remain closed at all times except when opened to accept waste; shall be stored at least twenty (20) feet from all property boundaries and shall be screened from view by an enclosure. All waste shall be removed from the site not less than two (2) times each week.
6. *Retail Sales.* Facilities may engage in retail sales of pet products reasonably related to the services provided by the facility. Sales shall be limited to customers of the services provided by the facility. Retail sales of animal food shall be limited to food consumed on-site.

504.11. *Special needs school.*

A special needs school may be allowed by special use permit or otherwise, as specified in section 301, subject to the following conditions:

- A. The lot or parcel on which the special needs school is to be located consists of at least one hundred fifty thousand (150,000) square feet.
- B. The special needs school shall be limited to a maximum of one hundred (100) students.
- C. The square footage associated with any accessory use shall be included as part of the twenty (20) percent maximum lot building coverage.
- D. The use shall meet all the requirements of section 505.1, Development Plan Review.
- E. Parking shall be provided as required by article 7.

504.12. *Boat storage and retail trade of marine products.*

Use code 52.1, Boat Storage, and use code 55.5, Retail Trade of Marine Products, may be allowed by special use permit or otherwise, as specified in section 301, subject to the following conditions:

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- A. The lot or parcel on which the use is to be located shall contain a minimum of forty thousand (40,000) square feet of land suitable for development.
 - B. The lot or parcel on which the use is to be located shall be serviced by the municipal sewer system.
 - C. No boat that exceeds thirty (30) feet in length or twenty-five (25) feet in height (including support stands) shall be serviced or stored on the lot or parcel.
 - D. No service bays within any structure shall face a residential zoning district.
 - E. The use shall meet all of the requirements of section 505.1, Development Plan Review.
 - F. Parking shall be as required by article 7.

The amendment permits the storage of boats and the retail trade of marine products in a CN zone subject to the zoning board of review granting a special use permit.

504.13. Wholesale trade of seafood products (including land based aquaculture support services).

Up to five thousand (5,000) square feet GLFA. Use code 51.3 may be permitted by special use permit, as specified in section 301, subject to the following conditions:

- A. Outdoor storage or stockpiling of fish or shellfish waste products is not permitted under this use code. This standard shall not apply to the temporary storage of shell stock intended for use as growth media for shellfish spat/seed or for shellfish bed restoration purposes.
- B. Outdoor processing and handling of fish and shellfish products, where permitted, shall be appropriately screened from any adjoining public/private street or residence.
- C. The use shall meet all the requirements of section 505.1, Development Plan Review.

504.14. Household occupancy by more than three unrelated individuals.

- A. The purposes of this section, household occupancy by more than three (3) unrelated individuals, are as follows:
 - 1. To establish procedural requirements and standards relative to permitting household occupancy by more than three (3) unrelated individuals in residential buildings within the town.
 - 2. Provide a clear and effective means that will enable timely enforcement of standards, criteria, and conditions, and enable the abatement of nuisance conditions that may arise from such occupancy.
 - 3. Protect the quality of life in residential neighborhoods in the community through such regulations, enforcement, conditions and minimum standards.
 - 4. Ensure that the proposed occupancy is in accordance with the ordinance requirements and the fit of the proposed usage is appropriate for the context of its setting.
 - 5. Establish a public review and hearing procedure before the zoning board for the consideration of a special use permit to allow this type of household occupancy.
- B. Household occupancy by more than three (3) unrelated persons may be permitted by special use permit in all residential zones subject to the following criteria, minimum standards and conditions:
 - 1. All special use permits granted under this section shall expire after three (3) years. If a property owner desires to continue use of the property for household occupancy by more than three (3) unrelated individuals, re-application must be made to the zoning board of review for a renewal special use permit prior to the date of expiration.

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2. Development plan review and approval shall be required for all initial and renewal applications for special use permits pursuant to this section. Development plan review shall not be required for applications relative to properties that have previously been granted a special use permit under this section, unless the special use permit has expired prior to re-application or unless substantial changes are proposed, as determined by the administrative officer upon referral by the zoning enforcement officer. When required, development plan review is to be conducted by the planning board, and shall be a pre-requisite to formal consideration of the application by the zoning board of review. In addition to the standards set forth in the town's subdivision and land development regulations, development plan review applications shall include proposed exterior building elevations and interior floor plans.
 3. The property must be in conformance with the town's zoning ordinance and the Rhode Island State Building Code for the proposed occupancy.
 4. There shall be one (1) parking space for each potential occupant. The proposed parking area shall be delineated on the site. Impervious parking surfaces (paved, pavers, etc.) are preferred, however pervious surfaces may be permitted subject to the planning board's recommendation during the development plan review process. There shall be no parking on lawn or landscaped areas. The proposed parking areas shall be limited to occupants of the property and their guests. There shall be no rental, lease or grant of the use of parking spaces by non-occupants. The parking area(s) shall comply with the standards set forth in the town's subdivision and land development regulations relative to parking lot design and landscaping.
 5. There shall be at least three hundred thirty (330) square feet of GLFA (gross leasable floor area, see article 12 definition) of the building per proposed occupant. There shall be a minimum of seventy (70) square feet of bedroom area for bedrooms containing one (1) occupant. There shall be a minimum of one hundred (100) square feet of bedroom area for bedrooms containing two (2) occupants. There shall be no more than two (2) occupants per bedroom.
 6. The property's exterior appearance as a single-household residence shall be maintained. For any proposed occupancy of duplex and multi-household occupancy under this section exterior appearance of the premises shall be of a residential character.
 7. The owner shall file with the town's zoning officer, the name and contact information of the person or agency acting as the property manager. The property manager shall be a resident of the state. Such information shall be updated annually or as necessary if changes to property management are made. All complaints or notices of violations shall be forwarded directly to the identified property manager and the owner of the property.
 8. Prior to initial occupancy, the premises for which a special use permit is granted shall be subject to inspection for building and fire code compliance by the South Kingstown Building Official/Zoning Officer and requisite fire district (Kingston Fire District or Union Fire District, as applicable). Properties determined to be non-compliant regarding building or fire code requirements shall not be occupied under this section until such issues are resolved.
 9. In granting any special use permit pursuant to this section the zoning board of review may impose any and all conditions determined to be necessary to achieve the purposes and intents of this section and section 907A.2.(b).
 10. In addition to the standards set forth in section 907, when granting a renewal special use permit under this section, the zoning board of review shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:

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- (a) That compliance with the requirements of this section has been maintained during the previous three-year period, or that prompt action was taken to correct any identified deficiencies;
 - (b) That there is no record of police activity relative to the subject property for the previous three-year period, or that prompt action was taken to correct any issues that may have led to police action; and
 - (c) That there were no complaints registered with the zoning enforcement officer by neighboring property owners, or that prompt action was taken to correct any issues that may have led to the complaint.

504.15. *Marijuana/cannabis-related uses.*

I. Marijuana retail facilities, and/or marijuana cultivation facilities may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:

- A. The application for a special use permit shall provide the legal name and address of the retail or cultivation facility, a copy of the articles of incorporation, and the name, address, and date of birth of each principal officer and board member of the facility. The application shall include the development plan approved pursuant to this section, as well as a vicinity map, which shall identify the distances between the proposed facility and the nearest edge of abutting zoning districts. The application shall also include a copy of the licensing application submitted pursuant to the State of Rhode Island "Rules and Regulations Related to the Medical Marijuana Program Administered by the Department of Business Regulation," Regulation 230-RICR-800-05-1.
- B. The marijuana retail facility must not be located within:
 - 1. One thousand (1,000) feet from a pre-existing public or private school, or pre-school, or any licensed day-care center, not including higher education facilities; or
 - 2. Two thousand (2,000) feet from any other marijuana retail facility or marijuana cultivation facility.
- C. The distances specified in the immediately preceding section B. shall be measured by a straight line from the nearest property line of the premises on which the proposed marijuana retail facility or marijuana cultivation facility is to be located to the nearest property line of any of the other designated uses set forth therein.
- D. Hours of operation for a marijuana retail facility or marijuana cultivation facility shall be limited to 8:00 a.m. to 8:00 p.m.
- E. The proposed facilities shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing marijuana and shall ensure that each location has an operational security/alarm system.
- F. Development plan review and approval shall be required prior to application for the special use permit and is to be conducted by the planning board. In addition to the development plan review standards set forth in the subdivision and land development regulations, the planning board shall ensure compliance with the following conditions:
 - 1. The requested use at the proposed location is sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.
 - 2. The exterior appearance of the structure is consistent with the exterior appearance of existing structures within the immediate neighborhood that take on the architectural vernacular of traditional coastal New England, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.

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3. Lighting is provided to illuminate the marijuana retail facility or marijuana cultivation facility, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk.
 4. Development plan review applications for all marijuana cultivation facilities shall include detailed plans of the facility's wastewater treatment system(s). Such plans shall be approved by the department of public services prior to issuance of the development plan approval.
- G. All marijuana retail facilities and marijuana cultivation facilities shall fully comply with all other licensing requirements of the town and the laws of the state.

II. Cannabis-related facilities may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:

- A. The application for a special use permit shall provide the legal name and address of the cannabis facility, a copy of the articles of incorporation, and the name, address, and date of birth of each principal officer and board member of the facility. The application shall include the development plan approved pursuant to this section, as well as a vicinity map, which shall identify the distances between the proposed facility and the nearest edge of abutting zoning districts. The application shall also include a copy of the licensing application submitted pursuant to the State of Rhode Island Cannabis Control Commission and/or Department of Business Regulation.
- B. Pursuant to Section 21-28.11-17.1(b)(3) of the Cannabis Act, the cannabis facility must not be located within:
 1. Five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12). This distance shall be measured by a straight line from the nearest property line of the premises on which the proposed cannabis facility is to be located to the nearest property line of the parcel on which the school is located.
- C. The proposed facility shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing cannabis and shall ensure that each location has an operational security/alarm system.
- D. Development plan review and approval shall be required prior to application for the special use permit, and is to be conducted by the planning board. In addition to the development plan review standards set forth in the subdivision and land development regulations, the planning board shall ensure compliance with the following conditions:
 1. The requested use at the proposed location is sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.
 2. The exterior appearance of the structure is consistent with the exterior appearance of existing structures within the immediate neighborhood that take on the architectural vernacular of traditional coastal New England, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.
 3. Lighting is provided to illuminate the cannabis facility, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk.
 4. In addition to any requirement of Rhode Island State Law, all facilities (retail, production and/or cultivation) shall submit a plan to control odor (i.e., carbon air filtration, air filters, biofiltration, high pressure fog, odor neutralizers, negative air space control, ozone generators). The applicant's odor control plan is subject to third party review as determined by the Planning Board. The costs associated with third party review shall be borne by the applicant.

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5. Development plan review applications for all cannabis facilities shall include detailed plans of the facility's wastewater treatment system(s). Such plans shall be approved by the department of public services prior to issuance of the development plan approval.
 - E. Cannabis retailers/hybrid cannabis retailers shall only be permitted where ingress and egress to the facility is via direct access from State Route 108, or Old Tower Hill Road.
 - F. All cannabis facilities shall fully comply with all other licensing requirements of the town and the laws of the state.

504.16. *Temporary storage containers.*

- A. The long-term use of prefabricated relocatable steel buildings, box trailers or shipping or cargo containers (hereafter "storage containers") is discouraged, and the zoning board shall only approve a special use permit for a clearly demonstrated need. A storage container special use permit shall expire one (1) year from the date of issuance and may only be extended for not more than one (1) year at a time after reapplication and further approval by the zoning board.
- B. The zoning board shall impose the following conditions on the special use permit, unless the board determines that compliance with these conditions would be infeasible based on the dimensions and layout of the subject property:
 1. Containers may not be located on the front lawn of any property, defined as any area between the principal building and the street frontage;
 2. Containers shall not be located so as to reduce the amount of available off-street parking spaces to below the required minimum;
 3. Containers must be screened by a solid fence or hedge from public view from the road; and
 4. Containers shall comply with setbacks for accessory structures.
- C. Notwithstanding the foregoing, a storage container placed on property in connection with a valid building permit shall not be subject to the requirements of this section so long as the building permit remains valid.

504.17. *Major, minor and contaminated site solar energy systems.*

Major, minor and contaminated site solar energy systems may be allowed by special use permit in those zones specified in section 301, subject to the zoning board of review finding that the procedures and performance standards outlined in section 510 have been met.

504.18. *Standards for Legitimate Theater and Restaurant With Alcohol (Use Codes 32.4, and 56.1).* In reviewing an application for a special use permit for a legitimate theater or restaurant with alcohol, the Zoning Board or Planning Board (if under Unified Development) shall require that following criteria be met:

- A. The character of the neighborhood shall be predominantly non-residential. A plan prepared by a licensed land surveyor or civil engineer or a GIS map shall be submitted into the record to convey this information.
- B. At least ninety (90) percent of the seats in the restaurant shall be associated with tables or booths, and not more than ten (10) percent of the seats may be at a bar, whether or not food is also served at the bar. The area to be used for alcohol service shall be clearly delineated, as well as the seating area, serving areas, and exits. A full kitchen shall also be required. A detailed floor plan prepared by a licensed architect or civil engineer shall be submitted into the record to verify this information.
- C. Parking shall be adequate to meet all zoning requirements. An existing restaurant use without alcohol that is non-conforming by parking shall not be eligible. A detailed parking and circulation plan prepared by a licensed engineer shall be submitted into the record to verify this information.

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- D. A lighting plan prepared by a licensed architect that shows sufficient lighting for nighttime safety shall be submitted with the special use permit application.
 - E. A security plan including information relating to entrance procedure, police details and video and lighting locations shall be submitted with the application.
 - F. Any substantial future changes to those items depicted on any of the aforementioned plans shall be submitted for consideration as a new special use permit.

504.19. *Standards for Accessory Entertainment to Restaurant or Bar (Use Code 56.3).* As defined by Appendix A—Use Code Descriptions: Where the permitted use of a property is a restaurant, bar or tavern (with or without alcohol), any musical, theatrical, dance, cabaret or comedy act or similar performance by one (1) or more persons, which is provided for the pleasure of patrons.)

In reviewing an application for a special use permit for Accessory Entertainment to Restaurant Bar, the Zoning Board or Planning Board (if under Unified Development) shall require that following criteria be met:

- A. The nature of the entertainment requested shall be specified, including, but not limited to, the number of entertainers, the type of entertainment (musicians, DJs, dancers, etc.), amplified or acoustic, how many days per year, which days of the week, specific hours of entertainment, and whether indoor or outdoor or both.
- B. The nature of the entertainment shall be compatible with the character of the neighborhood. The Board shall consider the nature, duration, and especially the frequency of such accessory entertainment in determining the compatibility with the neighborhood. A plan prepared by a licensed land surveyor or civil engineer shall be submitted into the record to verify this information.
- C. Specific occupancy projections and limits shall be provided to the board, and violation of such limits shall be a violation of the Zoning Ordinance.
- D. The area for the entertainment shall be specifically delineated on a plan submitted to the board. If dancing is anticipated, the location of the dance floor and change in capacity from table service if any A detailed floor plan prepared by a licensed architect or civil engineer shall be submitted into the record to verify this information.
- E. Parking shall be adequate to meet all zoning requirements. An existing restaurant or bar use without accessory entertainment that is non-conforming by parking shall not be eligible. A detailed parking and circulation plan prepared by a licensed engineer shall be submitted into the record to verify this information.
- F. A lighting plan prepared by a licensed architect that shows sufficient lighting for nighttime safety shall be submitted with the special use permit application, including confirmation of the shut off of all amplification upon the triggering of a fire alarm.
- G. A security plan including information relating to entrance procedure, police details and video and lighting locations shall be submitted with the application.
- H. Any substantial future changes to those items depicted on any of the aforementioned plans shall be submitted for consideration as a new special use permit.

504.20. *Brewpubs.* Recommended standards and objective criteria for special use permits for brewpubs:

- (1) Brewpubs are required to obtain a Brewpub Manufacturer's License in accordance with G.L. 1956, § 3-6-1.2, as amended. All conditions associated with the approval of any special use permit for brewpub use shall be incorporated into the requisite license issued by the Town of South Kingstown. Such conditions shall be reviewed for compliance as part of the annual licensing for any brewpub establishment;

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- (2) Brewpubs shall be subject to the property owner obtaining and holding a Class A, B, or BM license, or other license deemed applicable as required by the Town of South Kingstown or the State of Rhode Island;
 - (3) Brewpubs shall be subject to the limits applicable to the sale, distribution, and on-site/off-site consumption, as regulated by G.L. 1956, § 3-6-1.2, as amended;
 - (4) All brewing operations shall occur on the property and/or premises in which the brewpub is located in accordance with applicable local and state licensing.
 - (5) *Production Capacity.* Brewing capacity for any proposed brewpub may be limited by site conditions including, but not limited to, storage of material, onsite wastewater treatment capabilities, South Kingstown's Wastewater Treatment facilities ability to process effluent from the proposed facility and/or pumping and disposal. Any brewpub use shall submit an effluent management plan to the Town of South Kingstown, Department of Public Service for review and approval. Effluent discharge from the brewing operation of a brewpub shall be stored onsite and disposed of off-site by a septage hauler. No discharge from a brewpub brewing operation will be allowed into the municipal wastewater system due to the exceedingly high levels of Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) associated with the production of malt beverages.
 - a. The maximum capacity of the brewing equipment and/or systems at any brewpub shall not exceed seven barrels (7 BBLs).
 - b. The Planning Board may limit the capacity of brewing equipment and/or the rate of beer production at a brewpub based on the following criteria:
 - i. Requirements of the Subdivision and Land Development Regulations, Zoning Ordinance and Comprehensive Plan;
 - ii. Requirements and/or conditions established by any other state or local government agencies;
 - iii. Solid and liquid waste storage and off-site disposal plans;
 - iv. The type and proximity of abutting property uses;
 - (6) *Waste Management Plan.* All brewpubs shall submit a waste management plan for review and approval by the Department of Public Services. The waste management plan shall address the storage and disposal of all solid waste and wastewater (wastes) generated by brewpub operations. All waste management plans shall include or provide for:
 - a. Plans showing adequate capacity to store all waste generated by brewing operations when conducted at the maximum rate of production.
 - b. Written confirmation that the applicant has secured the means to legally transport and dispose of all wastes generated by the brewpub operations.
 - c. Copies of any transportation or disposal permits/approvals required for the applicant and/or the applicant's contractors to haul or accept waste for disposal.
 - d. Onsite disposal of brewpub waste is prohibited in the absence of required state and federal permits/approvals, which shall be submitted with the application materials.
 - (7) *Solid Waste.* Onsite solid waste storage systems shall utilize fully enclosed, airtight storage containers designed, constructed, operated and maintained in accordance with best practices in the brewing industry to reduce/prevent the discharge of odors and the attraction of vectors. Solid waste may be accumulated onsite for no longer than forty-eight (48) hours before being removed for disposal.

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- (8) *Wastewater.* Brewpub operations generate wastewater with very high levels of Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS); regulated pollutants that are damaging to Onsite Wastewater Treatment System (OWTS) and capable of exceeding the treatment capacity of municipal sewage treatment systems. Accordingly:
- a. All brewpubs shall maintain separate wastewater collection and disposal systems for standard sanitary wastewater (e.g. lavatory, kitchen, laundry) and process wastewater from brewpub operations.
 - b. Disposal of wastewater from brewpub operations to the South Kingstown sewage treatment system is prohibited. This prohibition extends to both onsite discharge to the town's sanitary sewer system and the delivery of wastewater by tank-truck to the South Kingstown treatment facility.
 - c. Disposal of wastewater from brewpub operations to an OWTS approved by the Rhode Island Department of Environmental Management (RIDEM) for disposal of sanitary wastewater is prohibited.
 - d. Onsite disposal of wastewater from brewpub operations to an industrial or commercial onsite wastewater disposal system designed to handle wastewater generated by brewing operations is permitted provided that the discharge system has received all required state and federal pollutant discharge approvals.
 - e. Onsite wastewater storage systems shall utilize one (1) or methods to reduce TSS in the wastewater stream prior to transporting the wastewater for disposal, such as settling, screens, filters, chemical flocculation or other system.
 - f. Onsite wastewater storage systems shall be designed, constructed, operated and maintained in accordance with best practices in the brewing industry to reduce/prevent fermentation in the storage tanks, prevent discharge of odors and minimize the attraction of vectors. Wastewater may be accumulated onsite for no longer than forty-eight (48) hours before being removed for disposal.
- (9) All brewpubs shall be subject to the parking requirements outlined within Article 7, Standards for Parking Lots and Loading Facilities, and all other standards and requirements associated with Use Code 56.1, Restaurant with Alcohol, shall be adhered to;
- (10) Brewpub operators shall employ best management practices in the collection, storage, repurposing, and/or disposal of waste byproducts generated from brewing operations, as suggested by RIDEM. All waste byproducts shall be stored in suitable leak-proof containers specifically designed for waste storage in a secure and fully screened location that is not visible or accessible to the general public, and shall be physically removed from the property within twenty-four-hours of being generated;
- (11) Brewpub operations shall not emit any noxious odors other than those ordinarily associated with and/or generated by a typical restaurant. If compliance with this standard is not met, the Town of South Kingstown may require that mitigation measures be employed as part of the annual licensing review process. Failure to correct said noncompliance may be cause for revocation or denial of requisite licensing.

Failure to clearly demonstrate compliance with the above-referenced standards and objective criteria may result in the denial the special use permit. Failure of brewpub uses permitted under this section in maintaining compliance with these standards shall constitute a zoning violation and be subject to enforcement action and/or recommendations to revoke requisite license(s). Consequently, the recommendation to modify the Town's existing Zoning Ordinance to allow restaurants to add a brewing component should have limited impact to an existing restaurant's operation and any characteristics of said operation that may be of concern could be mitigated through standards required to be met in the granting of a special use permit. Further, noncompliance with these standards

could be reviewed and/or enforced during the establishment's annual business license renewals conducted by the Town Council.

(Ord. of 5-13-02, § 4; Ord. of 5-13-02, § 4; Ord. of 7-22-02, § 3; Ord. of 8-12-03; Ord. of 10-23-06; Ord. of 4-23-07(2); Ord. of 5-26-09; Ord. of 4-11-11; Ord. of 3-13-17; Ord. of 5- 8-17; Ord. of 8-14-18; Ord. of 10-15-19(1); Ord. of 10-15-19(2); Ord. of 03-13-23(2); Ord. of 12-11-23(2); Ord. of 1-13-25(2))

504.21. *Special Standards for Restaurant, without alcohol (use code 56) in Ind-1 District Only.* In reviewing an application for a special use permit for a restaurant, without alcohol, in the Ind-1 District, the Zoning Board or Planning Board (if under Unified Development) shall require that the following criteria be met:

- A. Only 1 restaurant, without the service of alcohol, shall be permitted on any given tax lot in the Ind-1 District.
- B. The service area of the restaurant shall not exceed 3,000 SF. All outdoor service areas (if any) shall be adequately screened from any abutting property that is zoned residential or used for residential purposes. Moreover, outdoor services areas (if any) shall not be located within fifty feet (50') of any property line abutting property that is zoned residential or used for residential purposes.
- C. Dumpsters and/or other waste storage shall be screened from view and on all sides and shall not be located within twenty feet (20') of any lot line abutting property that is zoned residential or used for residential purposes.
- E. A detailed floor plan prepared by a licensed architect shall be submitted into the record to verify item B above.



COMMERCIAL	DESCRIPTION
Zone: MU FLUM: Mixed Use	Purpose: To provide a mixture of residential and limited commercial uses in the area. Characteristics: This district is located within the Kingstown Road Special Management District and includes a mixture of residential and limited commercial uses. Allowed Uses: Limited commercial and residential uses are allowed in this district.
Zone & FLUM: Route 1 Special Management District	Purpose: To allow for new or expanded light industrial, commercial, or mixed-use zoning on lands located on the west side of Route 1. Characteristics: The area has been developed into a mixed-use center that includes a wide-variety uses such as retail, commercial, office, hotel, theater, and dense residential condominium development. This district has been one of the most heavily developed areas in South Kingstown in recent years and is nearly built out. Allowed Uses: Mixes uses including commercial, residential and light industrial use are allowed in this district.
Zone & FLUM: Public Marina Special Management District	Purpose: To preserve and enhance the historic uses of the town-owned waterfront properties as a marina basin at the north boundary of Point Judith Pond. The district is intended to provide for marine based commercial uses that are complementary to the historic land use pattern of the area and the public access and recreational resources of the Marina Park facility. Characteristics: This area contains approximately 7.5 acres of land located on two parcels. Marine based commercial uses complementary to the historic land use pattern of the area and the public access and recreational resources of the Marina Park facility can be found in the area. Further, building and construction activities within this district are within the regulatory jurisdiction of the RI Coastal Resources Management Council (CRMC) and may require approval from such agency, in addition to a permit from the town, to proceed. Allowed Uses: Marinas and yacht clubs, non-profit community parks, boat storage, and restaurants are allowed uses.

(continued on next page)



INDUSTRIAL	DESCRIPTION
Zone: IND-1 FLUM: Industrial Mixed-Use	Purpose: To permit manufacturing, wholesale storage and distribution activities within existing manufacturing areas in West Kingstown and existing mills in Wakefield and Peace Dale. Characteristics: <i>Wakefield/Peace Dale</i> - This district contains existing historic mill structures in the central core of South Kingstown. Public water and sewer are required. Industry or processes that create environmental hazards or generate hazardous waste or pollutants are prohibited. <i>West Kingstown</i> - This district contains existing manufacturing uses in the village of West Kingstown. The area has environmental limitations but was previously developed as a significant area of light manufacturing, wholesale operations, and storage facilities. This area is located within the Groundwater Protection Overlay District, as such, any activity which constitutes a threat to either groundwater, surface waters, or adjacent wetlands should not be allowed. Public water and sewer may be provided. Allowed Uses: Industrial land uses including light manufacturing, wholesale operations, storage and distribution facilities are allowed. This district may also allow Use Code 21, Higher Educational Institution, Privately Owned and Operated, and Use Code 21.1 Higher Educational Institution, State Owned or Operated as an accessory use to permitted primary uses.
Zone: IND-2 FLUM: Industrial 2	Purpose: To allow for proposed activities designated on the west side of Rose Hill Road. This district is created for certain businesses and/or industrial operations that do not require traditional industrial park or commercial district locations. Characteristics: Uses within the district exhibit characteristics of industrial operation, as well as retail and wholesale business uses. They include automotive-related repair and service, outdoor yard storage, warehousing, multi-purpose trade centers, wholesale and retail sales of landscape and building materials and the like. Industries should be well screened from adjacent public streets and buffered from surrounding residential uses. Public water and sewer service is not a prerequisite but may be provided. Allowed Uses: Extractive operations, including the storage of sand and gravel would be permitted, but processing of these materials or the manufacture of concrete or asphalt and similar operations would be prohibited.
Zone: IND-3 FLUM: Industrial 3	Purpose: To allow for the continued existence and redevelopment of an existing manufacturing zone on the west side of North Road in Peace Dale. Characteristics: Public water and sewer may be provided to these areas but are not required. Allowed Uses: Permitted uses include extractive operations and processing of sand and gravel, and the manufacture of asphalt and concrete and related products.



an additional 10,082 residents at full build-out. This represents the future potential for a total population of 40,659 residents and 17,143 housing units by 2026 for multi-family (37.7 units / year) and 2091 for single-family units (52.4 units / year). The Municipal Build-out Analysis is included below as a reference and summarizes maximum future build-out under existing Zoning Ordinance provisions.

NEEDS & OPPORTUNITIES

COMMERCIAL & MIXED USE IN EXISTING VILLAGES

Less than 1% of land in South Kingstown is zoned for commercial activity. As such, existing opportunities for new commercial development and expansion are limited. The Town needs to assess existing commercial uses and zoning districts in order to provide additional opportunities for properly located, appropriately sized, and well-designed commercial and mixed-use development that builds upon historic development patterns. Additional needs and opportunities are listed by specific village or commercial area.

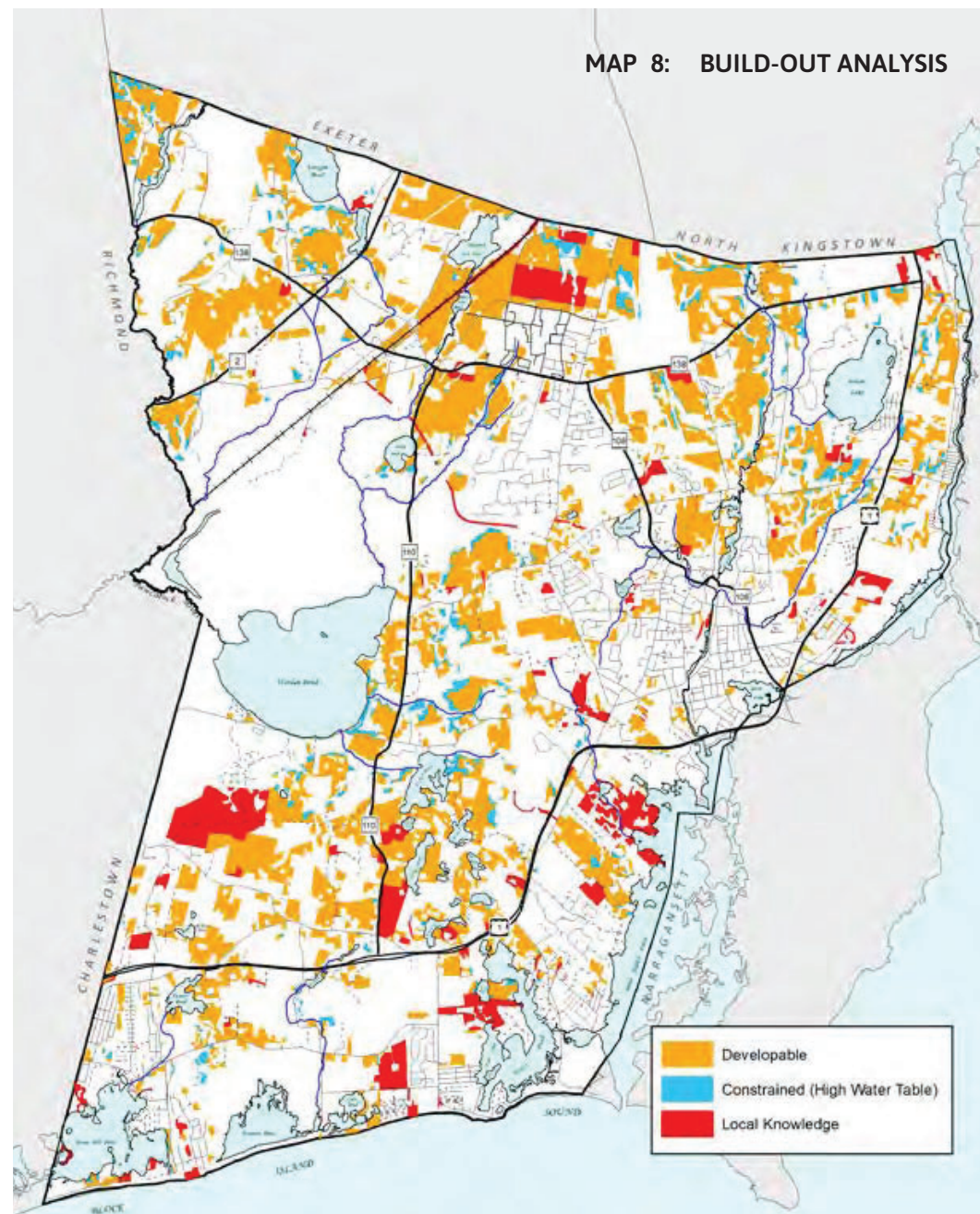
Wakefield: Wakefield contains two distinctly different areas: Main Street; and the Commercial Highway areas adjacent to Route 1, Old Tower Hill Road, and Dale Carlia Corner. Opportunities to increase density and permit a greater diversity and mix of uses exist in both areas. Along Main Street opportunities exist to promote development through evaluation and revision of parking regulations, implementation of traffic calming strategies, greening of streetscape, celebration of the Saugatucket River, and activation of commercial street fronts. Opportunities to promote mixed-use development that provides both commercial and residential uses exist along Main Street, included the eastern section of Main Street approaching Dale Carlia Corner. The Commercial Highway area of Wakefield is challenged by an automobile-oriented development pattern. Opportunities to increase density, allow more mixed-use development, improve traffic safety and circulation, and reduce the amount of impervious surface occupied by parking areas exist in this area. Additionally, more area for limited commercial development may exist within an area located south of Old Tower Hill Road to the east of Route 108. A need for small scale green spaces within this developed portion of Town is noted.

Peace Dale: Peace Dale contains areas of commercial and industrial zoning surrounded by residences. Opportunities exist to rezone the sites of redeveloped mill structures, currently zoned as Industrial, as an Industrial/Commercial mixed-use zone to more appropriately reflect the current and intended diverse set of uses. These uses include offices, recreational uses,



VILLAGE-CENTERED DEVELOPMENT

MAP 8: BUILD-OUT ANALYSIS





a brewery and distillery. Within the center of Peace Dale improvements to traffic circulation including traffic calming, improved pedestrian and bicycle facilities, activation of the street, and potential parking requirement reductions provide opportunities to improve the area as a vibrant village center. A small number of residentially zoned parcels adjacent to commercial uses in Peace Dale provide an opportunity for additional commercial development in the village.

Kingston: Kingston contains a small area of commercially zoned activity adjacent to the University of Rhode Island campus. Traffic congestion and parking in the area provide significant challenges. Some rights-of-way in the area, including Briar Lane, may need improvement to accommodate appropriate development. Opportunities exist in this area to allow a mix of uses within the commercial area and promote pedestrian connectivity and activity. Kingston also contains a Historic Overlay District, regulated by the Zoning Ordinance.

West Kingston: West Kingston contains several commercial enterprises located around the village and existing industrial areas and the Kingston Station (Amtrak), which are surrounded by and integrated with existing agricultural operations. Opportunities to grow this village exist in allowing for more limited size and scale commercial operations in keeping with the character of the village. Areas along Route 138, which include existing commercial operations may be rezoned to bring existing uses into compliance and grow the village.

Matunuck: Matunuck contains a significant number of commercial uses that serve the local community and tourism sector. Traffic calming is needed in the area, along with expanded and safer pedestrian connectivity between residential areas, recreational assets, and the commercial neighborhood zone. Parking is a significant challenge in the area, thus a need to provide additional parking facilities and encourage multi-modal transportation alternatives is noted.

Route 1 & Route 138: A pocket of commercially zoned land currently exists in this location. This area has the opportunity to serve as a gateway to South Kingstown for traffic traveling along these major roadways including the Route 1 scenic highway. Appropriate landscaping standards and the design and scale of buildings are important in this area. As such, future development of an overlay or special management district may provide tools for the allowance and regulation of this area as a commercial gateway.

Perryville and Tuckertown: The villages of Perryville and Tuckertown are predominately residential in nature. Opportunities exist to further define these “village centers” and plan for their future through a collaborative process with area residents and property owners.



CHANGING POPULATION

REDEVELOPMENT OF SCHOOL FACILITIES

As the population of South Kingstown ages and average household sizes decrease, South Kingstown anticipates a reduction in the number of students served by the Town’s educational facilities. As the Town considers strategies for school consolidation, it is faced with a need to develop tools to support appropriate redevelopment and reuse of these large, centrally located structures. The development of a unique zoning overlay district and other innovative land use planning techniques for those parcels previously utilized for governmental and institutional use may be appropriate.

SCALE & MASSING OF DEVELOPMENT

As South Kingstown continues to promote infill development within existing village and developed areas, needs and opportunities exist to ensure that development is in keeping with the character of each village or neighborhood. South Kingstown sees an opportunity in the development of guidelines and regulatory tools to ensure future development is of a scale and physical mass appropriate for a proposed location. Efforts should be made to identify those areas where standards are most needed and develop appropriate guidance.





Sayer Regan & Thayer, LLP

ATTORNEYS AND COUNSELLORS AT LAW

January 28, 2026

SENT VIA EMAIL AND CERTIFIED MAIL

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South Kingstown Planning Director
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Re: Petition to Amend Zoning Code to Allow Restaurant Use (without alcohol sales) in the Industrial-1 Zoning District

Mr. Gorman and Mr. Rabbitt:

I represent Palisades Mill LLC, the owner of the Palisades Mill located at 1070 Kingstown Road in Peace Dale. As you are aware, over the last ten to fifteen years, the Mill, which sat vacant for many years prior to my client's purchase and revival of it, has been transformed into a thriving, light-industrial, office, and small business complex. Today, anchor tenants include Whalers Brewing Company, Rock Spot Climbing, Martin Defense Group, and Low Tide Jewelry.

Although the Mill is thriving, recent changes to the Zoning Enabling Act, and South Kingstown's reasonable response to those changes, have inadvertently stifled growth at the Mill. In particular, in 2023 the State mandated that municipalities which failed to establish specific and objective criteria for uses allowed by special use permit would result in those uses being allowed by right. Consequently, municipalities had just a matter of months to rewrite substantial portions of their zoning codes. In response, and like many other communities, South Kingstown chose to prohibit certain uses which had previously been allowed by special use permit. An unfortunate byproduct of this occurrence was that beginning in 2024, many beneficial uses previously allowed were banned.

One such use was restaurant use (without alcohol sales) in the Industrial-1 District, the district in which the Mill is located. Despite being permitted for many years, today my client does not even have the opportunity to make an application to the Zoning Board of Review to allow a restaurant in the Mill.

As such, my client hereby requests that the Town of South Kingstown revise its zoning code to once again allow restaurant use (without the sale of alcohol) in the Industrial-1 District by special use permit.

For the municipality's review and consideration, enclosed herewith you will find proposed ordinance amendments which would effectuate this change, including proposed specific and objective criteria applicable to the use. Also enclosed herewith, you will find excerpts of South Kingstown's Comprehensive Community Plan. The excerpts demonstrate that the proposed use is consistent with the intentionality of the Industrial-1 District, which is specifically designated on the Future Land Use Map as Industrial/Mixed-use. The Plan also identifies Peace Dale as appropriate as a "commercial mixed-use zone to more appropriately reflect the current and intended diverse set of uses."

Thank you for your consideration of this important matter. In accordance with R.I.G.L. § 45-24-51, and on behalf of Palisades Mill LLC, I respectfully request that the Officer designated by the Town of South Kingstown to receive proposals for zoning amendments immediately refer this letter, together with its enclosures, to the Town Council and Planning Board.

Sincerely,

/s/ Michael Monti

cc: Brian Wagner
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Enclosure 1

Article 3, Section 301 of Appendix A of the Code of Ordinances of the Town of South Kingstown, Rhode Island (“Schedule of Use Regulations Table”), to be amended as follows (**red denotes additions, ~~strike through denotes subtractions~~**):

Sec. 301. Schedule of Use Regulations Table.

USE CODE	USE	R200	R80	R40	R30	R20	R10	RM	MU	CN	CN-M	CD	CH	CW	COD-R MOD-R	NOTES
	0.0 AGRICULTURAL															
01	Crop Farm	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
02	Livestock Farm	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
03	Pig Farm	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
04	Fish Hatchery	Y	Y	N	N	N	N	N	N	N	N	N	N	Y	N	
05	Boarding Animals	S	S	S	S	N	N	N	N	N	N	N	N	N	N	See section 504.10
05.1	Pet Day Care Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.10
	1.0 RESIDENTIAL															
10	Single-Household Detached Structure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
11	Two-Household Detached Structure	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
12	Multi-Household Detached Structure, up to 12 Units, LDP	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.1	Multi-Household Land Development Project	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.4	Residential Compound	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	
12.5	Flexible Design Residential Projects	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	
12.6	Mixed-Use Detached Structure, up to 12 units, Land Development Project (LDP)	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	
12.7	Mixed-Use Detached Structure (elderly residential occupancy only), LDP	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	
13	Loft, Commercial Artist	N	N	N	N	N	N	N	N	Y	Y	Y	N	Y	N	
14	Sorority or Fraternity House	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

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15	Community Residence	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
15.1	Halfway House	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
15.2	Transient Residential Facility	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	
16	Single Mobile or Manufactured Home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
16.1	Mobile or Manufactured Home Park Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
16.2	Senior Residential Community LDP, Elderly Only	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	See section 501.7
2.0 INSTITUTIONAL AND GOVERNMENTAL SERVICES																
20	Educational Institution, Primary through Secondary	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	Special use criteria under development
20.1	Special Needs School	N	S	S	S	S	S	S	S	S	S	Y	Y	N	N	See section 504.11
21	Higher Educational Institution, Privately Owned and Operated	N	N	N	N	N	N	N	N	N	N	N	S	N	N	Special use criteria under development
21.1	Higher Educational Institution, State Owned and Operated	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
22	Special Schools	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
23	Religious Services	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	Special use criteria under development
23.1	Religious Housing	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	See section 501.10
24	Health Care Institution Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 603.2
24.1	Drug or Alcohol Rehabilitation Facility	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	Special use criteria under development
24.2	Medical or Dental Office	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
24.3	Veterinary Office	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	No boarding of healthy animals. See section 504.10
24.3.1	Veterinary Hospital	N	N	N	N	N	N	N	N	Y	Y	N	N	N	N	See section 504.10
24.4	Residential Care and Assisted Living Land Development Project	S	S	S	S	S	S	N	N	N	N	N	N	N	N	Special use criteria under development
25	Government Garage or Utility	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
25.1	Correctional Institution	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
25.2	Public Safety Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

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25.3	Government Use, Not Herein Specified	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
25.4	Government Waste Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
26	Day Care Home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
26.1	Day Care Center, up to 12 people	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	Special use criteria under development
26.2	Day Care Center, more than 12 people	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	Special use criteria under development
27	Service organization	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
28	Cemetery	Y	Y	N	N	N	N	N	N	N	N	N	N	N	N	
28.1	Crematorium	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
3.0 CULTURAL, ENTERTAINMENT AND RECREATION SERVICES																
31	Nonprofit Museum or Library	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	
32	Spectator Assembly	N	N	N	N	N	N	N	N	N	N	N	Y	Y	N	
32.1	Race Track	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
32.2	Casino	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
32.3	Legitimate Theater without alcohol	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
32.4	Legitimate Theater with alcohol	N	N	N	N	N	N	N	N	S	S	S	S	N	N	See section 504.18
33	Outdoor Recreation Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
33.1	Outdoor Shooting Range	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
33.1.1	Bow and Arrow Range/Clay Shooting	S	S	S	N	N	N	N	N	N	N	N	N	N	N	See section 501.12
33.1.2	Indoor Shooting Range	S	S	N	N	N	N	N	N	N	N	N	N	N	N	See section 501.11
33.1.3	Field Trials	Y	Y	N	N	N	N	N	N	N	N	N	N	N	N	See section 501.12
33.2	Country Club	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
33.3	Tennis Courts	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	
33.4	Marina/Yacht Club	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
33.5	Transient Amusement	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
33.6	Outdoor Entertainment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
33.11	Golf Course, without alcohol	N	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	
33.12	Golf Course, with alcohol	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
34	Indoor Sports Facility	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	

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35	Nonprofit Community Park or Playground	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
35.1	Nonprofit Community Center	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
35.2	Nonprofit Fraternal Organization	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	
36	Wildlife Refuge	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
4.0 GENERAL SERVICES																
40	Bed and Breakfast, up to 12 rooms	S	S	S	S	S	S	Y	Y	Y	Y	Y	N	S	N	See section 504.9
40.1	Hotel, up to 20 rooms	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	See section 501.9
40.2	Motel or Hotel, over 20 rooms	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	See section 501.9
40.3	Transient Trailer Park Land Development Project	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	See section 501.8
41	Office, Personal and Limited Business Service, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
41.1	Mortuary or Funeral Home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
42	Office, Personal and Limited Business Service, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
43	Office, Personal and Limited Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
44	General Business Service, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
44.1	General Business Service, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
44.2	General Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
45	Automotive or Gasoline Service Station	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
46	Construction Service	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	Indoor only.
46.1	Artisan Workshop	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
47	Heavy Construction Service	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
5.0 TRADE																

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51	Wholesale Trade, within enclosed structure	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
51.1	General Warehouse	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
51.2	Self Storage Facility	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
51.3	Wholesale Trade of Seafood Products (including land based aquaculture support services) - Up to 5,000 s.f. GLFA	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
52	Wholesale Trade, with outdoor storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
52.1	Boat Storage	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
53	Wholesale or Retail Trade of Petroleum Products, up to 100,000 gal.	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
53.1	Wholesale or Retail Trade of Petroleum Products, more than 100,000 gal.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
53.2	Wholesale or Retail Trade of Liquified Gas	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
54	Retail Trade of Building Materials, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	N	N	Y	Y	N	N	
54.1	Retail Trade of Building Materials, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
54.2	Retail Trade of Building Materials, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
55	Retail Trade, up to 10,000 s.f. GLFA/use	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
55.1	Retail Trade, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
55.2	Retail Trade, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
55.3	Liquor Store	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	
55.4	Retail Trade of Automotive Products	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	

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55.5	Retail Trade of Marine Products	N	N	N	N	N	N	N	N	N	N	N	Y	Y	N	
55.6	Retail Trade, Automotive and Marine, Indoor Only	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
55.7	Retail Trade of Seafood Products - Up to 5,000 s.f. GLFA	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
56	Restaurant, without alcohol	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
56.1	Restaurant, with alcohol	N	N	N	N	N	N	N	S	S	S	S	S	S	N	See section 504.18
56.2	Brewpub	N	N	N	N	N	N	N	N	N	S	N	N	N	N	
56.3	Accessory Entertainment to Restaurant or Bar	N	N	N	N	N	N	N	S	N	N	S	S	N	N	See section 504.19
56.4	Mobile Food Establishment	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	See section 511
56.5	Mobile Food Court	N	N	N	N	N	N	N	S	S	S	S	S	S	N	See section 511
56.6	Brewery	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
57	Adult Entertainment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
57.1	Adult Entertainment, with alcohol	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
58	Accessory Drive-up Window	N	N	N	N	N	N	N	N	N	N	N*	N	N	N	* S in CD for financial institutions only. Special use criteria under development
58.1	Accessory Walk-up Window	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
6.0 TRANSPORTATION, COMMUNICATION, AND UTILITIES																
61	Transportation Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
61.1	Motor Vehicle Rental Service	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	
61.2	Marine Passenger Terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
61.3	Truck or Trailer Rental Service	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
62	Freight Terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
62.1	Marine Freight Terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
63	Aircraft Transportation and Maintenance	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
64	Parking Garage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
64.1	Parking Lot	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	
65	Utilities Infrastructure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
65.1	Satellite Dish Antenna, over 1 meter diameter	N	N	N	N	N	N	N	Y	N	N	Y	Y	N	N	

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65.2	Private Cellular Communications Antenna Array on Existing Residential Structure	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 508
65.3	Private Cellular Communications Antenna Array on Existing Nonresidential Structure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	See section 508
65.4	Public Cellular Communications Antenna Array on Existing Structure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	See section 508
65.5	Private Cellular Communications Tower	N	N	N	N	N	N	N	N	N	N	N	S	N	N	See section 508
65.6	Public Cellular Communications Tower	N	N	N	N	N	N	N	N	N	N	N	S	N	N	See section 508
65.7	Other Communications Tower, including Broadcast TV or Radio	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
65.8	Broadcasting Studio	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	
66	Power Plant, wind, gas, low sulfur, oil	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.1	Power Plant, other	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.2	Incinerator	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.3	Private Waste Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
66.4	Major Solar Energy System Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 510
66.5	Minor Solar Energy System	S	S	S	N	N	N	N	N	N	N	N	N	N	N	See section 510
66.7	Accessory Solar Energy System	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	See section 503.9
66.8	Contaminated Site Solar Energy System	S	S	S	S	S	S	S	S	S	S	S	S	S	N	See section 510
67	Landfill	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
67.1	Waste Tire Storage Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
68	Off-Premises Sign	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
	7.0 INDUSTRIAL															
71	Food Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
72	Textile Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

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73	Wood Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
73.1	Paper Products Manufacturing and Printing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
74	Chemical Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
74.1	Agricultural Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
74.2	Rubber and Plastic Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
75	Petroleum Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
75.1	Paving and Building Materials Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
76	Stone, Clay and Glass Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Special use criteria under development
77	Mineral Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
77.1	Junk Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78	Primary Metal Industries	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.1	Fabricated Metal Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.2	Drop Forge Industries	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.3	Machinery Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.4	Transportation Equipment Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
78.5	Ship Building and Repair	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	
79	Scientific Equipment Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
79.1	Jewelry Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
79.2	Arts and Crafts Manufacturing	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N	
8.0 NOXIOUS INDUSTRIAL																
81	Nuclear Industries	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
82	Slaughter of Animals	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
82.1	Seafood Canning and Preserving	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

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82.2	Leather and Fur Tanning	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
82.3	Glue Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
83	Tobacco Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
84	Pulp or Paper Mills	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
85	Acid Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
85.1	Toxic Gases or Chemicals Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
86	Petroleum Refining	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
86.1	Creosote Manufacturing or Treatment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
86.2	Tire Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
87	Explosives Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
88	Lime, Gypsum or Plaster of Paris Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
9.0 EXTRACTIVE INDUSTRIAL																
90	Earth Removal Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
91	Rock Quarrying Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
92	Extractive Materials Processing, Distribution, and Storage Land Development Project	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
10.0 MARIJUANA/CANNABIS-RELATED USES																
100	Cannabis and/or marijuana retail facility	N	N	N	N	N	N	N	N	N	N	N	S	N	S	See section 504.15
101	Cannabis and/or marijuana cultivation facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
102	Cannabis retailer/ Hybrid cannabis retailer	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
103	Cannabis and/or Marijuana Cultivator	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
104	Cannabis and/or Marijuana Product Manufacturer	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15

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105	Cannabis and/or Marijuana Testing Laboratory	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See section 504.15
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USE CODE	USE	IND-1	IND-2	IND-3	GI	GI-1	OS	COD-CMT MOD-CMT	COD-MT MOD-MT	NOTES
0.0 AGRICULTURAL										
01	Crop Farm	Y	Y	Y	Y	N	Y	N	N	
02	Livestock Farm	Y	Y	Y	Y	N	Y	N	N	
03	Pig Farm	N	N	N	N	N	N	N	N	
04	Fish Hatchery	Y	Y	Y	Y	N	Y	N	N	
05	Boarding Animals	N	Y	Y	Y	N	Y	N	N	See section 504.10
05.1	Pet Day Care Facility	Y	N	N	N	N	N	N	N	See section 504.10
1.0 RESIDENTIAL										
10	Single-Household Detached Structure	N	N	N	N	N	N	N	N	Farm residence permitted as accessory use in OS Zone.
11	Two-Household Detached Structure	N	N	N	N	N	N	N	N	Farm residence permitted as accessory use in OS Zone.
12	Multi-Household Detached Structure, up to 12 Units, LDP	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.1	Multi-Household Land Development Project	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations

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12.2	Multi-Household Detached Structure, up to 12 Units, Elderly Only, LDP	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.3	Multi-Household Land Development Project, Elderly Only	N	N	N	Y	N	N	N	N	Public water and sewer required. Land Development Project—See Subdivision and Land Development Regulations
12.4	Residential Compound	N	N	N	N	N	N	N	N	
12.5	Flexible Design Residential Projects	N	N	N	N	N	N	N	N	
13	Loft, Commercial Artist	Y	N	N	N	N	N	N	N	
14	Sorority or Fraternity House	N	N	N	Y	N	N	N	N	
15	Community Residence	N	N	N	Y	N	N	N	N	
15.1	Halfway House	N	N	N	N	N	N	N	N	
15.2	Transient Residential Facility	N	N	N	N	N	N	N	N	
16	Single Mobile or Manufactured Home	N	N	N	N	N	N	N	N	
16.1	Mobile or Manufactured Home Park Land Development Project	N	N	N	N	N	N	N	N	
16.2	Senior Residential Community LDP, Elderly Only	N	N	N	N	N	N	N	N	See section 501.7
2.0 INSTITUTIONAL AND GOVERNMENTAL SERVICES										

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20	Educational Institution, Primary through Secondary	N	N	N	Y	N	N	N	N	
20.1	Special Needs Schools	N	N	N	Y	N	N	N	N	
21	Higher Educational Institution, Privately Owned and Operated	N	N	N	Y	N	N	N	N	Permitted as accessory use in IND-1 zone. See also section 101 Zoning Districts
21.1	Higher Educational Institution, State Owned and Operated	N	N	N	Y	N	N	N	N	Permitted as accessory use in IND-1 zone. See also section 101 Zoning Districts
22	Special Schools	Y	Y	Y	N	N	N	N	N	
23	Religious Services	Y	N	N	N	N	N	N	N	
23.1	Religious Housing	N	N	N	N	N	N	N	N	See section 501.10
24	Health Care Institution Land Development Project	N	N	N	Y	N	N	N	N	See section 603.2
24.1	Drug or Alcohol Rehabilitation Facility	Y	N	N	Y	N	N	N	N	
24.2	Medical or Dental Office	Y	N	N	Y	N	N	N	N	
24.3	Veterinary Office	S	N	N	N	N	N	N	N	See section 504.10
24.3.1	Veterinary Hospital	N	N	N	N	N	N	N	N	See section 504.10
24.4	Residential Care and Assisted Living Land Development Project	N	N	N	N	N	N	N	N	See Subdivision and Land Development Regulations for required standards
25	Government Garage or Utility	N	Y	Y	Y	N	N	N	N	
25.1	Correctional Institution	N	N	N	N	N	N	N	N	
25.2	Public Safety Facility	N	Y	Y	Y	Y	N	N	N	
25.3	Government Use, Not Herein Specified	Y	Y	Y	Y	N	Y	N	N	

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25.4	Government Waste Facility	N	N	N	Y	N	N	N	N	
26	Day Care Home	N	N	N	N	N	N	N	N	
26.1	Day Care Center, up to 12 people	Y	N	N	Y	N	N	N	N	
26.2	Day Care Center, more than 12 people	Y	N	N	Y	N	N	N	N	
27	Service Organization	Y	N	N	Y	N	N	N	N	
28	Cemetery	N	N	N	Y	N	N	N	N	
28.1	Crematorium	N	N	N	N	N	N	N	N	
3.0 CULTURAL, ENTERTAINMENT AND RECREATION SERVICES										
31	Nonprofit Museum or Library	Y	Y	Y	Y	N	N	N	N	
32	Spectator Assembly	N	N	N	N	N	N	N	N	
32.1	Race Track	N	N	N	N	N	N	N	N	
32.2	Casino	N	N	N	N	N	N	N	N	
32.3	Legitimate Theater without alcohol	N	N	N	Y	N	N	N	N	
32.4	Legitimate Theater with alcohol	N	N	N	S	N	N	N	N	See section 504.18
33	Outdoor Recreation Facility	N	N	N	Y	N	Y	N	N	See section 501.11 Supplementary Use Regulations for additional mandatory regulatory standards
33.1	Outdoor Shooting Range	N	N	N	N	N	N	N	N	
33.1.1	Bow and Arrow Range/Clay Shooting	N	N	N	N	N	S	N	N	See Sec. 501.12
33.1.2	Indoor Shooting Range	S	S	S	N	N	N	N	N	See Sec. 501.11
33.1.3	Field Trials	N	N	N	N	N	S	N	N	See Sec. 501.12
33.2	Country Club	N	N	N	N	N	N	N	N	

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33.3	Tennis Courts	N	N	N	Y	N	Y	N	N	
33.4	Marina/Yacht Club	N	N	N	Y	N	N	N	N	
33.5	Transient Amusement	N	Y	Y	Y	N	Y	N	N	
33.6	Outdoor Entertainment	N	N	N	N	N	N	N	N	
33.11	Golf Course, without alcohol	N	Y	Y	Y	N	N	N	N	
33.12	Golf Course, with alcohol	N	N	N	N	N	N	N	N	
34	Indoor Sports Facility	Y	Y	Y	Y	N	N	N	N	
35	Nonprofit Community Park or Playground	Y	Y	N	Y	N	Y	N	N	
35.1	Nonprofit Community Center	Y	Y	Y	Y	N	N	N	N	
35.2	Nonprofit Fraternal Organization	Y	N	N	Y	N	N	N	N	
36	Wildlife Refuge	Y	Y	Y	Y	N	Y	N	N	
37	Arts based, Industrial Facility Adaptive Reuse	Y/N*	N	N	N	N	N	N	N	*Not permitted in IND-1 zoned areas in West Kingston
4.0 GENERAL SERVICES										
40	Bed and Breakfast, up to 12 rooms	N	N	N	N	N	N	N	N	See section 504.9 - In OS zone, existing structure only
40.1	Hotel, up to 20 rooms	N	N	N	N	N	N	N	N	See section 501.9
40.2	Motel or Hotel, over 20 rooms	N	N	N	N	N	N	N	N	See section 501.9
40.3	Transient Trailer Park Land Development Project	N	N	N	N	N	N	N	N	See section 501.9
41	Office, Personal and Limited Business Service, up to 10,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	

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41.1	Mortuary or Funeral Home	N	N	N	N	N	N	N	N	
42	Office, Personal and Limited Business Service, 10,001—50,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	
43	Office, Personal and Limited Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
44	General Business Service, up to 10,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	
44.1	General Business Service, 10,001—50,000 s.f. GLFA/use	Y	N	N	N	N	N	N	N	
44.2	General Business Service, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
45	Automotive or Gasoline Service Station	Y	Y	N	N	N	N	N	N	
46	Construction Service	Y	Y	Y	N	N	N	N	N	
46.1	Artisan Workshop	Y	N	N	N	N	N	N	N	
47	Heavy Construction Service	Y	Y	Y	N	N	N	N	N	
5.0 TRADE										
51	Wholesale Trade, within enclosed structure	Y	Y	Y	N	N	N	N	N	
51.1	General Warehouse	Y	Y	Y	N	N	N	N	N	
51.2	Self Storage Facility	Y	Y	Y	N	N	N	N	N	

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51.3	Wholesale Trade of Seafood Products (including land based aquaculture support services) - Up to 5,000 s.f. GLFA	Y	N	N	N	N	N	N	N	
52	Wholesale Trade, with outdoor storage	Y	Y	Y	N	N	N	N	N	
52.1	Boat Storage	Y	Y	Y	N	N	N	N	N	
53	Wholesale or Retail Trade of Petroleum Products, up to 100,000 gal.	Y	Y	Y	N	N	N	N	N	
53.1	Wholesale or Retail Trade of Petroleum Products, more than 100,000 gal.	N	Y	Y	N	N	N	N	N	
53.2	Wholesale or Retail Trade of Liquified Gas	Y	Y	Y	N	N	N	N	N	
54	Retail Trade of Building Materials, up to 10,001 s.f. GLFA/use	Y	Y	Y	N	N	N	N	N	
54.1	Retail Trade of Building Materials, 10,001—50,000 s.f. GLFA/use	Y	Y	Y	N	N	N	N	N	
54.2	Retail Trade of Building Materials, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
55	Retail Trade, up to 10,000 s.f.	N	N	N	N	N	N	N	N	
55.1	Retail Trade, 10,001—50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	

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55.2	Retail Trade, over 50,000 s.f. GLFA/use	N	N	N	N	N	N	N	N	
55.3	Liquor Store	N	N	N	N	N	N	N	N	
55.4	Retail Trade of Automotive Products	N	N	N	N	N	N	N	N	
55.5	Retail Trade of Marine Products	N	N	N	N	N	N	N	N	
55.6	Retail Trade, Automotive and Marine, Indoor Only	Y	N	N	N	N	N	N	N	
55.7	Retail Trade of Seafood Products - Up to 5,000 s.f. GLFA	N	N	N	N	N	N	N	N	
56	Restaurant, without alcohol	N S	N	N	N	N	N	N	N	See section 504.21
56.1	Restaurant, with alcohol	N	N	N	N	N	N	N	N	See section 504.19
56.2	Brewpub	S	N	N	N	N	N	N	N	
56.3	Accessory Entertainment to Restaurant or Bar	N	N	N	N	N	N	N	N	See section 504.19
56.4	Mobile Food Establishment	Y	Y	Y	Y	N	Y	N	N	See section 511
56.5	Mobile Food Court	S	S	S	S	N	S	N	N	See section 511
56.6	Brewery	Y	Y	Y	N	N	—	—	—	
57	Adult Entertainment	N	Y	N	N	N	N	N	N	
57.1	Adult Entertainment, with alcohol	N	N	N	N	N	N	N	N	
58	Accessory Drive-up Window	N	N	N	N	N	N	N	N	
58.1	Accessory Walk-up Window	Y	Y	Y	Y	N	Y	N	N	

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6.0 TRANSPORTATION, COMMUNICATION, AND UTILITIES										
61	Transportation Center	Y	Y	N	Y	N	N	N	N	
61.1	Motor Vehicle Rental Service	Y	Y	N	N	N	N	N	N	
61.2	Marine Passenger Terminal	N	N	N	Y	N	N	N	N	
61.3	Truck or Trailer Rental Service	Y	Y	Y	N	N	N	N	N	
62	Freight Terminal	N	Y	Y	N	N	N	N	N	
62.1	Marine Freight Terminal	N	N	N	N	N	N	N	N	
63	Aircraft Transportation and Maintenance	N	N	N	N	N	N	N	N	
64	Parking Garage	N	N	N	Y	N	N	N	N	
64.1	Parking Lot	Y	Y	Y	Y	N	N	N	N	
65	Utilities Infrastructure	Y	Y	Y	Y	N	Y	N	N	
65.1	Satellite Dish Antenna, over 1 meter diameter	Y	Y	Y	Y	N	N	N	N	
65.2	Private Cellular Communications Antenna Array on Existing Residential Structure	N	N	N	Y	N	N	N	N	See section 508
65.3	Private Cellular Communications Antenna Array on Existing Nonresidential Structure	Y	Y	Y	Y	N	Y	N	N	See section 508
65.4	Public Cellular Communications Antenna Array on Existing Structure	Y	Y	Y	Y	N	Y	N	N	See section 508

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65.5	Private Cellular Communications Tower	S	S	S	S	N	S	N	N	See section 508
65.6	Public Cellular Communications Tower	S	S	S	Y	N	S	N	N	See section 508
65.7	Other Communications Tower, including Broadcast TV or Radio	N	N	N	N	N	N	N	N	
65.8	Broadcasting Studio	Y	Y	Y	N	N	N	N	N	
66	Power Plant, wind, gas, low sulfur, oil, other	N	N	N	N	N	N	N	N	
66.1	Power Plant, other	N	N	N	N	N	N	N	N	
66.2	Incinerator	N	N	N	N	N	N	N	N	
66.3	Private Waste Facility	N	N	N	N	N	N	N	N	
66.4	Major Solar Energy System Land Development Project	S	S	S	Y	N	N	N	N	See section 510
66.5	Minor Solar Energy System	S	S	S	Y	N	N	N	N	See section 510
66.7	Accessory Solar Energy System	Y	Y	Y	Y	N	Y	N	N	See section 503.9
66.8	Contaminated Site Solar Energy System	S	S	S	Y	N	N	N	N	See section 510
67	Landfill	N	N	N	N	N	N	N	N	
67.1	Waste Tire Storage Facility	N	N	N	N	N	N	N	N	
68	Off-Premises Sign	N	N	N	N	N	N	N	N	
7.0 INDUSTRIAL										
71	Food Products Manufacturing	Y	Y	Y	N	N	N	N	N	
72	Textile Products Manufacturing	Y	Y	Y	N	N	N	N	N	

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73	Wood Products Manufacturing	Y	Y	Y	N	N	N	N	N	
73.1	Paper Products Manufacturing and Printing	Y	N	Y	N	N	N	N	N	
74	Chemical Products Manufacturing	Y	N	N	N	N	N	N	N	
74.1	Agricultural Products Manufacturing	N	N	N	N	N	N	N	N	
74.2	Rubber and Plastic Products Manufacturing	N	N	Y	N	N	N	N	N	
75	Petroleum Products Manufacturing	N	N	Y	N	N	N	N	N	
75.1	Paving and Building Materials Manufacturing	N	N	S	N	N	N	N	N	
76	Stone, Clay and Glass Products Manufacturing	N	N	S	N	N	N	N	N	
77	Mineral Products Manufacturing	N	N	N	N	N	N	N	N	
77.1	Junk Yard	N	N	N	N	N	N	N	N	
78	Primary Metal Industries	N	N	N	N	N	N	N	N	
78.1	Fabricated Metal Products Manufacturing	Y	Y	Y	N	N	N	N	N	
78.2	Drop Forge Industries	N	N	N	N	N	N	N	N	
78.3	Machinery Manufacturing	Y	Y	Y	N	N	N	N	N	
78.4	Transportation Equipment Manufacturing	Y	Y	Y	N	N	N	N	N	

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78.5	Ship Building and Repairing	Y	Y	Y	N	N	N	N	N	
79	Scientific Equipment Manufacturing	Y	Y	Y	N	N	N	N	N	
79.1	Jewelry Manufacturing	Y	Y	Y	N	N	N	N	N	
79.2	Arts and Crafts Manufacturing	Y	Y	Y	N	N	N	N	N	
8.0 NOXIOUS INDUSTRIAL										
81	Nuclear Industries	N	N	N	N	N	N	N	N	
82	Slaughter of Animals	N	N	N	N	N	N	N	N	
82.1	Seafood Canning and Preserving	N	N	N	N	N	N	N	N	
82.2	Leather and Fur Tanning	N	N	N	N	N	N	N	N	
82.3	Glue Manufacturing	N	N	N	N	N	N	N	N	
83	Tobacco Products Manufacturing	N	N	N	N	N	N	N	N	
84	Pulp or Paper Mills	N	N	N	N	N	N	N	N	
85	Acid Manufacturing	N	N	N	N	N	N	N	N	
85.1	Toxic Gases or Chemicals Manufacturing	N	N	N	N	N	N	N	N	
86	Petroleum Refining	N	N	N	N	N	N	N	N	
86.1	Creosote Manufacturing or Treatment	N	N	N	N	N	N	N	N	
86.2	Tire Manufacturing	N	N	N	N	N	N	N	N	
87	Explosives Manufacturing	N	N	N	N	N	N	N	N	
88	Lime, Gypsum or Plaster of Paris Manufacturing	N	N	N	N	N	N	N	N	
9.0 EXTRACTIVE INDUSTRIAL										

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90	Earth Removal Land Development Project	N	Y	Y	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
91	Rock Quarrying Land Development Project	N	Y	Y	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
92	Extractive Materials Processing, Distribution, and Storage Land Development Project	N	N	N	N	N	N	N	N	See section 507.26 and Subdivision and Land Development Regulations
10.0 MARIJUANA/CANNABIS-RELATED USES										
100	Marijuana retail facility	N	N	N	N	N	N	N	N	
101	Marijuana cultivation facility	N	N	N	N	N	N	S	S	
102	Cannabis retailer/hybrid cannabis retailer	N	N	N	N	N	N	N	N	
103	Cannabis and/or Marijuana Cultivator	N	N	N	N	N	N	S	N	See section 504.15
104	Cannabis and/or Marijuana Product Manufacturer	N	N	N	N	N	N	S	S	See section 504.15
105	Cannabis and/or Marijuana Testing Laboratory	N	N	N	N	N	N	S	S	See section 504.15

(Ord. of 3-12-01, § 1; Ord. of 7-23-01; Ord. of 5-13-02; Ord. of 7-22-02, §§ 1a, 1b; Ord. of 8-12-03; Ord. of 4-10-06; Ord. of 5-12-08(2); Ord. of 5-12-08(3); Ord. of 5-26-09; Ord. of 11-14-11; Ord. of 9-24-12; Ord. of 3-9-15; Ord. of 7-25-16; Ord. of 9-26-16(2); Ord. of 10-24-16; Ord. of 5-8-17; Ord. of 6-12-17; Ord. of 6-25-18; Ord. of 2-25-19(1); Ord. of 7-22-19(1); Ord. of 10-15-19(2); Ord. of 12-9-19(3); Ord. of 3-13-23(2); Ord. of 10-23-23(1); Ord. of 10-23-23(2); Ord. of 12-11-23(3); Ord. of 1-13-25(2))

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Article 5, Section 504 of Appendix A of the Code of Ordinances of the Town of South Kingstown, Rhode Island (“Special Use Permits”), to be amended as follows (red denotes additions, ~~strike-through denotes subtractions~~):

Sec. 504. Special use permits.

504.1. *Location of OWTS.*

- A. No onsite wastewater treatment system (OWTS), disposal trench, disposal bed, or other facility designed to leach wastewater into the soil from any development which includes construction of a new dwelling or the complete replacement of an existing dwelling, shall be located in areas outlined below, except by the granting of a special use permit by the zoning board of review.
 - 1. Within one hundred fifty (150) feet of "fresh water wetlands" as defined in article 12 (as wetlands, freshwater) of this ordinance excluding from such definition that area of land within fifty (50) feet of the edge of any bog, marsh, swamp or pond. Also excluded from such definition are "river and stream flood plains and banks."
 - 2. Within one hundred fifty (150) feet of a "coastal wetland" as defined in article 12 of this ordinance (as wetlands, coastal) or within one hundred fifty (150) feet of the line of mean high water of any tidal water body as defined in the regulations adopted by the Coastal Resources Management Council of the State of Rhode Island and subsequent amendments thereto, except by the granting of a modification or special use permit.
- B. The zoning board of review shall review these projects in accordance with the criteria found in this ordinance to determine the potential cumulative and integrated impacts to wetlands through the use of OWTS, the clearing and grading of land, and/or the generation of stormwater runoff from impervious surfaces. It is specifically noted that residential construction associated with an application for a special use permit for an OWTS must meet the minimum dimensional setbacks of the zoning district in which the property is situated. The zoning board may not grant any dimensional relief for setbacks concurrent with the special use permit application.
- C. Notwithstanding the foregoing, an existing OWTS, leach field or other facility designed to leach wastewater into the soil located within one hundred fifty (150) feet of a fresh water wetland or coastal wetland may be replaced and/or its associated leach field repaired upon approval by the building official/zoning officer, without the need for a special use permit, if the replacement, or repairs meet the performance standards for alternative technologies contained in section 504.4.

504.2. *Conditions for OWTS.*

- A. An application involving any onsite wastewater treatment system (OWTS), requiring approval by the zoning board of review shall require an advisory opinion from the conservation commission prior to filing. The conservation commission shall prepare an advisory opinion based on the following information to be submitted by the applicant as part of any application:
 - 1. Proximity to the one hundred-year floodplain level;
 - 2. Location of coastal features and relationship to jurisdiction of the Coastal Resources Management Council Special Area Management Plans for the Narrow River and the Salt Pond Region;
 - 3. The location and delineation of, and distance from the nearest public water supply watershed or aquifer;
 - 4. Proximity to Class SA and/or Class A water body or area where the water quality is suitable for harvesting shellfish for direct consumption, where applicable;
 - 5. Soil types present on the site within the vicinity of proposed construction and land disturbance (referencing the Soil Survey of Rhode Island and based on collected field data) to include, but not

[be] limited to: depth of soil to the seasonal high water table, with areas having a depth of eighteen (18) inches clearly shown, hydric soils, and hydrologic soil groups;

6. The presence of a restrictive layer, ledge and/or dense basal till between the soil surface and groundwater;
7. Detailed soil morphological characteristics to a depth of four (4) feet as analyzed by a licensed Class IV Soil Evaluator, for the purpose of determining seasonal high water table;
8. Direction of groundwater flow;
9. Direction and characteristics of stormwater flow based on an analysis of area topography, existing impervious surfaces, drainage infrastructure, soils and ground cover;
10. Availability of public water system;
11. The dimensions of the proposed structure, the square footage apportioned to living space for each floor and number of bedrooms. The number of bedrooms in the proposed structure shall not exceed the design capacity of the OWTS servicing the same;
12. The acreage and percentage of impervious cover of the lot under current conditions and with proposed development;
13. Drinking water wells within two hundred (200) feet of the proposed OWTS;
14. Precise reference points to aid in locating the property and the proposed OWTS site. For example, street number of adjacent dwellings, utility pole number, curb drains, distance to the nearest street intersection, benchmark of coastal and geodetic survey marker;
15. The surveyed edge of all coastal and freshwater wetlands within two hundred (200) feet of the leach field, where feasible, as flagged by a qualified professional who meets the minimum qualifications for professionals that delineate wetlands as set forth in the Freshwater Wetlands Program guidelines noted in Rule 12.01(C) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act;
16. Documentation that the wetland edge has been verified pursuant to Rule 9.02(A)(2) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act;
17. Approximate location and type of OWTS of properties within two hundred (200) feet of the subject site; and
18. Use of LID (Low Impact Design) Techniques. The applicant shall demonstrate that the design of the OWTS, residence and other site alterations addresses the ten (10) objectives of LID Site Planning and Design Criteria as detailed in the "Rhode Island Stormwater Design and Installation Standards Manual" to the maximum extent practicable).

504.3. OWTS design.

The separation distance between the bottom of any OWTS leaching field and the season high water table shall be as follows.

- A. Conventional OWTS design—no less than three (3) feet.
- B. Advanced Technology OWTS design—no less than the distance required by RIDEM.
- C. Critical Resource areas—no less than four (4) feet for OWTSs located within a critical resource area, as defined in Rule 38 of Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems, RIDEM, January 1, 2008, as amended.

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- D. Where RIDEM grants a variance to permit separation distances that are less than the above, a modification or Special use permit pursuant to article 9 of this ordinance shall also be required.

504.4. *Performance standards.*

Applications for a special use permit under provisions of section 504 of the zoning ordinance shall meet the following minimum performance standards.

- A. *Alternative technologies.* Alternative technologies that provide advanced treatment shall be used in all new, replacement and OWTS alterations or repairs to leachfields, to achieve minimum treatment requirements as set forth in section B below where the OWTS is or will be located within the following areas.
1. The CRMC Salt Pond Region Special Area Management Plan;
 2. The CRMC Narrow River Special Area Management Plan;
 3. Within a designated community Well Head Protection Area (WHPA) and/or the town's Groundwater Protection Overlay District (GPOD) per section 602;
 4. A site where the seasonal high ground water table is located less than or equal to forty eight (48) inches below the original grade;
 5. A site requiring a special use permit under the provisions of section 504.1 or 504.3 of the zoning ordinance; and
 6. Where the proposed or existing OWTS leach field is less than one hundred (100) feet from any well used as a potable water supply.
- B. *Minimum requirements for advanced OWTS treatment.* All new, replacement and OWTS alterations or repairs to leachfields for OWTSs located within those conditions set forth in section A above shall be approved by RIDEM and provide advanced treatment to achieve the following levels, as measured at the outlet of the treatment unit prior to discharge to a drain field:
1. Minimum total nitrogen removal of fifty (50) percent and a reduction to less than or equal to 19 mg/l total nitrogen;
 2. TSS (Total Suspended Solids) and BOD₅ (Biological Oxygen Demand-5 Day) shall be equal to or less than 30 mg/l each;
 3. Minimum fecal coliform removal to less than or equal to 1,000 fecal coliform MPN/100 ml.
- C. *Additional treatment requirements.* Where the distance between a drainfield and private potable water supply well is less than one hundred (100) feet alternative OWTS microbiological treatment of the effluent shall result in a final leach field effluent fecal coliform concentration of less than or equal to 200 MPN/100ml.
- D. *Permitted OWTS technologies.* Installation of alternative OWTS technologies permitted shall be those technologies approved by RIDEM pursuant to their procedures and regulations. Alternative OWTS technologies shall have documented the ability to achieve the minimum treatment requirements set forth in this ordinance.
- E. *Seasonal high water table determinations.* For the purpose of determining the seasonal high water table, detailed soil morphological data to a depth of four (4) feet shall be prepared and submitted by a Rhode Island licensed Class IV Soil Evaluator.
- F. *Operation and maintenance.* All installations of alternative OWTS technologies shall include a continuous Operation and Maintenance (O & M) agreement with the property owner that shall be duly recorded in land evidence records.

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- G. *Minimum requirements for storm water management.* Development of an individual residential lot shall include storm water control measures to ensure that no net increase between pre and post development site conditions in volume or rate of storm water runoff for a twenty-four-hour, twenty-five-year frequency rainfall event occurs onto adjacent properties or roadways from the proposed individual residential lot development. Said plan shall include a certification by a registered professional engineer that the post development site conditions will meet or exceed the criteria noted herein.
 - H. *Use of subsurface drains.* The installation of subsurface drains designed to intercept and lower the groundwater table for the installation of an OWTS is prohibited.
 - I. *Drainage design.* A detailed stormwater management design shall be submitted to the town, for all projects proposing a new OWTS. Said plan shall include drainage calculations for a twenty-four-hour, twenty-five-year storm event prepared by a Rhode Island Registered Professional Engineer. Proposed grading shall maintain existing natural drainage patterns to the degree feasible.
 - J. *Storm water controls and OWTS location.* Storm water runoff shall be diverted from any OWTS. Also, there shall be a minimum fifteen (15) foot horizontal separation distance between any OWTS drain field and the edge of any storm water infiltration system.
 - K. *Maximum impervious lot coverage.* In the consideration of a special use permit under this section, the maximum impervious coverage allowable for the lot (all areas of the lot proposed to be covered including: driveways and parking areas, walkways, patios and rooftops of the principal and any accessory structures, where impenetrable) shall not exceed fifteen (15) percent of the buildable area of the lot.
 - L. *Minimize wetland and site disturbance.* The applicant shall demonstrate that the proposed use will result in the least disturbance to the site as possible; that the OWTS and dwelling have been located as far as possible from the wetland edge; and that the size of the dwelling, its configuration, and extent of disturbance has been reduced by the maximum extent practicable.
 - M. *Site restoration.* The wetland buffer shall be revegetated to restore buffer functions using native plants; permanent fencing will be used to demarcate the protected wetland buffer edge to avoid future encroachment. Soils compacted during construction shall be restored using compost amendments appropriate to the soil types present and plant materials utilized to restore site infiltration capabilities.

504.5. Required information.

In addition to the submittal requirements under section 504.2 above, all projects proposing a new OWTS shall provide a development plan that shall be filed with the planning department to show the following information:

- A. Property boundary lines with area and dimensions of property to be developed;
- B. Vicinity plan showing adjacent or nearby properties, uses, OWTSs, wells, wetlands, streams or surface water reservoirs within a five hundred-foot radius, where feasible;
- C. Site plan showing the proposed location of the OWTS, residence, impervious cover, and all other improvements, including the total area to be disturbed with limits clearly shown along with calculation of the impervious area and percentage lot coverage under current and proposed conditions;
- D. Topographic map/grading plan of property showing existing and proposed two-foot contours within and proximal to areas of the property to be developed;
- E. Site specific soils map of property including at a minimum, delineation of soil features required in section 504.2;

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- F. Stormwater management plan;
 - G. Soil erosion and sediment control plan;
 - H. Wetlands delineation map, as field verified by DEM;
 - I. Plan for revegetation of the site, including buffer restoration using native plants and fencing to prevent future disturbance; and
 - J. Any additional information related to the location of the floodplain, the profile of existing soils, the availability of water supply and any other site features or constraints that will be required by the conservation commission to prepare an advisory opinion pursuant to section 504.2.A.

504.6. *Post-construction certification.*

For all approved applications under this section, the applicant shall, upon completion of construction, provide a certification from a registered professional engineer that all site infrastructure and improvements have been installed per the approved plans and is compliant with all conditions imposed on the special use permit by the zoning board of review.

504.7. *Reduction of yard requirements in CN and CD Districts.*

In any CN or CD Zoning District, the zoning board of review may, by special use permit, allow the reduction of the side or rear yard requirements; except that no corner side yard shall be reduced to less than the depth of the required front yard of adjacent lots on the side street; nor shall any side or rear yard be reduced to less than ten (10) feet where such yard abuts a residential district.

504.8. *Extension of zoning district boundary lines.*

Where a zoning district boundary line divides a lot, the zoning board of review may permit by special use permit, the application of the regulations for either portion of the lot to extend into the remaining portion of the lot, but not more than thirty (30) feet beyond the zoning district boundary line.

504.9. *Bed and breakfast uses.*

The purpose of this section is to establish procedural requirements and standards relative to the regulation of bed and breakfast (B&B) uses within the town. It is recognized that B&B uses provide a valuable economic service to the town in support of the tourism industry and help to preserve larger historic homes in the community by providing an opportunity to the owner for income to support continued use of the structure and maintenance of the property. A bed and breakfast (B&B) may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:

- A. In addition to the restrictions on the number of guest rooms set forth in section 301, the number of guest rooms shall be further limited to the following formulae:
 - 1. There shall be at least five hundred (500) square feet of GLFA of the building per guest room, and
 - 2. The lot on which the B&B facility is sited shall be conforming to the gross parcel area requirements of the zoning district(s) on which it is situated.
- B. Parking shall be provided as required by article 7. Where accessory type events are proposed, the B&B operator shall, during the annual licensure review before the town council, demonstrate that sufficient parking, on-site and on surrounding streets where such parking is permitted, is available to support such uses in accord with the standards contained in article 7. For events and meetings such parking shall be available on the basis of one (1) space per three (3) persons of capacity of the room or area in which the event is held. For outdoor events the same ratio shall apply. Event capacity shall be determined by the fire marshal. The town council may also require the operator to provide police details to control traffic and parking during events held at the bed and breakfast facility.

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- C. Each guest room shall neither accommodate nor be provided to more than two (2) individual guests, provided that children may accompany their parents in a room.
 - D. Bed and breakfast uses shall be subject to the requirements of section 505.1, Development Plan Review.
 - E. New bed and breakfast uses that propose to hold events, as an accessory component of their principal use, shall list such events in their special use application before the zoning board of review. Such listing shall identify and describe the type, estimated number/frequency and capacity/scale of such events. The applicant shall also document that proposed parking and septic disposal facilities are adequate for the scale of the event. Where outdoor events are proposed, a site plan depicting the area of the parcel to be utilized shall be provided.
 - F. Bed and breakfast uses lawfully established as of April 23, 2007 shall be permitted to conduct events as an accessory use without securing a special use permit under this section. Such allowance is made contingent upon annual licensure by the town council of the B&B facility with permitted events. In applying for this license the operator shall provide a listing that fully describes anticipated events and demonstrates the adequacy of on-site event parking, septic disposal facilities and buffers to adjoining properties. Where outdoor events are proposed, a site plan depicting the location on the parcel where the event activities and supporting features will be conducted shall be provided.

504.10. *Pet/Animal Services.* Veterinary, boarding, daycare and grooming services for animals may be allowed by special use permit in those zones specified in section 301 subject to the conditions of this section, such conditions being in addition to all state regulations establishing minimum standards for animal care facilities (250-RICR-40-05-4).

- A. *Veterinary Hospitals.* A veterinary hospital may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:
 - 1. The lot or parcel on which the veterinary hospital is to be located consists of at least fifty thousand (50,000) square feet.
 - 2. The veterinary hospital may include one (1) accessory single-family residence, with no more than two (2) bedrooms containing no more than one thousand five hundred (1,500) square feet of living area for the caretaker/employee family of the hospital only. The accessory residence shall be designed and constructed in such a way as to maintain the appearance of the use of the lot as a veterinary hospital.
 - 3. The veterinary hospital use shall meet all the requirements of section 505.1, Development Plan Review.
 - 4. In reviewing a veterinary use the zoning board shall consider the mitigation of impacts related to noise, solid waste disposal, handling and disposal of animal waste, facility lighting and septic disposal.
- B. *Boarding, Daycare and Grooming Services.*
 - 1. **Minimum Dimensional Requirements.** All outdoor runs or exercise areas shall comply with all dimensional setback requirements applicable to the principal structure.
 - 2. **Supplemental Application Materials.** The applicant shall provide the following materials with its application for a special use permit:
 - (a) Copies of its RIDEM licensing application and approval.
 - (b) A site plan/floor plan showing:

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- Front desk or reception area
 - Parking & vehicle circulation plan
 - All doors & windows (interior & exterior)
 - Waste storage (interior & exterior)
 - Medicine storage areas (including refrigeration)
 - Heating, cooling & ventilation systems
 - Food storage areas
 - Staff break areas
 - Drainage systems
 - Location of fire all suppression equipment including sprinklers and fire extinguishers
 - All indoor & outdoor animal holding areas, including: rooms, enclosures, communal areas, cages, runs, medical treatment and quarantine areas (labeled with use & dimensions)
 - Location of cleaning logs and posted emergency protocols (e.g. medical, fire or disaster) including contact information and evacuation plans/maps

(c) An operations and maintenance plan describing all proposed activities, including, but not limited to: staffing numbers and hours, number of animals (by size/weight), types of services provided, retail sales, animal residence times, hours of operation, waste management protocols, health and safety protocols, emergency protocols.

3. *Parking, Drop-Off and Pick-Up Areas.* In addition to any parking requirements associated with on-site residential uses, all facilities shall provide one (1) off-street parking space for each employee and three (3) short-term parking spaces for customer drop-off & pick-up of animals.
4. *Supervision.* Staff supervision shall be present on-site at all times while animals are in residence. Facilities providing overnight boarding shall include overnight facilities for staff.
5. *Waste Storage and Removal.* All indoor solid waste shall be collected and stored in covered receptacles in areas that are not readily accessible by animals. Outdoor waste storage containers shall be fully enclosed and shall remain closed at all times except when opened to accept waste; shall be stored at least twenty (20) feet from all property boundaries and shall be screened from view by an enclosure. All waste shall be removed from the site not less than two (2) times each week.
6. *Retail Sales.* Facilities may engage in retail sales of pet products reasonably related to the services provided by the facility. Sales shall be limited to customers of the services provided by the facility. Retail sales of animal food shall be limited to food consumed on-site.

504.11. *Special needs school.*

A special needs school may be allowed by special use permit or otherwise, as specified in section 301, subject to the following conditions:

- A. The lot or parcel on which the special needs school is to be located consists of at least one hundred fifty thousand (150,000) square feet.
- B. The special needs school shall be limited to a maximum of one hundred (100) students.
- C. The square footage associated with any accessory use shall be included as part of the twenty (20) percent maximum lot building coverage.
- D. The use shall meet all the requirements of section 505.1, Development Plan Review.
- E. Parking shall be provided as required by article 7.

504.12. *Boat storage and retail trade of marine products.*

Use code 52.1, Boat Storage, and use code 55.5, Retail Trade of Marine Products, may be allowed by special use permit or otherwise, as specified in section 301, subject to the following conditions:

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- A. The lot or parcel on which the use is to be located shall contain a minimum of forty thousand (40,000) square feet of land suitable for development.
 - B. The lot or parcel on which the use is to be located shall be serviced by the municipal sewer system.
 - C. No boat that exceeds thirty (30) feet in length or twenty-five (25) feet in height (including support stands) shall be serviced or stored on the lot or parcel.
 - D. No service bays within any structure shall face a residential zoning district.
 - E. The use shall meet all of the requirements of section 505.1, Development Plan Review.
 - F. Parking shall be as required by article 7.

The amendment permits the storage of boats and the retail trade of marine products in a CN zone subject to the zoning board of review granting a special use permit.

504.13. Wholesale trade of seafood products (including land based aquaculture support services).

Up to five thousand (5,000) square feet GLFA. Use code 51.3 may be permitted by special use permit, as specified in section 301, subject to the following conditions:

- A. Outdoor storage or stockpiling of fish or shellfish waste products is not permitted under this use code. This standard shall not apply to the temporary storage of shell stock intended for use as growth media for shellfish spat/seed or for shellfish bed restoration purposes.
- B. Outdoor processing and handling of fish and shellfish products, where permitted, shall be appropriately screened from any adjoining public/private street or residence.
- C. The use shall meet all the requirements of section 505.1, Development Plan Review.

504.14. Household occupancy by more than three unrelated individuals.

- A. The purposes of this section, household occupancy by more than three (3) unrelated individuals, are as follows:
 - 1. To establish procedural requirements and standards relative to permitting household occupancy by more than three (3) unrelated individuals in residential buildings within the town.
 - 2. Provide a clear and effective means that will enable timely enforcement of standards, criteria, and conditions, and enable the abatement of nuisance conditions that may arise from such occupancy.
 - 3. Protect the quality of life in residential neighborhoods in the community through such regulations, enforcement, conditions and minimum standards.
 - 4. Ensure that the proposed occupancy is in accordance with the ordinance requirements and the fit of the proposed usage is appropriate for the context of its setting.
 - 5. Establish a public review and hearing procedure before the zoning board for the consideration of a special use permit to allow this type of household occupancy.
- B. Household occupancy by more than three (3) unrelated persons may be permitted by special use permit in all residential zones subject to the following criteria, minimum standards and conditions:
 - 1. All special use permits granted under this section shall expire after three (3) years. If a property owner desires to continue use of the property for household occupancy by more than three (3) unrelated individuals, re-application must be made to the zoning board of review for a renewal special use permit prior to the date of expiration.

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2. Development plan review and approval shall be required for all initial and renewal applications for special use permits pursuant to this section. Development plan review shall not be required for applications relative to properties that have previously been granted a special use permit under this section, unless the special use permit has expired prior to re-application or unless substantial changes are proposed, as determined by the administrative officer upon referral by the zoning enforcement officer. When required, development plan review is to be conducted by the planning board, and shall be a pre-requisite to formal consideration of the application by the zoning board of review. In addition to the standards set forth in the town's subdivision and land development regulations, development plan review applications shall include proposed exterior building elevations and interior floor plans.
 3. The property must be in conformance with the town's zoning ordinance and the Rhode Island State Building Code for the proposed occupancy.
 4. There shall be one (1) parking space for each potential occupant. The proposed parking area shall be delineated on the site. Impervious parking surfaces (paved, pavers, etc.) are preferred, however pervious surfaces may be permitted subject to the planning board's recommendation during the development plan review process. There shall be no parking on lawn or landscaped areas. The proposed parking areas shall be limited to occupants of the property and their guests. There shall be no rental, lease or grant of the use of parking spaces by non-occupants. The parking area(s) shall comply with the standards set forth in the town's subdivision and land development regulations relative to parking lot design and landscaping.
 5. There shall be at least three hundred thirty (330) square feet of GLFA (gross leasable floor area, see article 12 definition) of the building per proposed occupant. There shall be a minimum of seventy (70) square feet of bedroom area for bedrooms containing one (1) occupant. There shall be a minimum of one hundred (100) square feet of bedroom area for bedrooms containing two (2) occupants. There shall be no more than two (2) occupants per bedroom.
 6. The property's exterior appearance as a single-household residence shall be maintained. For any proposed occupancy of duplex and multi-household occupancy under this section exterior appearance of the premises shall be of a residential character.
 7. The owner shall file with the town's zoning officer, the name and contact information of the person or agency acting as the property manager. The property manager shall be a resident of the state. Such information shall be updated annually or as necessary if changes to property management are made. All complaints or notices of violations shall be forwarded directly to the identified property manager and the owner of the property.
 8. Prior to initial occupancy, the premises for which a special use permit is granted shall be subject to inspection for building and fire code compliance by the South Kingstown Building Official/Zoning Officer and requisite fire district (Kingston Fire District or Union Fire District, as applicable). Properties determined to be non-compliant regarding building or fire code requirements shall not be occupied under this section until such issues are resolved.
 9. In granting any special use permit pursuant to this section the zoning board of review may impose any and all conditions determined to be necessary to achieve the purposes and intents of this section and section 907A.2.(b).
 10. In addition to the standards set forth in section 907, when granting a renewal special use permit under this section, the zoning board of review shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:

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- (a) That compliance with the requirements of this section has been maintained during the previous three-year period, or that prompt action was taken to correct any identified deficiencies;
 - (b) That there is no record of police activity relative to the subject property for the previous three-year period, or that prompt action was taken to correct any issues that may have led to police action; and
 - (c) That there were no complaints registered with the zoning enforcement officer by neighboring property owners, or that prompt action was taken to correct any issues that may have led to the complaint.

504.15. *Marijuana/cannabis-related uses.*

I. Marijuana retail facilities, and/or marijuana cultivation facilities may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:

- A. The application for a special use permit shall provide the legal name and address of the retail or cultivation facility, a copy of the articles of incorporation, and the name, address, and date of birth of each principal officer and board member of the facility. The application shall include the development plan approved pursuant to this section, as well as a vicinity map, which shall identify the distances between the proposed facility and the nearest edge of abutting zoning districts. The application shall also include a copy of the licensing application submitted pursuant to the State of Rhode Island "Rules and Regulations Related to the Medical Marijuana Program Administered by the Department of Business Regulation," Regulation 230-RICR-800-05-1.
- B. The marijuana retail facility must not be located within:
 - 1. One thousand (1,000) feet from a pre-existing public or private school, or pre-school, or any licensed day-care center, not including higher education facilities; or
 - 2. Two thousand (2,000) feet from any other marijuana retail facility or marijuana cultivation facility.
- C. The distances specified in the immediately preceding section B. shall be measured by a straight line from the nearest property line of the premises on which the proposed marijuana retail facility or marijuana cultivation facility is to be located to the nearest property line of any of the other designated uses set forth therein.
- D. Hours of operation for a marijuana retail facility or marijuana cultivation facility shall be limited to 8:00 a.m. to 8:00 p.m.
- E. The proposed facilities shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing marijuana and shall ensure that each location has an operational security/alarm system.
- F. Development plan review and approval shall be required prior to application for the special use permit and is to be conducted by the planning board. In addition to the development plan review standards set forth in the subdivision and land development regulations, the planning board shall ensure compliance with the following conditions:
 - 1. The requested use at the proposed location is sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.
 - 2. The exterior appearance of the structure is consistent with the exterior appearance of existing structures within the immediate neighborhood that take on the architectural vernacular of traditional coastal New England, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.

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3. Lighting is provided to illuminate the marijuana retail facility or marijuana cultivation facility, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk.
 4. Development plan review applications for all marijuana cultivation facilities shall include detailed plans of the facility's wastewater treatment system(s). Such plans shall be approved by the department of public services prior to issuance of the development plan approval.
- G. All marijuana retail facilities and marijuana cultivation facilities shall fully comply with all other licensing requirements of the town and the laws of the state.

II. Cannabis-related facilities may be allowed by special use permit in those zones specified in section 301, subject to the following conditions:

- A. The application for a special use permit shall provide the legal name and address of the cannabis facility, a copy of the articles of incorporation, and the name, address, and date of birth of each principal officer and board member of the facility. The application shall include the development plan approved pursuant to this section, as well as a vicinity map, which shall identify the distances between the proposed facility and the nearest edge of abutting zoning districts. The application shall also include a copy of the licensing application submitted pursuant to the State of Rhode Island Cannabis Control Commission and/or Department of Business Regulation.
- B. Pursuant to Section 21-28.11-17.1(b)(3) of the Cannabis Act, the cannabis facility must not be located within:
 1. Five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12). This distance shall be measured by a straight line from the nearest property line of the premises on which the proposed cannabis facility is to be located to the nearest property line of the parcel on which the school is located.
- C. The proposed facility shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing cannabis and shall ensure that each location has an operational security/alarm system.
- D. Development plan review and approval shall be required prior to application for the special use permit, and is to be conducted by the planning board. In addition to the development plan review standards set forth in the subdivision and land development regulations, the planning board shall ensure compliance with the following conditions:
 1. The requested use at the proposed location is sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.
 2. The exterior appearance of the structure is consistent with the exterior appearance of existing structures within the immediate neighborhood that take on the architectural vernacular of traditional coastal New England, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.
 3. Lighting is provided to illuminate the cannabis facility, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk.
 4. In addition to any requirement of Rhode Island State Law, all facilities (retail, production and/or cultivation) shall submit a plan to control odor (i.e., carbon air filtration, air filters, biofiltration, high pressure fog, odor neutralizers, negative air space control, ozone generators). The applicant's odor control plan is subject to third party review as determined by the Planning Board. The costs associated with third party review shall be borne by the applicant.

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5. Development plan review applications for all cannabis facilities shall include detailed plans of the facility's wastewater treatment system(s). Such plans shall be approved by the department of public services prior to issuance of the development plan approval.
 - E. Cannabis retailers/hybrid cannabis retailers shall only be permitted where ingress and egress to the facility is via direct access from State Route 108, or Old Tower Hill Road.
 - F. All cannabis facilities shall fully comply with all other licensing requirements of the town and the laws of the state.

504.16. *Temporary storage containers.*

- A. The long-term use of prefabricated relocatable steel buildings, box trailers or shipping or cargo containers (hereafter "storage containers") is discouraged, and the zoning board shall only approve a special use permit for a clearly demonstrated need. A storage container special use permit shall expire one (1) year from the date of issuance and may only be extended for not more than one (1) year at a time after reapplication and further approval by the zoning board.
- B. The zoning board shall impose the following conditions on the special use permit, unless the board determines that compliance with these conditions would be infeasible based on the dimensions and layout of the subject property:
 1. Containers may not be located on the front lawn of any property, defined as any area between the principal building and the street frontage;
 2. Containers shall not be located so as to reduce the amount of available off-street parking spaces to below the required minimum;
 3. Containers must be screened by a solid fence or hedge from public view from the road; and
 4. Containers shall comply with setbacks for accessory structures.
- C. Notwithstanding the foregoing, a storage container placed on property in connection with a valid building permit shall not be subject to the requirements of this section so long as the building permit remains valid.

504.17. *Major, minor and contaminated site solar energy systems.*

Major, minor and contaminated site solar energy systems may be allowed by special use permit in those zones specified in section 301, subject to the zoning board of review finding that the procedures and performance standards outlined in section 510 have been met.

504.18. *Standards for Legitimate Theater and Restaurant With Alcohol (Use Codes 32.4, and 56.1).* In reviewing an application for a special use permit for a legitimate theater or restaurant with alcohol, the Zoning Board or Planning Board (if under Unified Development) shall require that following criteria be met:

- A. The character of the neighborhood shall be predominantly non-residential. A plan prepared by a licensed land surveyor or civil engineer or a GIS map shall be submitted into the record to convey this information.
- B. At least ninety (90) percent of the seats in the restaurant shall be associated with tables or booths, and not more than ten (10) percent of the seats may be at a bar, whether or not food is also served at the bar. The area to be used for alcohol service shall be clearly delineated, as well as the seating area, serving areas, and exits. A full kitchen shall also be required. A detailed floor plan prepared by a licensed architect or civil engineer shall be submitted into the record to verify this information.
- C. Parking shall be adequate to meet all zoning requirements. An existing restaurant use without alcohol that is non-conforming by parking shall not be eligible. A detailed parking and circulation plan prepared by a licensed engineer shall be submitted into the record to verify this information.

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- D. A lighting plan prepared by a licensed architect that shows sufficient lighting for nighttime safety shall be submitted with the special use permit application.
 - E. A security plan including information relating to entrance procedure, police details and video and lighting locations shall be submitted with the application.
 - F. Any substantial future changes to those items depicted on any of the aforementioned plans shall be submitted for consideration as a new special use permit.

504.19. *Standards for Accessory Entertainment to Restaurant or Bar (Use Code 56.3).* As defined by Appendix A—Use Code Descriptions: Where the permitted use of a property is a restaurant, bar or tavern (with or without alcohol), any musical, theatrical, dance, cabaret or comedy act or similar performance by one (1) or more persons, which is provided for the pleasure of patrons.)

In reviewing an application for a special use permit for Accessory Entertainment to Restaurant Bar, the Zoning Board or Planning Board (if under Unified Development) shall require that following criteria be met:

- A. The nature of the entertainment requested shall be specified, including, but not limited to, the number of entertainers, the type of entertainment (musicians, DJs, dancers, etc.), amplified or acoustic, how many days per year, which days of the week, specific hours of entertainment, and whether indoor or outdoor or both.
- B. The nature of the entertainment shall be compatible with the character of the neighborhood. The Board shall consider the nature, duration, and especially the frequency of such accessory entertainment in determining the compatibility with the neighborhood. A plan prepared by a licensed land surveyor or civil engineer shall be submitted into the record to verify this information.
- C. Specific occupancy projections and limits shall be provided to the board, and violation of such limits shall be a violation of the Zoning Ordinance.
- D. The area for the entertainment shall be specifically delineated on a plan submitted to the board. If dancing is anticipated, the location of the dance floor and change in capacity from table service if any A detailed floor plan prepared by a licensed architect or civil engineer shall be submitted into the record to verify this information.
- E. Parking shall be adequate to meet all zoning requirements. An existing restaurant or bar use without accessory entertainment that is non-conforming by parking shall not be eligible. A detailed parking and circulation plan prepared by a licensed engineer shall be submitted into the record to verify this information.
- F. A lighting plan prepared by a licensed architect that shows sufficient lighting for nighttime safety shall be submitted with the special use permit application, including confirmation of the shut off of all amplification upon the triggering of a fire alarm.
- G. A security plan including information relating to entrance procedure, police details and video and lighting locations shall be submitted with the application.
- H. Any substantial future changes to those items depicted on any of the aforementioned plans shall be submitted for consideration as a new special use permit.

504.20. *Brewpubs.* Recommended standards and objective criteria for special use permits for brewpubs:

- (1) Brewpubs are required to obtain a Brewpub Manufacturer's License in accordance with G.L. 1956, § 3-6-1.2, as amended. All conditions associated with the approval of any special use permit for brewpub use shall be incorporated into the requisite license issued by the Town of South Kingstown. Such conditions shall be reviewed for compliance as part of the annual licensing for any brewpub establishment;

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- (2) Brewpubs shall be subject to the property owner obtaining and holding a Class A, B, or BM license, or other license deemed applicable as required by the Town of South Kingstown or the State of Rhode Island;
 - (3) Brewpubs shall be subject to the limits applicable to the sale, distribution, and on-site/off-site consumption, as regulated by G.L. 1956, § 3-6-1.2, as amended;
 - (4) All brewing operations shall occur on the property and/or premises in which the brewpub is located in accordance with applicable local and state licensing.
 - (5) *Production Capacity.* Brewing capacity for any proposed brewpub may be limited by site conditions including, but not limited to, storage of material, onsite wastewater treatment capabilities, South Kingstown's Wastewater Treatment facilities ability to process effluent from the proposed facility and/or pumping and disposal. Any brewpub use shall submit an effluent management plan to the Town of South Kingstown, Department of Public Service for review and approval. Effluent discharge from the brewing operation of a brewpub shall be stored onsite and disposed of off-site by a septage hauler. No discharge from a brewpub brewing operation will be allowed into the municipal wastewater system due to the exceedingly high levels of Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) associated with the production of malt beverages.
 - a. The maximum capacity of the brewing equipment and/or systems at any brewpub shall not exceed seven barrels (7 BBLs).
 - b. The Planning Board may limit the capacity of brewing equipment and/or the rate of beer production at a brewpub based on the following criteria:
 - i. Requirements of the Subdivision and Land Development Regulations, Zoning Ordinance and Comprehensive Plan;
 - ii. Requirements and/or conditions established by any other state or local government agencies;
 - iii. Solid and liquid waste storage and off-site disposal plans;
 - iv. The type and proximity of abutting property uses;
 - (6) *Waste Management Plan.* All brewpubs shall submit a waste management plan for review and approval by the Department of Public Services. The waste management plan shall address the storage and disposal of all solid waste and wastewater (wastes) generated by brewpub operations. All waste management plans shall include or provide for:
 - a. Plans showing adequate capacity to store all waste generated by brewing operations when conducted at the maximum rate of production.
 - b. Written confirmation that the applicant has secured the means to legally transport and dispose of all wastes generated by the brewpub operations.
 - c. Copies of any transportation or disposal permits/approvals required for the applicant and/or the applicant's contractors to haul or accept waste for disposal.
 - d. Onsite disposal of brewpub waste is prohibited in the absence of required state and federal permits/approvals, which shall be submitted with the application materials.
 - (7) *Solid Waste.* Onsite solid waste storage systems shall utilize fully enclosed, airtight storage containers designed, constructed, operated and maintained in accordance with best practices in the brewing industry to reduce/prevent the discharge of odors and the attraction of vectors. Solid waste may be accumulated onsite for no longer than forty-eight (48) hours before being removed for disposal.

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- (8) **Wastewater.** Brewpub operations generate wastewater with very high levels of Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS); regulated pollutants that are damaging to Onsite Wastewater Treatment System (OWTS) and capable of exceeding the treatment capacity of municipal sewage treatment systems. Accordingly:
- a. All brewpubs shall maintain separate wastewater collection and disposal systems for standard sanitary wastewater (e.g. lavatory, kitchen, laundry) and process wastewater from brewpub operations.
 - b. Disposal of wastewater from brewpub operations to the South Kingstown sewage treatment system is prohibited. This prohibition extends to both onsite discharge to the town's sanitary sewer system and the delivery of wastewater by tank-truck to the South Kingstown treatment facility.
 - c. Disposal of wastewater from brewpub operations to an OWTS approved by the Rhode Island Department of Environmental Management (RIDEM) for disposal of sanitary wastewater is prohibited.
 - d. Onsite disposal of wastewater from brewpub operations to an industrial or commercial onsite wastewater disposal system designed to handle wastewater generated by brewing operations is permitted provided that the discharge system has received all required state and federal pollutant discharge approvals.
 - e. Onsite wastewater storage systems shall utilize one (1) or methods to reduce TSS in the wastewater stream prior to transporting the wastewater for disposal, such as settling, screens, filters, chemical flocculation or other system.
 - f. Onsite wastewater storage systems shall be designed, constructed, operated and maintained in accordance with best practices in the brewing industry to reduce/prevent fermentation in the storage tanks, prevent discharge of odors and minimize the attraction of vectors. Wastewater may be accumulated onsite for no longer than forty-eight (48) hours before being removed for disposal.
- (9) All brewpubs shall be subject to the parking requirements outlined within Article 7, Standards for Parking Lots and Loading Facilities, and all other standards and requirements associated with Use Code 56.1, Restaurant with Alcohol, shall be adhered to;
- (10) Brewpub operators shall employ best management practices in the collection, storage, repurposing, and/or disposal of waste byproducts generated from brewing operations, as suggested by RIDEM. All waste byproducts shall be stored in suitable leak-proof containers specifically designed for waste storage in a secure and fully screened location that is not visible or accessible to the general public, and shall be physically removed from the property within twenty-four-hours of being generated;
- (11) Brewpub operations shall not emit any noxious odors other than those ordinarily associated with and/or generated by a typical restaurant. If compliance with this standard is not met, the Town of South Kingstown may require that mitigation measures be employed as part of the annual licensing review process. Failure to correct said noncompliance may be cause for revocation or denial of requisite licensing.

Failure to clearly demonstrate compliance with the above-referenced standards and objective criteria may result in the denial the special use permit. Failure of brewpub uses permitted under this section in maintaining compliance with these standards shall constitute a zoning violation and be subject to enforcement action and/or recommendations to revoke requisite license(s). Consequently, the recommendation to modify the Town's existing Zoning Ordinance to allow restaurants to add a brewing component should have limited impact to an existing restaurant's operation and any characteristics of said operation that may be of concern could be mitigated through standards required to be met in the granting of a special use permit. Further, noncompliance with these standards

could be reviewed and/or enforced during the establishment's annual business license renewals conducted by the Town Council.

(Ord. of 5-13-02, § 4; Ord. of 5-13-02, § 4; Ord. of 7-22-02, § 3; Ord. of 8-12-03; Ord. of 10-23-06; Ord. of 4-23-07(2); Ord. of 5-26-09; Ord. of 4-11-11; Ord. of 3-13-17; Ord. of 5- 8-17; Ord. of 8-14-18; Ord. of 10-15-19(1); Ord. of 10-15-19(2); Ord. of 03-13-23(2); Ord. of 12-11-23(2); Ord. of 1-13-25(2))

504.21. *Special Standards for Restaurant, without alcohol (use code 56) in Ind-1 District Only.* In reviewing an application for a special use permit for a restaurant, without alcohol, in the Ind-1 District, the Zoning Board or Planning Board (if under Unified Development) shall require that the following criteria be met:

- A. Only 1 restaurant, without the service of alcohol, shall be permitted on any given tax lot in the Ind-1 District.
- B. The service area of the restaurant shall not exceed 3,000 SF. All outdoor service areas (if any) shall be adequately screened from any abutting property that is zoned residential or used for residential purposes. Moreover, outdoor services areas (if any) shall not be located within fifty feet (50') of any property line abutting property that is zoned residential or used for residential purposes.
- C. Dumpsters and/or other waste storage shall be screened from view and on all sides and shall not be located within twenty feet (20') of any lot line abutting property that is zoned residential or used for residential purposes.
- E. A detailed floor plan prepared by a licensed architect shall be submitted into the record to verify item B above.



Sayer Regan & Thayer, LLP
ATTORNEYS AND COUNSELLORS AT LAW

Enclosure 2



LAND USE

COMMERCIAL	DESCRIPTION
Zone: MU FLUM: Mixed Use	Purpose: To provide a mixture of residential and limited commercial uses in the area. Characteristics: This district is located within the Kingstown Road Special Management District and includes a mixture of residential and limited commercial uses. Allowed Uses: Limited commercial and residential uses are allowed in this district. Purpose: To allow for new or expanded light industrial, commercial, or mixed-use zoning on lands located on the west side of Route 1. Characteristics: The area has been developed into a mixed-use center that includes a wide-variety uses such as retail, commercial, office, hotel, theater, and dense residential condominium development. This district has been one of the most heavily developed areas in South Kingstown in recent years and is nearly built out. Allowed Uses: Mixes uses including commercial, residential and light industrial use are allowed in this district.
Zone & FLUM: Route 1 Special Management District	Purpose: To preserve and enhance the historic uses of the town-owned waterfront properties as a marina basin at the north boundary of Point Judith Pond. The district is intended to provide for marine based commercial uses that are complementary to the historic land use pattern of the area and the public access and recreational resources of the Marina Park facility. Characteristics: This area contains approximately 7.5 acres of land located on two parcels. Marine based commercial uses complementary to the historic land use pattern of the area and the public access and recreational resources of the Marina Park facility can be found in the area. Further, building and construction activities within this district are within the regulatory jurisdiction of the RI Coastal Resources Management Council (CRMC) and may require approval from such agency, in addition to a permit from the town, to proceed. Allowed Uses: Marinas and yacht clubs, non-profit community parks, boat storage, and restaurants are allowed uses.

{continued on next page}



LAND USE

INDUSTRIAL	DESCRIPTION
Zone: IND-1 FLUM: Industrial Mixed-Use	Purpose: To permit manufacturing, wholesale storage and distribution activities within existing manufacturing areas in West Kingstown and existing mills in Wakefield and Peace Dale. Characteristics: Wakefield/Peace Dale - This district contains existing historic mill structures in the central core of South Kingstown. Public water and sewer are required. Industry or processes that create environmental hazards or generate hazardous waste or pollutants are prohibited. West Kingstown - This district contains existing manufacturing uses in the village of West Kingstown. The area has environmental limitations but was previously developed as a significant area of light manufacturing, wholesale operations, and storage facilities. This area is located within the Groundwater Protection Overlay District, as such, any activity which constitutes a threat to either groundwater, surface waters, or adjacent wetlands should not be allowed. Public water and sewer may be provided. Allowed Uses: Industrial land uses including light manufacturing, wholesale operations, storage and distribution facilities are allowed. This district may also allow Use Code 21, Higher Educational Institution, Privately Owned and Operated, and Use Code 21.1 Higher Educational Institution, State Owned and Operated as an accessory use to permitted primary uses.
Zone: IND-2 FLUM: Industrial 2	Purpose: To allow for proposed activities designated on the west side of Rose Hill Road. This district is created for certain businesses and/or industrial operations that do not require traditional industrial park or commercial district locations. Characteristics: Uses within the district exhibit characteristics of industrial operation, as well as retail and wholesale businesses. They include automotive-related repair and service, outdoor yard storage, warehousing, multi-purpose trade centers, wholesale and retail sales of landscape and building materials and the like. Industries should be well screened from adjacent public streets and buffered from surrounding residential uses. Public water and sewer service is not a prerequisite but may be provided. Allowed Uses: Extractive operations, including the storage of sand and gravel would be permitted, but processing of these materials or the manufacture of concrete or asphalt and similar operations would be prohibited.
Zone: IND-3 FLUM: Industrial 3	Purpose: To allow for the continued existence and redevelopment of an existing manufacturing zone on the west side of North Road in Peace Dale. Characteristics: Public water and sewer may be provided to these areas but are not required. Allowed Uses: Permitted uses include extractive operations and processing of sand and gravel, and the manufacture of asphalt and concrete and related products.



MAP 8: BUILD-OUT ANALYSIS

an additional 10,082 residents at full build-out. This represents the future potential for a total population of 40,659 residents and 17,143 housing units by 2026 for multi-family (37.7 units / year) and 2091 for single-family units (52.4 units / year). The Municipal Build-out Analysis is included below as a reference and summarizes maximum future build-out under existing Zoning Ordinance provisions.

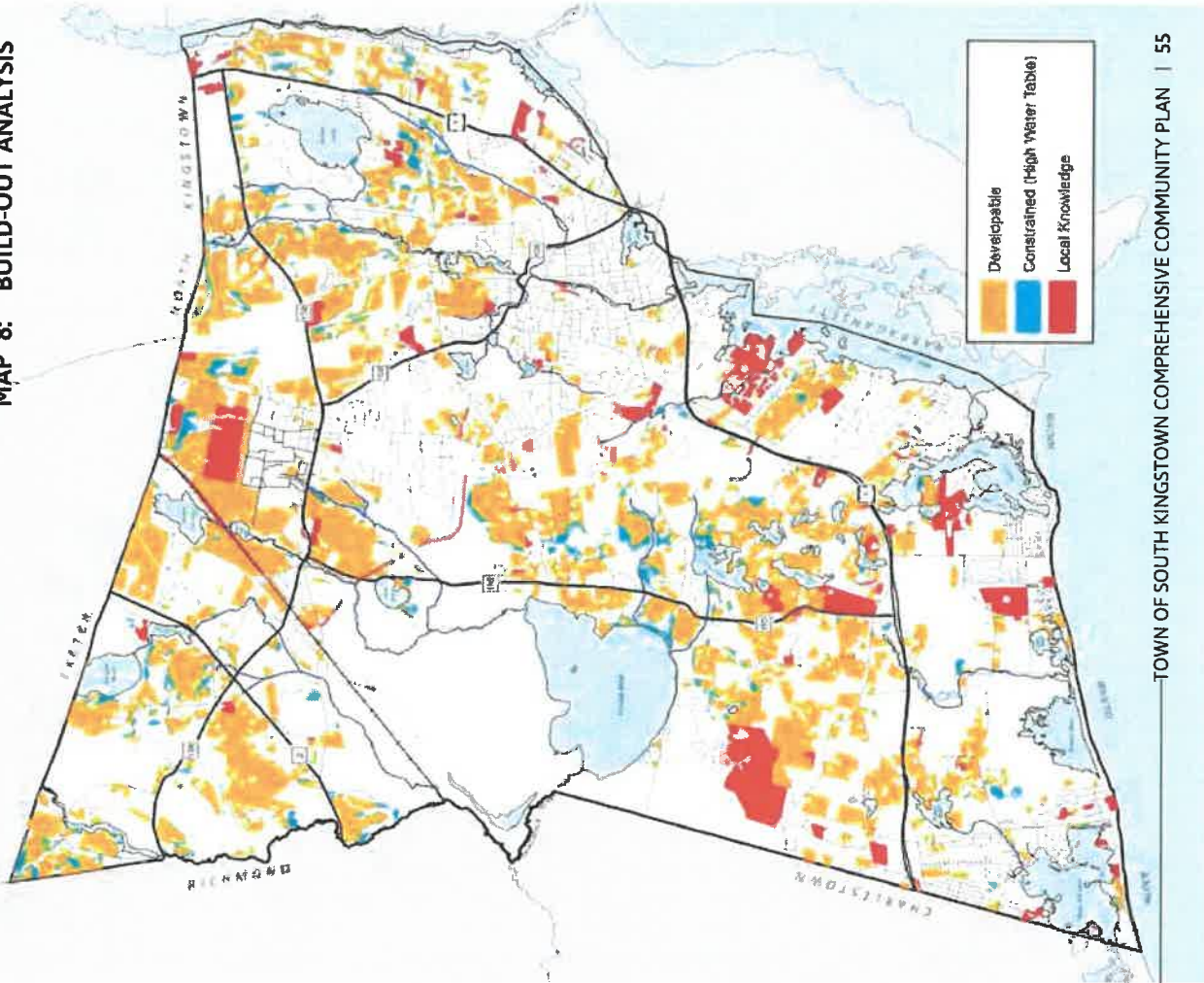
NEEDS & OPPORTUNITIES

COMMERCIAL & MIXED USE IN EXISTING VILLAGES

Less than 1% of land in South Kingstown is zoned for commercial activity. As such, existing opportunities for new commercial development and expansion are limited. The Town needs to assess existing commercial uses and zoning districts in order to provide additional opportunities for property located, appropriately sized, and well-designed commercial and mixed-use development that builds upon historic development patterns. Additional needs and opportunities are listed by specific village or commercial area.

Wakefield: Wakefield contains two distinctly different areas: Main Street; and the Commercial Highway areas adjacent to Route 1, Old Tower Hill Road, and Dale Carla Corner. Opportunities to increase density and permit a greater diversity and mix of uses exist in both areas. Along Main Street opportunities exist to promote development through evaluation and revision of parking regulations, implementation of traffic calming strategies, greening of streetscape, celebration of the Saugatucket River, and activation of commercial street fronts. Opportunities to promote mixed-use development that provides both commercial and residential uses exist along Main Street, included the eastern section of Main Street approaching Dale Carla Corner. The Commercial Highway area of Wakefield is challenged by an automobile-oriented development pattern. Opportunities to increase density, allow more mixed-use development, improve traffic safety and circulation, and reduce the amount of impervious surface occupied by parking areas exist in this area. Additionally, more area for limited commercial development may exist within an area located south of Old Tower Hill Road to the east of Route 108. A need for small scale green spaces within this developed portion of Town is noted.

Peace Dale: Peace Dale contains areas of commercial and industrial zoning surrounded by residences. Opportunities exist to rezone the sites of redeveloped mill structures, currently zoned as Industrial, as an Industrial/Commercial mixed-use zone to more appropriately reflect the current and intended diverse set of uses. These uses include offices, recreational uses,





LAND USE

a brewery and distillery. Within the center of Peace Dale improvements to traffic circulation including traffic calming, improved pedestrian and bicycle facilities, activation of the street, and potential parking requirement reductions provide opportunities to improve the area as a vibrant village center. A small number of residentially zoned parcels adjacent to commercial uses in Peace Dale provide an opportunity for additional commercial development in the village.

Kingston: Kingston contains a small area of commercially zoned activity adjacent to the University of Rhode Island campus. Traffic congestion and parking in the area provide significant challenges. Some rights-of-way in the area, including Briar Lane, may need improvement to accommodate appropriate development. Opportunities exist in this area to allow a mix of uses within the commercial area and promote pedestrian connectivity and activity. Kingston also contains a Historic Overlay District, regulated by the Zoning Ordinance.

West Kingston: West Kingston contains several commercial enterprises located around the village and existing industrial areas and the Kingston Station (Amtrak), which are surrounded by and integrated with existing agricultural operations. Opportunities to grow this village exist in allowing for more limited size and scale commercial operations in keeping with the character of the village. Areas along Route 138, which include existing commercial operations may be rezoned to bring existing uses into compliance and grow the village.

Matunuck: Matunuck contains a significant number of commercial uses that serve the local community and tourism sector. Traffic calming is needed in the area, along with expanded and safer pedestrian connectivity between residential areas, recreational assets, and the commercial neighborhood zone. Parking is a significant challenge in the area, thus a need to provide additional parking facilities and encourage multi-modal transportation alternatives is noted.

Route 1 & Route 138: A pocket of commercially zoned land currently exists in this location. This area has the opportunity to serve as a gateway to South Kingstown for traffic traveling along these major roadways including the Route 1 scenic highway. Appropriate landscaping standards and the design and scale of buildings are important in this area. As such, future development of an overlay or special management district may provide tools for the allowance and regulation of this area as a commercial gateway.

Perryville and Tuckertown: The villages of Perryville and Tuckertown are predominately residential in nature. Opportunities exist to further define these "village centers" and plan for their future through a collaborative process with area residents and property owners.



LAND USE

REDEVELOPMENT OF SCHOOL FACILITIES

As the population of South Kingstown ages and average household sizes decrease, South Kingstown anticipates a reduction in the number of students served by the Town's educational facilities. As the Town considers strategies for school consolidation, it is faced with a need to develop tools to support appropriate redevelopment and reuse of these large, centrally located structures. The development of a unique zoning overlay district and other innovative land use planning techniques for those parcels previously utilized for governmental and institutional use may be appropriate.

SCALE & MASSING OF DEVELOPMENT

As South Kingstown continues to promote infill development within existing village and developed areas, needs and opportunities exist to ensure that development is in keeping with the character of each village or neighborhood. South Kingstown sees an opportunity in the development of guidelines and regulatory tools to ensure future development is of a scale and physical mass appropriate for a proposed location. Efforts should be made to identify those areas where standards are most needed and develop appropriate guidance.



CHANGING POPULATION