Summary of Recommended Changes

1. ***State mandates***
    a. ***Establish R-4 and R-6 districts for future mapping***
    b. ***Establish administrative development plan review (DPR) to maintain community character***
    c. ***Allow for architectural features***
2. ***Core recommendations***
    a. ***Add conditional two- and three- family in all residential zones, GB, LB, & WB***
    b. ***Permit townhouses***
    c. ***Add multifamily and dormitories as a permitted use in the Commercial/Industrial district***
        i. *Increase density in the C/I district*
        ii. *Prohibit heavy industrial uses*
    d. ***Prohibit fuel storage in the WB zone***
3. ***Additional possibilities for future consideration***
    a. ***Make multifamily by right in all residential zones, GB, LB, & WB***
        i. *Require individual ownership and year-round occupancy*
        ii. *Require sustainability measures*
    b. ***Add SROs and dormitories as permitted uses in all residential zones (except R-10A and R-40A) CI, GB, LB, UV, & WB***
    c. ***Limit minimum lot requirements to new development lots (or move to Subdivision Regulations)***
    d. ***Reduce competition between short term rentals and housing***
    e. ***Ease parking demand***
        i. *Prohibit drive-throughs*
        ii. *Allow the market to capture excess parking capacity*
            1. *Valet parking*
            2. *Off-site parking*

Presentation of individual recommended amendments continues on following pages

1. *State mandates*

a. *Create new districts for future mapping*

i. *Establish R-4 district*

Existing Language	Proposed Language	Location
n/a	Residential R-4 District (R-4)	§ 17.12.010
n/a	Minimum Lot Area: 4,000 (sq. ft.)	§ 17.12.040(B)(2)
n/a	Minimum Lot Width: 50’	§ 17.12.040(B)(3)
n/a	Minimum Front Setback: 7’	§ 17.12.040 (B)(4)
n/a	Minimum Side Setback: 5’	§ 17.12.040 (B)(5)
n/a	Minimum Rear Setback: 10’	§ 17.12.040 (B)(6)
n/a	Max Lot Coverage: 40%	§ 17.12.040 (B)(7)
n/a	Max Height Limit: 30’	§ 17.12.040 (B)(8)
n/a	[Y, S, or N]	§ 17.14.020
n/a	**17.17.010. Legislative intent.** The R-4 residential district is an area of historic urban housing adjacent to downtown Newport. This area is located within proximity to commercial and public support services. The intent of this district is to maintain the historic character of this portion of the city.	§ 17.17.010
n/a	Accessory Building or Structure Front Setback Requirement: 20’	§ 17.78.020 (B)(2)(a)
n/a	Accessory Building/Structure (max height of 12 ft) Side and Rear Setback: 3’ side, 5’ rear	§ 17.78.020 (B)(2)(b)
n/a	Accessory Building/Structure (>12 ft in height) Side and Rear Setback: 3’ side, 5’ rear	§ 17.78.020 (B)(2)(c)
n/a	Accessory Building/Structure Height Limit: 26’	§ 17.78.020 (B)(2)(d)

ii. *Establish R-6 district*

Existing Language	Proposed Language	Location
n/a	Residential R-6 District (R-6)	§ 17.12.010
n/a	Minimum Lot Area: 6,000 (sq. ft.)	§ 17.12.040(B)(2)
n/a	Minimum Lot Width: 50’	§ 17.12.040(B)(3)
n/a	Minimum Front Setback: 10’	§ 17.12.040 (B)(4)
n/a	Minimum Side Setback: 5’	§ 17.12.040 (B)(5)
n/a	Minimum Rear Setback: 15’	§ 17.12.040 (B)(6)
n/a	Max Lot Coverage: 30%	§ 17.12.040 (B)(7)
n/a	Max Height Limit: 30’	§ 17.12.040 (B)(8)
n/a	[Y, S, or N]	§ 17.14.020

n/a	**17.18.010. Legislative intent.** The R-6 residential district is an area of inner suburban housing adjacent to historic transportation corridors to downtown Newport. This area is located with good access to commercial and public support services. The intent of this district is to balance housing production with neighborhood character and preservation of environmental resources.	§ 17.18.010
n/a	Accessory Building or Structure Front Setback Requirement: 20’	§ 17.78.020 (B)(3)(a)
n/a	Accessory Building/Structure (max height of 12 ft) Side and Rear Setback: 5’	§ 17.78.020 (B)(3)(b)
n/a	Accessory Building/Structure (>12 ft in height) Side and Rear Setback: 10’	§ 17.78.020 (B)(3)(c)
n/a	Accessory Building/Structure Height Limit: 26’	§ 17.78.020 (B)(3)(d)

b. ***Establish administrative development plan review (DPR) to maintain community character***

Existing Language	Proposed Language	Location
n/a	**17.88.015. Applicability.** Newport’s built environment is significant in American and world history. It is a most important historic city. Therefore, all land within the city’s boundaries is hereby designated an urban center and development within the city, is accordingly subject to development plan review, pursuant to §§ 17.88.020 and 17.88.022 of this chapter. Development subject to formal development plan review shall not be subject to administrative development plan review.	§ 17.88.015

17.88.020. Uses requiring development plan review. The provisions of this chapter shall be applicable to the following: A. Transient guest facilities. B. Any multifamily dwelling use involving an increase of three or more dwelling units or when the total number of dwelling units is six or greater. C. Any commercial use of ten thousand (10,000) gross square footage or greater. D. Any individual restaurant of four thousand (4,000) gross square footage or greater. E. Any professional or medical office of ten thousand (10,000) gross square footage or greater or combination of professional or medical office in conjunction with other commercial uses such that the total gross square footage is ten thousand (10,000) or greater. F. Hospitals, convalescent and rest homes; schools, colleges and universities, including dormitories; museums; libraries; churches; alcohol research and rehabilitation facilities. G. Parking areas for more than ten automobiles. H. Vacation guest facilities. I. Public utilities—Private electrical services. All applications for development plan review which require zoning approval, shall be filed with the zoning board of review by submitting a complete application with the zoning officer. The application shall be placed on the next available zoning board of review agenda and shall immediately be forwarded to the technical review committee and planning board. Once referred by the zoning officer, development plan review shall begin with a review of the application by the technical review committee which shall be advisory to the planning board which shall complete the development plan review. The planning board's review with its findings, recommendations and approvals shall be in writing and shall be advisory to the zoning board of review. For applicatifons for uses which are permitted by right and which are subject to development plan review, complete applications for development plan review shall be filed with the administrative officer for the technical review committee.	**17.88.020. ~~Uses requiring~~ Formal development plan review.** Formal development plan review shall be completed by the technical review committee. The provisions of this chapter relating to formal development plan review shall be applicable to the following uses: A. Transient guest facilities. B. Any multifamily dwelling use involving an increase of ~~three or more~~ principal dwelling units ~~or when the total number of dwelling units is six or greater~~. C. Any commercial use of ten thousand (10,000) gross square footage or greater. D. Any individual restaurant of four thousand (4,000) gross square footage or greater. E. Any professional or medical office of ten thousand (10,000) gross square footage or greater or combination of professional or medical office in conjunction with other commercial uses such that the total gross square footage is ten thousand (10,000) or greater. F. Hospitals, convalescent and rest homes; schools, colleges and universities, including dormitories; museums; libraries; churches; alcohol research and rehabilitation facilities. G. Parking areas for more than ten automobiles. H. Vacation guest facilities. I. Public utilities—Private electrical services. All applications for development plan review which require zoning approval, shall be filed with the zoning board of review by submitting a complete application with the zoning officer. The application shall be placed on the next available zoning board of review agenda and shall immediately be forwarded to the technical review committee and planning board. Once referred by the zoning officer, development plan review shall begin with a review of the application by the technical review committee which shall be advisory to the planning board which shall complete the development plan review. The planning board's review with its findings, recommendations and approvals shall be in writing and shall be advisory to the zoning board of review. For applications for uses which are permitted by right and which are subject to development plan review, complete applications for development plan review shall be filed with the administrative officer for the technical review committee.	§ 17.88.020

n/a	**17.88.022. Administrative development plan review.** Administrative development plan review shall be completed by the Director of Planning and Economic Development or their designee. The provisions of this chapter relating to formal development plan review shall be applicable to the following: A. An increase in dwelling units in a single-, two-, or three-family dwelling; B. Development otherwise not subject to development plan review over any thirty-year period that exceeds 50% of the property's assessed value. C. A fence section greater than 7 feet in height, or greater than 4 feet in height between a front façade and a right-of-way or within the front yard setback. D. Development beyond permissible lot coverage or impervious surface limits. E. Development in the Ocean Drive District.	§ 17.88.022

17.88.030 Guidelines and standards for review. Prior to granting any development plan review approval or issuing findings or recommendations concerning approval to the zoning board of review, the planning board, or in the case of an application for a use permitted by right, the technical review committee shall find that: 1. The granting of the approval will not result in conditions inimical to the public health, safety or welfare; 2. The granting of the approval will not substantially or permanently injure the appropriate use of property in the surrounding area or zoning district; 3. The development will contribute to Newport's famous architectural heritage; 43. The plans for the development comply with the requirements of the zoning ordinance and subdivision regulations, Titles 12, 13 and 15 of the Codified Ordinances of the City of Newport governing public services, streets, sidewalks and public places, parking, buildings and construction as well as laws, ordinances, rules and regulations governing stormwater management. An applicant may seek waivers and modifications of the requirements of the subdivision regulations and variances from the requirements of the zoning ordinance pursuant to provisions authorizing the same. 54. The plans for the development are consistent with the comprehensive plan; and 65. Conditions, restrictions or required site improvements required to meet these guidelines are incorporated in the written approval or guidelines.	17.88.030 Guidelines and standards for review. Prior to granting any development plan review approval or issuing findings or recommendations concerning approval to the zoning board of review, the planning board, or in the case of an application for a use permitted by right, the ~~technical review committee~~ permitting authority shall find that: 1. The granting of the approval will not result in conditions inimical to the public health, safety or welfare; 2. The granting of the approval will not substantially or permanently injure the appropriate use of property in the surrounding area or zoning district; 3. The development is consistent with Newport's high-quality architectural heritage and built environment; ~~43~~. The plans for the development comply with the requirements of the zoning ordinance and subdivision regulations, Titles 12, 13 and 15 of the Codified Ordinances of the City of Newport governing public services, streets, sidewalks and public places, parking, buildings and construction as well as laws, ordinances, rules and regulations governing stormwater management. An applicant may seek waivers and modifications of the requirements of the subdivision regulations and variances from the requirements of the zoning ordinance pursuant to provisions authorizing the same. ~~54~~. The plans for the development are consistent with the comprehensive plan; and 6~~5~~. Conditions, restrictions or required site improvements required to meet these guidelines are incorporated in the written approval or guidelines.	§ 17.88.030
n/a	The permitting authority, following the required positive findings under § 17.88.030, may adjust dimensional requirements consistent with the requirements of R.I.G.L. § 45-23-49.	§ 17.88.035
Q. Identification of proposed dumpster pad.	Q. Identification of proposed dumpster ~~pad~~ trash, recycling, and compost collection.	§ 17.88.040 (Q)

S. A landscape plan of existing and proposed trees, shrubs, and other vegetation prepared by a registered landscape architect.	S. A landscape plan of existing and proposed trees, shrubs, and other vegetation prepared by a registered landscape architect. In addition, an inventory of existing plant materials shall be filed. The inventory shall indicate the type of plant, general condition, measures needed to maintain its health and the relative value of the plant. The development plan shall also depict location of scenic vistas, scenic highways and greenways.	§ 17.88.040 (S)
Development plans may be submitted by the property owner or owner's representative. The reviewing agency, being the planning board or technical review committee as the case may be, shall make the final determination as to the adequacy of the development plan submitted for the purposes of this chapter. A development plan which is not complete and fails to satisfactorily provide the necessary minimum information described in Section 17.88.040 shall not be accepted for review. In such instances, the applicant will be notified in writing by the administrative officer within five (5) working days as to the reasons why the proposed development plan is not accepted for review. It shall be necessary for the development plan to be prepared by a professional architect, landscape architect, engineer and/or surveyor who are licensed in the State of Rhode Island.	Development plans may be submitted by the property owner or owner's representative. The ~~reviewing agency, being the planning board or technical review committee as the case may be,~~ permitting authority shall make the final determination as to the adequacy of the development plan submitted for the purposes of this chapter. A development plan which is not complete and fails to satisfactorily provide the necessary minimum information described in Section 17.88.040 shall not be accepted for review. ~~In such instances, the applicant will be notified in writing by the administrative officer within five (5) working days as to the reasons why the proposed development plan is not accepted for review.~~ It shall be necessary for the development plan to be prepared by a professional architect, landscape architect, engineer and/or surveyor who are licensed in the State of Rhode Island.	§ 17.88.050
A. The applicant shall comply with the requirements established by the administrative officer for the format and number of copies of the development plan to be submitted for processing and review. At the time the development plan is submitted to the city for review, a fee in accordance with Chapter 2.120 General Fee Schedule shall be paid to the city. After the development plan, related materials and fee have been submitted and is determined to be complete, it shall be processed and reviewed by the reviewing agency, being the planning board or technical review committee, as the case may be, in accordance with the provisions of this chapter.	A. The applicant shall comply with the requirements established by the administrative officer for the format and number of copies of the development plan to be submitted for processing and review. At the time the development plan is submitted to the city for review, a fee in accordance with Chapter 2.120 General Fee Schedule shall be paid to the city. After the development plan, related materials and fee have been submitted and is determined to be complete, it shall be processed and reviewed by the ~~reviewing agency, being the planning board or technical review committee, as the case may be, in accordance with the provisions of this chapter~~ permitting authority.	§ 17.88.060 (A)
B. The reviewing agency shall act upon the development plan and related material as submitted by the developer, or as modified by the development review process within forty-five (45) days of its submission.	[removed]	§ 17.88.060 (B)

An aggrieved party with respect to a decision of the technical review committee on an application involving a use permitted by right shall have the right to appeal such decision to the zoning board of review. The zoning board of review shall articulate and explain the reasons and basis of each decision. The zoning board of review shall send a copy of the decision to the aggrieved party, and [to] all parties entering an appearance. An aggrieved party may appeal the decision of the zoning board of review on a matter appealed under this chapter to the superior court of Newport County.	An aggrieved party with respect to a decision of the technical review committee on an application involving a use permitted by right shall have the right to appeal such decision pursuant to R.I.G.L. § 45-23-71 ~~the zoning board of review. The zoning board of review shall articulate and explain the reasons and basis of each decision. The zoning board of review shall send a copy of the decision to the aggrieved party, and [to] all parties entering an appearance. An aggrieved party may appeal the decision of the zoning board of review on a matter appealed under this chapter to the superior court of Newport County~~.	§ 17.88.120

Chapter 17.92. CRITICAL AREA REVIEW—OCEAN DRIVE DISTRICT **17.92.010. Legislative intent.** The critical area review is a development plan review process designed to protect the unique natural resources located in the subject district and is in accordance with recommendations of element two (land use) of the comprehensive land use plan for the city. The intent of this section is to foster sensitive development activity in the southern shoreline area of the city, commonly known as Ocean Drive, which typically exhibit large lot sizes and to minimize adverse impacts of development on such critical natural elements as vegetation, soil erosion, water quality, natural habitats, and scenic quality. The requirements of this section are developed to protect, conserve, and foster the natural, scenic, historical and economic qualities of lands along the city's Ocean Drive. The critical area review process is not intended to deny an applicant a permitted use of the property as established by this zoning code but rather to review, comment, refine, and develop site design elements within the development plan especially those which pertain to the physical characteristics of the site and its surrounding environment. **17.92.020. Usages.** "Critical area review committee" means a five member committee established to carry out the purposes of this section and hereinafter referred to as committee for the purposes of this section. "Greenway" means a corridor of protected open space managed for conservation, recreation or transportation purposes as defined by Title 42 Chapter 125 Paragraph 3 of the General Laws. "Critical area review approval" means an approval granted by the committee upon a complete review and acceptance of the proposed development activity which is subject to the requirements of this section. "Scenic highway" means any road, street, avenue, drive or other vehicular, pedestrian or bicycle route which has been designated as a component of the state system of scenic highways pursuant to Title 24 Chapter 15 of the General Laws. "Scenic vista" means a defined angle of perception within the landscape which	**Chapter 17.92. <u>DEVELOPMENT PLAN</u> ~~CRITICAL AREA~~ REVIEW—OCEAN DRIVE DISTRICT** ~~**17.92.010. Legislative intent.**~~ ~~The critical area review is a development plan review process designed to protect the unique natural resources located in the subject district and is in accordance with recommendations of element two (land use) of the comprehensive land use plan for the city. The intent of this section is to foster sensitive development activity in the southern shoreline area of the city, commonly known as Ocean Drive, which typically exhibit large lot sizes and to minimize adverse impacts of development on such critical natural elements as vegetation, soil erosion, water quality, natural habitats, and scenic quality. The requirements of this section are developed to protect, conserve, and foster the natural, scenic, historical and economic qualities of lands along the city's Ocean Drive. The critical area review process is not intended to deny an applicant a permitted use of the property as established by this zoning code but rather to review, comment, refine, and develop site design elements within the development plan especially those which pertain to the physical characteristics of the site and its surrounding environment.~~ ~~**17.92.020. Usages.**~~ ~~"Critical area review committee" means a five member committee established to carry out the purposes of this section and hereinafter referred to as committee for the purposes of this section.~~ ~~"Greenway" means a corridor of protected open space managed for conservation, recreation or transportation purposes as defined by Title 42 Chapter 125 Paragraph 3 of the General Laws.~~ ~~"Critical area review approval" means an approval granted by the committee upon a complete review and acceptance of the proposed development activity which is subject to the requirements of this section.~~ ~~"Scenic highway" means any road, street, avenue, drive or other vehicular, pedestrian or bicycle route which has been designated as a component of the state system of scenic highways pursuant to Title 24 Chapter 15 of the General Laws.~~ ~~"Scenic vista" means a defined angle of perception within the landscape which limits the view to a particular part of the landscape while providing the viewer with an unobstructed sight line to distant land, water, structure of historic or cultural significance or in the continuation of a series of such sight lines or vistas. This shall include all scenic vistas along a designated scenic highway.~~ ~~**17.92.030. Designation of critical area.**~~ ~~For the purposes of this section, the R-120 and R-160 zones as established by this zoning code and the zoning map shall together comprise the boundaries of the critical area—Ocean Drive district. All development activity including new~~	Ch. 17.92

c. ***Allow for architectural features***

Existing Language	Proposed Language	Location
1. Belt course, canopies, cornices, eaves, fascia, marquees, pilasters, sills, and similar architectural features may project three feet into the area required for setback from a street or other line; 2. Fences, walls, and posts may be located without reference to setbacks, provided there is compliance with height limitations and other applicable sections of this zoning code; 3. Athletic equipment may not be located within five feet of a side or rear line or within fifteen (15) feet of a front line; 4. Outdoor lighting facilities greater than ten feet in height shall not extend within ten feet of any front line; 5. In the case of a portion of a lot in a nonresidential district, which portion is contiguous to a railroad right-of-way, no setback from such a contiguous side or rear lot line is required; 6. The setback from the front line can be decreased from that required by a particular zoning district provided that such reduced setback may be no less than the front setback of either structure on the adjoining lots. This provision is applicable only when a lot is bounded on one or both sides by another lot. A lot entirely bounded by streets must comply with the standard setback provision as required; 7. Setbacks applicable to accessory uses are as provided for in Chapters 17.96, 17.100 and 17.104;	1. Belt course, awnings, bay windows, canopies, cornices, eaves, fascia, marquees, pilasters, sills, and similar architectural features may project three feet into the area required for setback from a street or other line; 2. Open porches no greater than 50% of the area of the facade and stoops may extend into up to 50% of any setback 3. Fences, walls, and posts may be located without reference to setbacks, provided there is compliance with height limitations and other applicable sections of this zoning code; 43. Athletic equipment may not be located within five feet of a side or rear line or within fifteen (15) feet of a front line; 54. Outdoor lighting facilities greater than ten feet in height shall not extend within ten feet of any front line; 65. In the case of a portion of a lot in a nonresidential district, which portion is contiguous to a railroad right-of-way, no setback from such a contiguous side or rear lot line is required; 76. The setback from the front line can be decreased from that required by a particular zoning district provided that such reduced setback may be no less than the front setback of either structure on the adjoining lots. This provision is applicable only when a lot is bounded on one or both sides by another lot. A lot entirely bounded by streets must comply with the standard setback provision as required; 87. Setbacks applicable to accessory uses are as provided for in Chapters 17.96, 17.100 and 17.104;	§ 17.04.050 (C)

D. Height of Structures. Except as otherwise provided, no structure shall exceed the maximum height specified in this zoning code. Such regulations shall not apply to spires, belfries, cupolas, flagpoles, water tanks, ventilators, farm silos, elevator penthouses, chimneys or other appurtenances usually required to be above the roof level and not intended for human occupancy, provided that such structures are incidental to a permitted use located on the same property, and except that f For buildings which are located in a general business district and which were erected prior to the date of April 13, 1977, where all or a portion of any such building is in excess of the maximum building height permitted in this zoning code, rehabilitation and alteration of such building is permitted within the confines of the width and length dimensions of the building to a height not to exceed fifty (50) feet, or the highest portion of the structure presently existing, whichever is lower.	D. Height of Structures. Except as otherwise provided, no structure shall exceed the maximum height specified in this zoning code. Such regulations shall not apply to pitched roofs above the attic ceiling, spires, belfries, cupolas, flagpoles, water tanks, ventilators, farm silos, elevator penthouses, chimneys or other appurtenances usually required to be above the roof level and not intended for human occupancy, provided that such structures are incidental to a permitted use located on the same property. Pitched roofs, flag poles, water tanks, ventilators, penthouses, chimney, and appurtenances other than spires, belfries, and cupolas shall not extend more than twenty (20) feet above the building height limit for the district in which it is located.Spires, belfries, and cupolas shall not exceed one hundred (100) feet., ~~and except that f~~ For buildings which are located in a general business district and which were erected prior to the date of April 13, 1977, where all or a portion of any such building is in excess of the maximum building height permitted in this zoning code, rehabilitation and alteration of such building is permitted within the confines of the width and length dimensions of the building to a height not to exceed fifty (50) feet, or the highest portion of the structure presently existing, whichever is lower.	§ 17.04.050 (D)
n/a	12. “Attic” means the enclosed space of a pitched roof above the eave line.	§ 17.08.010 (A)(12)
n/a	65. “Impervious surfaces” mean the horizontal plane area of a surface that sheds water onto surrounding areas. Examples include asphalt, cement, rubber, wood, and compacted gravel. Green roofs and swimming pools (but swimming pool aprons are) are not impervious surfaces. In determining whether a mounted object is impervious, such as a solar panel, the material underneath the mounted object shall be used for determining permeability.	§ 17.08.010 (A)(65)
E. On single- or two-family or multifamily properties with a land area of five thousand (5,000) square feet or greater, the combination of lot coverage and impervious material shall not exceed eighty (80) percent of the lot area. Space not used for structures or parking areas must be used as vegetated, pervious area.	[Removed]	§ 17.104.040 (E)
A. Front line, zero feet;	A. Front line, zero feet. Three feet for new construction and additions;	§ 17.16.040 (A)

B. The facility shall comply with the setback requirements of the district in which it is located.	B. The facility shall comply with the setback requirements of the district in which it is located. Setback shall be a minimum of five (5) feet. All setbacks shall be landscaped.	§ 17.100.290 (B)
n/a	D. No parking spaces shall be located within twenty (20) feet of the front lot line.	§ 17.100.460 (D)

2. Core recommendations

a. Add conditional two- and three- family in all residential zones, GB, LB, & WB

Existing Language	Proposed Language	Location
E. Dwellings Units. Whenever in this Code the terms "single-family dwelling(s)," "two family dwelling(s)" or "multifamily dwelling(s)" are used in district use regulations, the term "family" used therein shall have the same meaning as "household" and the term "dwellings" shall have the same meaning as "dwelling unit," as these terms are defined in Section 17.08.010.	E. Dwellings Units. Whenever in this Code the terms "single-family dwelling(s)," "two family dwelling(s)," "three-family dwelling(s)" or "multifamily dwelling(s)" are used in district use regulations, the term "family" used therein shall have the same meaning as "household" and the term "dwellings" shall have the same meaning as "dwelling unit," as these terms are defined in Section 17.08.010.	§ 17.04.050 (E)
"Multifamily dwelling" means a building containing three or more dwelling units.	90. "Multifamily dwelling" means a lot containing more than three ~~or more~~ principal dwelling units.	§ 17.08.010
n/a	138. "Three-family dwelling" means a lot containing three principal dwelling units.	§ 17.08.010 (A)(138)
Dwelling - Single-family dwellings	Dwelling - Single-, Two-, or Three-family dwellings	§ 17.14.020 (G)(1)
Dwellings - Conversions to a two-family dwelling	[removed]	§ 17.14.020 (G)

17.100.350. Two-family dwellings. Two-family dwellings are subject to the following conditions: A. To be converted to a two-family dwelling a building must have: 1. A minimum of five hundred (500) square feet of floor area devoted to living quarters for each single bedroom dwelling; 2. Six hundred twenty (620) square feet of floor area devoted to living quarters for each two bedroom dwelling; and 3. Seven hundred forty (740) square feet of floor area devoted to living quarters for each three or more bedroom dwelling. B. New lots and buildings shall be in accordance with the provisions of this zoning code and the minimum floor area requirements of the building codes, except that in the R-160 district no livable floor area of an individual dwelling unit shall be higher than thirty (30) feet above the average grade of the dwelling unit. For buildings erected prior to September 26, 1979, where all or a portion of any such building is in excess of the maximum height permitted, rehabilitation may be permitted within the confines of the width and length dimensions of the building to a height not to exceed fifty (50) feet, or the highest portion of the structure presently existing, whichever is less. C. For structures of new construction in the R-160 district, at least fifty (50) percent of all dwelling units shall be provided with an entrance directly from the outside. D. In R-120, R-160, R-40 and R-40A districts, the setback areas from street lines shall be maintained in a natural state or landscaped, except for necessary ingress and egress, and shall be free of all parking areas. E. For new construction or renovations resulting in the upgrading of service, all utilities shall be installed underground. F. Additions to main structures for two family purposes is permitted in the R-60, R-120 and R-160 districts. Conversion of and additions to auxiliary structures in the R-60, R-120 and R-160 districts for two-family dwellings is prohibited.	**17.100.350 Single-, ~~T~~two- and three-family dwellings.** Single-, ~~T~~two-, and three-family dwellings are subject to the following conditions: ~~A. To be converted to a two-family dwelling a building must have:~~ ~~1. A minimum of five hundred (500) square feet of floor area devoted to living quarters for each single bedroom dwelling;~~ ~~2. Six hundred twenty (620) square feet of floor area devoted to living quarters for each two bedroom dwelling; and~~ ~~3. Seven hundred forty (740) square feet of floor area devoted to living quarters for each three or more bedroom dwelling.~~ ~~B. New lots and buildings shall be in accordance with the provisions of this zoning code and the minimum floor area requirements of the building codes, except that in the R-160 district no livable floor area of an individual dwelling unit shall be higher than thirty (30) feet above the average grade of the dwelling unit. For buildings erected prior to September 26, 1979, where all or a portion of any such building is in excess of the maximum height permitted, rehabilitation may be permitted within the confines of the width and length dimensions of the building to a height not to exceed fifty (50) feet, or the highest portion of the structure presently existing, whichever is less.~~ ~~C. For structures of new construction in the R-160 district, at least fifty (50) percent of all dwelling units shall be provided with an entrance directly from the outside.~~ ~~D. In R-120, R-160, R-40 and R-40A districts, the setback areas from street lines shall be maintained in a natural state or landscaped, except for necessary ingress and egress, and shall be free of all parking areas.~~ ~~E. For new construction or renovations resulting in the upgrading of service, all utilities shall be installed underground.~~ ~~F. Additions to main structures for two family purposes is permitted in the R-60, R-120 and R-160 districts. Conversion of and additions to auxiliary structures in the R-60, R-120 and R-160 districts for two-family dwellings is prohibited.~~ A. For new construction or renovations resulting in the upgrading of service, all utilities shall be installed underground. B. One dwelling unit is permitted by right. C. One additional dwelling unit shall be permitted if occupied as a primary residence as defined in § 4.08.120 (c)(1). D. One additional dwelling unit shall be permitted provided the entire property satisfies the following conditions: 1. Space heating and cooling shall be from a ground-source heat pump. Water heating shall be from a ground-source heat pump and/or solar	§ 17.100.350

Single- and two-family dwellings: two spaces for each dwelling unit, except that if the structure is within the historic zoning district, one space per dwelling unit shall be required. All such spaces shall be located on the same lot with the structure or on a contiguous lot if both the lots are owned by the same person, persons or entity.	1. Single-, ~~and~~ two-, and three-family dwellings: two spaces for each dwelling unit, except that if the structure is within the historic zoning district, one space per dwelling unit shall be required. All such spaces shall be located on the same lot with the structure or on a contiguous lot if both the lots are owned by the same person, persons or entity.	§ 17.104.020 (A)
B. Except on lots used exclusively for single- or two-family dwellings, each off-street parking space shall open directly upon an aisle or driveway so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public vehicular or pedestrian right-of-way.	B. Except on lots used exclusively for single-~~or~~, two-, or three-family dwellings, each off-street parking space shall open directly upon an aisle or driveway so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public vehicular or pedestrian right-of-way.	§ 17.104.040 (B)
D. On properties used exclusively for single- or two-family dwellings, access driveways from a street shall not be less than nine feet in width and not greater than eighteen (18) feet in width. Access driveways from a street for all other properties and uses shall be not less than twelve nine (12) feet in width for one-way traffic and no less than twenty-four (24) feet or greater than thirty (30) feet in width for two-way traffic. Points of entrance and exit for driveways onto the street shall be located so as to minimize hazards to pedestrians and vehicular traffic.	D. On properties used exclusively for single-~~or~~, two-, or three-family dwellings, access driveways from a street shall not be less than nine feet in width and not greater than eighteen (18) feet in width. Access driveways from a street for all other properties and uses shall be not less than twelve nine (12) feet in width for one-way traffic and no less than twenty-four (24) feet or greater than thirty (30) feet in width for two-way traffic. Points of entrance and exit for driveways onto the street shall be located so as to minimize hazards to pedestrians and vehicular traffic.	§ 17.104.040 (D)
E. On single- or two-family or multifamily properties with a land area of five thousand (5,000) square feet or greater, the combination of lot coverage and impervious material shall not exceed eighty (80) percent of the lot area. Space not used for structures or parking areas must be used as vegetated, pervious area.	E. On single-~~or~~, two-, or three-family or multifamily properties with a land area of five thousand (5,000) square feet or greater, the combination of lot coverage and impervious material shall not exceed eighty (80) percent of the lot area. Space not used for structures or parking areas must be used as vegetated, pervious area.	§ 17.104.040 (E)

b. Permit townhouses

Existing Language	Proposed Language	Location
No setback or lot existing at the time of April 13, 1977 shall be reduced in dimension or area below the minimum requirements set forth herein. Setbacks and lots created after this effective date shall meet the minimum requirements established herein.	No setback or lot existing at the time of April 13, 1977 shall be reduced in dimension or area below the minimum requirements set forth herein. Setbacks and lots created after this effective date shall meet the minimum requirements established herein, except that lot area and widths may be reduced for the production of townhouses. Side setbacks on developed townhouses shall be reduced to ten feet.	§ 17.04.050 (A)(4)
n/a	9. Side setback requirements shall not apply between lots held in common ownership.	§ 17.04.050 (C)(9)

n/a	135. “Townhouse” means a single-, two-, or three-family dwelling that shares at least one wall with a neighboring single-, two-, or three-family dwelling.	17.08.010 (A)(135) “Townhouse”

c. Add multifamily and dormitories as a permitted use in the Commercial/Industrial district

Existing Language	Proposed Language	Location
[N]	[Y]	§ 17.14.020 (F)(9), (G)(3)-(4), (6) and (J)(3)

i. *Prohibit heavy industrial uses*

Existing Language	Proposed Language	Location

B. Prohibited Uses. It is intended that any use not included in this zoning code as a permitted use is prohibited. To assist in the interpretation of such permitted uses, the following uses, the list of which is not intended to be complete, are specifically prohibited: motor vehicle race tracks; drive-in theaters; drive-in restaurants, except in a shopping center in the commercial-industrial (CI) district; carry-out restaurants; junk yards, marine salvage operations; mobile home parks; ammonia, chlorine or bleaching powder manufacture; industrial, processes utilizing the combustion of soil coal; blast furnaces; incinerators, including those in conjunction with any waste to energy plan; board, steam and drop hammers; creosote treatment and manufacture; petrochemical manufacture; distillation of coal, petroleum, refuse, grain, wood or bones; explosive manufacture or storage; glue, size or gelatin manufacture; grain drying; reduction, storage or dumping of slaughterhouse refuse, garbage, dead animals or offal; radioactive materials or waste; rawhides or skin storage, cleaning, curing or tanning; soap manufacture from animal fats: sulfuric, nitric, picric, carbolic or hydrochloric acid manufacture; the open storage of more than one unregistered or inoperable motor vehicle per lot, with the one unregistered or inoperable vehicle per lot not to be stored openly for more than thirty (30) days; casino-type gambling, including, but not limited to, video lottery terminal gambling, as a principal use or accessory use, the renting of buildings or portions thereof for occupancy for lodging accommodations for periods of twenty-nine (29) consecutive days or less with the exception of guest houses, historic guest houses, and transient guest facilities and vacation guest facilities as defined in Section 17.08.010 and the rental of rooms as a home occupation pursuant to Section 17.100.130 (I)(9);	B. Prohibited Uses. Newport is a dense, historic city with high levels of seasonal tourism; to accommodate its population, only certain uses are permitted, with the expectation that other necessary uses will be provided regionally. It is intended that any use not included in this zoning code as a permitted use is prohibited. To assist in the interpretation of such permitted uses, the following uses, the list of which is not intended to be complete, are specifically prohibited: cement and petroleum product processing, trucking, dry cleaning and dying, new tire distribution or used tire storage or recapping, fuel distribution, earth removal and excavation, motor vehicle race tracks; drive-in theaters; drive-in restaurants, except in a shopping center in the commercial-industrial (CI) district; carry-out restaurants; junk yards, marine salvage operations; mobile home parks; ammonia, chlorine or bleaching powder manufacture; industrial, processes utilizing the combustion of soil coal; blast furnaces; incinerators, including those in conjunction with any waste to energy plan; board, steam and drop hammers; creosote treatment and manufacture; petrochemical manufacture; distillation of coal, petroleum, refuse, grain, wood or bones; explosive manufacture or storage; glue, size or gelatin manufacture; grain drying; reduction, storage or dumping of slaughterhouse refuse, garbage, dead animals or offal; radioactive materials or waste; rawhides or skin storage, cleaning, curing or tanning; soap manufacture from animal fats: sulfuric, nitric, picric, carbolic or hydrochloric acid manufacture; the open storage of more than one unregistered or inoperable motor vehicle per lot, with the one unregistered or inoperable vehicle per lot not to be stored openly for more than thirty (30) days; casino-type gambling, including, but not limited to, video lottery terminal gambling, as a principal use or accessory use, the renting of buildings or portions thereof for occupancy for lodging accommodations for periods of twenty-nine (29) consecutive days or less with the exception of guest houses, historic guest houses, and transient guest facilities and vacation guest facilities as defined in Section 17.08.010 and the rental of rooms as a home occupation pursuant to Section 17.100.130 (I)(9).	§ 17.04.050 (B)
Bulk storage of cement and petroleum products; concrete mixing plants; bituminous paving mixing plants	[removed]	§ 17.14.020 (B)
[Y]	[N]	§ 17.14.020 (B)(4)
Earth removal and paving contractor's business and storage yards	[removed]	§ 17.14.020 (B)

Freight and materials trucking	[removed]	§ 17.14.020 (B)
Laundry, cleaning, and dying plants	[removed]	§ 17.14.020 (B)
Retail stores; restaurants; wholesale business; trucking terminal; contractors business; warehouse; research laboratory; manufacture, processing or assembly of goods; printing and publishing; painting; woodworking; sheet metal; blacksmith; welding; tire recapping or machine shop; laundry, cleaning or dyeing plant; or other similar uses	Retail stores; restaurants; wholesale business; trucking terminal; contractors business; warehouse; research laboratory; manufacture, processing or assembly of goods; printing and publishing; painting; woodworking; sheet metal; blacksmith; welding; tire ~~recapping~~ sales or machine shop; laundry, cleaning or dyeing plant; or other similar uses	§ 17.104.030

d. Prohibit fuel storage in the WB zone

Existing Language	Proposed Language	Location
4. Commercial storage and sale of fuel and bottled gas	4. ~~Commercial storage and s~~Sale of fuel ~~and bottled gas~~	§ 17.14.020 (B)(4)
17.100.070. Commercial storage and sale of fuel or bottled gas. The manufacture, processing, assembly or storage of goods and the commercial storage of fuel or bottled gas, when located in a waterfront business district (WB), are subject to the following conditions: A. The lot on which the facility is to be located shall be adjacent to Newport Harbor. B. It shall be clearly demonstrated that the facility is dependent upon the harbor. C. Such facility shall be in accordance with the dimensional requirements specified in this zoning code, except that setback from the water shall not be required.	**17.100.070. ~~Commercial storage and s~~Sale of fuel ~~or bottled gas~~.** The ~~manufacture, processing, assembly or storage of goods and the commercial storage~~ sale of fuel ~~or bottled gas~~, when located in a waterfront business district (WB), are subject to the following conditions: A. The lot on which the facility is to be located shall be adjacent to Newport Harbor. B. It shall be clearly demonstrated that the facility is dependent upon the harbor. C. Such facility shall be in accordance with the dimensional requirements specified in this zoning code, except that setback from the water shall not be required.	§ 17.100.070

3. Additional possibilities for future consideration

a. Make multifamily by right in all residential zones, GB, LB, & WB

Existing Language	Proposed Language	Location
[S and N]	[Y] [not permitted within 20 feet of the front lot line on the ground floor in business zones]	§ 17.14.020 (G)(3)
Dwellings - Conversions to a multi-family dwelling	[removed]	§ 17.14.020 (G)
Dwellings - Nonprofit multifamily housing facilities for the elderly and/or handicapped	[removed]	§ 17.14.020 (G)
Dwellings - Conversions to a multifamily dwelling of former public school buildings, excluding the Coggeshall School	[removed]	§ 17.14.020 (G)
17.XX.070 Density Requirements	[removed]	§§ 17.16.020; 17.16.070; 17.20.070; 17.28.070; 17.32.070; 17.36.070; 17.40.070; 17.44.070; 17.48.070; 17.52.070; 17.56.070; 17.60.070

17.100.030. Multifamily dwellings. Multifamily dwellings are subject to the following conditions: A. To be converted to a multifamily dwelling, a building must have: 1. A minimum of five hundred (500) square feet of floor area devoted to living quarters for each single bedroom apartment; 2. Six hundred twenty (620) square feet of floor area devoted to living quarters for each two bedroom apartment; and 3. Seven hundred forty (740) square feet of floor area devoted to living quarters for each three or more bedroom apartments. B. New lots and buildings shall be in accordance with the provisions of this zoning code, except that in the R-160 district no livable floor area of an individual dwelling unit shall be higher than thirty (30) feet above the average grade of the dwelling unit. For buildings erected prior to September 26, 1979, where all or a portion of any such building is in excess of the maximum height permitted, rehabilitation may be permitted within the confines of the width and length dimensions of the building to a height not to exceed fifty (50) feet, or the highest portion of the structure presently existing, whichever is less. C. For structures of new construction in the R-160 district, at least fifty (50) percent of all dwelling units shall be provided with an entrance directly from the outside. D. In R-120, R-160, R-40 and R-40A districts, the setback areas from street lines shall be maintained in a natural state or landscaped, except for necessary ingress and egress, and shall be free of all parking areas. E. For new construction or renovations resulting in the upgrading of service, all utilities shall be installed underground. F. Additions to main structures for multifamily purposes is prohibited in the R-60, R-120 and R-160 districts. Conversion of and additions to auxiliary structures in these districts for multifamily purposes is allowed to an extent not in excess of fifty (50) percent of existing auxiliary structure coverage, provided the permitted maximum lot coverage is not exceeded.	**17.100.030. Multifamily dwellings.** A. Multifamily dwellings are subject to the following conditions: ~~A. To be converted to a multifamily dwelling, a building must have:~~ ~~1. A minimum of five hundred (500) square feet of floor area devoted to living quarters for each single bedroom apartment;~~ ~~2. Six hundred twenty (620) square feet of floor area devoted to living quarters for each two bedroom apartment; and~~ ~~3. Seven hundred forty (740) square feet of floor area devoted to living quarters for each three or more bedroom apartments.~~ ~~B. New lots and buildings shall be in accordance with the provisions of this zoning code, except that in the R-160 district no livable floor area of an individual dwelling unit shall be higher than thirty (30) feet above the average grade of the dwelling unit. For buildings erected prior to September 26, 1979, where all or a portion of any such building is in excess of the maximum height permitted, rehabilitation may be permitted within the confines of the width and length dimensions of the building to a height not to exceed fifty (50) feet, or the highest portion of the structure presently existing, whichever is less.~~ ~~C. For structures of new construction in the R-160 district, at least fifty (50) percent of all dwelling units shall be provided with an entrance directly from the outside.~~ ~~D. In R-120, R-160, R-40 and R-40A districts, the setback areas from street lines shall be maintained in a natural state or landscaped, except for necessary ingress and egress, and shall be free of all parking areas.~~ ~~E~~1. For new construction or renovations resulting in the upgrading of service, all utilities shall be installed underground. 2. All units shall be serviced with public water and sanitary sewer. 3. Laundry facilities shall be available onsite to all residents. 4. Bedroom windows. Each bedroom shall have a minimum of fifteen (15) square feet of window area. ~~F. Additions to main structures for multifamily purposes is prohibited in the R-60, R-120 and R-160 districts. Conversion of and additions to auxiliary structures in these districts for multifamily purposes is allowed to an extent not in excess of fifty (50) percent of existing auxiliary structure coverage, provided the permitted maximum lot coverage is not exceeded.~~ B. Multifamily units created after January 1, 2025 are subject to the following conditions: 1. Must be sold as individual dwelling units and may only be occupied as a primary	§ 17.100.030

b. Add single room occupancies (SROs) and dormitories as permitted uses in all residential zones (except R-10A and R-40A) CI, GB, LB, UV, & WB

Existing Language	Proposed Language	Location
"Dormitory" means a structure used for housing for persons generally unrelated to each other by blood or marriage, containing not more than one kitchen or dining facility and affiliated with a school, college or university by contract or otherwise.	44. "Dormitory" means a structure used for housing for temporarily deployed government personnel or students, operated by, or pursuant to a contract with to provide housing for, Community College of Rhode Island, International Yacht Restoration School for Technology and Trades, Newport Hospital, Saint Michael's Country Day School or Salve Regina University ~~persons generally unrelated to each other by blood or marriage, containing not more than one kitchen or dining facility and affiliated with a school, college or university by contract or otherwise~~.	§ 17.08.010 (A)(44)
n/a	120. "Single-room occupancy" means the provision of housing on an individual basis with shared facilities, such as bathroom, cooking, and/or leisure facilities. Single-room occupancies are not dwelling units or households.	§ 17.08.010 (A)(119)
Schools, colleges, and universities including fraternity or sorority houses or dormitories for faculty or students	20. Schools, colleges, and universities including fraternity or sorority houses but not ~~or~~ dormitories for faculty or students	§ 17.14.020 (F)(20)
Dwelling - Two-family dwellings	2. Dwellings - Single-room occupancy ~~Two-family dwellings~~	§ 17.14.020 (G)(2)
n/a	6. Dormitories [same districts as SROs]	§ 17.14.020 (G)(6)
n/a	**17.100.034. Dwellings - Single-room occupancy.** Dwellings – single-room occupancy are subject to the following conditions: A. No shared sleeping facilities. Each resident must have their own private sleeping facility in an enclosed room internally and externally lockable by the resident-occupant. B. No short-term rental. Occupancy must be for a minimum of one month. C. Minimum housing code standards. The dwelling shall be maintained to Minimum Housing Code standards, R.I.G.L.. Title 45 Chapter 24.3, D. All units shall be serviced with public water and sanitary sewer. E. Laundry facilities shall be available onsite to all residents. F. Bedroom windows. Each bedroom shall have a minimum of fifteen (15) square feet of window area.	§ 17.100.034

17.100.200. Schools, colleges and universities including fraternity or sorority houses or dormitories for faculty or students. Schools, colleges and universities including fraternity or sorority houses or dormitories for faculty or students are subject to the following conditions: A. Except where and to the extent that the applicant owns an abutting property or properties, all off-street parking and loading zone spaces must conform to the setback requirements for an accessory structure or accessory use for the district in which the project is located. B. All exterior mechanical systems must conform to the setback requirements for an accessory structure or accessory use for the district in which the project is located and must be permanently screened as not to be visible from off premises. C. For new construction or renovations resulting in the up-grading of service, all utilities shall be installed underground.	**17.100.200. Schools, colleges and universities including fraternity or sorority houses ~~or dormitories for faculty or students~~.** Schools, colleges and universities including fraternity or sorority houses ~~or dormitories for faculty or students~~ are subject to the following conditions: A. Except where and to the extent that the applicant owns an abutting property or properties, all off-street parking and loading zone spaces must conform to the setback requirements for an accessory structure or accessory use for the district in which the project is located. B. All exterior mechanical systems must conform to the setback requirements for an accessory structure or accessory use for the district in which the project is located and must be permanently screened as not to be visible from off premises. C. For new construction or renovations resulting in the up-grading of service, all utilities shall be installed underground.	§ 17.100.200
n/a	**17.100.201. Dormitories.** Dormitories are subject to the following conditions: A. Off-campus student dormitories shall have a live-in resident manager. B. All units shall be serviced with public water and sanitary sewer. C. Laundry facilities shall be available onsite to all residents. D. Bedroom windows. Each bedroom shall have a minimum of fifteen (15) square feet of window area.	§ 17.100.201
N/A	31. Dwellings - single-room occupancy: one space for every two residents. One space for every four residents on property located within one thousand (1,000) feet of a RIPTA scheduled bus stop.	§ 17.104.020 (A)(31)

c. Limit minimum lot requirements to new development lots (or move to Subdivision Regulations)

Existing Language	Proposed Language	Location
4. No setback or lot existing at the time of April 13, 1977 shall be reduced in dimension or area below the minimum requirements set forth herein. Setbacks and lots created after this effective date shall meet the minimum requirements established herein.	4. No setback ~~or lot~~ existing at the time of April 13, 1977 shall be reduced in dimension or area below the minimum requirements set forth herein. Setbacks and lots for development created after this effective date shall meet the minimum requirements established herein.	§ 17.12.010 (A)(4)

Dimensional Requirements	New Development Lot Dimensional Requirements	§ 17.12.040

A. Notwithstanding the provisions of Section 17.72.030.C. to the contrary, a permitted use by right may be established on a single lot of record on the effective date of adoption or amendment of the zoning code, regardless of lot area or width, provided there is compliance with the limitations imposed by other provisions of this zoning code or relief from the same is obtained by way of a dimensional variance provided, however, where such substandard original lot is unimproved and has one or more common boundaries with another unimproved lot owned by the same owner or his/her affiliate, such lots shall be combined in accordance with the provisions of this section. B. If two or more unimproved lots or combinations of such lots or portions of such lots with continuous frontage in single ownership are of record at the time of passage or amendment of this zoning code, and if all or parts of the lots do not meet the requirements established for lot width and area, and a building or other use is proposed which utilizes such lots in combination, the land involved shall be consolidated. In this manner no portion of the lot created through consolidation may be used or sold in a manner which diminishes compliance with any of the requirements established by this zoning code. The merger of lots shall not be required when the substandard lot of record has an area equal to or greater than the area of fifty (50) percent of the lots within two hundred (200) feet of the subject lot, as confirmed by the zoning officer. C. If three or more unimproved lots or parcels of land in any residential zoning district, having one or more than one common boundary with another lot owned by the same owner or his/her or its affiliate, and one or more of these lots fails to meet the requirements established by zoning code for minimum lot width and area, such unimproved lots shall be considered to be an individual, undivided parcel of land for the purpose of this chapter. If the total lot width or lot area of such contiguous unimproved lots of record is less than required by this zoning code, such lots may be considered as a single nonconforming lot of record for the purpose of this chapter. The merger of lots shall not be required when the substandard lot of record has an area equal to or greater than the area of fifty (50) percent of the lots within two hundred	~~A. Notwithstanding the provisions of Section 17.72.030.C. to the contrary, a~~ A permitted use by right may be established on a single lot of record on the effective date of adoption or amendment of the zoning code, regardless of lot area or width, provided there is compliance with the limitations imposed by other provisions of this zoning code or relief from the same is obtained by way of a dimensional variance ~~provided, however, where such substandard original lot is unimproved and has one or more common boundaries with another unimproved lot owned by the same owner or his/her affiliate, such lots shall be combined in accordance with the provisions of this section.~~ ~~B. If two or more unimproved lots or combinations of such lots or portions of such lots with continuous frontage in single ownership are of record at the time of passage or amendment of this zoning code, and if all or parts of the lots do not meet the requirements established for lot width and area, and a building or other use is proposed which utilizes such lots in combination, the land involved shall be consolidated. In this manner no portion of the lot created through consolidation may be used or sold in a manner which diminishes compliance with any of the requirements established by this zoning code. The merger of lots shall not be required when the substandard lot of record has an area equal to or greater than the area of fifty (50) percent of the lots within two hundred (200) feet of the subject lot, as confirmed by the zoning officer.~~ ~~C. If three or more unimproved lots or parcels of land in any residential zoning district, having one or more than one common boundary with another lot owned by the same owner or his/her or its affiliate, and one or more of these lots fails to meet the requirements established by zoning code for minimum lot width and area, such unimproved lots shall be considered to be an individual, undivided parcel of land for the purpose of this chapter. If the total lot width or lot area of such contiguous unimproved lots of record is less than required by this zoning code, such lots may be considered as a single nonconforming lot of record for the purpose of this chapter. The merger of lots shall not be required when the substandard lot of record has an area equal to or greater than the area of fifty (50) percent of the lots within two hundred (200) feet of the subject lot, as confirmed by the zoning officer.~~ ~~D. The provisions of subsections B. and C. of this section do not apply to any lot which has been assessed as a separate tax assessor's lot and which contains at least eighty thousand (80,000) square feet.~~ ~~E. The provisions of this section shall apply to all the districts specified in this zoning code~~	§17.72.010

d. Reduce competition between short term rentals and housing

Existing Language	Proposed Language	Location

57. "Guest facilities" means establishments for renting rooms or dwelling units as follows: 1. Guest House. A building in which one or more dwelling units or rooms for sleeping are rented for lodging accommodations for periods of twenty nine (29) consecutive days or less with or without the furnishing of meals and with the owner or a manager who is in charge and manages such rentals residing on the guest house property. In those districts where guest houses are permitted by right, the requirement for the owner or manager to reside on the guest house property shall not apply. No more than a total of five rooms for sleeping shall be allowed to be rented irrespective of the number of dwelling units or rooms for sleeping that are contained in the building. Only one building on a lot or parcel of land shall be allowed a guest house use. 2. Historic Guest House. A building the sole principal use of which is the rental of no more than eighteen (18) rooms rented on a daily, weekly, or monthly basis, with or without the providing of meals and which: (a) is listed on the National Register of Historic Places; and (b) is in a building which is subject to the jurisdiction of the Newport historic district commission pursuant to Chapter 17.80 of this zoning code; and (c) does not contain any other uses, accessory or otherwise, without being granted by a special use permit; 3. Transient Guest Facilities. Buildings with rooms or units offered to the public for occupancy as lodging accommodations on a day-to-day, or week-to-week basis and dependent on external facilities to the room or unit for the furnishing of meals, including, but not limited to, hotels, motels, inns and time-share properties and units; 4. Vacation guest facilities means facilities of ten or more units with kitchens, designed primarily for occupancy on a day-to-day or week-to-week basis and for not more than thirty-one (31) consecutive days by any one guest or guest family, including time-share properties and time-share units as defined by Rhode Island General Laws Section 34-41.	57. "Guest facilities" means establishments for renting rooms or dwelling units as follows: 1. Guest House. A building in which one or more dwelling units or rooms for sleeping are rented for lodging accommodations for periods of twenty nine (29) consecutive days or less with or without the furnishing of meals and with the owner or a manager who is in charge and manages such rentals residing on the guest house property. In those districts where guest houses are permitted by right, the requirement for the owner or manager to reside on the guest house property shall not apply. No more than a total of five rooms for sleeping shall be allowed to be rented irrespective of the number of dwelling units or rooms for sleeping that are contained in the building. Only one building on a lot or parcel of land shall be allowed a guest house use. 2. Historic Guest House. A building the sole principal use of which is the rental of no more than eighteen (18) rooms rented on a daily, weekly, or monthly basis, with or without the providing of meals and which: (a) is listed on the National Register of Historic Places; and (b) is in a building which is subject to the jurisdiction of the Newport historic district commission pursuant to Chapter 17.80 of this zoning code; and (c) does not contain any other uses, accessory or otherwise, without being granted by a special use permit; 3. Transient Guest Facilities. Buildings with rooms or units offered to the public for occupancy as lodging accommodations on a day-to-day, or week-to-week basis and dependent on external facilities to the room or unit for the furnishing of meals, including, but not limited to, hotels, motels, inns and time-share properties and units; 4. Vacation guest facilities means facilities ~~of ten or more units~~ with kitchens, designed primarily for occupancy on a day-to-day or week-to-week basis and for not more than thirty-one (31) consecutive days by any one guest or guest family, including time-share properties and time-share units as defined by Rhode Island General Laws Chapter 34-41.	§ 17.08.010 (A)(57)

[Y in GB zone]	[S-3 in GB Zone]	§ 17.14.020 (A)(8)
[Y in GB zone]	[S-3 in GB Zone]	§ 17.14.020 (A)(9)

17.100.050. Transient guest facilities. Transient guest facilities and the like are subject to the following conditions: A. Each guest bedroom or unit for hire shall have a floor area of at least three hundred (300) square feet. B. In those zoning districts where a transient guest facility is allowed by right: 1. No more than one room or unit for each four hundred (400) square feet of lot area. 2. The height of such a facility may vary from the established building height for the district for the purpose of enclosing such items as HVAC equipment, elevator penthouses, or other appurtenances usually required to be above the roof level and not intended for human occupancy provided: a. That the elevation of the finished ceiling of the highest habitable space does not exceed forty-eight (48) feet from the existing grade; and b. That the design of the facility will be reviewed and approved through the development plan review process with a recommendation from the historic district commission; and c. The property owner may meet the parking requirements of this zoning code by creating additional parking within an adjacent city-owned public parking facility. The ability to create the additional parking within adjacent city-owned public parking areas is conditioned on the property owner meeting the performance requirements established in Chapter 17.88, of this zoning code, and the approval of a parking agreement by the city council. C. There shall not be more than one room or unit for each one thousand five hundred (1,500) square feet of lot area in those zoning districts where a transient guest facility is allowed by special use permit. D. For new construction or renovations resulting in the upgrading of service, all utilities shall be installed underground. E. Transient guest facilities of ten (10) or more units, operated as time-share properties under the provisions of Rhode Island General Law Title 34, Chapter 41, may have stoves and similar cooking appliances within each unit. F. Time-share properties under the provisions of Rhode Island General Law Title 34, Chapter 41, shall only be permitted in those zoning districts where	**17.100.050. Transient guest facilities.** Transient guest facilities and the like are subject to the following conditions: A. Each guest bedroom or unit for hire shall have a floor area of at least three hundred (300) square feet. ~~B. In those zoning districts where a transient guest facility is allowed by right:~~ ~~1. No more than one room or unit for each four hundred (400) square feet of lot area.~~ ~~2. The height of such a facility may vary from the established building height for the district for the purpose of enclosing such items as HVAC equipment, elevator penthouses, or other appurtenances usually required to be above the roof level and not intended for human occupancy provided:~~ ~~a. That the elevation of the finished ceiling of the highest habitable space does not exceed forty-eight (48) feet from the existing grade; and~~ ~~b. That the design of the facility will be reviewed and approved through the development plan review process with a recommendation from the historic district commission; and~~ ~~c. The property owner may meet the parking requirements of this zoning code by creating additional parking within an adjacent city-owned public parking facility. The ability to create the additional parking within adjacent city-owned public parking areas is conditioned on the property owner meeting the performance requirements established in Chapter 17.88, of this zoning code, and the approval of a parking agreement by the city council.~~ C. There shall not be more than one room or unit for each one thousand five hundred (1,500) square feet of lot area ~~in those zoning districts where a transient guest facility is allowed by special use permit~~. D. For new construction or renovations resulting in the upgrading of service, all utilities shall be installed underground. E. The use shall have been established on the subject lot prior to January 1, 2010.~~Transient guest facilities of ten (10) or more units, operated as time-share properties under the provisions of Rhode Island General Law Title 34, Chapter 41, may have stoves and similar cooking appliances within each unit~~. F. Time-share properties under the provisions of Rhode Island General Law Title 34, Chapter 41, shall only be permitted in those zoning districts where hotels are permitted as a matter of right or by special use permit; i.e., GB, WB and CI. <u>G. Occupancy shall be limited to two (2) persons per bed.</u> <u>H. The property does not abut a residential property.</u> <u>I. All rooms or units shall be serviced with</u>	§ 17.100.050

17.100.360. Vacation guest facilities. Vacation guest facilities are subject to the following conditions: A. Each single bedroom unit for hire shall have a floor area of at least five hundred (500) square feet devoted to living space except that units without kitchens shall be permitted with a minimum floor area of four three hundred (4300) square feet. B. Two bedroom units shall have a minimum floor area of six hundred twenty (620) square feet devoted to living space. C. Three bedroom units shall have a minimum floor area of seven hundred forty (740) square feet devoted to living space. D. No unit shall have more than three bedrooms. E. In those districts where a vacation guest facility is allowed by right (general business and commercial-industrial) the following may occur: Provided that the property owner agrees to maintain not less than twenty (20) percent of: (1) the total lot area where the facility is located, or (2) the total lot area of two contiguous lots where such facilities are located, as a naturally landscaped area, i.e. lawn, walkways, trees and/or shrubbery without pavement, the parking requirements for the facility or facilities may vary from the established standards in Chapter 17.104 as follows: 1. For each one-bedroom unit and for each room that can be converted into a one-bedroom unit by locking it out from the other rooms in the unit, one space is required; 2. For each unit with two or more bedrooms, one and one-half spaces are required. F. There shall not be more than one unit for each one thousand two hundred (1,200) square feet of lot area. Contiguous lots with similar facilities can be measured together to determine the number of units for meeting this standard. G. For new construction or renovations resulting in the up-grading of service, all utilities shall be installed underground. H. During the course of the development plan review for a vacation guest facility the conceptual design of the exterior of the facility shall be presented to the historic district commission for recommendations on compatibility with the surrounding area in accordance with Section 17.80.060	17.100.360. Vacation guest facilities. Vacation guest facilities are subject to the following conditions: A. Each ~~single bedroom~~ unit for hire shall have a ~~floor area of at least five hundred (500) square feet devoted to living space except that units without kitchens shall be permitted with a~~ minimum floor area of ~~four~~ three hundred (4300) square feet. B. The use shall have been established as a guest facility on the subject lot prior to January 1, 2010~~Two bedroom units shall have a minimum floor area of six hundred twenty (620) square feet devoted to living space~~. C. Time-share properties under the provisions of Rhode Island General Law Title 34, Chapter 41, shall only be permitted in those zoning districts where hotels are permitted as a matter of right or by special use permit; i.e., GB and CI ~~Three bedroom units shall have a minimum floor area of seven hundred forty (740) square feet devoted to living space~~. D. No unit shall have more than three bedrooms. E. Occupancy shall be limited to two (2) persons per bed.~~In those districts where a vacation guest facility is allowed by right (general business and commercial-industrial) the following may occur:~~ ~~Provided that the property owner agrees to maintain not less than twenty (20) percent of: (1) the total lot area where the facility is located, or (2) the total lot area of two contiguous lots where such facilities are located, as a naturally landscaped area, i.e. lawn, walkways, trees and/or shrubbery without pavement, the parking requirements for the facility or facilities may vary from the established standards in Chapter 17.104 as follows:~~ ~~1. For each one-bedroom unit and for each room that can be converted into a one-bedroom unit by locking it out from the other rooms in the unit, one space is required;~~ ~~2. For each unit with two or more bedrooms, one and one-half spaces are required.~~ F. There shall not be more than one unit for each one thousand two hundred (1,200) square feet of lot area. Contiguous lots with similar facilities can be measured together to determine the number of units for meeting this standard. G. For new construction or renovations resulting in the up-grading of service, all utilities shall be installed underground. H. During the course of the development plan review for a vacation guest facility the conceptual design of the exterior of the facility shall be presented to the historic district commission for recommendations on compatibility with the surrounding area in accordance with Section 17.80.060	§ 17.100.360

e. Ease parking demand

Existing Language	Proposed Language	Location

17.104.020. Parking space standards. A. Single- and two-family dwellings: two spaces for each dwelling unit, except that if the structure is within the historic zoning district, one space per dwelling unit shall be required. All such spaces shall be located on the same lot with the structure or on a contiguous lot if both the lots are owned by the same person, persons or entity. B. Multifamily dwellings: two spaces for each dwelling unit and located on the same lot with the structure. C. Churches, places of worship, theaters, convention or conference centers; religious, philanthropic, scientific, literary, historical, fraternal, and charitable institutions; cultural institutions, assembly halls, auditoriums, or stadiums and the like: one space for four legal occupants and located on the same lot with the facility. D. Museums: not fewer than ten spaces and one additional space for each three hundred (300) square feet of gross square footage in excess of two thousand (2,000) gross square feet, all located on the same lot with the facility. The parking of buses and motor coaches, along with other motor vehicles incidental to a museum use, shall be permitted as a matter of right in any lot that was used, in whole or in part, as of November 9, 1994, for parking incidental to that museum use. The preceding sentence shall apply regardless of whether or not that lot or any part thereof is located on the same lot as the museum facility. Any such parking area or change in any such parking area shall be subject to a development plan review under Chapter 17.88. All parking shall be on ground surface, and the idling of buses shall be in compliance with Chapter 5.64.090. E. Hospitals, convalescent homes, rest homes and the like: for hospitals, minimum of two spaces per bed; for convalescent homes, rest homes and the like: minimum of one space for each three beds and maximum of two spaces for each three beds, plus one additional space for every three employees during the largest daily work shift, and located on the same lot with the facility. F. Transient guest facilities: one space for every guest bedroom and one space for every three employees; all located on the same lot with the facility with the exception of an allowance for the property owner to create additional	**17.104.020. Parking space standards.** A. Uses are required to provide off-street parking in accordance with the following provisions. Up to 10% of parking requirements may be met with motorcycle parking and up to 20% of parking requirements may be met with bicycle parking. Required off-street parking may be located on a separate lot (including through a lease of excess parking supply on a lot owned by another party), provided that a special use permit for the underlying use and the off-street parking is obtained. See § 17.100.291. A1. Single-, two-, and three-family dwellings: two spaces for each dwelling unit, except that if the structure is within the historic zoning district, one space per dwelling unit shall be required. No spaces shall be required for dwellings located within one thousand (1,000) feet of a RIPTA scheduled bus stop ~~All such spaces shall be located on the same lot with the structure or on a contiguous lot if both the lots are owned by the same person, persons or entity~~. B2. Multifamily dwellings: two spaces for each dwelling unit ~~and located on the same lot with the structure~~. One parking space for each dwelling unit on property located within one thousand (1,000) feet of a RIPTA scheduled bus stop. 3C. Churches, places of worship, theaters, convention or conference centers; religious, philanthropic, scientific, literary, historical, fraternal, and charitable institutions; cultural institutions, assembly halls, auditoriums, or stadiums and the like: one space for four legal occupants ~~and located on the same lot with the facility~~. 4D. Museums: not fewer than ten spaces and one additional space for each thousand ~~three hundred~~ (~~3~~1,000) square feet of gross square footage in excess of ten ~~two~~ thousand (10~~2~~,000) gross square feet~~, all located on the same lot with the facility~~. The parking of buses and motor coaches, along with other motor vehicles incidental to a museum use, shall be permitted as a matter of right in any lot that was used, in whole or in part, as of November 9, 1994, for parking incidental to that museum use. The preceding sentence shall apply regardless of whether or not that lot or any part thereof is located on the same lot as the museum facility. Any such parking area or change in any such parking area shall be subject to a development plan review under Chapter 17.88. All parking shall be on ground surface, and the idling of buses shall be in compliance with Chapter 5.64.090. 5E. Hospitals, convalescent homes, rest homes and the like: for hospitals, minimum of two spaces per bed; for convalescent homes, rest homes and the like: minimum of one space for each three beds and maximum of two spaces for each three beds, plus one additional space for	§ 17.104.020

n/a (only applies to Urban Village)	**17.104.024 Reserved parking.** Parking spaces may be reserved for a specific tenant or unit, provided the following minimums are not exceeded. Residential except single-, two-, or three-family: 1 space/efficiency or 1 bedroom unit:. 2 spaces/2 bedroom or greater unit Commercial: No more than 25% of the total nonresidential parking spaces provided may be reserved for a specific use or set of uses	§ 17.104.024
B. Except on lots used exclusively for single- or two-family dwellings, each off-street parking space shall open directly upon an aisle or driveway so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public vehicular or pedestrian right-of-way.	B. Except on lots used exclusively for single-, two- or three-family dwellings, each off-street parking space shall open directly upon an aisle or driveway so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public vehicular or pedestrian right-of-way. Tandem and stacked parking is permitted on properties used exclusively for single-, two-, or three-family dwellings.	§ 17.104.040 (B)
D. On properties used exclusively for single- or two-family dwellings, access driveways from a street shall not be less than nine feet in width and not greater than eighteen (18) feet in width. Access driveways from a street for all other properties and uses shall be not less than twelve (12) feet in width for one-way traffic and no less than twenty-four (24) feet or greater than thirty (30) feet in width for two-way traffic. Points of entrance and exit for driveways onto the street shall be located so as to minimize hazards to pedestrians and vehicular traffic.	D. On properties used exclusively for single-, two- or three-family dwellings, access driveways from a street shall not be less than nine feet in width and not greater than eighteen (18) feet in width. Access driveways from a street for all other properties and uses shall be not less than nine ~~twelve~~ (9~~12~~) feet in width for one-way traffic and no less than eighteen ~~twenty-four~~ (18~~24~~) feet or greater than twenty-four ~~thirty~~ (24~~30~~) feet in width for two-way traffic. Points of entrance and exit for driveways onto the street shall be located so as to minimize hazards to pedestrians and vehicular traffic.	§ 17.104.040 (D)
E. On single-, two-, or three-family or multifamily properties with a land area of five thousand (5,000) square feet or greater, the combination of lot coverage and impervious material shall not exceed eighty (80) percent of the lot area. Space not used for structures or parking areas must be used as vegetated, pervious area.	[removed]	§ 17.104.040 (E)

n/a	I. No driveway shall be located between the front lot line and front façade of a residential property that is less than fifty (50) feet from the front lot line. J. Valet parking is permitted as an accessory use with a special use permit. See § 17.100.291. Parking requirements shall be reduced to sixteen (16) feet in length and seven (7) feet in width, with no drive aisle requirements (i.e. tandem and stacking is permitted). K. Any provided motorcycle parking shall be prominently located and easily identifiable as such. Each required space shall be a minimum of eight (8) feet in length and three (3) feet in width. L. Any provided bicycle parking shall be prominently located and easily identifiable as such. Each required space shall be a minimum of six (6) feet in length and two (2) feet in width.	§ 17.104.040 (I)-(L)

i. Prohibit drive-throughs

Existing Language	Proposed Language	Location

B. Prohibited Uses. It is intended that any use not included in this zoning code as a permitted use is prohibited. To assist in the interpretation of such permitted uses, the following uses, the list of which is not intended to be complete, are specifically prohibited: motor vehicle race tracks; drive-in theaters; drive-in restaurants, except in a shopping center in the commercial-industrial (CI) district; carry-out restaurants; junk yards, marine salvage operations; mobile home parks; ammonia, chlorine or bleaching powder manufacture; industrial, processes utilizing the combustion of soil coal; blast furnaces; incinerators, including those in conjunction with any waste to energy plan; board, steam and drop hammers; creosote treatment and manufacture; petrochemical manufacture; distillation of coal, petroleum, refuse, grain, wood or bones; explosive manufacture or storage; glue, size or gelatin manufacture; grain drying; reduction, storage or dumping of slaughterhouse refuse, garbage, dead animals or offal; radioactive materials or waste; rawhides or skin storage, cleaning, curing or tanning; soap manufacture from animal fats: sulfuric, nitric, picric, carbolic or hydrochloric acid manufacture; the open storage of more than one unregistered or inoperable motor vehicle per lot, with the one unregistered or inoperable vehicle per lot not to be stored openly for more than thirty (30) days; casino-type gambling, including, but not limited to, video lottery terminal gambling, as a principal use or accessory use, the renting of buildings or portions thereof for occupancy for lodging accommodations for periods of twenty-nine (29) consecutive days or less with the exception of guest houses, historic guest houses, and transient guest facilities and vacation guest facilities as defined in Section 17.08.010 and the rental of rooms as a home occupation pursuant to Section 17.100.130 (I)(9);	B. Prohibited Uses. It is intended that any use not included in this zoning code as a permitted use is prohibited. To assist in the interpretation of such permitted uses, the following uses, the list of which is not intended to be complete, are specifically prohibited: motor vehicle race tracks; drive-in theaters; drive-in restaurants~~, except in a shopping center in the commercial-industrial (CI) district~~; drive-throughs; carry-out restaurants; junk yards, marine salvage operations; mobile home parks; ammonia, chlorine or bleaching powder manufacture; industrial, processes utilizing the combustion of soil coal; blast furnaces; incinerators, including those in conjunction with any waste to energy plan; board, steam and drop hammers; creosote treatment and manufacture; petrochemical manufacture; distillation of coal, petroleum, refuse, grain, wood or bones; explosive manufacture or storage; glue, size or gelatin manufacture; grain drying; reduction, storage or dumping of slaughterhouse refuse, garbage, dead animals or offal; radioactive materials or waste; rawhides or skin storage, cleaning, curing or tanning; soap manufacture from animal fats: sulfuric, nitric, picric, carbolic or hydrochloric acid manufacture; the open storage of more than one unregistered or inoperable motor vehicle per lot, with the one unregistered or inoperable vehicle per lot not to be stored openly for more than thirty (30) days; casino-type gambling, including, but not limited to, video lottery terminal gambling, as a principal use or accessory use, the renting of buildings or portions thereof for occupancy for lodging accommodations for periods of twenty-nine (29) consecutive days or less with the exception of guest houses, historic guest houses, and transient guest facilities and vacation guest facilities as defined in Section 17.08.010 and the rental of rooms as a home occupation pursuant to Section 17.100.130 (I)(9);	§ 17.04.050 (B)
Drive-throughs	[removed]	§ 17.14.020 (J)

ii. Allow the market to capture excess parking capacity

Existing Language	Proposed Language	Location

No setback or off-street parking or loading space required around or in connection with any building for the purpose of complying with this zoning code shall be included as part of a setback or off-street parking or loading space similarly required for any other building;	[moved to I. below]	§ 17.04.050 (A)(3)
Off-street Parking and Loading. It is the intent of the off-street parking and loading provisions to ensure that off-street parking and loading spaces are provided to accommodate the motor vehicles of all persons normally using or visiting a use or structure at any one time.For any permitted use, to include changes from one permitted use to another permitted use, such spaces shall be provided in accordance with the standards hereinafter specified and as amended. However, if the existing and proposed uses are permitted by right and the change of use is occurring within a structure that exists at the time of the adoption of this amendment, (Ord. No. 2010-25), and the new use requires an equal or less amount of off-street parking as required under other provisions of this Code, then such additional spaces shall not be required. All spaces required to be provided by this zoning code shall be permanently maintained and made available for occupancy in connection with and for the full duration of the use of land or structures for which such spaces are herein required.	Off-street Parking and Loading. It is the intent of the off-street parking and loading provisions to ensure that off-street parking and loading spaces are provided to accommodate the motor vehicles of all persons normally using or visiting a use or structure at any one time. No setback or off-street parking or loading space required around or in connection with any use for the purpose of complying with this zoning code shall be included as part of a setback or off-street parking or loading space similarly required for any other use **unless approved during development plan review with sufficient evidence that provided parking will meet demand**. For any permitted use, to include changes from one permitted use to another permitted use, such spaces shall be provided in accordance with the standards hereinafter specified and as amended. However, if the existing and proposed uses are permitted by right and the change of use is occurring within a structure that exists at the time of the adoption of this amendment, (Ord. No. 2010-25), and the new use requires an equal or less amount of off-street parking as required under other provisions of this Code, then such additional spaces shall not be required. All spaces required to be provided by this zoning code shall be permanently maintained and made available for occupancy in connection with and for the full duration of the use of land or structures for which such spaces are herein required.	§ 17.04.050 (I)
"Commercial parking lot" means a parcel of land or portion thereof used for the parking or storage of motor vehicles as a commercial enterprise for which any compensation is charged independently of any other use of the premises.	27. ___"Commercial parking lot" means a parcel of land or portion thereof used for the parking or storage of motor vehicles ~~as a commercial enterprise for which any compensation is charged~~ independently of any other use of the premises.	§ 17.08.010 (A)(57)
"Governmental employee parking lots" means a parcel of land or portion thereof the principal use of which is parking personal motor vehicles of employees of any agency of government.	[removed]	§ 17.08.010
"Neighborhood parking lot" means a lot set aside for the parking of noncommercial motor vehicles controlled by, and for the exclusive benefit of residential neighbors of the lot.	[removed]	§ 17.08.010

n/a	99. "Parking garage" means the storage of automobiles above or below grade.	§ 17.08.010 (A)(99)
Government employee parking lot	[removed]	§ 17.14.020 (F)
Neighborhood parking lots	[removed]	§ 17.14.020 (F)
[Y, N or S-3]	[Y, N or S-3]	§ 17.14.020 (I)(5)
17.100.380 Government employee parking lots. Governmental employee parking lots are subject to the following conditions: A. Lots shall not be used between the hours of twelve (12) midnight and six o'clock a.m. B. No commercial motor vehicles shall use the lot.	[removed]	§ 17.100.380
17.100.460 Parking structures and multimodal transportation center. Parking structures and multimodal transportation centers are subject to the following conditions: A. On the ground level facade where interior parking spaces are visible, a decorative fence and landscape material is required to screen the parking spaces. The fence shall be a minimum of five feet tall and landscape shall be a minimum of two feet tall at time of planting. B. Facade design and screening shall mask any visible interior circulation and create the appearance of horizontality along any abutting streets. C. For parking structures with roof top parking, a five-foot parapet wall shall be provided around the parking area.	**17.100.460 Parking ~~structures~~ garage and multimodal transportation center.** Parking structures and multimodal transportation centers are subject to the following conditions: A. On the ground level facade where interior parking spaces are visible, a decorative fence and landscape material is required to screen the parking spaces. The fence shall be a minimum of five feet tall and landscape shall be a minimum of two feet tall at time of planting. B. Facade design and screening shall mask any visible interior circulation and create the appearance of horizontality along any abutting streets. C. For parking structures with roof top parking, a five-foot parapet wall shall be provided around the parking area. D. No parking spaces shall be located within twenty (20) feet of the front lot line. E. The parking garage and/or multimodal transportation center must coordinate with public officials and other parking providers to discourage vehicle traffic south of Memorial Boulevard.	§ 17.100.460

1. Valet parking

Existing Language	Proposed Language	Location
n/a	[S-2]	§ 17.14.020 (J)(9)

n/a	**17.100.292. Valet parking.** Valet parking is subject to the following conditions: A. Valet parking is provided when the business is open. B. On-call valet services are available at all hours.	§ 17.100.292

2. Off-site parking

Existing Language	Proposed Language	Location
n/a	[S-2]	§ 17.14.020 (J)(8)
n/a	**17.100.291. Separate lot required parking.** Separate lots required parking is subject to the following conditions: A. If both lots are owned by the same individual, a deed restriction shall be recorded on the lot to provide the off-premises parking, granting an easement for the specified parking for the main lot for duration of the use for which the special use permit is obtained. B. Any lot not owned by the same individual may provide off-premises required parking through a lease for a specified number of spaces, provided that the issuance of the special use permit is conditioned upon the maintenance of the lease. C. Both the sending property and the receiving property require special use permits for the use to be permitted.	