**This document relates to criteria for the issuance of special use permits. It is ultimately the decision of the city or town whether to utilize the language herein and fill in specific information where appropriate.**

**In addition, any references to screening, coverage, etc. is discretionary and may be utilized if desired. All uses requiring a special use permit must, at a minimum, list specific criteria to be met for issuance of said permit, and as such the within provides a guideline for common uses allowable only by said permits. Some of the criteria listed below may overlap; each municipality may select the criteria, or portions of the criteria, that best addresses the communities’ needs.**

**The within uses may not constitute all uses a town or city may wish to require a special use permit. Special checklists may be required to collect appropriate documentation regarding a particular use, e.g. interconnection agreements with utility company for renewable energy projects, plans depicting outdoor use areas.**

* 1. *Special Use Permits*

1. Uses Requiring Special Use Permit Review

The following uses shall require a special use permit from the Zoning Board of Review or, if applicable pursuant to unified development review, the [PLANNING BOARD OR COMMISSION]. Applications for special use permits must the specific and objective criteria specified herein as to each use:

1. Drive-throughs;
2. Gas Stations;
3. Carwash Facilities;
4. Auto Body and Auto Body Repair Shops; Dealerships and/or Leasing Services;
5. Outdoor Storage Facilities;
6. Child Daycare and Family Daycare Facilities;
7. Marijuana – Retail Sales, Medical Use, and/or Compassion Centers;
8. Educational Facilities – Primary, Secondary, Vocational and/or Universities/Colleges;
9. Places of Worship/Religious Services – Churches, Synagogues, Temple and/or Mosque;
10. Lodges and/or Meeting Halls;
11. Materials Processing Centers;
12. Parking Lots and/or Parking Structures;
13. Solar Energy;
14. Wind Energy;
15. HydroPower;
16. Wireless Telecommunications;
17. Outdoor Dining;
18. Outdoor Entertainment – Farmers Markets, Outdoor Sales, Mobile Food Sales, Live Outdoor Entertainment
19. Live Entertainment, Bars and Nightclubs;
20. Adult Use – Books, Entertainment, Retail;
21. Animal Care and Kennels;
22. Short Term Rentals – Air B&B, VRBO, Bed and Breakfasts.
23. Uses not listed in Table of Uses.

To the extent a proposed land use is not specifically listed in [INSERT USE TABLE SECTION, TABLE], the property owner may submit a written request to the [ZONING BOARD OF REVIEW OR LOCAL OFFICIAL/AGENCY] for an evaluation and determination of whether the proposed use is of a similar type, character, and intensity as a listed use requiring a special-use permit. The [ZONING BOARD OF REVIEW OR LOCAL OFFICIAL/AGENCY] will have [TIME PERIOD] days to provide a written evaluation to the property owner. Upon such determination, the proposed use may be considered to be a use requiring a special-use permit.**[[1]](#footnote-1)**

1. Findings and recommendations

Upon receipt of a completed application for a special use permit, the Zoning Board of Review, or [AUTHORIZED PERMITTING AUTHORITY UNDER UDR] as applicable, may request that the [PLANNING AND/OR STAFF]**[[2]](#footnote-2)** prepare a written report of [it’s, his or her] findings and recommendations to be submitted to the appropriate review body.

1. Criteria for Special Use Permits
2. **Drive-through facility[[3]](#footnote-3)**
3. All drive-through facilities shall provide a [MINIMUM/MAXIMUM] of [NUMBER] on-site stacking/queuing spaces. Stacking spaces provided for drive-through uses shall be:
4. A [MINIMUM OR MAXIMUM] of [NUMBER] feet in width, as measured from the outermost point of any service window or bay entrance [or order/menu board/station], to the edge of the driveway, and [NUMBER] feet in length. In the case of a recessed service window, the measurement shall be taken from the building wall.
5. Stacking spaces shall begin behind the vehicle parked at a final point of service, such as a service window or car wash bay (and does not include a menu board). Spaces shall be placed in a single line behind each lane or bay.
6. The number of required queued cards shall apply to [all lanes/each lane or bay], where multiple lanes are proposed.
7. All drive-through lanes shall be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Drive-through lanes on corner lots shall not route exiting traffic into adjacent residential neighborhoods.
8. Drive-through facilities shall be screened along [AREA] side and [AREA] lot lines with a solid wall or fence [OR OTHER hardscape or landscape], a minimum of [NUMBER] feet and a maximum of [NUMBER] feet in height. [NUMBER] shrub(s) a minimum of [NUMBER] feet in height at time of planting shall be planted linearly every [NUMBER] feet on-center along such fence or wall. This standard does not apply to drive-through facilities within multi-tenant retail centers where the drive-through use does not abut lot lines.

1. An additional buffer of [NUMBER] feet shall be provided along lot line adjacent to residential uses and zoning districts.
2. Speakers used for ordering and other service shall be located so as not to disturb or interfere with the use of neighboring properties, considering such property’s type of use (e.g., industrial, commercial, institutional, residential, etc.).
3. **Gas Stations**
4. Gas stations shall meet the following minimum lot requirements: lot area of [NUMBER]square feet, lot depth of [NUMBER] feet, and lot width of [NUMBER] feet.
5. Structures and all pump islands, compressed air connections, and similar equipment shall be set back a minimum of [NUMBER] feet from side and rear lot lines.
6. No access driveway may exceed [NUMBER] feet in width. For a corner lot, curb cuts are restricted to [NUMBER] curb cut per street frontage.
7. The minimum distance between the fueling area canopy and the curb line shall be [NUMBER] feet and [NUMBER] feet from any interior lot line.
8. Underground tanks shall meet the following requirements:

1. The maximum storage capacity for petroleum products is [NUMBER] gallons.

1. The minimum separation required between underground tanks, adjoining buildings, and lot lines is [NUMBER] feet. Structures are exempt from the separation distance requirement if there are no basements or pits that extend below the top of any tank within the separation distance.

1. Motor vehicle repair is permitted as part of a gas station use. However, repair work is limited only to minor repair work, such as tire or tube repairing, battery changing, lubrication, engine tune-ups, brake and muffler repair or replacement, and similar types of work. Minor repair work does not include replacement of engines, replacement of transmissions, or any body work. All such repair work shall be conducted entirely within an enclosed structure. Storage of all merchandise, auto parts, and supplies shall be within an enclosed structure.
2. Electric vehicle charging stations may be included as an accessory use to a gas station [but may not be counted toward parking requirements].
3. **Carwash Facilities[[4]](#footnote-4)**
4. Car wash facilities shall be screened along interior side and rear lot lines with a solid fence or wall, a minimum of [NUMBER] feet and a maximum of [NUMBER] feet in height. [NUMBER] shrub(s) a minimum of [NUMBER] feet in height at time of planting shall be planted linearly every [NUMBER] feet on-center along such fence or wall.
5. When a car wash facility abuts a residential use or zoning district, there shall be a [INSERT NUMBER] ft. setback from each such lot line abutting a residential use or zoning district.
6. When vacuums are included on the site, they shall include mufflers to reduce the sound of the equipment to a maximum of [NUMBER] decibels as appropriate.
7. Trash receptacles shall be placed near all vacuum stations as applicable and at the entrance to the car wash entrance.
8. **Auto Body Shops, Repair Shops, and Dealership and/or Leasing Services[[5]](#footnote-5)**
9. All repair, service, and sales and/or leasing operations shall be performed within a fully enclosed building. All equipment and parts shall be stored indoors.
10. Vehicle services establishments shall be screened along interior side and rear lot lines with a solid wall or fence, a minimum of [NUMBER] feet and a maximum of [NUMBER] feet in height.
11. No partially dismantled, wrecked, or unlicensed vehicles shall be stored outdoors on the premises. This standard does not apply to vehicles under repair and/or service.
12. No motor vehicles shall be stored and no repair and/or service work shall be conducted in the public right-of-way.
13. There shall be a [NUMBER] foot landscaped buffer along any lot line abutting a street, excluding driveways, which shall include [NUMBER] shrub(s) per [NUMBER] linear feet along said lot line a minimum of [NUMBER] feet in height at time of planting, as well as [NUMBER] street trees for every [NUMBER] of linear feet along said lot line.
14. The site shall otherwise comply with landscaping requirements of [INSERT “this Zoning Ordinance” or “the Regulations”].
15. No access driveway may exceed [NUMBER] feet in width. For a corner lot, curb cuts are restricted to [NUMBER] curb cut per street frontage.
16. **Outdoor Storage Facilities**
17. The storage area shall be completely enclosed along all lot lines by a solid fence or wall a minimum of [NUMBER] feet and a maximum of [NUMBER] feet in height, including ingress and egress. Fences or walls along the front or corner side lot line shall be set back a minimum of [NUMBER] feet. Within that setback, [NUMBER] shrub(s) a minimum of [NUMBER] feet in height shall be planted linearly every [NUMBER] feet on-center along such fence or wall.
18. Storage of any kind is prohibited outside the fence or wall. No items stored within [NUMBER] feet of the fence or wall may exceed the height of the fence or wall.
19. The storage area should be located in the rear of the lot. Any structures shall be located in front of the storage area to obscure the view of the storage from street(s), in compliance with the front yard of the underlying zoning district.
20. There shall be a [NUMBER] foot landscaped buffer along any lot line abutting a street, excluding driveways, which shall include [NUMBER] shrub(s) per [NUMBER] linear feet along said lot line a minimum of [NUMBER] feet in height at time of planting, as well as [NUMBER] street tree for every [NUMBER] of linear feet along said lot line.
21. The site shall otherwise comply with landscaping requirements of [INSERT “this Zoning Ordinance” or “the Regulations”].
22. **Child Daycare Facilities**

1. The applicant shall provide proof of state licensing.
2. There shall be a designated drop-off area near an entrance to the building with a queuing lane that does not block vehicle parking spaces calculated as [NUMBER] percent of facility’s enrollment capacity as determined by the licensing authority.
3. The parking plan shall provide safe pedestrian circulation with clearly marked crosswalks from each parking area to the building entrance(s).
4. **Marijuana Facilities – Retail Sales, Medical Use, and/or Compassion Centers**

1. No marijuana establishment shall be combined with residential use of property.
2. All operations shall take place within a permanent building and shall not be visible from the exterior of the building.
3. No marijuana facility that dispenses marijuana or marijuana-related products shall have a gross floor area of more than [NUMBER] square feet.
4. Hours of operation shall not be outside the hours of [TIME] a.m. through [TIME].
5. No drive-through service shall be permitted for a marijuana facility.
6. No outside storage of marijuana, related supplies, or promotional materials shall be permitted.
7. Marijuana facilities shall be ventilated in such a manner that:
8. No pesticides, insecticides, or other chemicals or products used in the cultivation or processing of marijuana are dispersed into the outside atmosphere; and
9. No odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the marijuana facility, or any adjoining use of property. An odor control plan shall be submitted that provides for adequate ventilation, detailing the specific odor-emitting activities or processes to be conducted on-site, the source of those odors, the locations from which they are emitted from the facility, the frequency of such odor-emitting activities, the duration of such odor-emitting activities, and the administrative and engineering controls that will be implemented to control such odors, including maintenance of such control.
10. A security plan including information relating to alarms, fencing, gates, limited access areas, delivery procedure, police details and video and lighting locations. The security plan shall show the arrangement of pedestrian circulation and access to the public points of entry to the premises from the nearest public street or off-street parking area. The security plan must be approved by the Chief of Police or his/her designee and updates shall be submitted to and approved by the Chief of Police or his/her designee. To the maximum extent possible, the security plan and any updates shall be deemed confidential documents.
11. The marijuana facility shall be screened along side and rear lot lines with a solid wall or fence [OR OTHER hardscape or landscape], a minimum of [NUMBER] feet and a maximum of [NUMBER] feet in height. [NUMBER] shrub(s) a minimum of [NUMBER] feet in height at time of planting shall be planted linearly every [NUMBER] feet on-center along such fence or wall.
12. The site shall otherwise comply with landscaping requirements of [INSERT “this Zoning Ordinance” or “the Regulations”].
13. That the exterior appearance of the structure will be consistent with the exterior appearance of structures already constructed or under construction within the immediate neighborhood, to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.
14. Lighting shall be required such that it will illuminate the compassion center, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front facade, and any adjoining public sidewalk. Wherever possible, lighting shall be directed straight downward and full-cutoff fixtures shall be used in order to prevent glare or light trespass.
15. **Educational Facilities – Primary and Secondary, Vocational, and Universities and Colleges**
16. The applicant shall provide proof of state licensing as required.
17. There shall be a [NUMBER] foot landscaped buffer along any lot line abutting a street, excluding driveways, which shall include [NUMBER] shrub(s) per [NUMBER] linear feet along said lot line a minimum of [NUMBER] feet in height at time of planting, as well as [NUMBER] street tree for every [NUMBER] of linear feet along said lot line.
18. The site shall otherwise comply with landscaping requirements of [INSERT “this Zoning Ordinance” or “the Regulations”].
19. There shall be a designated drop-off area near an entrance to the building with a queuing lane that does not block vehicle parking spaces calculated as {NUMBER] percent of facility’s enrollment capacity as determined by the licensing authority.
20. The use shall be screened along interior side and rear lot lines with a solid fence or wall, a minimum of [NUMBER] feet and a maximum of [NUMBER] feet in height. [NUMBER] shrub(s) a minimum of [NUMBER] feet in height at time of planting shall be planted linearly every [NUMBER] feet on-center along such fence or wall.
21. Parking shall be located in the side and rear yards of the property, behind the building(s) and parking plans shall provide safe pedestrian circulation with clearly marked crosswalks from each parking area to the building entrance(s).
22. **Worship/Religious Services**
23. There shall be a [NUMBER] foot landscaped buffer along any lot line abutting a street, excluding driveways, which shall include [NUMBER] shrub(s) per [NUMBER] linear feet along said lot line a minimum of [NUMBER] feet in height at time of planting, as well as [NUMBER] street tree for every [NUMBER] of linear feet along said lot line.
24. The site shall otherwise comply with landscaping requirements of [INSERT “this Zoning Ordinance” or “the Regulations”].
25. Parking shall be screened along interior side and rear lot lines with a solid fence or wall, a minimum of [NUMBER] feet and a maximum of [NUMBER] feet in height. [NUMBER] shrub(s) a minimum of [NUMBER] feet in height at time of planting shall be planted linearly every [NUMBER] feet on-center along such fence or wall.
26. Parking shall be located in the side and rear yards of the property, behind the building(s) and parking plans shall provide safe pedestrian circulation with clearly marked crosswalks from each parking area to the building entrance(s).
27. **Lodges and/or Meeting Halls**
28. No more than [PERCENTAGE] of the gross floor area may be used as office space for the lodge/meeting hall.
29. Lodges/meeting halls are permitted to serve meals and alcohol on the premises for members and their guests only.
30. Sleeping facilities are prohibited.
31. There shall be a [NUMBER] foot landscaped buffer along any lot line abutting a street, excluding driveways, which shall include [NUMBER] shrub(s) per [NUMBER] linear feet along said lot line a minimum of [NUMBER] feet in height at time of planting, as well as [NUMBER] street tree for every [NUMBER] of linear feet along said lot line.
32. The site shall otherwise comply with landscaping requirements of [INSERT “this Zoning Ordinance” or “the Regulations”].
33. Parking shall be screened along interior side and rear lot lines with a solid fence or wall, a minimum of [NUMBER] feet and a maximum of [NUMBER] feet in height. [NUMBER] shrub(s) a minimum of [NUMBER] feet in height at time of planting shall be planted linearly every [NUMBER] feet on-center along such fence or wall.
34. Parking shall be located in the side and rear yards of the property, behind the building(s) and parking plans shall provide safe pedestrian circulation with clearly marked crosswalks from each parking area to the building entrance(s).
35. **Materials Processing Centers**
36. The materials processing area shall be [COMPLETELY OR PARTIALLY] enclosed along [ALL OR PARTIAL] lot lines by a [ENCLOSURE] a minimum of [HEIGHT] and a maximum of [HEIGHT] feet in height, including ingress and egress. Where buildings are proposed, they should be located along the street frontage, meeting setback requirements. Otherwise, screening the operation from the street, which may include fences, tall vegetation, or walls along the front is required.
37. The use shall be screened along interior side and rear lot lines with a solid fence or wall, a minimum of [NUMBER] feet and a maximum of [NUMBER] feet in height. [NUMBER] shrub(s) a minimum of [NUMBER] feet in height at time of planting shall be planted linearly every [NUMBER] feet on-center along such fence or wall.
38. Where the use abuts a residential use or zoning district, there shall be a [INSERT NUMBER] ft. setback from each such lot line abutting a residential use or zoning district.
39. **Parking Structures and Lots**

Parking Structure

1. On the ground floor façade along public streets where parking spaces are visible, a decorative fence and landscape or a kneewall is required to screen parking spaces. Fence or kneewall shall be a minimum of [NUMBER] in height.
2. For parking structures with rooftop open-air parking, a [NUMBER] foot parapet wall is required for screening of parked vehicles.
3. Where parking structures front on public streets, façade design and screening shall mask the interior circulation ramps and create the illusion of horizontality along the street.
4. Parking structures shall be screened along interior side and rear lot lines with a solid fence, wall, or landscaping a minimum of [NUMBER] feet and a maximum [NUMBER] of feet in height.

Parking Lot

1. A parking lot shall be used solely for the temporary parking of motor vehicles and shall not be used as an off-street loading area.
2. Only structures for the shelter of attendants or for payment kiosks shall be permitted in a parking lot. Shelters or kiosks shall not exceed [NUMBER] feet in height and [NUMBER] square feet in area.
3. There shall be a [NUMBER] foot landscaped buffer along any lot line abutting a street, excluding driveways, which shall include [NUMBER] shrub(s) per [NUMBER] linear feet along said lot line a minimum of [NUMBER] feet in height at time of planting, as well as [NUMBER] street tree for every [NUMBER] of linear feet along said lot line.
4. Parking shall be screened along interior side and rear lot lines with a solid fence or wall, a minimum of [NUMBER] feet and a maximum of [NUMBER] feet in height. [NUMBER] shrub(s) a minimum of [NUMBER] feet in height at time of planting shall be planted linearly every [NUMBER] feet on-center along such fence or wall.
5. The site shall otherwise comply with landscaping requirements of [INSERT “this Zoning Ordinance” or “the Regulations”].
6. Parking shall provide safe pedestrian circulation with clearly marked crosswalks from each parking area to the surrounding streets and sidewalks.
7. Parking lots shall not exceed [PERCENTAGE] impervious surface.
8. **Solar Energy**

Ground-mounted solar power system

1. Height:
2. No individual panels within a ground-mounted solar installation shall exceed [HEIGHT] feet in height, as measured from the pre-development lot grade at the location of the panel;
3. A ground-mounted solar installation shall not exceed the permitted accessory building height applicable to the zone in which it is located;
4. All panels and other equipment and structures that are part of the installation shall be setback from all property lines [NUMBER] feet;
5. Shall be designed to prevent unauthorized access, including, but not necessarily limited to protective fencing, including a fence surrounding the perimeter of the installation of no less than [MINIMUM] feet in height, with the bottom of the fence being elevated [NUMBER] foot rise from the ground to provide for wildlife access.
6. All electrical connection and distribution lines within the installation shall be underground. Electrical poles between the installation and the utility connection may be above-ground if required by the utility or when above-ground poles exist.
7. Emergency access as approved by the [PUBLIC SAFETY OFFICIAL].
8. No signs are allowed on the security perimeter fencing except for a required sign displaying the installation name, address and emergency contact information, and trespassing/warning/danger signs to ensure the safety of individuals who may come in contact with the installation. No sign shall exceed [SIZE] square feet in area.
9. Externally lit signs are allowed, provided they are oriented such that the light is directed away from any adjacent properties and traffic arteries.
10. The applicant shall commission and submit at the time of building permit application a wildlife assessment (impact study), conducted by a qualified wildlife expert having no less than [TIME PERIOD] of experience conducting wildlife assessments, indicating possible risks to local wildlife, habitat, and migratory birds. Additionally, the applicant's wildlife expert shall also develop a mitigation plan, if applicable, that addresses/mitigates any risk to wildlife, migratory birds, and affiliated habitat.
11. It is the responsibility of the parcel owner to remove all obsolete or unused systems within [TIME PERIOD] of cessation of operations. Reusable components are to be recycled whenever feasible. A decommissioning agreement approved by the [city of town] solicitor and [cash/surety] bond to cover the cost of removal shall be required in an amount approved by the [APPLICABLE BODY], and shall be posted prior to the issuance of any building permits.
12. **Wind Energy**
13. All wind energy systems shall be equipped with a redundant braking system. This includes both aerodynamic over-speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation is not considered a sufficient braking system for over speed protection.
14. An engineer's certificate shall be completed by a structural engineer, licensed in the State of Rhode Island, certifying that the tower and foundation of the wind turbines are compatible with, and are appropriate for, the particular model of wind turbine used, and that the specific soils at the site can support the wind turbine.
15. Wind turbines shall comply with the following design standards:
    1. Wind turbines shall be a non-obtrusive and non-reflective color. The facility owner or operator shall maintain the paint on wind turbines at all times in good repair.
    2. Wind turbines shall not display advertising, except for reasonable identification of the turbine manufacturer, or the facility owner and operator.
    3. Within the wind energy system, wind turbines shall be of a consistent size, design, and color, of similar height and rotor diameter, and rotate in the same direction.
    4. Wind turbines shall not be artificially lit, except to the extent required by the Federal Aviation Administration or other applicable regulatory authorities.
    5. On-site transmission and power lines between wind turbines shall, to the maximum extent practicable, be placed underground, reach the property line, and be located and constructed in such a way as to minimize disruption to the property's primary purpose as well as to facilitate the interconnection of other commercial wind power generating facilities.
    6. Non-essential appurtenances are prohibited to be affixed to any wind turbine, including, but not limited to, cellular or radio antennae.
    7. A clearly visible warning sign advising persons of the presence of high voltage levels shall be placed at the base of all pad-mounted transformers and substations.

1. The applicant shall commission and submit at the time of permit application a wildlife assessment (impact study), conducted by a qualified wildlife expert having no less than [TIME PERIOD] of experience conducting wildlife assessments, indicating possible risks to local wildlife, habitat, and migratory birds. Additionally, the applicant's wildlife expert shall also develop a mitigation plan, if applicable, that addresses/mitigates any risk to wildlife, migratory birds, and affiliated habitat. All wind turbines at time of application shall be located out of bird and bat migration pathways/corridors where wind turbine construction would pose a substantial risk.
2. Wind turbines shall not be climbable up to a height of at least [NUMBER] feet above ground surface. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.
3. The height of a wind energy system shall be measured from grade to the highest point of a rotor blade when in its uppermost position. Allowable height shall be a function of the setbacks from nearby structures and nearby property lines. Wind turbines shall be set back from all structures on a participating property owner's property a distance of no less than the wind energy system height. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the occupied building.
4. All wind turbines shall be set back from the nearest property line a distance of not less than the normal setback requirements for that zoning district or [PERCENTAGE] of the wind energy system height, whichever is greater. The setback distance is measured from the property line to the nearest point on the outside edge of a tower. Operation and maintenance building(s) and substations shall be located in accordance with zoning district yard requirements. All wind farm structures, except for wind turbines, shall comply with the regulations of the zoning district.
5. All wind turbines shall be set back from the nearest public right-of-way a distance of [PERCENTAGE] of the wind energy system height, as measured from the right-of-way line to the nearest point on the outside edge of a tower.
6. Wind Turbine shadow flicker shall not exceed [MAXIMUM] hours per year on any window of an existing residential structure located on a parcel owned by an entity other than the parcel owner where the turbine is to be located.
7. It is the responsibility of the parcel owner to remove all obsolete or unused systems within [TIME PERIOD] of cessation of operations. Reusable components are to be recycled whenever feasible. A decommissioning agreement approved by the [city of town] solicitor and [surety or cash] bond to cover the cost of removal shall be required in an amount approved by the [APPLICABLE BODY] and shall be posted prior to the issuance of any building permits.
8. **Hydro-electric power**
9. Lighting of small hydroelectric generation facilities shall be consistent with local, state, and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes and shall be shielded from abutting properties.
10. Noise levels generated by small hydroelectric generation facilities shall be consistent with federal and state law and shall comply with the ambient noise level thresholds prescribed by the [TOWN OR CITY] Code of Ordinances.
11. Signage. Signs on small hydroelectric generation facilities shall comply with the [TOWN OR CITY] Zoning Ordinance. Signs shall display identification of the owner or operator of the facility and a twenty-four-hour emergency contact telephone number.
12. Security measures which are not inconsistent with the requirements prescribed by the Federal Energy Regulatory Commission shall be provided and approved by the Chief of Police or his/her designee.
13. All means of shutting down the facility shall be clearly marked. The facility owner or operator shall:
    1. Provide a copy of the facility's emergency action plan to the local Fire Chief;
    2. Cooperate with federal, state, and local emergency services in developing emergency response actions; and
    3. Identify a responsible person for public inquiries throughout the life of the facility.
14. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation, and maintenance of the facility or otherwise prescribed by applicable laws, regulations, and bylaws/ordinances.
15. The facility owner or operator shall maintain the facility in accordance with the requirements of the federal hydroelectric generation license issued by the Federal Energy Regulatory Commission. In addition, maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief, under the applicable Fire Code(s). The owner or operator shall be responsible for the cost of maintaining the facility and any access road(s), unless accepted as a public way.
16. The facility proponent shall be required to provide a form of surety, either through escrow account, bond, or otherwise, to cover the cost of decommissioning and removing the facility at the end of the federal hydroelectric license term and for restoring the landscape, in an amount and form determined to be reasonable by the [Planning or Zoning Board] and subject to review by the [INSERT].
17. **Wireless Telecommunications**
18. There shall be a minimum setback of [NUMBER] feet from any residential property line and, where the use is a freestanding tower of minimum of {NUMBER] feet at least as far back from lot lines as the height of the structure.
19. Where wireless telecommunications are installed on buildings, a parapet shall be installed to minimize the adverse visual impact of the tower and/or antenna.
20. **Outdoor Dining**
21. The seating area may only be established adjacent to the business with which the outdoor area is associated, as shown on a submit a site plan drawn to scale which shows the delineated area of the proposed outdoor seating area, including the location and placement of tables, seats, planters, awnings, umbrellas, and the business’s entrance and windows
22. If proposed in front of an adjacent business, the applicant must receive written permission from the adjacent business.
23. Outdoor seating areas must be separated from parking areas with a physical barrier to contain and define the outdoor seating area, as approved by the [Chief of Police or his/her designee].
24. Parking requirements shall be adjusted to include the outdoor seating.
25. **Outdoor Entertainment – Farmers Markets, Outdoor Sales, Mobile Food Sales, Live Outdoor Entertainment[[6]](#footnote-6)**
26. The outdoor sales area may only be established adjacent to the business with which the outdoor area is associated, as shown on a submit a site plan drawn to scale which shows the delineated area of the proposed outdoor sales area, including the location and placement of merchandise or service, and the business’s entrance and windows.
27. If proposed in front of an adjacent business, the applicant must receive written permission from the adjacent business.
28. Outdoor sales areas must be separated from parking areas with a physical barrier required to contain and define the outdoor seating area, as approved by the [Chief of Police or his/her designee].
29. Parking requirements shall be adjusted to include the outdoor sales areas.
30. The hours of operation of outside sales shall be limited to between [HOURS].
31. **Live Entertainment, Bars and Nightclubs**
32. The use may not be combined with residential use of property.
33. Hours of operation shall not be outside the hours of [TIME] a.m. through [TIME].
34. A security plan including information relating to entrance procedure, police details and video and lighting locations. The security plan must be approved by the Chief of Police or his/her designee and updates shall be submitted to and approved by the Chief of Police or his/her designee. To the maximum extent possible, the security plan and any updates shall be deemed confidential documents.
35. **Adult Use – Books, Entertainment, Retail**
36. No adult use shall be located within [DISTANCE] feet of any residential use or zoning district [INSERT OTHER DISTRICT AS APPLICABLE].
37. No adult use shall be located within [DISTANCE] feet of any other adult use. Distance shall be measured from property line to property line along the shortest distance between property lines.
38. All windows, doors, openings, etc., for all adult uses shall be located, covered, screened or otherwise treated so that views of the interior of the establishment are not possible from any public or semipublic area, street or way.
39. **Animal Care and Kennels**
40. Exterior exercise areas shall be located in the interior side or rear yard and shall be [COMPLETELY OR PARTIALLY] enclosed along [ALL OR PARTIAL] lot lines by a [ENCLOSURE] a minimum of [HEIGHT] and a maximum of [HEIGHT] feet in height, including ingress and egress.
41. Where the use abuts a residential use or zoning district, there shall be a [INSERT NUMBER] ft. setback from each such lot line abutting a residential use or zoning district.
42. All overnight boarding operations shall be located indoors.
43. All animal care and/or kennel facilities shall have a valid municipal license.
44. Where the use abuts a residential use or zoning district, there shall be a [INSERT NUMBER] ft. setback from each such lot line abutting a residential use or zoning district.
45. **Short Term Rentals – Air B&B, VRBO, Bed and Breakfasts**
46. All short-term rentals must be owner-occupied at least [NUMBER] months per year.
47. The maximum number of parked vehicles must be consistent with available on-site parking.
48. There shall be no more than [NUMBER] of individuals per bedroom allowed in the dwelling unit.

1. This section may also appear in the “Use Regulations” either where the Zoning Ordinance describes the Use Table or after the Use Table. [↑](#footnote-ref-1)
2. RIGL § 45-24-57(1)(vi) authorizes the Zoning Board of Review to refer matters to the planning board or commission, or to other boards or agencies of the city or town for findings and recommendations. [↑](#footnote-ref-2)
3. Consider whether different standards should be applied to different uses, i.e., convenience drive-up only (without ordering at menu board), ordering menu board with speaker (typically fast food), banks, car wash. [↑](#footnote-ref-3)
4. Queuing requirements may be addressed in this section; see “drive-through facility” use above. [↑](#footnote-ref-4)
5. These uses may be separated with specific relevant criteria. [↑](#footnote-ref-5)
6. Municipalities may choose to break out the various types of “outdoor entertainment” to provide different criteria for the specific use. [↑](#footnote-ref-6)