

**PUBLIC NOTICE
TOWN OF CHARLESTOWN**

Notice is hereby given that the Town Council of the Town of Charlestown will conduct a public hearing, open to the public, on February 11, 2019, at 7:00 pm at the Charlestown Town Hall, 4540 South County Trail on a proposed new ordinance to the Code of Ordinances. Opportunity shall be given to all persons interested to be heard upon the matter of the proposed ordinance. The proposed new ordinance is under consideration and may be adopted and/or altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the public hearing. The proposed new ordinance is available for review and/or purchase at the Town Clerk's Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays and on the Town's web-site.

**ORDINANCE NO. 380
AN ORDINANCE IN AMENDING CHAPTER 218-ZONING**

Note: Words set as ~~strikeover~~ are to be deleted from the ordinance; words set in underline are proposed to be added to the ordinance.

Section 1. Be it ordained by the Town Council of the Town of Charlestown that Chapter 218 of the Code of Ordinances, Town of Charlestown entitled Zoning is amended as follows:

See, Exhibit A, attached hereto and incorporated herein by reference as if set forth in its entirety.

Section 2. The Town Clerk is hereby authorized to cause said changes to be made to Chapter 218 of the Town of Charlestown's Code of Ordinances.

Section 3. This ordinance shall take effect immediately upon passage.

Attested To By:

Passed By Town Council On:

Amy Rose Weinreich, CMC
Town Clerk

1 **EXHIBIT A**

2 **§ 218-5. Word usage and definitions.**

3
4 A. Word usage. As used in this ordinance....

5
6 B. Terms defined. Words or terms used....

7
8 **ABATTOIR**

9 A place....

10
11 **CONVENIENCE STORE**

12 ~~Space in a building used for the purpose of retailing food stuff, tobacco, medicines,~~
13 ~~periodicals, and other similar items of household convenience.~~

14
15

16
17 **DEPARTMENT STORE**

18 ~~A building in which a variety of merchandise is kept for retail sale in separate parts of~~
19 ~~such building.~~

20
21 A general merchandising store offering a full range of goods, and which exceeds 5,000
22 square feet of floor area.

23
24

25 **GENERAL STORE/COUNTRY STORE**

26 ~~Space in a building used for the purpose of serving residents in the immediate vicinity~~
27 ~~and selling goods necessary to meet day to day needs.~~

28
29 **GENERAL STORE/CONVENIENCE STORE**

30 A store in which a variety of merchandise for general household use is kept for retail sale.
31 A general store or convenience store shall not exceed 5,000 square feet of floor area.

32
33

34 **GROCERY STORE/DELI**

35 ~~Space in a building used for the purpose of selling food as well as other convenience and~~
36 ~~household goods.~~

37 A store primarily selling prepackaged and perishable foods, as well as other convenience
38 and household goods, and which does not exceed 5,000 square feet of floor area.

39
....

1 **SUPERMARKET**

2 ~~Space in a building used for the purpose of selling food as well as other convenience and~~
3 ~~household goods.~~

4 A store primarily selling prepackaged and perishable foods, as well as other convenience
5 and household goods, and which exceeds 5,000 square feet of floor area.

6

7
8 **§ 218-37 Specific Land Use Standards and Conditions**

9 A. Temporary Uses

10

11 I. Standards for Individual Uses

12 (1) Generally. The uses contained

13
14 (30) General Store / Convenience Store

15 (a) Location criteria. A general store / convenience store is permitted by right in all
16 commercial districts but shall not exceed 5,000 square feet of floor area. The floor area
17 may be on a single story or on two stories.

18 (b) Use Criteria. A general store or convenience store offers a variety of merchandise
19 in a single establishment. Such uses may include, but not be limited to, foodstuff,
20 tobacco, medicines, periodicals, paper products, clothing, hardware and other general
21 household items. A general store may also provide take-out food services.

22 (c) Building Design. The building design of a general store or convenience store
23 shall meet the following standards regardless of the district in which it is located:

24 The exterior of the building shall be harmonious with its surroundings and shall include
25 the use of brick, stone, wood, or similar natural or natural-appearing materials and not the
26 use of metal.

27 Mansard and flat roofs are prohibited; traditional roof pitches are required.

28 A general store or convenience store building which is a chain retail subject to
29 standardized trademark and/or logo, architecture, merchandise, services and/or retail lay-
30 out shall not be designed in a way which conflicts with the applicable design standards of
31 this ordinance or used as a means of advertisement or promotion.

32 (d) Site Development Standards. Unless a waiver is granted by the Planning
33 Commission, the site design for a general store or convenience store shall meet the
34 following standards regardless of the district in which it is located:

1 All parking shall be located on the side or the rear of the building except where not
2 practicable; in such cases no more than one row of parking shall be located between the
3 front of the building and the street.

4 Outside storage of merchandise shall be prohibited.

5 Signage for a general store or convenience store building which is a chain retail subject to
6 standardized trademark and/or logo, architecture, merchandise, services and/or retail lay-
7 out shall not be designed in a way which conflicts with the applicable design standards of
8 this ordinance or used as a means of advertisement or promotion.

9
10 **§ 218-49. Traditional Village District.**

11
12 A. Purpose. The purpose of the....

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14 E. Dimensional and Design Regulations.

15
16 (1) General. Unless specifically modified in this Chapter of the Charlestown Zoning
17 Ordinance, all the otherwise applicable dimensional and design standards for new and
18 altered structures, uses and land shall be required. See also the standards set forth in
19 Article VII, Dimensional Requirements.

20
21 (2) Building Footprint. The maximum building footprint for all new construction of any
22 single building is limited to ~~10,000 square feet~~ 8,000 square feet. Buildings with
23 footprints of ~~less than 5,000 square feet~~ 4,000 square feet or less are permitted by-right,
24 subject to review pursuant to Article XII, Development Plan Review and Land
25 Development Review of this Ordinance. Buildings with footprints of ~~5,000 square feet~~
26 ~~up to 10,000 square feet~~ greater than 4,000 square feet up to 8,000 square feet shall be
27 permitted only upon the issuance of a special use permit, pursuant to § 218-23 Special
28 Use Permits and review pursuant to Article XII, Development Plan Review and Land
29 Development Review, of this Ordinance. More than one building per lot is permitted,
30 subject to compliance with all other applicable provisions of the Charlestown Zoning
31 Ordinance.

32
33 (3) Building Height. All buildings....

EXHIBIT A
Land Use Table – Commercial Uses

Principal Use	R-20	R-40	R-2A	R-3A	C-1	C-2	C-3	I	PD	GWP	OSR	M	TVD	Reference
Commercial Uses														
Accounting/Bookkeeping Services					Y	Y	Y	Y	Y	U			Y	
Adult Entertainment*								S*		U				
Advertising Sales Office					Y	Y	Y	Y	Y	U			Y	
Air Conditioning/Heating/Plumbing Services						Y	Y	Y	Y					
Animal Hospital/Veterinary Office					Y	Y	Y	Y		U			Y	
Antique Store/Gift Shop					Y	Y	Y		Y	U			Y	
Antique/Collectibles Shop													Y	
Apparel/Accessory Shop					Y	Y	Y	Y	Y	U			Y	
Architectural/Engineering/Planning Services					Y	Y	Y	Y	Y	U			Y	
Art Gallery					Y	Y	Y		Y	U			Y	
Arts & Crafts Supply Store													Y	
Art Studio/Work Shop													S	
Athletic/Sporting Goods Store						Y	Y	Y	Y	U			Y	
Auction Barn						Y	Y	Y	Y	U			Y	
Automobile Rental Agency					S	Y	Y	Y	Y					
Automobile Repair/Major						Y	Y	Y	Y			Y		Article VI Sec. 218-37I (19)
Automobile Repair/Minor					Y	Y	Y	Y				Y		Article VI Sec. 218-37I (19)
Automobile Storage							S	S				Y		
Automotive Supply Store						Y	Y	Y	Y				Y	
Bait/Tackle Shop					Y	Y	Y	Y	Y	U			Y	
Bakery-Wholesale Only							Y	Y		U				
Bake Shop/Retail					Y	Y	Y		Y	U			Y	
Bank					Y	Y	Y		Y	U			Y	
Banquet Hall						S	Y	Y	Y				Y	
Bicycle Shop/Rentals					Y	Y	Y	Y	Y	U			Y	
Blacksmith/Welding/Machine Shop						Y	Y	Y						

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Principal Use	R-20	R-40	R-2A	R-3A	C-1	C-2	C-3	I	PD	GWP	OSR	M	TVD	Reference
Commercial Uses Continued														
Boat/Marine Shop						Y	Y	Y	Y	S				
Book Store					Y	Y	Y	Y	Y	U			Y	
Boutique													Y	
Building Supply/Lumber Outlet						Y	Y	Y						
Business/Consulting Services					Y	Y	Y	Y	Y	U			Y	
Candy Store													Y	
Carpentry/Construction/Contracting Services						Y	Y	Y	Y	U				
Caterers Establishment					S	Y	Y	Y	Y	U			S	
Commercial Parking Lot/Structure						S	Y	Y	Y			Y		
TVD Commercial Parking Lot													S	
Commercial Printing Shop						Y	Y	Y						
Commodity/Mortgage Services					Y	Y	Y	Y	Y	U			Y	
Convenience Store	-	-	-	-	¥	¥	¥	¥	¥	U	-	-	¥	
Convention Facility						S	S	Y	S	U				Article VI Sec. 218-37I (24)
Copy/Print Center													Y	
Craft Shop					Y	Y	Y	Y	Y	U				
TVD Craft Shop													Y	
Cut Stone/Stone Products Shop							Y	Y		U				
Dance Studio													Y	
Day Spa													Y	
Department Store						¥S	¥S	¥	¥	U				
Detective/Protective Services					Y	Y	Y	Y	Y	U			Y	
Diving/Scuba Shop					Y	Y	Y	Y	Y	U			Y	
Dog Daycare/Training Center					S	S	S	S	S					Article VI Sec. 218-37I (11)
Drive-thru Use					S	S	S		S	U			S	Article VI Sec. 218-37I (7)
Driving Range						Y	Y		Y	U	Y	Y		

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Commercial Uses Continued														
Heavy Equipment Sales							Y	Y						
Hobby Shop					Y	Y	Y	Y	Y	U			Y	
Holistic Health Center													Y	
Hotel						S	S		S	U			Y	Article VI Sec. 218-37I (3)
Household Appliance Store						Y	Y	Y	Y	U			Y	
Household Commercial Recycler						Y		Y		U		Y		Article VI Sec. 218-37I (28)
Inn/Cottage Rental					S	Y	Y		Y	U			Y	Article VI Sec. 218-37I (3)
Insurance Agency													Y	
Janitorial Services						Y	Y	Y	Y	S			Y	
Jewelry Store					Y	Y	Y		Y	U			Y	
Kayak/Canoe Shop					Y	Y	Y	Y	Y	U			Y	
Kitchen Products Store													Y	
Landscape Contracting Services						Y	Y	Y	Y	S				
Lawn Care Services						Y	Y	Y	Y	S				
Legal Services					Y	Y	Y	Y	Y	Y			Y	
Light Equipment Shop					Y	Y	Y	Y	Y	U				
Lighting Fixture Store													Y	
Liquor Store					Y	Y	Y		Y	U			Y	
Linen Shop													Y	
Lingerie Shop													Y	
Locksmith Services					Y	Y	Y	Y	Y	U			Y	
Marine Supply Store													Y	
Masonry Services						Y	Y	Y	Y	S				
Massage Establishment					Y	Y	Y		Y	U			Y	
Microbrew Pub					S	Y	Y		Y	U				Article VI Sec. 218-37I (27)

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Principal Use	R-20	R-40	R-2A	R-3A	C-1	C-2	C-3	I	PD	GWP	OSR	M	TVD	Reference
Commercial Uses Continued														
Miniature Golf Course						Y	Y		Y	U		Y		
Motel						S	S		S	U		Y	S	Article VI Sec. 218-37I (3)
Motor Vehicle Sales							Y							
Music Store					S	Y	Y	Y	Y	U			Y	
Nail Salon													Y	
News rack					Y	Y	Y	Y	Y	U				
Novelty/Souvenir Shop					Y	Y	Y	Y	Y	U			Y	
Office Supply Store													Y	
Off-site Carpet Cleaning Services					Y	Y	Y	Y	Y	U				
Outdoor Café					S	S	S	S	S	U			S	
Outdoor Retail Warehouse							Y	Y	Y					
Paint/Paper Hanging Sales/Services						Y	Y	Y	Y				Y	
Paper Products Store					Y	Y	Y	Y	Y	U			Y	
Perfumery													Y	
TVD Pet Grooming Services													Y	
Photo Studio					Y	Y	Y						Y	
Physical Therapist													Y	
Plumbing/Heating Supply Store						Y	Y	Y	Y	U			Y	
Product Assembler/Shipper					Y	Y	Y	Y	Y	U			Y	
Professional Office					Y	Y	Y		Y	U			Y	
Real Estate Services					Y	Y	Y	Y	Y	U			Y	
Recreational Vehicles/Equip Sales						Y	Y	Y	Y	U				
Res. Water Treatment Services					Y	Y	Y	Y	Y	U			Y	
Restaurant					Y	Y	Y		Y	U			S	

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Principal Use	R-20	R-40	R-2A	R-3A	C-1	C-2	C-3	I	PD	GWP	OSR	M	TVD	Reference
Commercial Uses Continued														
Saw Mill						Y	Y	Y						
Shoe Repair					Y	Y	Y		Y	U			Y	
Shoe Store													Y	
Shopping Center					Y	Y	Y			U			S	
Small Scale Woodworking Shop													Y	
Specialty Food Store					Y	Y	Y	Y	Y	U			Y	
Supermarket						Y <u>S</u>	Y <u>S</u>	Y	Y	U			Y	
Tailor					Y	Y	Y		Y	U			Y	
Take Out Food Services													S	
TVD Tavern													Y	
Tavern/Nightclub					S	Y	Y		Y	U				
Taxidermist					Y	Y	Y	Y	Y					
Thrift/Consignment Shop					Y	Y	Y	Y	Y	U			Y	
Tobacco Shop					Y	Y	Y	Y	Y	U			Y	
Travel Agency					Y	Y	Y	Y	Y	U			Y	
Video Rental Shop					Y	Y	Y	Y	Y	U			Y	
Well Drilling Services						Y	Y	Y	Y	U				
Window Cleaning Services						Y	Y	Y	Y	U			Y	
Windows & Doors, Sales & Service													Y	

NOTES: Y = Permitted Uses S = Special Use Permit U= Consult underlying district

* Prohibited in all districts, except by Special Use Permit in I district, provided such use shall not be located within 400 feet of any educational institution, religious service, day care center, library, residential zone or use, park, recreation area or open space area or use. No adult entertainment establishment may be located within 2,000 feet of any other adult entertainment establishment. Any deviation or variance from these requirements shall be considered a use variance.

** A General/Convenience Store shall not exceed 5, 000 square feet of total floor area.

*** A Grocery Store/Deli shall not exceed 5,000 square feet of total floor area.

To be Advertised in Full in the Westerly Sun: January 21, 2019

To be Advertised by Reference in the Westerly Sun: January 28 and February 4, 2019