



## Planning Memorandum

### III. AN ORDINANCE IN AMENDMENT OF THE EXETER ZONING ORDINANCE Short-Term Rental (STR)

Draft Changes to the Zoning Use Table, Exeter Zoning Ordinance (EZO) Article I and II, Sections 1.2 and 2.4

#### ARTICLE I. - ADMINISTRATION PROCEDURES

##### Section 1.2. - Definitions

#### ARTICLE II. - ZONING DISTRICT USE REGULATIONS

##### Section 2.4

##### TABLE 2.4. ZONING USE TABLE

COUNCIL PRESIDENT  
DANIEL PATTERSON  
Introduced by: \_\_\_\_\_ Date: 11/4/2024  
Approved by: (SAME) \_\_\_\_\_ Date: 1/6/2025  
Signed: \_\_\_\_\_ Council President  
Attested: [Signature] Town Clerk  
Date: 1/8/2025

---

## Sec. 1.2. Definitions.

Where words or terms used in this ordinance are defined in the definitions section of the "Rhode Island Comprehensive Planning and Land Uses Act," R.I. Gen. Laws § 45-22.2-4, they shall have the meanings stated therein. In addition, the following words shall have the following meanings:

1. *Abutter*. One whose property abuts, that is, adjoins at a border, boundary or point with no intervening land.
2. *Accessory dwelling unit*. A dwelling unit that provides complete independent living facilities and is located on a lot where the principal use is a legally-established detached dwelling unit or residential multi-unit building.
3. *Accessory use*. A use of land or of a building, or portion thereof, customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use. An accessory use is not permitted without the principal use to which it is related.
4. *Adaptive reuse*. The conversion of an existing structure from the use for which it was constructed to a new use by maintaining elements of the structure and adapting those elements to the new use.
5. *Affordable housing*. Year-round housing built with a federal, state, or municipal subsidy that has a deed-restricted sales price or rental amount that is within means of a household that is moderate income or less, as defined by R.I. Gen. Laws § 42-128-8.1(d), as amended. Synonymous with "low- or moderate-income housing."
6. *Age restricted housing*. Housing limited to use and residency by persons 55 years of age or older, as defined by R.I. Gen. Laws § 34-37-4.1(a)(5), the Rhode Island Fair Housing Practices Act, as amended.
7. *Aggrieved party*. A person who can demonstrate that his or her property will be injured by a decision of any town official, board or commission responsible for administering the zoning ordinance, or a person requiring notice pursuant to title 45, chapter 24 of the general laws.
8. *Agricultural land*. Land suitable for agricultural use by reason of suitability of soil or other natural characteristics or past use for agricultural purposes.
9. *Applicant*. An owner or authorized agent of the owner who submits an application.
10. *Application*. The completed form or forms and all accompanying documents, exhibits and fees required for review, approval, or permitting purposes.
11. *Area median income (AMI)*. The median household income as determined annually by the federal Department of Housing and Urban Development (HUD) and adjusted for household size by HUD and by Rhode Island Housing for the designated statistical area that includes the town as of the date of marketing of the housing unit to which it is being applied.
12. *Articulation*. The degree or manner in which a building wall or roofline is made up of distinct parts or elements. A highly articulated wall will appear to be composed of a number of different vertical and horizontal planes, usually made distinct by their change in direction (projections and recesses) and/or changes in materials, colors or textures.
13. *Arterial street*. A public street on which traffic circulates into, out of, or across the town or provides service for trips of moderate length. For the purposes of the zoning ordinance, arterial streets in Exeter include Route 2, Route 3, Route 102, and Route 165.
14. *Awning*. An overhead cover of canvas or other material extending over building openings to provide protection from the sun and rain.

- 
15. *Bed and breakfast.* An owner-occupied home that provides lodging and meals for a fee. Hosting functions such as weddings for a fee or in conjunction with the bed and breakfast use is prohibited.
16. *Buffer.* Land that is maintained in either its natural state or landscaped, and is used to screen or mitigate the impacts of development on surrounding areas, properties or rights-of-way.
176. *Building.* Any structure used or intended for supporting or sheltering any use or occupancy.
187. *Building height.* On all structures, building height is measured to the top of the highest point of the existing or proposed structure, excluding spires, chimneys, flag poles, and similar projections. On an undeveloped lot, building height is measured from the average existing-grade elevation where the foundation of the structure will be located. On an existing structure, building height is measured from the average grade of the outermost corners of the foundation. On a structure in a special flood hazard area, as shown on the official FEMA Flood Insurance Rate Maps, the base flood elevation on the FEMA map, plus up to five feet of any existing or proposed freeboard, less the average existing grade elevation, is excluded from the building height calculation. Freeboard is the number of feet the lowest floor of a structure must be elevated above the base flood elevation to provide safety.
189. *Building inspector.* An appointed official responsible for issuing building permits and examining all structures during the course of their erection, alteration, repair, moving or demolition. Also called a building official.
2019. *Cluster.* A site-planning technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and/or preservation of environmentally, historically, culturally, or other sensitive features and/or structures. The techniques used to concentrate buildings shall be specified in the ordinance and may include, but are not limited to, reduction in lot areas, setback requirements, and/or bulk requirements, with the resultant open land being devoted by deed restrictions for one or more uses. Under cluster development, there is no increase in the number of lots that would be permitted under conventional development except where ordinance provisions include incentive bonuses for certain types or conditions of development.
210. *Common ownership.*
- i. Ownership of two or more contiguous lots by the same individual, individuals, entity, or entities.
  - ii. Ownership by an association of property owners such as a homeowners' association.
221. *Community residence.* A residence defined in R.I. Gen. Laws § 45-24-31(15), as amended.
232. *Comprehensive community plan.* The document adopted and approved pursuant to Title 45, Chapter 22.2 of the General Laws.
243. *Conservation development.* The site planning and design process used to implement cluster subdivisions and land developments, as defined in R.I. Gen. Laws § 45-24-31(13) Conservation development guides growth to the most appropriate areas within a parcel of land to avoid and minimize impacts to natural, cultural or recreational resources and other special features of the property, and requires the set-aside of a permanent area of open space.
254. *Day care center.* A facility that provides daytime care and supervision.
265. *Day care, family day care home.* A home where daytime care and supervision is provided for no more than eight individuals, including up to six individuals who are not related to the caregiver.
276. *Density, residential.* The number of dwelling units per unit of land.
287. *Development.* The construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure, any mining, excavation, landfill or land disturbance, any change in use, or alteration or extension of the use of land.

- 
298. *Development rights.* Those rights to develop, expressed as the maximum number of dwelling units for residential parcels that could be permitted on a designated sending area parcel under the applicable zoning and subdivision regulations in effect on the date of the transfer of development rights.
3029. *Drainage system.* A system for the removal of water from land by drains, grading or other appropriate means. Such techniques may include runoff control to minimize erosion and sedimentation during and after construction or development, the means for preserving surface [waters] and groundwaters and the prevention and/or alleviation of flooding and pollution.
310. *Dwelling unit.* A structure or portion thereof that provides permanent provisions for living, sleeping, eating, cooking and sanitation, and has a separate means of ingress and egress.
321. *Extractive industry.* The extraction of minerals including: solids, such as coal, ores and gravel and soil material; liquids, such as crude petroleum; and gases, such as natural gases. The term includes quarrying; well operation; milling, such as crushing, screening, washing and flotation; and other preparation customarily done at the extraction site or as a part of the extractive activity.
332. *Façade.* The front of a building or any of its sides facing public spaces, frequently distinguished by distinctive architectural treatment.
343. *Family member.* A person related by blood, marriage, or other legal means, including but not limited to a child, parent, spouse, mother-in-law, father-in-law, grandparent, grandchild, domestic partner, sibling, care recipient, or member of the household.
354. *Farm.* Five acres or more of land which is, together with principal and accessory buildings, actively devoted to agricultural or horticultural production and operated by an individual, partnership, or corporation that has filled a U.S. Internal Revenue Form 1040 (Schedule F) with the Internal Revenue Service and has a State of Rhode Island farm tax number, and has earned at least \$2,500.00 gross income on farm products in either of the proceeding two years.
365. *Farm brewery.* A brewery that is located on a farm of no less than five acres and that produces beer which is manufactured with at least one primary ingredient (hops or grain) grown on the farm and whose annual production does not exceed 150,000 gallons of beer, and where customers would have the opportunity to tour the farm and try small samples (three ounces or less), and purchase bottles (of up to 64 ounces each) to take home and consume off site.
- A farm brewery may also sell beer at wholesale to retailers with the appropriate State license. A farm brewery must have the appropriate State license to operate a brewery.
376. *Fast food restaurant.* Any business, the major operation of which is over the counter service, generating a high turnover of customers and a large volume of traffic.
387. *Floodplain or flood hazard area.* As defined in R.I. Gen. Laws § 45-22.2-4(9), as amended.
398. *Greenhouse.*
- i. *Greenhouse - Tier I (less than two acres undercover).* Traditional hoop house, gable, A-frame, gothic arch, geodesic dome, saw tooth and lean-to structures constructed of wood, metal piping (aluminum or steel) solid polycarbonate, acrylic and fiberglass) glass walls and roofs that are customarily accessory to a principal use and do not exceed two acres undercover either by an individual structure or in aggregate for a series of structures on the same property. Houses in this category comprised of aluminum, wood or plastic PVC pipes covered with polymer plastic coverings are exempt from the coverage calculation. Unlike a Tier II and III CEA Greenhouse facilities this category employs less advanced forms of heating ventilation (HVAC) systems, water recycling, computer-managed techniques and automation and does not include floor area specifically dedicated to administration, employees, washrooms, grading, warehousing, distribution and loading docks.

- 
- ii. *Greenhouse - Tier II (two to four acres undercover)*. A structure or structures with walls and roof made chiefly of solid transparent material, such as glass, polycarbonate, acrylic used for the cultivation or protection of tender plants. These structures could be solitary structures or are a series of structures designed for the protection of tender or out-of-season plants against excessive cold or heat. The Tier II greenhouse category limits the area undercover to the growth of plants and does not include floor area specifically dedicated to administration, employees, washrooms, warehousing, distribution and loading docks. Greenhouses in this category comprised of aluminum, wood or plastic PVC pipes covered with polymer plastic coverings are exempt.
- iii. *Greenhouse - Tier III CEA Facility (greater than 4 acres undercover)*. Controlled Environmental Agricultural Facility (CEA facility) is a commercial structure that includes related equipment and appurtenances that combine engineering, horticultural science, and computer management techniques to optimize hydroponics, plant quality, and food production efficiency from the land's water for human or livestock consumption. The primary purpose of this commercial facility is to grow crops and obtain a monetary profit from the sale of plant-based food for human or livestock consumption. Unlike Tier I or Tier II greenhouses, this facility is more advanced and utilizes intensive forms of hydroponically-based agriculture along with automation to optimize horticultural practices in sophisticated climate-controlled buildings. These are glass and steel structures that often harvest roof top rainwater and are controlled by state-of-the-art computers that are able to monitor climate 365 days of the year, 24 hours a day, and make smart adjustments, data-driven adjustments, in order to maximize crop productivity, efficiency, reduce production losses. These facilities often include floor area dedicated to administration, employees, washrooms, harvesting, grading, warehousing, and distribution alongside structured parking and loading docks either as part of the facility or attached thereto.
4039. Gross floor area. The sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Gross floor area does not include basements when at least one-half the floor-to-ceiling height is below grade, accessory parking (i.e., parking that is available on or off-site that is not part of the use's minimum parking standard), attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts.
410. Groundwater. As defined in R.I. Gen. Laws § 46-13.1-3(6), as amended.
421. Home occupation. Any activity customarily carried out for gain by a person in the person's dwelling as an accessory to the principal residential use.
43. Hotel. A building designed and intended for temporary lodging offered to the public for compensation, divided into separate units within the same building, and where additional services such as restaurant, meeting, conference and recreational facilities may be provided for both guest and non-guest use.
442. Household. One or more persons living together in a single-dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and storage of food. The term "household unit" is synonymous with the term "dwelling unit" for determining the number of units allowed in a structure. An individual household consists of a family, which may also include servants and employees living with the family, or three or more unrelated persons living together.
453. Infrastructure. Facilities and services needed to sustain residential, commercial, industrial, institutional, and other activities.
464. Junk. Items including, but not limited to, old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, construction debris, waste; or junked, dismantled or wrecked automobiles, or parts thereof; and iron, steel and other old or scrap ferrous or nonferrous material.

- 
475. *Junkyard.* The use of any lot, whether inside or outside a building, where an establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk.
486. *Kennel, Class 1.* A fully enclosed/indoor structure or establishment other than a pound or animal shelter where over ten dogs are kept, owned, trained and/or boarded.
497. *Kennel Class 2.* A structure or establishment other than a pound or animal shelter where four to ten dogs are kept, owned, trained and/or boarded.
5048. *Land development project.* A project in which one or more lots, tracts, or parcels of land are developed or redeveloped as a coordinated site for a complex of uses, units, or structures for residential, commercial, institutional, recreational, open space, or mixed uses.
5149. *Land disturbing activity.* Any physical disturbance of land, including but not limited to clearing and grubbing for future development; excavating; filling; grading; or construction or demolition of a structure.
520. *Land unsuitable for development.* Land with natural or man-made limitations that make it unsuitable for development. Land unsuitable for development shall be excluded from density calculations in conservation developments, rural residential compounds, and planned districts, and may not be considered as part of the minimum lot area required. Land unsuitable for development includes freshwater wetlands but not the area within any regulatory wetland buffer; special flood hazard areas A and A1 through A30, as shown on the FEMA Flood Insurance Rate Maps, as amended; and land within any publicly or privately held easement on which above-ground utilities, including but not limited to electrical transmission lines, are constructed. Land shall not be classified as unsuitable for development solely because of its natural gradient.
531. *Landscaping business.* Any business whose purpose is to change or improve the natural scenery of a business or residence by placing or arranging trees, bushes, shrubs, ornamental grasses or other vegetation and also maintaining existing vegetation by pruning, mowing or other normal vegetative maintenance and also includes installation and maintenance of landscape features such as decorative ponds, waterfalls or other water elements as part of an overall landscape design.
542. *Lot.* Either (1) the basic development unit for determination of lot area, depth, and other dimensional regulations, or (2) a parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or recorded map and is recognized as a separate legal entity for purposes of transfer of title.
553. *Lot area.* The total area within the boundaries of a lot, including at a minimum, one acre of contiguous land that is suitable for development, usually reported in acres or square feet.
564. *Lot building coverage.* That portion of the lot that is or may be covered by buildings and accessory structures.
575. *Lot depth.* The distance measured from the front lot line to the rear lot line. For lots where the front and rear lot lines are not parallel, the lot depth is an average of the depth.
586. *Lot frontage.* That portion of a lot abutting a public street or a private street on an approved plat. Lot frontage must be contiguous to meet minimum frontage requirements.
597. *Lot line.* A line of record, bounding a lot, which divides one lot from another lot or from a public or private street or any other public or private space and shall include:
- i. *Front.* The lot line separating a lot from a street right-of-way. On an interior lot, the front lot line is the lot line abutting a street. On a developed corner lot, the front lot line is the lot line currently used for that purpose. On an undeveloped corner lot, the front lot line is the lot line

---

chosen by the property owner when initial development begins. On a through lot, the lot line abutting the street providing the primary access to the lot.

- ii. *Rear.* The lot line opposite and more distant from the front lot line, or in the case of triangular or otherwise irregularly shaped lots, an assumed line at least ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
- iii. *Side.* Any lot line other than a front or rear lot line. On a corner lot, a side lot line is along the street lot line other than the front lot line.

6058. Lot, through. A lot other than a corner lot that fronts on two substantially parallel streets, or fronts on two streets that do not intersect at the boundaries of the lot.

6159. Lot width. The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum front setback line.

620. Low-income household. A household with an adjusted gross income that is 80 percent or less of the area median income as determined by Rhode Island Housing.

631. Low or moderate-income housing. See "affordable housing."

642. Massing. The three-dimensional bulk of a structure consisting of its height, width, and depth.

653. Maximum gross building footprint per retail structure. The maximum gross building footprint per retail structure shall be calculated by including the total footprint in square feet of all indoor space devoted to storage, display, and/or sale of goods to be sold at retail, and sales areas for retail goods located on the same or on contiguous lots or parcels of land for a single or commonly controlled retail business operation. Thus, even if more than one structure is utilized for a single or commonly controlled retail business operation, the combined gross footprint may not exceed 40,000 square feet. Nothing herein is intended to prohibit multiple retail structures on a single lot from exceeding a total of 40,000 square feet, as long as they are not for a single or commonly controlled retail business operation.

664. Mixed use. A mixture of land uses within a single development, building, or tract.

675. Mixed use commercial development. Commercial development in a business zone that contains a mix of commercial and residential uses as provided for in article 4, sec. 4.6 of this ordinance. A mixed use commercial development is considered a land development project.

686. Mobile home or trailer. A structure designed or used for residential occupancy built upon or having a frame or chassis to which wheels may be attached by which it may be moved upon a highway, whether or not such structure actually has, at any given time, such wheels attached, or is jacked up or skirted, or attached to a permanent foundation.

697. Moderate income household. A household with an adjusted gross income that is more than 80 percent but less than 120 percent of the area median income as determined by Rhode Island Housing.

7068. Modification. A dimensional variance granted by the zoning inspector pursuant to section 1.4 of this ordinance.

71. Motel. A building intended and designed for transient or overnight occupancy, divided into separate units within the same building, and with or without public dining room facilities.

7269. Municipal government subsidy. Assistance that is made available through a town program sufficient to make housing affordable, as affordable housing is defined in this ordinance. Such assistance may include, but is not limited to, direct financial support, waiver of fees and charges, and approval of density increases or adjustments, or any combination of forms of assistance.

730. Natural vegetation. Trees, shrubs, grass, or other plants which grow naturally or have been planted.

- 
741. *Nonconformance*. A building, structure, or parcel of land, or use thereof, lawfully existing at the time of the adoption or amendment of the Exeter zoning ordinance and not in conformity with the provisions of such ordinance or amendment. Nonconformance shall be of only two types:
- i. *Nonconforming by use*. A lawfully established use of land, building or structure which is not a permitted use in that zoning district. A building or structure containing more dwelling units than are permitted by the use regulations of a zoning ordinance shall be nonconforming by use.
  - ii. *Nonconforming by dimension*. A building, structure or parcel of land not in compliance with the dimensional regulations of the Exeter zoning ordinance. Dimensional regulations include all regulations of the zoning ordinance, other than those pertaining to the permitted uses. A building or structure containing more dwelling units than are permitted by the use regulations of the Exeter zoning ordinance shall be nonconforming by use, a building or structure containing a permitted number of dwelling units by use regulations of the zoning ordinance, but not meeting the lot are per dwelling unit regulations, shall be nonconforming by dimension.
752. *Overlay district*. A zoning district that is superimposed on one or more other zoning districts or parts of districts and that imposes specified requirements in addition to but not less than those otherwise applicable to the underlying zone.
763. *Owner*. A partnership, corporation, or company, or a person who alone, or jointly or severally with others, has legal title to a premises or has control of a premises as agent, executor, executrix, administrator, trustee, guardian of the estate of the holder of legal title, or the holder of equitable title.
774. *Performance standards*. Criteria that a particular use or process must meet or may not exceed.
785. *Permitted use*. A use that is specifically authorized by right in a particular zoning district.
796. *Planned village development (PVD)*. A type of major land development project permitted only within the planned village overlay zoning district that incorporates a mix of residential and nonresidential uses in a compact, walkable environment in compliance with the standards set forth in article X of this ordinance.
8077. *Plant agriculture*. The growing of plants for food or fiber, or to sell or consume. It is a permitted use in all zoning districts, including all industrial and commercial zoning districts, except where prohibited for public health or safety reasons or the protection of wildlife habitat.
8178. *Public Water Supply*. Means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. Such term includes:
- i. Any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system, and
  - ii. Any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.
8279. *Preapplication conference*. A discussion of a proposed development between the applicant and the official or board with the authority to approve the development. A preapplication conference takes place before a formal application is submitted.
830. *Residential compound*. A parcel of land containing lots for single-family dwellings having an average overall density of no greater than one dwelling unit per ten acres of land.
841. *Rhode Island Housing*. The Rhode Island Housing and Mortgage Finance Corporation, an agency of the State of Rhode Island.



- 
852. *Roofline*. The top covering of a building which may consist of a variety of styles including, but not limited to: gable roof, hip roof, shed roof, and gambrel roof.
863. *Scale*. The general feeling of mass and size of a building as it relates to that of other buildings along a street or block front.
874. *Setback line*. A line parallel to the property line marking the required depth of the front, side, or rear yard.
88. *Short-term rental*. The occupancy or use, for a fee, of all or portions of a dwelling unit by anyone for tourist or transient use for a period of fewer than 30 consecutive calendar days. Hotels, motels and bed and breakfasts are excluded from this definition.
895. *Site plan*. The development plan for one or more lots on which is shown the existing and/or proposed conditions of the lot.
9086. *Solar energy facility*. The equipment and requisite hardware that provide and are used for collecting, transferring, converting, storing, or using incident solar energy for applications that would otherwise require the use of a conventional source of energy such as petroleum products, natural gas, manufactured gas or electricity produced from a non-renewable source. This shall include photovoltaic arrays and installations that utilize building-mounted and/or ground-mounted systems. Definitions applicable to solar energy facilities are as follows:
- i. *Accessory building-mounted solar array*. A solar energy system that is incidental and subordinate to the principal use(s) of the parcel, where the power produced can be used onsite, virtual net metered or sold back to the electric distribution company. An accessory building-mounted system shall be installed only on the roof of a structure.
  - ii. *Building-mounted solar energy facility*. A solar energy system that is structurally appended to the roof of a building or structure.
  - iii. *Ground-mounted solar energy facility*. A solar energy system that is structurally appended to the ground and is not supported by a structure or building.
  - iv. *Large-scale solar energy facility*. A solar energy system that occupies 40,000 square feet up to 220,000 square feet, inclusive of inter-row and panel/collector spacing.
  - v. *Medium-scale solar energy facility*. A solar energy system that occupies more than 1,600 square feet but less than 40,000 square feet of area, inclusive of inter-row and panel/collector spacing.
  - vi. *Small-scale solar-energy facility*. A solar energy system that occupies 1,600 square feet of area or less, inclusive of inter-row and panel/collector spacing.
  - vii. *Solar canopy*. A solar energy facility that is located on a new elevated structure that hosts solar panels and provides shelter to a parking area, driveway or walkway underneath.
  - viii. *Solar land coverage*. The total footprint of land occupied by all components of a solar energy system including but not limited to solar panels, mounting equipment, ancillary components of the system, inter-row and panel/collector spacing, access, and all other areas within the required perimeter fencing.
  - ix. *Utility-scale solar energy facility*. A solar energy system that occupies more than 220,000 square feet of area, inclusive of inter-row and panel/collector spacing.
9187. *Special use*. A conditionally permitted use that may be established with a special use permit issued by the zoning board of review or the planning board. See article I, sec. 1.3(F).
9288. *Street*. A public or private thoroughfare used for passage or travel by motor vehicles.

- 
9389. *Street line*. A lot line that separates a lot from a street.
940. *Structure*. A combination of materials to form a construction for use, occupancy, or ornamentation, whether installed on, above, or below the surface of land or water.
951. *Substandard lot of record*. Any lot lawfully existing at the time of adoption or amendment of this ordinance and not in conformance with the dimensional and/or area provisions of the ordinance.
962. *Transfer of development rights*. The ability to separate development rights from a particular parcel and use them to increase the development potential on another.
973. *Use*. The purpose or activity for which land or buildings are designed, arranged, or intended, or for which land or buildings are occupied or maintained.
984. *Variance*. Permission to depart from the literal requirements of the zoning ordinance. See section 1.3(E).
995. *Waters*. As defined in R.I. Gen. Laws § 46-12-1(23).
10096. *Yield plan*. A plan of a conventional (as opposed to a conservation) subdivision that depicts the maximum number of building lots or dwelling units that could reasonably be built on a parcel of land in compliance with this ordinance, taking into account land unsuitable for development. No lot shall be considered buildable unless it can be shown to have a minimum of one acre (43,560 sq. ft.) of contiguous, accessible land that is free of wetlands, water bodies, street rights-of way, and electrical power line easements.
10197. *Zoning certificate*. A document signed by the zoning inspector that acknowledges that a use, structure, building or lot either complies with or is legally nonconforming to the provisions of this zoning ordinance, or is an authorized variance, special use, or modification.
10298. *Zoning inspector*. A person elected by the people of the Town of Exeter who is charged with the responsibility of enforcing the provisions of this zoning ordinance and recording all amendments of the ordinance on the record copy of the zoning ordinance.
10399. *Zoning map*. The map that is part of this zoning ordinance and that delineate the boundaries of all mapped zoning districts within the physical boundaries of the Town.
1040. *Zoning ordinance*. The zoning ordinance enacted by the town council pursuant to Title 45, Chapter 24 of the General Laws that sets forth regulations and standards relating to the nature and extent of uses of land and structures, is consistent with the comprehensive plan, and includes the zoning map.
- (Ord. of 5-25-00, § 1; Ord. of 1-6-03(2), § 4; Amd. of 3-3-03; Amd. of 10-5-04; Amd. of 3-6-06, § 1; Ord. of 8-7-06, § 1; Amd. of 5-7-07; Amd. of 6-4-07; Ord. of 9-4-07, § 1; Amd. of 4-7-08; Amd. of 4-6-09; Ord. of 9-27-12, Exh. 1; Amd. of 10-6-14, § 1; Amd. of 9-4-18; Amd. of 2-4-19, § 3; Amd. of 4-5-21; Ord. of 3-9-23, § 1; Ord. of 12-4-2023(1))



Sec. 2.4. Zoning use table follows.

TABLE 2.4. ZONING USE TABLE

2.4.1. Use Category	District										
	RE-2	RU-3	RU-4	CR-5	B	LB-R	LI	OS/PL	GWOL	Planned District	PVOD
1. Single-family structures	Y	Y	Y	Y	S	S	S	S	Y		Y
2. Home occupations (as per article IV, section 2)	Y	Y	Y	Y	N	S	Y	S	S		S
3. Raising of animals or fowl by a resident of the premises not to exceed USDA animal unit equivalent without a management plan by SRICD	Y	Y	Y	Y	N	S	Y	S	S		S
4. Public telephone booths	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
5. Signs permitted in article VI, accessory to primary use	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
6. Parking as required in article V, accessory to primary use	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
7. Accessory use as defined in article IV, section 1	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
8. Farming; nurseries; forestry activities, which includes cutting, buying and selling of firewood; excluding wood processing which is listed as a special use. Buying, selling, breeding and boarding of animals, except dogs, but not including the raising of pigs primarily for the consumption and disposal of garbage	Y	Y	Y	Y	S	S	N	S	S		S







37.	Educational or religious institutions, including churches, schools and nursery schools. Size restrictions apply	S	S	S	S	S	S	S	S	N	N	S		Y
38.	Two-family dwelling structures	S	S	S	S	N	N	N	N	N	N	S		
39.	Mixed use commercial development					S	S							Y
40.	Government buildings and uses including libraries, town halls and public works garages, but excluding sanitary landfills, sewage treatment plants and incinerators	S	S	S	S	S	S	S	Y	S	S	S		Y
41.	Wood processing	S	S	S	S	S	S	S	S	N	N	N		
42.	Bed and breakfast	S	S	S	S	S	S	S	S	N	N	N		N
43.	Family day care, homes	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N		Y
44.	Day care centers	S	S	S	S	S	S	S	Y	Y	Y	Y		Y
45.	Single-family mobile homes will be allowed as temporary living structures for a period of one year for new construction. Applicants must obtain a building permit before applying for a special-use permit. The license will be reviewed by the zoning board after a period of one year	S	S	S	S	S	S	N	N	N	N	S		Y
46.	Medical uses, including rest homes, convalescent homes, animal hospitals and clinics	N	S	S	S	S	S	S	S	N	N	S		S
47.	Cemeteries, provided that the total area to be devoted to such	N	S	S	S	S	S	N	N	N	N	N		N



	use shall not be less than 25 acres																	
48.	Structures to accommodate business and professional offices. Towers prohibited	N	S	S	S	S	S	S	N	S	S	S						Y
49.	Swimming areas, country clubs, golf courses, skiing and commercial horseback riding facilities. Private and public fishing and hunting areas, sports clubs (excluding shooting ranges). Private or commercial campgrounds or recreation, including sports clubs	N	N	S	S	N	N	N	N	N	N	N						Y
50.	Motels or hotels with not more than ten rooms per acre of gross site area, and with state-approved water supply well and ISDS systems	N	N	N	N	N	S	S	N	N	N	N						S
51.	Gasoline filling stations	N	N	N	N	N	S	S	N	N	N	N						S
52.	New and used automobile dealer-ships, provided that all repair is performed within a structure and that there is no outdoor storage of derelict or junk automobiles or parts	N	N	N	N	N	S	S	S	N	N	N						N
53.	Shopping centers, meaning a cluster of two or more stores with communal parking facilities, planned and built as an entity or subdivision of an area within a business district	N	N	N	N	N	S	S	N	N	N	N						Y

54.	Occupational schools conducted as a business such as dance, music [or] welding automobiles	N	N	N	N	N	S	S	N	N	N	N	S
55.	Extractive industries, including gravel and sandbanks, provided they are screened by an opaque fence, hedge or other natural barrier not less than six feet in height, and provided they conform to the Earth Removal Ordinance	N	N	N	N	N	N	N	S	N	N	N	N
56.	Manufacture of food products from meat, vinegar or yeast	N	N	N	N	N	N	N	S	N	N	N	S
57.	Metal fabrication	N	N	N	N	N	S	S	S	N	N	N	N
58.	Manufacture of machine tools, precision instruments, musical instruments, toys and novelties	N	N	N	N	N	S	S	S	N	N	N	S
59.	Industrial parks, meaning a cluster of two or more industrial businesses with communal parking facilities, planned and built as an entity or subdivision of an area within an individual district	N	N	N	N	N	N	N	S	N	N	N	N
60.	Breweries or distilleries	N	N	N	N	N	N	N	N	N	N	N	S
60A.	Farm Breweries		Y	Y	Y	Y							
61.	Junk or salvage yards, including the outdoor storage of used materials, provided they are screened by an opaque fence, hedge or other natural barrier not less than six feet in height	N	N	N	N	N	N	N	S	N	N	N	N



c.	Non-residential cooperative cultivation	N	N	N	N	Y	Y	Y	Y	N	S	Y	S
d.	Residential cooperative cultivation	S	S	Y	Y	N	N	N	N	N	S	N	N
e.	Patient cultivation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
76.	Reserved - Marijuana Cultivation Center												
77.	Reserved - Marijuana Store												
78.	<del>Short-term rental</del>	N	N	N	N	N	N	N	N	N	N	N	N
	All uses not listed above are specifically prohibited												

2.4.2. Dimensional Regulations		District											
		RE-2	RU-3	RU-4	CR-5	B	LB-R	LJ	OS/PL	PVOD			
1.	Minimum lot size, acres	2	3	4	5		2	2		See note (8)			
2.	Minimum street frontage, feet	200	250	300	350	150	150	400	200	40			
3.	Maximum lot coverage by all structures, percent. Refer to article VI, section 2 for number of structures (building coverage)	15 (see note 14)	15 (see note 14)	15 (see note 14)	10	25	25	25	10	See note (8)			
4.	Minimum front depth (setback), feet	60	100 (see note 12)	100	150	100	100	200	200	See note (9)			
5.	Minimum front depth (setback) on arterial roads, feet		100	100	150	100	100	200	200	10			
6.	Minimum side depth (setback), feet	30	60	80	100	30	30	50	50	0			
7.	Minimum rear depth (setback), feet	50	50	50	150	75	75	100	150	0			

8.	Maximum structure height, feet (excluding farm structures), measured from highest grade	40 (see note 13) 75	40 (see note 13)	40 (see note 13)	40 (see note 13)	40	40	40	40	45
9.	Maximum building capacity, persons	250	250	250	250		250			
10.	Maximum gross retail footprint (see note #7 below), square feet	40,000	40,000	40,000	40,000	40,000	40,000	N/A	40,000	Section 10.3.3
11.	Number of structures shall be in accordance with 2.6									

NOTES:

- Any industrial structure or activity or outdoor storage shall be set at least 200 feet from the RE-2, RU-3, RU-4 and CR-5 district boundaries, and at least 100 feet from any B or LB/R district boundaries. A setback for structures and parking lots of 200 feet from all roads and suitable landscape screening shall be provided.
- No certificate of occupancy for any use shall be issued until the administrative officer has certified in writing that the use has received all required approvals.
- Each business or industry must contain within its own lot the wellhead protection for the well supplying all its water.
- For all setback requirements; setbacks shall be measured from the lot line to any part of the building that projects beyond the foundation.
- On corner lots, the rear setback shall conform to the side setback requirements that there shall be no rear yard; only a front and two side yards.
- For the purposes of calculating minimum lot dimensions, area, density, maximum percent coverage, and the maximum number of lots or dwelling units permitted in a conservation development in any zoning district where permitted, the provisions of the land development and subdivision regulations shall apply.
- The maximum gross building footprint per retail structure shall be 40,000 square feet in all zones except the LI zone which does not have a maximum. This maximum footprint shall not apply to agricultural structures.
- To be determined as part of the PVD review process by the planning board in conformance with all other provisions of PVD. Maintenance of the approved percentage of lot coverage shall be a condition of planning board approval. If an application for further development would increase the percentage of lot coverage, the application must be approved as a major land development project.
- To be determined as part of the PVD review process by the planning board in conformance with all other provisions of PVD including but not limited to those standards within the land development and subdivision regulations specifically requiring site design techniques that facilitate a

- safe, pedestrian friendly, compact village development. Maintenance of the approved setbacks shall be a condition of planning board approval. If an application for further development would decrease any setback, the application must be approved as a major land development project.
10. Tier III CEA Facility Greenhouse defined in Code of Ordinances Town of Exeter, Rhode Island, Appendix A - Zoning, section 1.2. entitled "Definitions" is allowed only if the application meets the eligibility requirements and satisfies all the standards and prohibitions contained within the Code of Ordinances of the Town of Exeter, Rhode Island, Appendix A - Zoning, section 1.4.1 "Special Provisions", entitled "Greenhouse Tier II and Greenhouse Tier III/CEA Facilities"
11. Tier II Greenhouse as defined in Code of Ordinances Town of Exeter, Rhode Island, Appendix A - Zoning, section 1.2. entitled "Definitions" is subject to the review procedure and prohibitions contained within the Code of Ordinances Town of Exeter, Rhode Island, Appendix A - Zoning, section 1.4.1 "Special provisions"; entitled "Greenhouse Tier II and Greenhouse Tier III/CEA Facilities"
12. Tier III CEA Facility Greenhouse requires a minimum front depth (setback) of 150 feet for all structures, off street loading and parking lots.
13. Tier II Greenhouse and Tier III CEA Facility Greenhouses shall not exceed a maximum structure height of 35 feet
14. Tier I and Tier II Greenhouses may have a 25 percent maximum lot coverage (building coverage) by all structures.

---

*2.4.3. Flexible lot frontage and width.* Upon approval of the planning board as part of a conservation development as provided in the land development and subdivision regulations, the lot frontage and lot width variations listed below may be permitted by the planning board, through a request for a waiver.

- A. In residential CR-5, RU-4, RU-3 and RE-2 zoning districts, the planning board is authorized to reduce the lot frontage and lot width of newly created lots in a subdivision or land development project on any public or approved private street to a minimum of 20 feet.
- B. Open space lots, within an approved conservation development, may have zero-frontage on a street, as long as the planning board approves access to the open space by easement or other means.

(Amd. of 6-22-00; Amd. of 3-3-03, § 8; Amd. of 4-8-03; Amd. of 11-3-03; Amd. of 10-5-04; Amd. of 11-1-04; Amd. of 3-3-05; Amd. of 3-6-06, § 2; Ord. of 8-7-06, § 2; Amd. of 5-7-07; Amd. of 6-4-07; Amd. of 4-7-08; Amd. of 4-6-09; Ord. of 9-27-12, Exh. 1; Amd. of 10-6-14, § 2; Ord. of 12-7-15; Amend. of 10-2-17; Ord. of 7-16-18, § 2; Amd. of 9-4-18; Amd. of 2-4-19, § 2; Ord. of 3-9-23, § 1; Ord. of 12-4-2023(1))