



CITY OF WARWICK

JOSEPH J. SOLOMON, MAYOR

MEMORANDUM

Planning Board Recommendation

Zoning Ordinance

Text Amendment/Section 601.3 Home Occupations

TO: Steve Merolla, Council President
Warwick City Council Members
Lyn Pagliarini, City Clerk

FROM: William J. DePasquale, Jr. AICP
Administrative Officer
Planning Director

DATE: June 25, 2018

SUBJECT: Planning Board Recommendation,
Request for zoning text amendment

APPLICANT: City of Warwick

PROPOSED ZONING AMENDMENT: Text modifications for **Section 601.3 Home Occupations.**

Background

This zoning amendment is proposed in order to revise Section 601.3 Home occupations.

Planning Board Findings

At the June 13, 2018 meeting, in compliance with RIGL§ 45-22-7, the Planning Board found the proposed zoning amendment to be generally consistent with Article 1 "Purposes and General Statements of the City's Development Review Regulations, and:

The Planning Board found the proposed zoning text amendment to be in compliance with the City's Comprehensive Plan 2033, including the following:

- Chapter 7, Housing and Neighborhoods, which states as a Goal that Warwick has a wide range of quality housing choices to meet the diverse needs of households at all income levels and all stages of the life cycle, and
- Chapter 7, Housing and Neighborhoods, which states as a Goal that all neighborhoods retain or enhance their character and livability, and
- Chapter 7, Housing and Neighborhoods, which cites as a challenge, supporting economic development without adverse impacts on residential neighborhoods and traffic.
- Chapter 8, Economic Development, which states as a goal to improve the business environment by increasing responsiveness to business concerns.
- Chapter 12, Future Land Use, Zoning and Urban Design, Goal 4, which states, Warwick's neighborhoods are attractive, well maintained and stable, with companion policy to protect and support existing neighborhoods, and,

The Planning Board also found the proposed zone change to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

- A.) The goals and patterns of land use contained in the Comprehensive Plan of the City of Warwick.
- E.) The availability and capacity of existing and planned public and/or private services and facilities.
- F.) The use of innovative development regulations and techniques.

103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe, and sanitary housing, including opportunities for the establishment of low and moderate income housing.

103.11 Promote implementation of the Warwick comprehensive community plan, as amended.

PLANNING BOARD RECOMMENDATION

On a motion made by Ms. Stenhouse and seconded by Ms. Bataille, the Planning Board voted eight (8) in favor, with none opposed, to forward a favorable recommendation to the Warwick City Council for the requested zoning text amendment, as amended.

601.3. **Home occupations.** Home occupations customarily conducted entirely within a dwelling and/or garage including but not limited to custom dressmaking, screen print, tailoring, fabric sewing, foster family care of not more than four children, or office in which goods, wares or merchandise are not commercially created or repaired, are permitted in all residence districts provided that any such home occupation:

(A) Shall be operated entirely within a dwelling unit and/or garage.

~~(B) Shall be operated only by the person or persons residing within the dwelling unit.~~

(b) It must be carried on by a resident of the structure as either a sole proprietorship or a corporation that is wholly owned by the residents of the structure, or a partnership where all partners are residents of the structure.

(C) Shall utilize not more than ~~20 percent~~ 25 percent of the gross floor area in the dwelling unit (excluding garage area) or not more than ~~300 square feet~~, 500 square feet whichever is less.

(D) Shall have not more than one employee or regular assistant not residing in the dwelling unit.

(E) Shall provide off-street parking for at least three (3) vehicles for the dwelling and home occupation; the number of parking spaces, location of said parking, and appropriate screening ~~shall be as~~ determined by the building official, provided that no such parking shall be located on the city street and/or within a required front yard, unless in an already existing driveway.

(f) Only one (1) vehicle used in connection with the home occupation shall be parked or stored on the premises; provided, however, the vehicle will not be a truck, such as but not limited to a dump truck, box truck a fuel oil delivery truck or wrecker, and no advertising or reference to the home occupation may be displayed on the vehicle in any manner. All vehicles must be parked in the driveway; in no instance may the vehicle(s) used by the dwelling unit and/or the vehicle used in the connection with the home occupation be parked on the street or in a required front, side or rear yard unless in an already existing or expanded driveway. There shall be no pick up or delivery of goods to the home occupation by box truck or larger with the exception of standard residential delivery service trucks, ie Fedex or UPS.

(g) No display of goods, products, or services shall be visible from outside the dwelling.

(h) Only handmade items, foodstuffs defined as substances suitable for consumption as food, and crafts made in the home and/or garage may be offered for sale on the premises; no other goods, products or commodities bought for the express purpose of resale shall be sold at retail or wholesale on the premises nor shall such goods or products be stored or displayed on the premises.

(i) No equipment or process shall be used in connection with the home occupation which is hazardous and/or creates noise, vibration, glare fumes, odors, or electrical interference detectable to the normal senses, off the premises. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.

(j) The use of any garage for a home occupation is prohibited unless the structure meets the building code requirements as determined by the building official and is within the maximum area requirements set for the in 601.3(C)

(k) No specialty service, such as but not limited to dance instruction, crafts, or music lessons shall be provided for a group larger than one (1) person.

- 41 (l) There shall be no signage and the exterior character or appearance of the dwelling shall not be
42 altered or changed to accommodate the home occupation.
- 43 (m) Home occupations not otherwise classified in 601.3 shall be determined by the building inspector.