

**§ 313 Service Commercial Zone (SC Zone).**

[Ord. of 8-17-2011]

- A. Purpose. The Service Commercial Zone (SC Zone) comprises land connecting the two harbors. It is intended that the SC Zone be developed primarily to serve the utility and service needs of the Island.
- B. Residential Density. Minimum developable land area required for each dwelling unit, 20,000 square feet. (See § 202, Definitions, "Developable Land")
- C. Dimensional Standards. [Amended 7-15-2020 by Ord. No. 2020-05]

Minimum Lot Area	20,000 square feet
Minimum Lot Frontage	100 feet
Minimum Setbacks	
Front	25 feet
Side	25 feet
Rear	50 feet
Minimum Setbacks Accessory Structures and Uses	
Front	25 feet
Side	25 feet
Rear	50 feet
Maximum Lot Building Coverage	25%
Maximum Lot Coverage	35%
Maximum Height*	
Main Structure	30 feet
Accessory Structure	30 feet

\* The maximum height for any structure located in a special flood hazard area, as shown on official FEMA Flood Insurance Rate Maps, shall be 23 feet.

D. Permitted Uses.

Accessory Apartment (Subject to the requirements of § 513) [Amended June 19, 2002]

Accessory Residential Structures (See § 511, Accessory Residential Structure) [Amended June 21, 2000]

Accessory Uses/Gaming devices and table games (See § 516 Gaming Devices and Table Games) [**Added November 5, 2012 by Ord. No. 2012-09**]

Accessory Use/Home Occupation

Commercial/Residential Mixed Use (See § 411, Commercial/Residential Mixed Use) [**Amended July 6, 2009**]

Community Residences

Family Day Care Homes

Farming

Professional and Business Services

Rental Rooms (See § 509, Rental Rooms)

Restaurants

Retail Trade

Single Family Dwelling Unit

WECS subject to 508 [**Amended May 23, 2001**]

Physical fitness classes/yoga classes [**Added 5-3-2017 by Ord. No. 2017-01**]

Accessory Family Dwelling Unit (Subject to the requirements of § 518) [**Added 3-5-2018 by Ord. No. 2018-02**]

E. Uses Allowed by Special Use Permit (See Article 4).

Accessory Dwelling Units [**Amended December 6, 2004**]

Affordable Housing

Assembly Halls

Attached Multi-Family Development (See § 404, Attached Multi-Family Development)

Automotive Sales, Service and Repair (See § 419, Automotive Sales, Service and Repair)

Bicycle Rental (See § 412, Bicycle Rental)

Cellular Antenna Towers (See § 421, Cellular Antenna Towers) [**Amend December 17, 1997**]

Commercial Radio and Television Station (See § 417, Utility Facilities)

Day Care Center

Secondary Dwelling Development (See § 403, Secondary Dwelling Development) **[Amended July 2, 2007]**

Government Facilities

Inns (See § 408, Inns)

Light Assembly **[Amended December 16, 2009]**

Parking Lots (See § 420, Parking Lots)

Public Works Facilities

Recreational Facilities (See § 410, Recreational Facilities)

Religious Facility

Utility Facilities (See § 417, Utility Facilities)

Warehouse and Storage Facilities (See § 416, Warehouse and Storage Facilities)

Waterfront Uses (See Sections 318, Waterfront Overlay 415, Waterfront Uses)

WECS subject to § 508 **[Amended May 23, 2001]**

F. Uses Allowed Only As Land Development Projects. Flexible Design Residential Development (See § 402, Flexible Design Residential Development)

**§ 411 Commercial/Residential Mixed Use.**

- A. Purpose. The purpose of this section is to allow the establishment of mixed use buildings in the commercial and mixed use districts in order to assist in the development of a more compact, pedestrian oriented and vibrant town center, while reducing demand for new housing elsewhere, and providing additional seasonal and year round housing for employees of businesses in town.
- B. Uses. A Commercial/Residential Mixed Use building consists of the following uses:
1. Commercial. The first floor at street level shall be used for commercial purposes, except that the rear portion of the building not fronting on a street may be used for residential purposes. Commercial uses include retail trade, professional and business services, and restaurants, provided such uses are allowed in the zoning district in which the Commercial/Residential Mixed Use is located.
  2. Residential. A portion of, or the entire second floor, or upper floors if the building is more than two stories in height, shall be used for residential purposes consisting of separate dwelling units. A total of 40% of the dwelling units, but a minimum of one dwelling unit per building, shall be dedicated for occupancy by persons deriving income from seasonal or year-round employment from the operation of a business in the town through a deed restriction running with the property in favor of the Town of New Shoreham in accordance with the provisions of § 513E, or by qualifying as low or moderate income housing under the RI Low and Moderate Income Housing Act. The 40% requirement may be applied on a parcel basis if more than one building on a lot or lots under common ownership consists of a Commercial/Residential Mixed Use building, provided there is one such dedicated or affordable apartment per building regardless of the total number of residential units included as part of the Commercial/Residential Mixed Use.
- C. Procedures. A Commercial/Residential Mixed Use is allowed by Special Use Permit in the RC/M and MU Zones and by right in the OHC, NHC and SC Zones. Such use shall also require Development Plan Review by the Planning Board under the provisions of § 704. When a Special Use Permit is required, the Planning Board may undertake the development plan review and the advisory request to the Zoning Board of Review concurrently.
- D. Standards. Commercial/Residential Mixed Use shall meet the following requirements and standards:
1. Public Sewer and Water. A Commercial/Residential Mixed Use shall be required to be connected to the municipal sewer system and where feasible, to the municipal water system.
  2. Density. Dwelling units that are part of a Commercial/Residential Mixed Use are permitted on the lot or parcel in question without regard to the residential density that would otherwise be required for the zoning district under Article 3. Density shall be determined by availability of parking for all uses and limits on lot building coverage, lot coverage and building height.
  3. Minimum Dwelling Size. Dwelling units in a Commercial/Residential Mixed Use shall not be less than 340 square feet of living area.
  4. Parking, Landscaping and Lighting Provisions. The minimum parking requirements for all uses contained in § 502, the specific landscape and buffer requirements of § 503, and the outdoor lighting standards of § 512, as applied to a Commercial/Residential Mixed Use project, shall be adhered to. (Section amended in its entirety July 6, 2009)