

SECTION 20.

DEFINITIONS

Sec. 20.1. Schedule.

For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

The word *person* includes a firm, association, organization, partnership, trust, estate, company, corporation, Municipal Corporation or a duly constituted board, or elected official, as well as an individual.

Present tense includes the future tense, the singular number includes the plural, and the plural includes the singular.

The word *shall* is mandatory, the word *may* is permissive.

The words *used or occupied* include the words intended, designed, or arranged to be used or occupied.

The word *lot* includes the words plot or parcel.

Abutter. One whose property abuts, that is, adjoins at a border, boundary, or point with no intervening land, or one whose property falls within the required radius.

Accessory family dwelling unit. An accessory dwelling unit for the sole use of one or more members of the family of the occupant or occupants of the principal residence, but need not have a separate means of ingress and egress.

Accessory use or structure. A use of land or a building, or portion thereof, customarily incidental and subordinate to the principal use of the land or building. Such accessory use shall be restricted to the same lot as the principal use. Such accessory use shall not be permitted without the principal use to which it is related.

Adult entertainment specialty shops. Adult entertainment specialty shops include establishments whose products consist primarily of adult video (sale, individual viewing booths or rental), adult magazines, adult still photographs which show or depict explicit sexual activity, or the sale of adult novelties including but not limited to reproductions of the human anatomy.

Aggrieved party. An aggrieved party, for purposes of this act shall be:

- (a) Any person or persons or entity or entities and the Town of North Smithfield who can demonstrate that their property will be injured by a decision of any officer or agency responsible for administering the Zoning Ordinance of the Town; or

(b) Anyone requiring notice pursuant to this act.

Agricultural land. Agricultural land as defined in Rhode Island General Laws section 45-22.2-4.

Airport hazard area. Airport hazard area as defined in Rhode Island General Laws section 1-3-2.

Applicant. An owner or authorized agent of the owner submitting an application or appealing an action of any official, board or agency. An authorized agent is someone who is authorized in writing by the owner of record.

Application. The completed form or forms and all accompanying documents, exhibits and fees required of an applicant by an approving authority for development review, approval, or permitting purposes.

Aquifer. An area of permeable deposits of rock or soil, containing significant amounts of potentially recoverable potable water.

Automotive fueling area. An area where fuel for motor vehicles is dispensed. Any combination of the above will require a special-use permit for each use.

Automotive heavy repair garage. A structure for the mechanical repair of motor vehicles over 15,000 pounds. No auto body work. Any combination of the above will require a special-use permit for each use.

Automotive light repair garage. A structure for the mechanical repair of motor vehicles under 15,000 pounds. No auto body work. Any combination of the above will require a special-use permit for each use.

Bed and breakfast. A structure with no more than eight guest rooms available for lodging with or without meals.

Bedroom. The term "bedroom," shall refer to any room in a residential structure which is greater than 100 square feet in area, which is susceptible to present or future use as a private sleeping area and which has at least:

- (1) One window; and
- (2) One interior method of entry and egress, excluding closets and bathrooms, allowing the room to be closed off from the remainder of the residence for privacy.

Note: In determining the number of bedrooms contained in any residence, it shall be presumed that all residences contain a living room, kitchen, bathroom, and at least one bedroom.

Board. The Zoning Board of Review.

Buffer. Land which is maintained in either a natural or landscaped state, and is used to screen and/or mitigate the impacts of development on surrounding areas, properties or rights-of-way.

Building. See Structure.

Building envelope. The three-dimensional space within which a structure is permitted to be built on a lot and is by: building setbacks, maximum height, bulk, or other regulations, and/or any combination thereof.

Building height. The distance from finished grade level to the center distance of the roof rafters. The center of the roof rafter is determined at the half-way distance from the top of the exterior wall to the top of the roof ridge.

Building permit. The permit which is required by law to be issued by the Inspector to authorize any new construction of buildings or alteration of existing structures.

Cardholder. A qualifying patient or a primary caregiver who has registered with the Rhode Island Department of Health or the Department of Business Regulation and has been issued and possesses a valid registry identification card.

Caregiver cultivation. Marijuana cultivation for medical use only by a single registered caregiver cardholder, as defined in RIGL 21-28.6.

Cluster. A subdivision 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.

Common ownership. Either:

- (a) Ownership by one or more individuals or entities in any form of ownership of two or more contiguous lots; or
- (b) Ownership by any association (such ownership may also include a municipality) of one or more lots under specific development techniques.

Community residence. A home or residential facility where children and/or adults reside in a family setting and may or may not receive supervised care. This shall not include halfway houses or substance abuse treatment facilities. This shall include, but not be limited to the following:

- (a) Whenever six or fewer retarded children or adults reside in any type of residence in the community, as licensed by the State pursuant to Rhode Island General Laws section 40.1-24-1.
- (b) A group home providing care or supervision, or both, to not more than eight mentally disabled or mentally handicapped or physically handicapped persons, and licensed by the State pursuant to Rhode Island General Laws section 40.1-24-1.
- (c) A residence for children providing care or supervision, or both, to not more than eight children including those of the care giver and licensed by the State pursuant to Chapter 42-72.1.
- (d) A community transitional residence providing care or assistance, or both, to no more than six unrelated persons or no more than three families not to exceed a total of eight persons requiring temporary financial assistance and/or to persons who are victims of crime, abuse or neglect, and who are expected to reside in such residence not less than 60 days nor more than two years. Residents will have access to and use of all common areas, including eating areas and living rooms, and will receive appropriate social services for the purpose of fostering independence, self-sufficiency, and eventual transition to a permanent living situation.

Comprehensive plan. The comprehensive plan adopted and approved pursuant to Chapter 45-22.2 and to which any zoning adopted pursuant to this act shall be in compliance.

Compassion center. A not-for-profit corporation that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies or dispenses marijuana, and/or related supplies and educational materials, to patient cardholders and/or their registered caregiver cardholder, who have designated it as one of their primary caregivers.

Conservation Development. A type of land development project which allows a community to guide growth to the most appropriate areas within a parcel of land to avoid impacts to the environment and to protect the character-defining features of the property. See Section 6.20

Conventional Subdivision. A residential subdivision in which all land being subdivided is dedicated to either development lots or street right of way. In a conventional subdivision, land may also be dedicated to the Town for a number of purposes, such as recreation, utilities, transportation or public facilities, but not for common open space as provided in Section 4-5 of the Land Development and Subdivision Regulations. A conventional subdivision is not a Conservation Development.

Conventional Yield Plan. A plan of a conventional (as opposed to a Conservation) subdivision or land development project that depicts the maximum number of building lots or dwelling units that could reasonably be built on a parcel of land under current zoning, taking into account the presence of physical constraints to development, such as land unsuitable for development. See North Smithfield Land Development and Subdivision Regulations.

Day care - day care center. Any other day care center which is not a family day care home.

Day care - family day care home. Any home other than the individual's home in which day care, in lieu of parental care or supervision, is offered at the same time to six or less individuals who are not relatives of the care giver, but may not contain more than a total of eight individuals receiving such care.

Density, residential. The number of dwelling units per unit of land.

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.

Development plan review. The process whereby authorized local officials review the site plans, maps and other documentation of a development to determine the compliance with the stated purpose and standards of the ordinance.

Disposal. The deposit, injection, dumping, spilling, leaking, incineration of, or placing of any hazardous material(s) into or on any land or water so that such hazardous material(s) or any constituent thereof may enter the environment or be emitted into the air or discharged into the water, including groundwater, aquifers and recharge zones.

District. See Zoning Use District.

Dormitory. A structure used for housing unrelated individuals in conjunction with an allowed principal use. Usually has common dining, kitchen, and sanitary facilities.

Drainage system. A system of the removal of water from land by drains, grading or other appropriate means. Such techniques may include runoff controls to minimize erosion and sedimentation during and after construction or development, the means for preserving surface and groundwaters and the prevention and/or alleviation of flooding.

Dwelling, single-family. A detached, residential dwelling unit other than a mobile home, designed for and occupied by one household only.

Dwelling, multifamily. A residential building designed for or occupied by three or more households.

Dwelling, two-family. A detached, residential building containing two dwelling units designed for occupancy by not more than two households.

Dwelling unit. A structure or portion thereof providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation and containing a separate means of ingress and egress.

Enlargement. To make or become larger; to increase; to expand. This shall include but is not limited to structures and land uses.

Extractive industry. The extraction of minerals including: solids, such as coal and ores; liquids such as crude petroleum, and gases, such as natural gases. The term also 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.

Facility means all contiguous land, structures and other appurtenances and improvements on land used for any one or more particular purpose.

Family. See Household.

Floodplains, or flood hazard area. As defined in Rhode Island General Laws section 45-22.2-4.

Grade. A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line, or where the lot line is more than six feet from the building, between the building and a point six feet from the building at all exterior walls.

Groundwater. Water beneath the surface of the ground, whether or not flowing through known and definite channels.

Hardship. See Rhode Island General Laws section 45-24-41.

Halfway houses. A residential facility for adults or children who have been institutionalized for criminal conduct and who require a group setting to facilitate the transition to a functional member of society.

Hazardous waste. Any material or combination of materials of a solid, liquid, contained gaseous, or semi-solid form which because of its quantity, concentration or physical, chemical or infectious characteristics may:

- (a) Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or
- (b) Pose a substantial present or potential hazard to human health or the environment.

Historic District, or historic site. As defined in Rhode Island General Laws section 45-22.2-4.

Hotel/Inn. A structure designed for transient occupancy containing rooms or suites with interior hallways providing living, sleeping, and sanitary facilities and other ancillary uses, including but not limited to dining, entertainment and meeting rooms.

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 within the dwelling unit. The term household unit shall be synonymous with the term dwelling unit for determining the number of such units allowed within any structure on any lot in a zoning district. An individual household shall consist of any one of the following:

- (a) A family, which may also include servants and employees living with the family.
- (b) A person or group of unrelated persons of not more than three living together.
- (c) A family and a maximum of three unrelated persons.

Incentive zoning. The process whereby the local authority may grant additional development capacity in exchange for the developer's provision of a public benefit or amenity as specified in local ordinances.

Incinerator. Any enclosed device using controlled flame combustion to treat, destroy or reduce through burning. Neither boilers nor industrial furnaces shall be classified as incinerators.

Infrastructure. Facilities and services needed to sustain residential, commercial, industrial, institutional, and other activities.

Land development project. A project in which one or more lots, tracts, or parcels of land are to be developed or re-developed as a coordinated site for a complex of uses, units, or structures, including but not limited to: planned development and/or cluster development for residential, commercial, institutional, recreational, open space, and/or mixed uses as may be provided for in the Zoning Ordinance.

Land Unsuitable for Development. Land unsuitable for development means land which has environmental constraints or physical constraints to development. The provisions of Section 5.5.3 of this Ordinance shall apply.

Landfill. The disposal and/or burial of over three (3) cubic yards of solid or liquid waste. For further definition, refer to Rules and Regulations for Solid Waste Management Facilities of December 1, 1982, amended February 6, 1991.

Licensed cultivator. Means a person, as identified in RIGL Section 43-3-6, who has been licensed by the department of business regulation to cultivate marijuana pursuant to RIGL section 21-28.6-16.

Loading space, off-street. Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Lot. For purposes of this ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved street and may consist of:

- (a) A single lot of record;
- (b) A combination of complete lots of record, of complete lots of record and portions of lots of record; or of portions of lots of record;
- (c) A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this ordinance.

Lot area. The total area within the boundaries of a lot, excluding any street rights-of-way, usually reported in acres or square feet.

Lot building coverage. That portion of the lot that is or may be covered by buildings and accessory buildings.

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.

Lot frontage. That portion of a lot abutting a street. Compliance of frontage requirements shall be contiguous frontage only.

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:

- (a) *Front.* The lot line separating a lot from a street right-of-way.
- (b) *Rear.* The lot line opposite and most distant from the front lot line, or in the case of triangular or otherwise irregularly shaped lots, an assumed line at least ten (10) feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
- (c) *Side.* Any lot line other than a front or rear lot line.

Lot types. The diagram (Figure 1) illustrates terminology used in this ordinance with reference to corner lots, interior lots, reversed frontage lots and through lots: In the diagram,

- (a) *Corner lot.* A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. See lots marked A(1) in the diagram.

- (b) *Interior lot.* A lot other than a corner lot with only one frontage on a street.
- (c) *Through lot.* A lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot. All through lots shall meet the front setback requirements on both streets.
- (d) *Reversed frontage lot.* A lot on which the frontage is at right angles or approximately right angles (interior angle less than 135 degrees) to the general pattern in the area. A reversed frontage lot may also be a corner lot (A-D in the diagram), or a through lot (C-D).

Lot of record. A lot which is part of a subdivision or division lawfully recorded in the office of the Town Clerk, or a lot or parcel described by metes and bounds, the description of which has been so recorded before September 1, 1973.

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.

Manufactured home means a residential structure, transportable in one or more sections, which is eight (8) body feet or more in width, and thirty two (32) body feet or more in length, built on an integral chassis, and designed to be used as a dwelling when connected to the required utilities. "Manufactured home" includes the plumbing, heating, air conditioning and electrical systems contained therein. A manufactured home does not include travel trailers, camping trailers, truck campers, or motor homes which are primarily designed as temporary living quarters for recreational camping or travel use and would either have their own motor power or mounted or drawn by another vehicle.

Mere inconvenience. See Rhode Island General Laws section 45-24-41.

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

Mobile Home: A mobile home is a prefabricated structure intended as a full time residence that is built in a factory on a permanently attached trailer chassis.

Motel. A structure designed for transient occupancy containing rooms or suites with separate entrances providing living, sleeping, and sanitary facilities; a general kitchen and dining room may be included.

Nonconformance. A building, structure, or parcel of land, or use thereof, lawfully existing at the time of the adoption or amendment of a Zoning Ordinance and not in conformity with the provisions of such ordinance or amendment. Nonconformance shall be of only two types:

- (a) *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.

- (b) *Nonconforming by dimension.* A building, structure or parcel of land not in compliance with the dimensional regulations of the 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 a Zoning Ordinance shall be nonconforming by use, a building or structure containing a permitted number of dwelling units by the use regulations of the Zoning Ordinance, but not meeting the lot area per dwelling unit regulations, shall be nonconforming by dimension.

Nonresidential cooperative cultivation. Two or more cardholders who cooperatively cultivate marijuana in nonresidential locations subject to the restrictions set forth in RIGL 21-28.6-14 and this section of the North Smithfield Zoning Ordinance.

Outdoor advertising. Outdoor activity to make known and to give notice so as to call to the public's attention those things for sale, rent, lease, etc. and for such other promotional matters.

Outdoor advertising business. Those persons who provide outdoor advertising to other businesses.

Overlay district. A district established in a Zoning Ordinance that is superimposed on one or more districts or parts of districts and that imposes specified requirements in addition to but not less than those otherwise applicable for the underlying zone.

Parking space, off-street. For the purposes of this ordinance, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room.

Off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the Town.

Patient cultivation. Marijuana cultivation by a single registered patient cardholder for medical use only, as defined in RIGL 21-28.6.

Performance standards. A set of criteria or limits relating to elements which a particular use or process either must meet or may not exceed.

Permitted use. A use by right which is specifically authorized in a particular zoning district.

Planned development. Land development project as defined herein and developed according to

plan as a single entity and containing one or more structures and/or uses with appurtenant common areas.

Pollutant. A substance which causes or could cause the alteration of the chemical, physical, biological or radiological integrity of the environment.

Principal/primary use. The main purpose for which the lot and/or structure is used.

Professional. An individual engaged in an occupation requiring specialized training or educational achievement for which authentic certificates of acknowledged professionalism are granted.

Recovered resources. The production from wastes of any material or energy which may be used in manufacturing, agricultural or other processes.

Recycling facility. Any plant, structure, equipment and other property, real, personal or mixed, dedicated to the same or reuse of recovered resources in manufacturing, agriculture, power production or other processes. This term shall not include a plant, structure, equipment or other property which reuses on site any materials recovered in the normal course of its business operation.

Recharge area of aquifer. Any area in which precipitation percolates to the water table and flows through subsurface materials to the aquifer.

Residential cooperative cultivation. Two or more cardholders who cooperatively cultivate marijuana in residential locations subject to the restrictions set forth in RIGL 21-28.6-14 and this section of the North Smithfield Zoning Ordinance.

Roadside stand. A structure visible from a street used for display and sale of produce without space for customers within the structure itself.

Seasonal stand. A temporary structure, not to exceed 180 days, visible from a street used for display and sale of produce and dairy products without space for customers within the structure itself.

Setback line or lines. A line or lines parallel to a lot line at the minimum distance of the required setback for the zoning district in which the lot is located that establishes the area within which the principal structure must be erected or placed.

Sign. Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:

- (a) Signs not exceeding one and one-half (1 1/2) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
- (b) Flags and insignia of any government except when displayed in connection with

commercial promotion.

- (c) Legal notices, identification, informational, or directional signs erected or required by governmental bodies.
- (d) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
- (e) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

Sign, on-site. A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

Sign, off-site. A sign other than an on-site sign.

Site plan. The development plan for one or more lots on which is shown the existing and/or the proposed conditions of the lot.

Solid waste shall mean garbage, refuse and other discarded solid materials generated by residential, institutional, commercial, industrial and agricultural sources but does not include solids or dissolved material in domestic sewage or sewage sludge, nor does it include hazardous waste as defined in the Rhode Island Hazardous Waste Management Act, Chapter 23-19.1. For purposes of these rules, solid waste shall also include nonhazardous liquid, semi-solid, and containerized gaseous wastes, subject to any special conditions contained in the Rules and Regulations for Solid Waste Management Facilities.

Special use. A regulated use which is permitted pursuant to a special-use permit issued by the authorized governmental entity, pursuant to Rhode Island General Laws Section 45-24-42 (formerly referred to as a special exception).

Storage facility. Any structure or structures intended for the rental, lease or purchase of storage space by the general public of nonhazardous material.

Street. A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles.

Street, access to. An adequate and permanent way of entering a lot. All lots of record shall have access to a public street for all vehicles normally associated with the uses permitted for that lot and for emergency vehicles.

Street, cul-de-sac. A local street with only one outlet and having an appropriate vehicular turnaround, either temporary or permanent, at the closed end.

Street, improved. A street which has been brought to grade of no greater than ten percent,

graveled, asphalted, contains proper drainage, and is serviced by utilities and has been reviewed and approved by the Public Works Director.

Street line. The right-of-way line of a street.

Street, private. A thoroughfare established as a separate tract for the benefit of certain, adjacent properties and meeting specific, municipal improvement standards. This definition shall not apply to driveways.

Street, public. All public property reserved or dedicated for street traffic.

Street, stub. A portion of a street reserved to provide access to future development.

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. This shall not include trailers, portable storage vans or containers.

Substandard lot of record. Any lot lawfully existing at the time of adoption or amendment of a Zoning Ordinance and not in conformance with the dimensional and/or area provisions of such ordinance.

Tiny House on Wheels: A "tiny house on wheels" is a structure which is a custom-built structure intended as a full time residence that is built on a trailer chassis, bus chassis or truck chassis. It may or may not be registered as a road-worthy vehicle.

Town. The Town of North Smithfield.

Transfer station. A facility where collection vehicles transfer waste to haulage vehicles for transportation to final disposal sites or other waste facilities.

Travel trailer. A vehicle, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight (8) feet.

Use. The purpose or activity for which land or buildings are designed, or intended, or for which land or buildings are occupied or maintained.

Variance. Permission to depart from the literal requirements of a Zoning Ordinance. An authorization for the construction or maintenance of a building or structure, or for the establishment or maintenance of a use of land, which is prohibited by a Zoning Ordinance. There shall be only two categories of variance, a use variance or a dimensional variance.

- (a) *Use variance.* Permission to depart from the use requirements of a Zoning Ordinance where the applicant for the requested variance has shown by evidence upon the record that the subject land or structure cannot yield any beneficial use if it is to conform to the

provisions of the Zoning Ordinance.

- (b) *Dimensional variance.* Permission to depart from the dimensional requirements of a Zoning Ordinance, where the applicant for the requested relief has shown, by evidence upon the record, that there is no other reasonable alternative way to enjoy a legally permitted beneficial use of the subject property unless granted the requested relief from the dimensional regulations. However, the fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief.

Waste storage. For purposes of this ordinance, storage of nonhazardous waste materials generated on the same lot shall not be considered waste storage provided it does not exceed thirty (30) cubic yards.

Waste treatment. Any method, technique or process, including neutralization or incineration, designed to change the physical, chemical or biological character or composition of any hazardous or other waste as to neutralize such waste or so as to render such waste less hazardous, nonhazardous, safer to transport, amenable to storage or reduced in volume except such method or technique as may be included as part of the manufacturing process at the point of generation.

Waters. As defined in Rhode Island General Laws section 46-12-1(b).

Wetland, coastal. As defined in Rhode Island General Laws section 2-1-14.

Wetland, freshwater. As defined in Rhode Island General Laws section 2-1-20.

Yard. A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure. Fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

Yard, front. A yard extending between side lot lines across the front of a lot adjoining a street. (See lot measurements, width).

Yard, side. A yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the lot farthest from the intersection of the lot line involved with the street. In the case of "through lots," side yards shall extend from the rear lines of front yards required. The width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

Yard, rear. A yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards. The depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.

Yard, special. A yard behind any required yard adjacent to a street, required to perform the same functions as a side or rear yard, but adjacent to a lot line so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the Inspector shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon. The diagram (Figure 2) illustrates location and methods of measuring yards on rectangular and nonrectangular lots.

Zoning Board. See Board.

Zoning certificate. A document signed by the Inspector, as required in the Zoning Ordinance, which acknowledges that a use, structure, building or lot either complies with or is legally nonconforming to the provisions of the municipal Zoning Ordinance or is an authorized variance or modification therefrom.

Zoning map. The map or maps which are a part of the Zoning Ordinance and which delineate the boundaries of all mapped zoning districts within the physical boundary of the Town.

Zoning Ordinance. This ordinance.

Zoning districts. The basic unit in zoning, either mapped or unmapped, to which a uniform set of regulations applies, or a uniform set of regulations for a specific use. The districts include, but are not limited to: Flood Plain, Rural Estate-Agricultural, Rural Agricultural, Suburban Residential, Urban Residential, Neighborhood Business, Highway Business, Professional Service, Manufacturing, Aquifer, Limited Commercial, and Local Historic. Each district may include subdistricts. Districts may be combined.