

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Green

Date of Adoption 04-03-18

Index No: 96-18

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

WHEREAS, the City of Middletown has enjoyed the establishment of colleges in the City, and

WHEREAS, a need has arisen for affordable student housing at such colleges.

NOW THEREFORE BE IT RESOLVED AND ORDAINED by the Common Council of the City of Middletown, New York, that the Code of the City of Middletown, Chapter 475: Zoning, be and is hereby amended as follows:

Section 1. Subsection C of Section 475-35, Boarders in residential districts and dwellings; boardinghouses, of the Zoning Code of the City of Middletown is hereby amended by adding a new Paragraph (4) to read as follows:

(4) Notwithstanding any other provision of this Chapter, boardinghouses for college students are uses permitted, subject to Planning Board approval, in all R-1, R-2, OR-2, SR-3A, SR-3B, C-1A, C-3A and DMU zoning districts, provided that:

(a) The college students must be full time students during the entire period of their occupancy at an accredited college or university located in Orange County ("full time students" is defined to mean undergraduate or graduate students who

are taking at least 12 credit hours of classes per semester at such college or university, or 30 credit hours of classes during such college or university's academic year, or full time medical residents at or associated with Orange Regional Medical Center);

(b) There can be no more than three (3) such students in any such boardinghouse;

(c) The only other persons permitted to reside in such boardinghouse are the owner(s) and his/her/their immediate family;

(d) The owner(s) must apply for and receive a boardinghouse permit pursuant to the provisions of Article III of Chapter 296 of the Middletown City Code.

(e) This entire subsection 475-35 (C) (4) of the Zoning Code shall expire on June 1, 2020 unless the time period is extended by action of the Common Council of the City. If the Common Council does not extend the time period, then boardinghouses for such college students will not be permitted in any zone after June 1, 2020.

Section 2. Severability. If any provision of this ordinance or the application of any other provision to any item in this ordinance is held invalid, the invalidity of that provision or application shall not affect any of the other provisions or the application of those provisions to other items in this chapter or ordinance.

Section 3. Effective date. This ordinance shall take effect immediately.