



COVENTRY TOWN COUNCIL - DOCKET

Council President Hillary V. Lima, Presiding

Council Vice President John-Paul A. Verducci, Town Wide

Jonathan J. Pascua
District 1

Alisa M. Capaldi
District 2

James E. LeBlanc
District 3

Scott R. Copley
District 5

Frank M. Brown, Jr.
Town Wide

Tuesday, February 25, 2025 @ 6:00 PM

Meeting of the Town Council will be held **in the Town of Coventry Council Chambers, Coventry Town Hall located at 1670 Flat River Road in Coventry, Rhode Island**, for the purpose of considering the agenda items so stated on this Docket.

Remote participation is also available by using the logon information provided below as posted on the Town's website at www.coventryri.gov and Secretary of State's website at www.sos.ri.gov:

Zoom Webinar – Remote Meeting Participation

You are invited to a Zoom webinar.

When: Feb 25, 2025 06:00 PM Eastern Time (US and Canada)

Topic: Town of Coventry Town Council Meeting - February 25, 2025

Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/86387914378?pwd=tBT7gSd3f8DKXyzBISeqXFadXdbOYY.1>

Passcode:777888

Phone one-tap:

+13092053325,,86387914378#,,,,*777888# US

+13126266799,,86387914378#,,,,*777888# US (Chicago)

Join via audio:

+1 309 205 3325 US +1 312 626 6799 US (Chicago) +1 646 558 8656 US (New York)

+1 646 931 3860 US +1 301 715 8592 US (Washington DC) +1 305 224 1968 US

+1 386 347 5053 US +1 507 473 4847 US +1 564 217 2000 US +1 669 444 9171 US

+1 669 900 9128 US (San Jose) +1 689 278 1000 US +1 719 359 4580 US

+1 253 205 0468 US +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston)

+1 360 209 5623 US

Webinar ID: 863 8791 4378

Passcode: 777888

International numbers available: <https://us02web.zoom.us/j/kdnY9yi7rN>

YouTube Livestream – Viewing ONLY

The meeting will be live streamed on YouTube. Click the link below to view the meeting. You will only be able to watch the proceedings.

<https://www.youtube.com/playlist?list=PLyqD7ZZ7yy3k49iJKceeTHEJ0ICzMMVzV>

Agenda and Docketed Matters before the Council

- **Call to Order** by the Council President or presiding officer of the Council
- Council member attendance taken via **Roll Call** (*No votes taken*)
- **Pledge of Allegiance** (*No votes taken*)
- **Emergency Evacuation Plan** stated for those attending in person (*No votes taken*)

Page

I. MEETING MINUTES FROM PRIOR MEETINGS (VOTE(S) MAY BE TAKEN)

II. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

III. PUBLIC HEARINGS AND PUBLIC COMMENT ON DOCKETED ITEMS ONLY(VOTE(S) MAY BE TAKEN)

This public hearing agenda item is limited to the subject matter of docketed matters only. Public comment may be permitted and will be subject to time limitations. Such hearings and comment may not include the introduction of new matters before the Council as some new matters are not up for immediate consideration.

Written public comment is accepted and may be submitted via email to the Council in care of its clerk, Joanne Amitrano, before the meeting to jamitrano@coventryri.gov no later than 4:30 p.m. on the Monday before the Council meeting. All such written comments will be identified by name, address, date, shall be provided to council members before the meeting and the record shall be so noted. (*Vote will be taken to accept written comment and to place it on record*)

For meetings occurring via a collaboration platform (i.e., Zoom), those members of the public then present in the audience may be allowed to comment by calling in to the meeting at 1-888-788-0099 or by appearing on screen.

Matters for Public Hearing:

IV. LICENSES (VOTE(S) MAY BE TAKEN

V. ELECTION AND/OR APPOINTMENT OF TOWN OFFICIALS (VOTE(S) MAY BE TAKEN)

- A. Town Council Appointments:
- a. Town of Coventry Land Trust (1 opening)
 1. Gerald LePain
 2. Chenoa Cahoone
 - b. Finance Committee appointments (Three)
 1. Councilmember #1
 2. Councilmember #2
 3. Councilmember #3
 - c. Safety Services/Licenses Committee appointments (Three)
 1. Councilmember #1
 2. Councilmember #2
 3. Councilmember #3

VI. REPORT OF THE TOWN MANAGER

(Informational and Votes may be taken on any an all items)

8 - 16

- A. Daniel Parrillo - Town Manager
- Paving schedule for 2025
 - Discussion on job description for Public Works Superintendent
 - Discussion on job description for Deputy Finance Director
 - Discussion of February Snow storm and DPW operations status
- [022125 2025-2026 List of Roads to be Paved](#)
[Job Description for Public Works Superintendent](#)
[Job description Deputy Finance Director](#)

VII. REPORT OF OTHER TOWN OFFICERS AND OFFICIALS

(Informational and Votes may be taken on any and all items)

- A. Robert Civetti - Finance Director
- Presentation by CliftonLarsonAllen "CLA" on FY23 Audit
- B. Stephen J. Angell, Esq. - Solicitor
- Dam #176 – presentation w/ Fuss and O'Neill engineers their ongoing work re assessment, findings, plan, project scope leading to dam repair; discussion among experts and council members re presentation; discuss sources of funding including general, local bond issue
 - Dam Operations Permit for Dam#167 Flat River Reservoir – status and discussion
 - Comments on the process leading to the introduction of zoning code ordinances that are being introduced under New Business for first reading

- Tax stabilization legislation for Coventry; state and local
- Zoning code amendments proposed by ordinance for a first reading on this agenda
- Ordinances re Zone Changes in general; prospective zone change ordinance re AP 7, Ls 23& 24 re proposed “Coventry Centre” project
- CRDA – GZA proposal concerning the redevelopment plan and the purpose of a joint Town Council/ CRDA meeting; status of both and discussion
- Presentation and discussion concerning:

» The Council having “Joint Meetings” with other municipal boards/ commissions/ bodies/ departments of Town Government

» Council Agenda/Docket section entitled, “**Public Comment on DOCKETED ITEMS; and Public Hearings**” and similar sections recommended for certain town boards & commissions such as planning, zoning and CRDA.

» Resolutions re: (1) Traffic Control Devices; and (2) urging the Rhode Island General Assembly to enact legislation enhancing school districts/departments accountability to city and town councils for management of their fiscal matters

- C. Scott Sevegny - Parks & Recreation Director
- Presentation on playgrounds in Coventry

VIII. **RESOLUTIONS OF THE COUNCIL (VOTE(S) MAY BE TAKEN)**

- | | |
|---------|---|
| 17 - 19 | A. Resolution 2025-08 - to approve the allocation of \$35,000 in ARPA funds for the invasive weed management and intervention in the Flat River Reservoir Copy of 2025-08 Data Resolution 2025-08 - allocation of ARPA FUNDS for invasive weeds in Flat River Reservoir |
| 20 - 33 | B. Resolution 2025-15 - to approve a purchase of a Ford F350 Pickup Truck with Plow & Sander Resolution 2025-15 - DPW 2025 Ford F-350 Pickup |
| 34 | C. Resolution 2025-16- to approve the allocation of School Impact Fees in the amount of \$8,490 for Alan Shawn Feinstein Middle School "ASFMS" to replace 2 Armstrong pumps Resolution 2025-16 - use of school impact fees for 2 pumps at ASFMS (002) |
| 35 - 36 | D. Resolution 2025-17 - to support House Bill H5193 - relating to Health and Safety - Office of State Fire Marshal - registrants of electric and hybrid motor vehicles can request stickers to affix to enclosures housing such vehicles to promote first responders' safety in relation to |

electrical fires

[Resolution 2025-17 - to support House bill for stickers on electric vehicles](#)

37 - 38 E. Resolution 2025-18 - re Traffic Control Devices; stop signs in particular
[Resolution 2025-18 - re Traffic Control Devices](#)

39 - 41 F. Resolution 2025-19 - re urging the Rhode Island General Assembly to enact legislation enhancing school districts/departments accountability to city and town councils for management of their fiscal matters
[Resolution 2025-19 - Re School District Fiscal Accountabilty Act](#)

IX. ORDINANCES (VOTE(S) MAY BE TAKEN)

X. COUNCIL PRESIDENT COMMUNICATIONS

XI. COUNCIL MEMBER COMMUNICATIONS

- A. Councilmember Alisa Capaldi discussion
- Communication and updates for residents from the town
 - Town plowing operations and equipment

XII. COUNCIL BUSINESS MATTERS CARRIED OVER (VOTE(S) MAY BE TAKEN)

XIII. PUBLIC COMMENT FOR UN-DOCKETED ITEMS

XIV. INTRODUCTION OF NEW MATTERS BEFORE THE COUNCIL (VOTE(S) MAY BE TAKEN)

42 - 44 A. First Reading of Ordinance No. 2025-01 - Amendment to the Town of Coventry Code of Ordinances, Part I - Administrative Legislation, Chapter 18 - Comprehensive Plan
[ORD 2025-01 re Comp Plan v.SJA](#)

45 - 47 B. First Reading of Ordinance No. 2025-02 - Amendment to the Town of Coventry Code of Ordinances, 2008 Part I - Administrative Legislation, Chapter 15, Article IV - Planning Commission
[ORD 2025-02 re Commissions v.SJA](#)

48 - 50 C. First Reading of Ordinance No. 2025-03 - Amendment to the Town of Coventry Code of Ordinances, 2008 Part II - General Legislation, Chapter 255, Article XVIII - Adoption and Amendment
[ORD 2025-03 re ZO Adoption v.SJA](#)

51 - 54 D. First Reading of Ordinance No. 2025-04 - Amendment to the Town of

Coventry Code of Ordinances, 2008 Part II - General Legislation,
Chapter 255, Article VIII - Nonconforming Development
[ORD 2025-04 re NonConforming Lots v.SJA](#)

- 55 - 58 E. First Reading of Ordinance No. 2025-05 - Amendment to the Town of Coventry Code of Ordinances, 2008 Part II - General Legislation, Chapter 255, Article III - Administration and Enforcement
[ORD 2025-05 re Vesting Modification v.SJA](#)
- 59 - 61 F. First Reading of Ordinance No. 2025-06 - Amendment to the Town of Coventry Code of Ordinances, 2008 Part II - General Legislation, Chapter 255, Article V - Zoning Districts and Zoning District Map
[ORD 2025-06 re Zoning Distr. Zoning Distr. Map v.SJA](#)
- 62 - 67 G. First Reading of Ordinance No. 2025-07 - Amendment to the Town of Coventry Code of Ordinances, 2008 Part II - General Legislation, Chapter 255, Article XI - Residential Mobil Home Districts (RMD)
[ORD 2025-07 re Mobile Home Districts v.SJA](#)
- 68 - 70 H. First Reading of Ordinance No. 2025-08 - Amendment to the Town of Coventry Code of Ordinances, 2008 Part II - General Legislation, Chapter 255, Article XIV - Land Development Projects
[ORD 2025-08 re Land Development Projects v.SJA \(002\)](#)
- 71 - 86 I. First Reading of Ordinance No. 2025-09 - Amendment to the Town of Coventry Code of Ordinances, 2008 Part II - General Legislation, Chapter 255, Article IV - Zoning Board of Review
[ORD 2025-09 re ZBR v.SJA](#)
- 87 - 109 J. First Reading of Ordinance No. 2025-10 - Amendment to the Town of Coventry Code of Ordinances, 2008 Part II - General Legislation, Chapter 255, Article VI -Zoning District Use and Dimensional Regulations
[ORD 2025-10 re Table of Uses v.SJA](#)
[10a. Attachment to 10-Table 6.1 Schedule of District Use Regulations](#)
- 110 - 127 K. First Reading of Ordinance No. 2025-11 - Amendment to the Town of Coventry Code of Ordinances, 2008 Part II - General Legislation, Chapter 255, Article II - Definitions
[ORD 2025-11 re Definitions v.SJA](#)
- 128 - 140 L. First Reading of Ordinance No. 2025-12 - Amendment to the Town of Coventry Code of Ordinances, 2008 Part II - General Legislation, Chapter 255, Article IX - Supplementary Regulations
[ORD 2025-12 re Supplementary Regulations v.SJA](#)

XV. EXECUTIVE OR CLOSED SESSION ITEMS

Vote to be taken to go into Executive Session.

Vote to be taken to Come out of Executive Session.

Any votes taken in Executive Session to be reported out in public session.

Vote to be taken to seal the minutes of Executive Session.

- A. Executive or closed session pursuant to R.I. Gen. Laws § 42-46-5(a)(2)

for litigation matters re: Nicholas E. Cambio, Trustee et al. v. Commerce Park Realty, LLC (PM No. 13-0350); and Mathew J. McGowan, as receiver for Commerce Park Realty, LLC et al. v. Commerce Park Management, LLC (PB No. 13-5001)

- B. Executive or closed session pursuant to R.I. Gen. Laws § 42-46-5(a)(2) for litigation matters re: Town of Coventry NOV Dam #176 and OCI-DAMS-20-17 (AAD#20-001/DE)
- C. Executive or closed session pursuant to R.I. Gen. Laws § 42-46-5(a)(2) for litigation matters re: Soscia Holdings, LLC v. Town of Coventry (KC-2020-0769); Town of Coventry v. Soscia Holdings, LLC (KC-2024-0219); and Terrance Gray, in his Capacity as Director, Rhode Island Department of Environmental Management v. Town of Coventry (KC-2024-0408)
- D. Executive or closed session pursuant to R.I. Gen. Laws § 42-46-5(a)(2) for litigation matters re: Discussion of prospective litigation to be initiated against the Town

ADJOURNMENT (VOTE WILL BE TAKEN)

The Town Council's next regular monthly meeting will be held on March 11, 2025.

Joanne Amitrano, Town Clerk

Agenda posted February 21, 2025

2025/2026

Tentative List of Streets to be Paved by District

| <u>District</u> | <u>Street</u> | <u>PCI</u> | <u>Cost</u> |
|-----------------|---|-------------------|-------------------|
| 1. | Whitman Street | 39 | \$ 72,800 |
| | Twin Brook Lane (Fish Hill Side) | 20 | \$ 135,712 |
| | Total | | \$ 208,512 |
| 2. | Colvintown Road (Meadowbrook to Hope Furnace) | 31 | \$ 161,258 |
| | Rathbun Street | 27 | \$ 33,366 |
| | Williams Street | 29 | \$ 4,452 |
| | Total | | \$ 199,076 |
| 3. | Gervais Street | 23 | \$ 96,247 |
| | Clark Road (Rt.116 to Red Oak) | 41 | \$ 55,387 |
| | White Pine Rod (Crabapple to Clark) | 21 | \$ 14,073 |
| | Woodside Avenue (Fairview to T/L) | 36 | \$ 15,671 |
| | Notre Dame Street | 20 | \$ 18,164 |
| Total | | \$ 199,542 | |

2025/2026 (cont.)

Tentative List of Streets to be Paved by District

| <u>District</u> | <u>Street</u> | <u>PCI</u> | <u>Cost</u> |
|--------------------|---------------------------------|--------------|-------------|
| 4. | Mapledale Avenue | | \$ 54,858 |
| | Albro Lane | | \$ 19,578 |
| | Williams Street | 31 | \$ 39,203 |
| | Prospect Street | 29 | \$ 39,017 |
| | Dell Street | 36 | \$ 11,566 |
| | Wildwood Street | 38 | \$ 13,663 |
| | Potter Street | 38 | \$ 25,389 |
| | | Total | |
| 5. | Eastgate Drive | 27 | \$ 44,655 |
| | Helen Avenue | 38 | \$ 97,054 |
| | Noella Drive (Linwood to Joyce) | 23 | \$ 51,673 |
| | Deborah Avenue | 39 | \$ 20,478 |
| | | Total | |
| District #1 | \$ 208,512 | | |
| District #2 | \$ 199,076 | | |
| District #3 | \$ 199,542 | | |
| District #4 | \$ 203,274 | | |
| District #5 | \$ 213,860 | | |
| TOTAL | \$ 1,024,264 | | |

Job Title: Public Works Superintendent

Department: Department of Public Works

Union Status: Administration, Non-Union

FLSA: Exempt

Supervision Received: Public Works Director and Town Manager

Supervision Exercised: Public Works employees and Foremen of Roads & Bridges Division, Sanitation Division Foreman and all Sanitation employees, Facilities Maintenance Division Foreman, maintenance workers and custodians, and Vehicle Maintenance Lead Mechanic and Division mechanics.

General Statement of Duties:

This is a supervisory and skilled work position, including the responsibility of organizing, assigning and reviewing the work of the Roads & Bridges Division, Facilities Maintenance Division, Vehicle Maintenance Division and the Sanitation Division. This position exercises supervision of the various Foremen, Lead Operator, and Lead Mechanic to perform the tasks assigned to them and their work force by the administration.

Independent judgement and discretion will be utilized in the performance of these duties. This employee is responsible for supervising and participating in the maintenance of the roadway infrastructure; pavement structures, storm drainage, vegetation control, street sweeping, catch basin cleaning and snow plowing. This work requires an extensive presence in the field working with the Public Works employees and the public as a whole. This is a working Superintendent position which actively participates in the day's activities. This position requires considerable technical knowledge gained on the job and exercises independent judgement in performing the field operations in accordance to department policy and standard procedures and practices. Assignments are received from the Director of Public Works in the form of oral and written work orders, indicating the nature of the work, location of the work and the procedure to accomplish the

project. The Superintendent will decide the work of the day along with the crew personnel to be assigned along with the equipment and materials needed for completion along with the Foremen of that Division. Work is subject to review in progress and upon completion along with a report provided on the project. The Superintendent is involved in counselling employees and will consult with the Director if discipline is to be administered.

Illustrative examples of work to be performed:

- General supervision of the daily work of all personnel and foremen engaged in a variety of tasks including; asphalt patching/paving, storm drainage repairs, vegetation control, street sweeping, catch basin cleaning, road grading, concrete work and snow removal operations.
- Along with the Foremen, organizes, assigns and inspects on-going projects
- Participates in the maintenance of paved and gravel roadways, storm drainage systems, other infrastructure facilities and snow and ice control as required.
- Investigates resident complaints as assigned, responds and /or assigns personnel to emergencies; trees down, flooding, icing, etc.
- Check and review the progress of outside vendors and contractors
- Performs any tasks required during snow events/emergencies; plowing, salting, etc.
- Keep records of daily activities for the department and report to the Director
- Advises the Director of Public Works in the development of proposed budget estimates
- Performs as Acting Department Head in the absence of the Director of public Works
- Acts as a DPW liaison for the Town's Emergency Management Committee
- Performs related work as required and assigned

Required Minimum Qualifications:

Knowledge, Skills and Abilities:

- Thorough knowledge of the means, methods and practices of Public Works functions for road construction and maintenance and storm drainage systems
- Familiarity with proper equipment, tools and materials of Public Works
- Knowledge of occupational hazards and safety precautions and measures in Public Works operations
- Ability to assign, supervise and review the work of personnel engaged in a variety of road maintenance, vehicular maintenance, facilities maintenance, safety-training-related activities and sanitation.
- Willing to establish effective working relationships with associates, subordinates and the public in various settings
- Ability to exercise discretion and independent judgement
- Ability to maintain work records and reports on all activities

Physical and Mental Requirements:

Employee works in a moderately noisy setting, and is exposed to outdoor weather conditions up to 2/3rd of the time and in an office setting 1/3 of the time. Employee is required to reach with hands and arms up to 2/3rd of the time and to stand, walk site, talk or listen/hear, use hands or climb or balance more than 2/3rd of the time. Employee occasionally lifts up to 40 lbs., and seldom lifts up to or more than 100 lbs. Normal vision is required for the position. Equipment operated includes pickup trucks, CDL trucks, heavy equipment, office machines and computers. Must be able to perform heavy manual labor for a reasonable length of time and under adverse conditions.

Minimum education and experience:

- High school graduate with diploma or GED
- Supplemental courses in civil construction
- At least 10 years' experience in construction work, either private or municipal work
- At least 5 years supervisory experience in Public Works/Construction
- Considerable experience in road construction and road maintenance including the operation of road construction equipment
- General knowledge of vehicular maintenance, sanitation, safety, training and related activities
- Training in ICS 100 and 200 and a minimum OSHA 30 course
- Knowledge of typing, computer use and office machine experience

Special Requirements:

- Possession of a minimum of a valid Rhode Island CDL Class B Motor Operators License
- Possession of a Rhode Island Hoisting Engineers license

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|-----------------------|--|-------------------------------|------------------------------|
| Job Title: | Deputy Finance Director – Senior Accountant | | |
| Department: | Finance | Union Status: | Non-union |
| FLSA | Exempt | Supervision Received: | Finance Director |
| Last Revision: | 02/2025 | Supervision Exercised: | Supervises the Finance staff |

Position Summary

Deputy Finance Director performs a variety of tasks in the Finance Department pertaining to all aspects of accounting, auditing, budgeting, preparing and implementing procedures, reports, research and analysis and carrying out the policies and directives issued by the Finance Director. The position provides complex supervisory, administrative and professional management of financial and accounting responsibilities. These responsibilities include but are not limited to the provision of services and operations associated with planning, organizing, directing and management of Town finances and associated functions. In coordination with the Finance Director, this position will oversee the coordination, development and implementation of budgets, audits, reports, debt schedules and administration, capital asset management, procurement, leases, contracts, cash management, grant management and fund accounting. Serves as Acting Finance Director in the absence of the Finance Director.

Essential Job Functions

Upholds and ensures implementation of Department policies and procedures to accomplish all Town financial services and operations.

Provides supervision and managerial support for all areas of the Finance Department, as delegated or assigned by the Finance Director; including but not limited to purchasing, accounts payable, accounts receivable, payroll, cash management, risk management and grant management.

Performs technical accounting duties in the areas of maintaining Town fund ledgers, maintaining receivable and liability balances and reconciling departmental records with ledgers maintained by the Finance office.

Reviews and analyzes revenue and expenditure transactions for proper account classification.

Oversees the Town’s fixed asset additions and disposals.

Coordinates the annual audit, preparation of required schedules and tables; reviews audit report and management comments and provides explanations and recommendations.

Assists in the preparation of the Town's budget, performs analysis of multiple funds for annual budgeting process and assists in the development of the final budget document.

Assists in the Town's debt management including coordination of the Official Statement as well as the assessment and projection of borrowing needs.

Prepares and provides budget reports to other Town department directors, designated staff, the Finance Director and the public as requested.

Continues required training and professional development; keeps current with financial tools, systems, practices and trends.

Learns and becomes familiar with the routine tasks of all department functions to provide adequate supervision, support and back-up coverage as necessary to perform the tasks required of the Department to serve the public.

KNOWLEDGE, SKILLS AND ABILITIES

Advanced knowledge of the principles and practices of fund accounting, budgeting, purchasing, auditing, and bookkeeping.

Working knowledge of public administration principles and practices pertaining to municipal finance and management of local government financial operations.

Knowledge of computer systems, financial platforms, office tools, technology to perform department functions.

Strong verbal and written communication skills; communicating accurate information and questions in a timely manner.

Strong skills in performing complex calculations, accounting, arithmetic, statistical analysis, financial projections, data compilation, organization and analysis.

Skill in providing positive customer service experience.

Ability to learn, develop, utilize and adapt financial software, programs, platforms and applications to meet the needs of department and Town financial operations.

Ability to prepare accurate spreadsheets and reports for the department; ability to implement office administration operations with and without oversight.

Ability to perform all department functions in the areas of financial management.

Ability to learn, solve problems, think critically, make decisions, exercise discretion, communicate, coordinate and produce accurate reports.

Ability to focus on work in an environment that is at times filled with loud noises and distractions.

Ability to set and achieve goals, plan ahead and ask for help when needed.

Ability to work independently and cooperatively with others

Ability to organize and supervise the work of subordinates engaged in performing fiscal - and clerical duties for the need of a department or division.

Ability to accept and perform a variety of tasks unsupervised, as needed.

Minimum Qualifications

EDUCATION, TRAINING OR EQUIVALENT EXPERIENCE

Bachelors’ degree in Accounting, Business Management, Public Administration or related field, related coursework or training, at least three years of fund accounting, bookkeeping, and related administrative experience.

Experience in developing or working with municipal operating budgets, capital budgets, purchasing, project management, and grant administration.

Experience supervising employees for high performance, accountability and achieving goals and objectives.

Any equivalent combination of education, training and work experience to meet the requirements listed herein.

Job Environment

Technical and administrative work is performed in a moderately noisy office environment, with regular interruptions during the day from town staff, by phone, email or in-person communications. Work space is in an open office and involves frequent and periodic interaction with other employees, directors, vendors, or government officials. Communication is frequently in-person, by telephone, email and in writing.

My signature below acknowledges that I have read and understand the job description as described herein. I understand that this job description is not all-inclusive.

Signature

Date

| Questions | Flat River Reservoir AKA Johnson's Pond | Tiogoue Lake Association | UDP | MDP |
|-----------------------------------|--|--|--|--|
| Association Information | Johnson's Pond Civic Association P.O. Box 123 - Coventry, RI 02816 350 Members +/- Over 700 Lakefront Properties | 501C 97 members 21 Beach Street Coventry | 501(3)(c) 2020 58 Members 32 lakefront properties 27 Breezy Lake Dr Coventry, RI 02816 | - 501(3)(c) 2022 - 10 Members - 18 lakefront properties including a lot in Coventry Land Trust - 20 Regent Street Coventry, RI 02816 |
| Lake Size | 659 Acres | 225 acres | 24 acres | 7 acres |
| Treatment Description | contact herbicides, diquat and flumioxazin | Diquat, flumioxazin, glyphosate | Clipper or Diquat Contact and submerged | Sonar Genesis liquid (fluridone) is used to treat excessive waterlilies, filamentous algae, and variable milfoil. |
| # of acres treated | 37 Acres | 10 acres | 24 acres | 7 acres |
| # of acres that should be treated | 200 + Limited to available funding | 20 acres/ would be \$12,000 | 24 acres | 7 acres |
| AIS varieties being treated | Variable Milfoil & Fanwort | fanwort, milfoil, bushy pondweed | Variable milfoil, algae (not cyanobacteria), native and invasive lily, water willow | Waterlilies, filamentous algae, and variable milfoil. |
| Cost of treatment | \$16,650.00 +/- | \$5,000 | \$8,925 | \$6,650 |
| Frequency of treatment | Annually (1 treatment per year taking place mid to late June | Annually, 2 treatment dates | Annually, with 3 treatment dates per year | Annually, with 3 treatment dates per year |
| Sources of funding for treatment | Senate Grant \$5,000.00 as well as private resident contributions | Senate \$3,000, House \$1,500. Member dues and fundraising | Senate: \$2,000, House: \$1,500. Member dues and Fundraising. | Member Dues and fundraising |

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THE TOWN OF COVENTRY

RESOLUTION OF THE TOWN COUNCIL

“Approve the one-time allocation of \$35,000 of ARPA Funds for invasive weed management and intervention in the Flat River Reservoir, \$8,925 for Upper Dam Pond, \$6,650 for Middle Dam Pond, and \$5,000 for Tiogue Lake”

Resolution No. 2025-08

Passed:

Hillary V. Lima, Council President

WHEREAS, the Town of Coventry recognizes the importance of Flat River Reservoir’s fragile environment, economic impact, and recreational value to the community; and

WHEREAS, the Town of Coventry in June 2024 was granted eminent domain by court order obtaining ownership of the Flat River Reservoir for public use and benefit; and

WHEREAS, the Town of Coventry is committed to developing meaningful public access to the Reservoir to facilitate activities including, but not limited to, fishing, boating, water skiing, wakeboarding, jet skiing, swimming, and other recreational pursuits; and

WHEREAS, the Town of Coventry is dedicated to the ongoing maintenance of the Reservoir, including measures for invasive weed abatement to protect its water and recreational usability; and

WHEREAS, the Town of Coventry acknowledges that the Reservoir has experienced lower than normal water levels over the last 4 years, as well as a lack of invasive weed treatments due to the actions of the previous owner, Soscia Holdings, during the preceding 2 years; and

WHEREAS, the Town of Coventry recognizes the invasive weed situation in Flat River Reservoir is significantly worse than in recent history due to the lack of maintenance during the aforementioned period; and

WHEREAS, the Town’s other three public bodies of water also have a fragile environment that requires annual treatment, have economic impact, and provide recreational value to our community.

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NOW, THEREFORE BE IT RESOLVED THAT, the Honorable Town Council:

Allocates \$35,000 of American Rescue Plan Act (ARPA) funding for herbicide prevention to treat invasive weeds in the Flat River Reservoir for the 2025 season, \$8,925 for Upper Dam Pond, \$6,650 for Middle Dam Pond, and \$5,000 for Tiogue Lake for a total of \$55,575.

Sponsored by Councilman Jonathan Pascua
Co-Sponsored by Councilman Frank Brown

PASSED AND ADOPTED THIS 25th DAY OF FEBRUARY 2025

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THE TOWN OF COVENTRY

RESOLUTION OF THE TOWN COUNCIL

"Resolution for the purchase of a Ford F350 Pickup Truck with Plow & Sander"

Resolution No. 2025-15

Passed:

Hillary V. Lima, Council President

WHEREAS, the Town of Coventry Department of Public Works requests the approval to purchase a 2025 Ford F-350 4X4 Pickup Truck with a 9' steel plow and 2.5cy Poly-caster sander to augment the fleet in order to provide year-round departmental services to our residents.

WHEREAS, the specifications were developed utilizing pricing from the Sourcewell Cooperative Purchasing for the Ford F-350 Pickup, 9' steel snow plow and 2.5cy Poly-caster sander. The 2025 Ford F-350 4x4 Pickup Truck will be purchased from National Auto Fleet Group 490 Auto Center Drive Watsonville, CA 95076 in the amount of\$ 54,865.68. The 9' steel plow and 2.5cy Poly-caster sander will be purchased from De-Jana Truck and Utility Equipment Company 490 Pulaski Road Kings Park, NY 11754 in the amount of\$ 14,790.00 a total package price of \$69,655.68.

NOW, THEREFORE BE IT RESOLVED THAT, the Honorable Town Council hereby authorizes the Town Manager to purchase the 2025 Ford F-350 Pickup Truck and 9' steel plow and 2.5cy Poly-caster sander through Sourcewell Cooperative Purchasing with funding from the Fair Share Development Fees.

PASSED AND ADOPTED THIS 25TH DAY OF FEBRUARY 2025



National Auto Fleet Group

A Division of Chevrolet of Watsonville
 490 Auto Center Drive, Watsonville, CA 95076
 (855) 289-6572 • (831) 480-8487
 fleet@NationalAutoFleetGroup.com

1/31/2025

Quote ID: **38749**

Order Cut Off Date: **TBA**

Kevin McGee
 Town of Coventry
 Public Works

1670 Flat River Road
 Department Public Works
 Coventry, Rhode Island, 02816

Dear Kevin McGee,

National Auto Fleet Group is pleased to quote the following vehicle(s) for your consideration.

One (1) New/Unused (2025 Ford Super Duty F-350 SRW (X3B) XL 4WD SuperCab 8' Box 164" WB,) and delivered to your specified location, each for

| | One Unit (MSRP) | One Unit | Total% Savings | Total Savings |
|----------------|-----------------|-------------|----------------|---------------|
| Contract Price | \$57,000.00 | \$54,865.68 | 3.744 % | \$2,134.32 |
| Tax (0.0000 %) | | \$0.00 | | |
| Tire fee | | \$0.00 | | |
| Total | | \$54,865.68 | | |

- per the attached specifications.

This vehicle(s) is available under the **Sourcewell Contract 091521-NAF** . Please reference this Contract number on all purchase orders to National Auto Fleet Group. Payment terms are Net 20 days after receipt of vehicle.

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,

Jesse Cooper
 Account Manager
 Email: Fleet@NationalAutoFleetGroup.com
 Office: (855) 289-6572
 Fax: (831) 480-8497

CHEVROLET



GMC.

Purchase Order Instructions & Resources

In order to finalize your purchase please submit this purchase packet to your governing body for a purchase order approval and submit your purchase order in the following way:

Email: Fleet@NationalAutoFleetGroup-.com

Fax: (831)480-8497

Mail: National Auto Fleet Group

490 Auto Center Drive

Watsonville, CA 95076

We will send a courtesy confirmation for your order and a W-9 if needed.

Additional Resources

Learn how to track your vehicle: www.NAFGETA.com

Use the upfitter of your choice: www.NAFGP-artner.com

Vehicle Status: ETA@NationalAutoFleetGroup-.com

General Inquiries: Fleet@NationalAutoFleetGroup-.com

For general questions or assistance please contact our main office at:

1-855-289-6572

Vehicle Configuration Options

| ENGINE | |
|-----------------------------|---|
| Code | Description |
| 99A | Engine: 6.8L 2V DEVCT NA PFI V8 Gas, (STD) |
| TRANSMISSION | |
| Code | Description |
| 44F | Transmission: TorqShift-G 10-Speed Automatic, (STD) |
| WHEELS | |
| Code | Description |
| 64A | Wheels: 17" Argent Painted Steel, (STD) |
| TIRES | |
| Code | Description |
| TBM | Tires: LT245/75Rx17E BSW A/T (4), -inc: Spare may not be the same as road tire |
| PRIMARY PAINT | |
| Code | Description |
| 21 | Oxford White |
| SEAT TYPE | |
| Code | Description |
| AS | Medium Dark Slate, HD Vinyl 40/20/40 Split Bench Seat, -inc: center armrest, cupholder, storage and driver's side manual lumbar |
| AXLE RATIO | |
| Code | Description |
| X37 | 3.73 Axle Ratio, (STD) |
| ADDITIONAL EQUIPMENT | |
| Code | Description |
| 96D | XL Driver Assist Package |
| 47B | Snow Plow/Camper Package, -inc: computer selected springs for snowplow application and slide-in camper certification, Note 1: Salesperson's source book or Ford RV trailer towing guide should be consulted for specific trailer towing or camper limits and corresponding required equipment, axle ratios and model availability, Restrictions apply; see Supplemental Reference or Body Builders Layout Book for details, Expect firmer ride when vehicle is not equipped w/snowplow and/or camper, Note 2: May result in deterioration of ride quality when vehicle is not equipped w/snowplow and/or camper, Note |

| | |
|-----------------------|---|
| | 3: Dual battery (86M) recommended w/6.BL or 7.3L gasoline engines; see Body Builders Layout Book for details, Rear Stabilizer Bar & Auxiliary Springs |
| 67E | 250 Amp Alternator (Gas) |
| 528 | Trailer Brake Controller, -inc: smart trailer tow connector |
| 85L | Drop-In Bedliner (Pre-Installed) |
| 188 | Platform Running Boards |
| 61N | Front & Rear Wheel Well Liners (Pre-Installed) |
| 85G | Tailgate Step & Handle |
| OPTION PACKAGE | |
| Code | Description |
| 610A | Order Code 610A |

2025 Fleet/Non-Retail Ford Super Duty F-350 SRW XL 4WD SuperCab 8' Box 164" WB

WINDOW STICKER

2025 Ford Super Duty F-350 SRW XL 4WD SuperCab 8' Box 164" WB

| CODE | MODEL | MSRP |
|----------------|---|-------------|
| X3B | 2025 Ford Super Duty F-350 SRW XL 4WD SuperCab 8' Box 164" WB | \$51,925.00 |
| OPTIONS | | |
| 99A | Engine: 6.8L 2V DEVCT NA PFI V8 Gas, (STD) | \$0.00 |
| 44F | Transmission: TorqShift-G 10-Speed Automatic, (STD) | \$0.00 |
| 64A | Wheels: 17" Argent Painted Steel, (STD) | \$0.00 |
| TBM | Tires: LT245/75R17E BSW A/T (4), -inc: Spare may not be the same as road tire | \$165.00 |
| 21 | Oxford White | \$0.00 |
| AS | Medium Dark Slate, HD Vinyl 40/20/40 Split Bench Seat, -inc: center armrest, cupholder, storage and driver's side manual lumbar | \$0.00 |
| X37 | 3.73 Axle Ratio, (STD) | \$0.00 |
| 96D | XL Driver Assist Package | \$730.00 |
| 47B | Snow Plow/Camper Package, -inc: computer selected springs for snowplow application and slide-in camper certification, Note 1: Salesperson's source book or Ford RV trailer towing guide should be consulted for specific trailer towing or camper limits and corresponding required equipment, axle ratios and model availability, Restrictions apply; see Supplemental Reference or Body Builders Layout Book for details, Expect firmer ride when vehicle is not equipped w/snowplow and/or camper, Note 2: May result in deterioration of ride quality when vehicle is not equipped w/snowplow and/or camper, Note 3: Dual battery (86M) recommended w/6.8L or 7.3L gasoline engines; see Body Builders Layout Book for details, Rear Stabilizer Bar & Auxiliary Springs | \$305.00 |
| 67E | 250 Amp Alternator (Gas) | \$85.00 |
| 52B | Trailer Brake Controller, -inc: smart trailer tow connector | \$300.00 |
| 85L | Drop-In Bedliner (Pre-Installed) | \$350.00 |
| 18B | Platform Running Boards | \$445.00 |
| 61N | Front & Rear Wheel Well Liners (Pre-Installed) | \$325.00 |
| 85G | Tailgate Step & Handle | \$375.00 |
| 610A | Order Code 610A | \$0.00 |

Please note selected options override standard equipment

| | |
|---------------------------------|--------------------|
| SUBTOTAL | \$55,005.00 |
| Advert/ Adjustments | \$0.00 |
| Manufacturer Destination Charge | \$1,995.00 |
| TOTAL PRICE | \$57,000.00 |

Est City: N/A MPG
Est Highway: N/A MPG
Est Highway Cruising Range: N/A mi

Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

Notes

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Standard Equipment

MECHANICAL

| |
|---|
| Engine: 6.8L 2V DEVCT NA PFI V8 Gas (STD) |
| Transmission: TorqShift-G 10-Speed Automatic -inc: SelectShift and selectable drive modes: normal, eco, slippery roads, tow/haul and off-road (STD) |
| 3.73 Axle Ratio (STD) |

EXTERIOR

| |
|--|
| |
| Tires: LT245/75Rx17E BSW A/S (4)-inc: Spare may not be the same as road tire (STD) |

ADDITIONAL EQUIPMENT

| |
|--|
| 50-State Emissions System |
| Transmission w/Oil Cooler |
| Electronic Transfer Case |
| Part-Time Four-Wheel Drive |
| 68-Amp/Hr 750CCA Maintenance-Free Battery w/Run Down Protection |
| 160 Amp Alternator |
| Class V Towing Equipment -inc: Hitch and Trailer Sway Control |
| Trailer Wiring Harness |
| 4130# Maximum Payload |
| GVWR: 10,800 lb Payload Package |
| HD Shock Absorbers |
| Front Anti-Roll Bar |
| Firm Suspension |
| Hydraulic Power-Assist Steering |
| 34 Gal. Fuel Tank |
| Single Stainless Steel Exhaust |
| Auto Locking Hubs |
| Front Suspension w/Coil Springs |
| Solid Axle Rear Suspension w/Leaf Springs |
| 4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs, Brake Assist and Hill Hold Control |
| Regular Box Style |
| Steel Spare Wheel |
| Full-Size Spare Tire Stored Underbody w/Crankdown |
| Clearcoat Paint |
| Black Front Bumper w/Black Rub Strip/Fascia Accent and 2 Tow Hooks |

| |
|---|
| Black Rear Step Bumper |
| Black'side Windows Trim and Black Front Windshield Trim |
| Black Door Handles |
| Black Power Heated Side Mirrors w/Convex Spotter, Manual Folding and Turn Signal Indicator |
| Manual Extendable Trailer Style Mirrors |
| Fixed Rear Window |
| Light Tinted Glass |
| Variable Intermittent Wipers |
| Aluminum Panels |
| Black Grille |
| Tailgate Rear Cargo Access |
| Reverse Opening Rear Doors |
| Tailgate/Rear Door Lock Included w/Power Door Locks |
| Boxside Steps |
| Autolamp Auto On/Off Reflector Halogen Daytime Running Lights Preference Setting Headlamps w/Delay-Off |
| Cargo Lamp w/High Mount Stop Light |
| Perimeter/Approach Lights |
| Radio w/Seek-Scan, Clock and Speed Compensated Volume Control |
| Radio: AM/FM Stereo w/MP3 Player -inc: 6 speakers |
| Fixed Antenna |
| SYNC 4 -inc: 8" LCD capacitive touchscreen w/swipe capability, wireless phone connection, cloud connected, AppLink w/app catalog, 911 Assist, Apple CarPlay and Android Auto compatibility and digital owner's manual |
| 2 LCD Monitors In The Front |
| 4-Way Driver Seat -inc: Manual Recline and Fore/Aft Movement |
| 4-Way Passenger Seat -inc: Manual Recline and Fore/Aft Movement |
| 60-40 Folding Split-Bench Front Facing Fold-Up Cushion Rear Seat |
| Manual Tilt/Telescoping Steering Column |
| Gauges -inc: Speedometer, Odometer, Oil Pressure, Engine Coolant Temp, Tachometer, Transmission Fluid Temp, Engine Hour Meter, Trip Odometer and Trip Computer |
| Power Rear Windows |
| FordPass Connect 5G Mobile Hotspot Internet Access |
| Rear Cupholder |
| Compass |
| Remote Keyless Entry w/Integrated Key Transmitter, Illuminated Entry and Panic Button |
| Cruise Control w/Steering Wheel Controls |
| Manual Air Conditioning |
| HVAC -inc: Underseat Ducts |
| Illuminated Locking Glove Box |
| Interior Trim -inc: Chrome Interior Accents |

| |
|---|
| Full Cloth Headliner |
| Urethane Gear Shifter Material |
| HD Vinyl 40/20/40 Split Bench Seat -inc: center armrest, cupholder, storage and driver's side manual lumbar |
| Day-Night Rearview Mirror |
| Passenger Visor Vanity Mirror |
| Full Overhead Console w/Storage and 2 12V DC Power Outlets |
| Front Map Lights |
| Fade-To-Off Interior Lighting |
| Full Vinyl/Rubber Floor Covering |
| Pickup Cargo Box Lights |
| Smart Device Remote Engine Start |
| Instrument Panel Covered Bin and Dashboard Storage |
| Power 1st Row Windows w/Driver And Passenger 1-Touch Up/Down |
| Delayed Accessory Power |
| Power Door Locks w/Autolock Feature |
| Driver Information Center |
| Trip Computer |
| Outside Temp Gauge |
| Digital/Analog Appearance |
| Seats wNinyl Back Material |
| Manual Adjustable Front Head Restraints and Manual Adjustable Rear Head Restraints |
| Perimeter Alarm |
| SecurilockAnti-Theft Ignition (pats) Immobilizer |
| 2 12V DC Power Outlets |
| Air Filtration |
| AdvanceTrac w/Roll Stability Control Electronic Stability Control (ESC) And Roll Stability Control (RSC) |
| ABS And Driveline Traction Control |
| Side Impact Beams |
| Dual Stage Driver And Passenger Seat-Mounted Side Airbags |
| Tire Specific Low Tire Pressure Warning |
| Dual Stage Driver And Passenger Front Airbags w/Passenger Off Switch |
| Safety Canopy System Curtain 1st And 2nd Row Airbags |
| Outboard Front Lap And Shoulder Safety Belts -inc: Rear Center 3 Point and Height Adjusters |
| Back-Up Camera |



QUOTE

New York, New England, Mid Atlantic & Greater Philadelphia
 490 Pulaski Rd Kings Park, NY 11754
 Phone(631)544-9000 Fax(631)544-3501
 WWW.DEJANA.COM

| | |
|--------|-------------|
| QUOTE# | CHA018786-1 |
| DATE | 1/27/2025 |

BILL TO: TOWN OF COVENTRY
 1675 FLAT RIVER ROAD
 COVENTRY RI 02816
 Phone: 4018229400
 Fax: (401) 822-9406
 Email:

SHIP TO: TOWN OF COVENTRY
 1675 FLAT RIVER ROAD
 COVENTRY RI 02816
 Phone: (401) 822-9400
 Fax: (401) 822-9406

| SALESPERSON | REFERENCE | P.O. REQUIRED | QUOTE VALID UNTIL | STD/CUSTOM |
|---------------|-----------|---------------|-------------------|------------|
| MICHAEL CASEY | | No | 2/26/2025 | NA |

| | | | |
|--|---|-------------|-----------------|
| MAKE: IFORD | MODEL: IF-550 | YEAR: 12025 | ISRWD/DRW: IDRW |
| CAB TO AXLE: 160.0 | WHEELBASE: t.is.o | IVIN: | |
| STOCK/ORDER NUMBER: 125 F550 gas 60 ca | TOTAL WEIGHT (LBS) OF ALL QUOTED ITEMS: 2349.61 | | |

Suggested Items:

| QTY | DESCRIPTION | UNIT PRICE | TOTAL PRICE | CIRCLE "YES" TO ADD |
|-----|--|------------|-------------|---------------------|
| | SUPPLY AND INSTALL FISHER 8' 2.5 CU YD POLY-CASTER HOPPER SPREADER ADJUSTABLE CHUTE DUAL ELECTRIC MOTORS DUAL VARIABLE SPEED CONTROL TWO PIECE TOP SCREEN HARD COVER POLY LIDS | \$7,205.00 | \$7,205.00 | Yes |
| | SUPPLY AND INSTALL FISHER 9' HC HEAVY CONTRACTOR ELECTRIC HYDRAULIC SNOWPLOW CUTTING EDGE INCLUDED WEAR SHOES OPTIONAL DELIVERY SUBJECT TO AVAILABILITY | \$7,585.00 | \$7,585.00 | Yes |
| | FISHSTICK HAND HELD CONTROL | | | Yes |
| | NIGHTHAWK HEADLIGHT KIT, HALOGEN, STANDARDWITH PLOW | | | Yes |

- ◆ IF YOU WANT ANY OF THE SUGGESTED ITEMS CIRCLE YES FOR THAT ITEM
- ◆ SURCHARGES AND/OR REQUOTE MAY BE REQUIRED WHEN CHASSIS IS SERIALIZED OR SCHEDULED.

Customer must fill out the information below before the order can be processed...
 Quote #**CHA018786-1**

Home > Cooperative Purchasm9 >State Legal References>

**Cooperative
Purchasing**

[View Full List of States](#)

Rhode Island

R.I. GEN. LAWS §4S-40.1-3. "Public agency" defined

(a) For the purposes of this chapter, the term "public agency" means any political subdivision of this state, any agency of the state government or of the United States, and any political subdivision of another state.

(b) The term "state" means a state of the United States.

R.I. GEN. LAWS §45-40.1-4 Interlocal agreements. (a) Any power or powers, privileges, or authority, exercised or capable of exercise by a public agency of this state, may be exercised and enjoyed jointly with any other public agency of any other state or of the United States, and to the extent that laws of the other state or of the United States permit the joint exercise or enjoyment. Any agency of the state government, when acting jointly with any public agency may exercise and enjoy all of the powers, privileges, and authority conferred by this chapter upon a public agency.

Link to the full statute can be found herp: www.cilia.statecius/StatutesmTLE45/45-401/INDEX.HTM

[View the 2017 Rhode Island General Laws](#) | [View Previous Versions of the Rhode Island General Laws](#)

2013 Rhode Island General Laws

Title 45 - Towns and cities

Chapter 45-40.1 - Interlocal Contracting and Joint Enterprises

Section 45-40.1-4 - Interlocal agreements.

Universal Citation: RI Gen L § 45-40.1-4 (2013)

§ **45-40.1-4 Interlocal agreements.** - (a) Any power or powers, privileges, or authority, exercised or capable of exercise by a public agency of this state, may be exercised and enjoyed jointly with any other public agency of any other state or of the United States, and to the extent that laws of the other state or of the United States permit the joint exercise or enjoyment. Any agency of the state government, when acting jointly with any public agency may exercise and enjoy all of the powers, privileges, and authority conferred by this chapter upon a public agency.

(b) Any two (2) or more public agencies may enter into agreements with one another for joint or cooperative action pursuant to the provisions of this chapter.

(2) Appropriate action by ordinance, resolution, or otherwise, pursuant to law of the governing bodies of the participating public agencies, is necessary before any agreement may enter into force.

(c) Any agreement shall specify the following:

(1) Its duration.

(2) The precise organization, composition, and nature of any separate legal or administrative entity created by it, together with the powers delegated to it, provided the entity may be legally created.

(3) Its purpose or purposes.

(4) The manner of financing the joint or cooperative undertaking, and of establishing and maintaining a budget for it.

(5) The permissible method or methods to be employed in accomplishing the partial or complete termination of the agreement and for disposing of property upon partial or complete termination.

(6) Any other necessary and proper matters.

(d) In the event that the agreement does not establish a separate legal entity to conduct the joint or cooperative undertaking, the agreement shall, pursuant to the requirements of subsections (c) (1)- (c) (6), contain provisions for:

(1) An administrator or a joint board responsible for administering the joint or cooperative undertaking. In the case of a joint board, all public agencies party to the agreement shall be represented.

(2) The manner of acquiring, holding, and disposing of real and personal property used in the joint or cooperative undertaking.

(e) No agreement made pursuant to this chapter relieves any public agency of any obligation or responsibility imposed upon it by law, except that with respect to the actual and timely performance of it by a joint board or other legal or administrative entity created by an agreement made under this chapter, the performance may be offered in satisfaction of the obligation or responsibility.

(±) Every agreement made under this chapter shall, prior to and as a condition precedent to its entry into force, be submitted to the attorney general who shall determine whether the agreement is in proper form and in compliance with the laws of this state. The attorney general shall approve any agreement submitted to him or her unless he or she finds that it does not meet the conditions established by this chapter, and shall state, in writing, addressed to the governing bodies of the public agencies concerned, the specific respects in which the proposed agreement fails to meet the requirements of law. Failure of the attorney general to disapprove an agreement submitted under this chapter within fifteen (15) days of its submission constitutes approval of the agreement.

History of Section.

(P.L. 1990, ch. 415, §1.)

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THE TOWN OF COVENTRY

RESOLUTION OF THE TOWN COUNCIL

“Approve the allocation of School Impact Fees in the amount of \$8,490 for Alan Shawn Feinstein Middle School to replace 2 Armstrong pumps.”

Resolution No. 2025-16

Passed:

Hillary V. Lima, Council President

WHEREAS, the Coventry School Superintendent and Facilities Director have identified a critical need at Alan Shawn Feinstein Middle School in which they need to install a 2 new Armstrong pumps purchased through F.W. Webb Company 3 Slater Road Cranston, R.I. 02920.

NOW, THEREFORE, BE IT RESOLVED THAT, the Honorable Town Council:

Affirms the purchase of 2 new Armstrong pumps at Alan Shawn Feinstein Middle School at a total cost of \$8,490 to come out of the school’s share of Impact Fees to F.W. Webb Company.

PASSED AND ADOPTED THIS 25th DAY OF FEBRUARY 2025

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THE TOWN OF COVENTRY

RESOLUTION OF THE TOWN COUNCIL

“Support for House Bill H-5193 to create a voluntary program for registrants of electric and hybrid vehicles to request stickers for such vehicles to promote first responder safety in relation to electrical fires”

Resolution No. 2025-17

Passed:

Hillary V. Lima, Council President

WHEREAS, R.I. House Bill H-5193 will create a voluntary program through the R.I. State Fire Marshal’s Office for registrants of electric and hybrid vehicles to request a sticker for said vehicle to promote first responder safety in relation to electrical fires; and

WHEREAS, the R.I. Department of Motor Vehicles (RIDMV) would be required to maintain a list of electric and hybrid motor vehicle registrations and send quarterly lists to the fire departments and fire districts within the State of R.I.; and

WHEREAS, the Fire Marshal Office will establish an online application for registrants to request the sticker; and

WHEREAS, the R.I. Infrastructure Bank is authorized to assist in funding from the clean energy fund.

NOW, THEREFORE, BE IT RESOLVED THAT, the Honorable Town Council:

Requests the General Assembly to approve and enact R.I. House Bill H-5193 submitted in the January 2025 session.

PASSED AND ADOPTED THIS 25th DAY OF FEBRUARY 2025

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THE TOWN OF COVENTRY

RESOLUTION OF THE TOWN COUNCIL

“Traffic Control Devices – Validity and Enforceability”

Resolution No. 2025-18

Passed:

Hillary V. Lima, Council President

WHEREAS, in the Town of Coventry

- There are a variety of “Traffic Control Devices” employed on roadways to regulate the use of roads by drivers and road users; and
- To drivers, road users, Coventry Police Department personnel, and the Coventry Municipal Court, the term “Traffic Control Device” are given the meaning set forth in the Manual on Uniform Traffic Control Devices. Such traffic control devices include, but are not be limited to traffic signs (using words or symbols to convey information), regulatory signs (used to convey traffic rules and regulations such as intersection controls, weight limit, speed limit, one way, no parking etc...), warning signs (signage used to warn of dangers), guide signs (navigations guides), variable-message signs (electronic traffic control signs which can display different traffic messages according to the needs of a specific road), channelizing devices (used to warn drivers and pedestrians and to guide them through a work zone), road surface markings, rumble strips and traffic lights; and
- “Drivers” are those persons operating any vehicle of any kind on any roadway in the Town and “road users” are any other person for any reason in or on a roadway in Town; and
- Traffic control devices are installed, employed and placed by the authority vested in and approval of the Chief of Police and/or the Traffic Safety Committee of the Town; and
- Traffic control devices are physically caused to be placed, constructed or erected at the direction of the Coventry Police Department with the knowledge and approval of the Chief of Police; and

- 41 • In order to regulate the use of Coventry’s roadways, to keep the peace and promote the
42 health, safety and public welfare of Town residents and visitors to the Town, and to ensure
43 public safety, particularly as it concerns drivers and road users, it is essential to utilize traffic
44 control devices. Essential to the aforementioned aim is to provide express permission and
45 authority to the Coventry Police Department to enforce traffic control devices by, if
46 necessary, the imposition of warnings, violations, fines and penalties upon drivers and road
47 users to ensure compliance with traffic control devices.
48

49 **NOW THEREFORE, BE IT RESOLVED THAT** the Honorable Town Council:
50

- 51 1. Declares as legal and legally enforceable:
52
53 (a) all traffic control devices now existing as presently placed, constructed, and/or erected in
54 the Town of Coventry and they are accepted as such on their face for what they purport
55 to be as defined by the Manual on Uniform Traffic Control Devices; and
56
57 (b) the process of enforcement of such devices including, but not limited to imposition of
58 warnings, violations, fines and penalties upon drivers and road users; and
59
60 (c) any now existing schedule of violations and corresponding fines and penalties are valid
61 as so stated.
62
- 63 2. This resolution shall take effect upon passage.
64
- 65 3. The Town Clerk is directed to certify a copy of this Resolution and to transmit certified
66 copies of it to: Judge of the Coventry Municipal Court and its Clerk; Prosecuting Solicitor
67 c/o the Solicitor; Coventry Chief of Police; and Coventry Police Department, Prosecution
68 Division.
69

70 Sponsored by: Council Member James E. LeBlanc
71

72 Resolution approved to as to form and substance:
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76 _____
77 Stephen J. Angell, Esq. – Town Solicitor
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THE TOWN OF COVENTRY

RESOLUTION OF THE TOWN COUNCIL

“Calling upon the Rhode Island General Assembly to enact legislation enhancing school district/department accountability to city and town councils for management of local school department fiscal matters”

Resolution No. 2025-19

Passed:

Hillary V. Lima, Council President

WHEREAS, in the Town of Coventry

- Generally, in the State of Rhode Island, city and town councils are the local appropriating authority of local tax dollars and they are possessed of the legal responsibility to provide an annual appropriation of **local tax dollars** to fund annual school budgets on a “maintenance of effort” (MOE) basis.
- In addition to the MOE annual appropriation, city and town councils make separate and distinct, annual appropriations of **local tax dollars** for: (1) debt service on capital school projects; (2) pension/retirement contributions; (3) school building maintenance funds; and (4) when a school department overspends its budget, the city or town council is compelled by law to eradicate any annual or accumulated school department deficit by making an annual local appropriation each year for five (5) years to fund an agreed upon “corrective action plan”; and
- The Coventry Town Council is no exception as it works in good faith to meet its annual obligations, **out of local tax dollars**, to provide: (1) an annual MOE appropriation; (2) debt service payments on capital school projects; (2) pension/retirement contribution payments; (3) school building maintenance fund payments or minimum maintenance requirement (MMR); and (4) when imposed on it, annual payments to fund each year of a five (5) year, agreed upon “corrective action plan”; and
- The Governor and General Assembly have the legal responsibility to provide an annual, unrestricted appropriation of State aid to fund education in each municipality based on a certain funding formula; and

- 43 • In many Rhode Island communities, the school departments are the largest department in a
44 city or town with the largest workforce and command the lion’s share of the municipality’s
45 annual budget appropriation; and
46
- 47 • After the annual appropriation is made to fund a school budget, the school departments and
48 school committees exercise **exclusive and unbridled authority** over managing their
49 budgets free of oversight and free of repercussion for mismanagement because cities and
50 towns have no present legal recourse or mechanism to step in and exercise oversight and
51 fiscal prudence; and
52
- 53 • Cities and towns have no present oversight or control over school department deficit
54 spending; and
55
- 56 • When a school department has a deficit of any kind, it becomes the sole, legal responsibility
57 of the city or town to eradicate the deficit; and
58
- 59 • R.I. Gen. Laws § 16-2-21.4, commonly known as the “Caruolo Act” (“Caruolo”), is the only
60 legal cause of action that presently exists when there is a budget dispute or impasse of any
61 kind between a school department and their city or town; and
62
- 63 • Legal action under Caruolo **may only be initiated by a school department** against their
64 city or town; and
65
- 66 • In order to protect the treasure of local taxpayers from the deficit spending of a school
67 department, it is imperative that city and town councils be enabled, through a legal
68 mechanism and/or cause of action, to intervene in the day-to-day management and oversight
69 of school department finances until such time fiscal stability and proper, balanced budget
70 management is achieved; and
71
- 72 • The Coventry Town Council seeks the enactment of a legal mechanism and/or cause of
73 action, to intervene in the day-to-day management and oversight of school department
74 finances until such time fiscal stability and proper, balanced budget management is
75 achieved.
76

77
78 **NOW THEREFORE, BE IT RESOLVED THAT** the Honorable Town Council:
79

- 80 1. Respectfully makes the recommendation that:
- 81 (a) at any time a school department’s deficit position exceeds 4% of its total budget -
82 including all sources of funding - a city or town council shall be authorized to assume

83 control of the school department's finances and have its finance department operate the
84 day-to-day management and oversight of school department finances; and

85 (b) such control shall continue until a deficit reduction plan is collaboratively developed and
86 agreed upon by both a city or town council and school committee, approved by the
87 Auditor General, and subsequently implemented; or

88 (c) in the event that no such deficit reduction plan is forthcoming in a reasonable time, then
89 a legal mechanism and/or cause of action ought to be created in order for the city or
90 town to intervene in the day-to-day management and oversight of school department
91 finances until such time fiscal stability and proper, balanced budget management is
92 achieved.

93 2. Respectfully urges the Governor and the Rhode Island General Assembly to enact
94 legislation consistent with the foregoing Resolve of this Resolution.

95 3. This resolution shall take effect upon passage.
96
97

98 4. The Town Clerk is directed to certify a copy of this Resolution and to transmit as many
99 certified copies of it to the Speaker of the House, Senate President, Governor, the entire
100 membership of the delegation of State Senators and Representatives who represent the Town
101 of Coventry, as well as the local chief executive and Council for each municipality in the
102 State of Rhode Island.
103
104

105 Sponsored by: Council President Hillary V. Lima; Council vice President John-Paul Verducci; and
106 Councilman James E. LeBlanc
107

108 Resolution approved to as to form and substance:
109
110
111

112 _____
113 Stephen J. Angell, Esq. – Town Solicitor
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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART I – ADMINISTRATIVE LEGISLATION,
CHAPTER 18 – Comprehensive Plan

Ordinance No. 2025-01

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part I Administrative Legislation is hereby amended by amending the following Chapter and Sections:

Chapter 18 – Comprehensive Plan

§ 18-1 Preparation and adoption by Planning Commission.

The Planning Commission shall prepare and adopt a Comprehensive Plan for the future development of the Town ~~[H]~~. Such plan shall, among other things, show the proposed arrangement of land uses; transportation facilities; public facilities; utility systems; deteriorating neighborhoods planned for rehabilitation, redevelopment or renewal; and natural resources and historic sites to be preserved. The Planning Commission may hold public hearings on the Comprehensive Plan or elements thereof. The Planning Commission shall adopt the Comprehensive Plan or elements thereof as a guide to Planning Commission actions related to the features contained in the plan.

~~[1] Editor's Note: The current Comprehensive Plan for the Town of Coventry is on file in the Town offices.~~

§ 18-2. Adoption by Town Council.

The Town Council may, by the affirmative vote of ~~3/5~~ the majority of its membership and following a public hearing, adopt a Comprehensive Plan or any portion thereof previously adopted by the Planning Commission and recommended to the Town Council by the Planning Commission. Adoption of such a Comprehensive Plan or portion thereof by the Town Council

46 shall bind the Council to such plan or portion thereof in any future actions related to features in
 47 the plan.

48 **§ 18-3. Amendments.**

49 The Comprehensive Plan or portion thereof may be modified or amended by the Town Council
 50 following a public hearing. At least thirty (30) ~~30~~ days prior to the date of such public hearing,
 51 such modification or amendment shall be referred to the Planning Commission for an advisory
 52 opinion. Failure of the Planning Commission to forward a recommendation to the Town Council
 53 within this thirty-day (30) period shall be deemed an approval of the modification or
 54 amendment by the Planning Commission. The affirmative vote of ~~at least 3/5 of the members~~ a
 55 majority of the Town Council shall be necessary to enact any modification or amendment to the
 56 Comprehensive Plan or element thereof where the Planning Commission has rendered an adverse
 57 decision.

58 **§ 18-4. Review and revision.**

59 The Comprehensive Plan shall be reviewed by the Planning Commission every five (5) years
 60 and revisions and amendments shall be made where necessary.

61 **§ 18-5. Notice.**

62 Where a public hearing is required pursuant to the Regulations, the following requirements shall
 63 apply:

64 A. Prior to the adoption of, or amendment to, the Comprehensive Plan, notice shall be given of
 65 the public hearing by publication of notice in a newspaper of local circulation at least once
 66 each week for three (3) consecutive weeks prior to the date of the hearing, which may
 67 include the week in which the hearing is being held, at which hearing opportunity shall be
 68 given to all persons interested to be heard.

69 B. The same notice shall be posted in the Town Clerk's office and one other municipal
 70 building and the Town must make the notice accessible on the home page of the Town's
 71 website at least fourteen (14) days prior to the hearing.

72 C. Notice shall be mailed to the Statewide Planning Program of the Department of
 73 Administration at least fourteen (14) days prior to the hearing.

74 D. The notice shall:

75 (1) Specify the place of the hearing and date and time of its commencement;

76 (2) Indicate that the adoption of, or amendment to, the Comprehensive Plan is under
 77 consideration;

78 (3) Contain a statement of the proposed amendments to the Comprehensive Plan that may
 79 be printed once in its entirety, or alternatively may be summarized and describe the
 80 matter under consideration;

81 (4) Advise those interested where and when a copy of the matter under consideration may
 82 be obtained or examined and copied; and

83 (5) State that the plan or amendment may be altered or amended prior to the close of the

84 public hearing without further advertising, as a result of further study or because of the
85 views expressed at the public hearing. Any alteration or amendment must be presented
86 for comment in the course of the hearing.
87

88 **Section 2.** This ordinance shall take effect upon its passage and final adoption.
89

90
91 Positive Endorsement: Negative Endorsement: (Attach reasons)
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94
95 _____ Date _____ Date
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97

98 Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive
99

100 Referred to/for: Planning Commission on February 19, 2025
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102 First Reading on _____, 2025
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104 Public Hearing on _____, 2025

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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART I – ADMINISTRATIVE LEGISLATION,
CHAPTER 15, ARTICLE IV – Planning Commission

Ordinance No. 2025-02

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part I Administrative Legislation is hereby amended by amending the following Chapter and Sections of Article IV:

Article, IV, Chapter 15 – Planning Commission

§ 15-39. Powers and duties.

A. Studies of Town resources and needs. The Planning Commission shall make studies of the resources and needs of the Town with reference to its physical, economic and social growth and development, as affecting the health, safety, morals and general welfare of the people. Such studies, plans and reports may concern the following:

- (1) Land use and land use regulations.
- (2) Transportation facilities.
- (3) Public facilities and site locations, including recreation areas, schools, fire, police and other principal structures and developments.
- (3) Public utilities.
- (4) Blighted areas, including plans for redevelopment, renewal, rehabilitation or conservation.
- (5) Problems of housing and the development of housing programs.

48 (6) Natural resource conservation.

49
50 (7) Environmental protection.

51
52 (8) Protection from disaster.

53
54 (9) Economic and sociological characteristics.

55
56 (10) Preservation of historic sites and buildings.

57
58 (12) Economic development.

59
60 B. Assistance in preparation of capital budget and capital improvement program. The Planning
61 Commission shall assist in the preparation of the annual capital budget and a comprehensive
62 long-range capital improvement program for submission to the Town Manager and Town
63 Council.

64
65 C. Authority with respect to platting and subdivision of land.

66
67 (1) The Planning Commission shall have the authority to adopt, modify and amend rules and
68 regulations governing the platting and other subdivisions of land, ~~subject to the approval~~
69 ~~of the Town Council.~~

70
71 (2) The Planning Commission shall have the authority to approve all plats or other
72 subdivisions of land before any plat or subdivision may be recorded in the land evidence
73 records of the Town or used as the basis for the sale of lots.

74
75 D. Advisory opinions on zoning and other matters. The Planning Commission shall submit an
76 advisory opinion and recommendation on all zoning matters referred to it and any other matter
77 referred to it by the Town Council.

78
79 E. Annual report; other reports and studies. The Planning Commission shall submit an annual
80 report to the Town Council summarizing the work of the preceding year and recommending
81 programs, plans and actions for future development. A copy of the annual report shall be
82 forwarded to the State Department of Community Affairs. All studies, plans and reports of the
83 Planning Commission shall be submitted to the Town Council and to any other designated
84 agency or official and thereafter, upon approval of the Town Council, may be published for
85 general circulation.

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89 [This space intentionally left blank for legislative purposes only]

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96 **Section 2.** This ordinance shall take effect upon its passage and final adoption.

97

98

99 Positive Endorsement:

Negative Endorsement: (Attach reasons)

100

101

102

103 _____
Town Solicitor

Date

Date

104

105

106 Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive

107

108 Referred to/for:

Planning Commission on February 19, 2025

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First Reading on _____, 2025

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Public Hearing on _____, 2025

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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE XVIII – Adoption and Amendment

Ordinance No. 2025-03

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article XVIII:

Article XVIII, Chapter 255 – Zoning

§ 255-1820. Notice and hearing requirements.

A. This chapter shall not be adopted, repealed, or amended until after a public hearing has been held upon the question before the Town Council. The Town Council shall first give notice of the public hearing (hereinafter “notice”) by publication of notice in a newspaper of ~~general~~ local circulation within the Town at least once each week for three (3) ~~successive~~ consecutive weeks prior to the date of the hearing, which may include the week in which the hearing is to be held, at which hearing an opportunity shall be given to all persons interested to be heard upon the matter of the proposed ordinance. Written notice, ~~which may be a copy of the newspaper notice,~~ shall be mailed to the Associate Director of the Division of Planning of the Rhode Island Department of Administration, and, where applicable, to the parties specified in Subsections B, C, D and E, at least two (2) weeks prior to the hearing. The same notice shall be posted in the Town Clerk’s Office and one other town building and be accessible on the ~~T~~town’s ~~homepage of the~~ website for at least fourteen (14) days prior to the hearing. The ~~newspaper~~ notice ~~shall be published as a display advertisement, using a type size at least as large as the normal type size used by the newspaper in its news articles, and~~ shall:

- (1) Specify the place of the hearing and the date and time of its commencement;
- (2) Indicate that adoption, amendment, or repeal of this chapter is under consideration;
- (3) Contain a statement of the proposed amendments to the Ordinance that may be printed

46 once in its entirety, or summarize and describe the matter under consideration as long
 47 as the intent and effect of the proposed ordinance is expressly written in that notice;

48 (4) Advise those interested where and when a copy of the matter under consideration may
 49 be obtained or examined and copied; and

50 (5) State that the proposals shown thereon may be altered or amended prior to the close of
 51 the public hearing without further advertising, as a result of further study or because of
 52 the views expressed at the public hearing. Any alteration or amendment must be
 53 presented for comment in the course of the hearing.

54 B. Where a proposed general amendment to this chapter includes changes to the Zoning Map,
 55 public notice shall be given as required by § 255-1830A of the Code.

56 C. Where a proposed general amendment to an existing zoning ordinance includes changes in
 57 an existing zoning map, public notice shall be given as required by subsection A of this
 58 section.

59 ~~C~~D. Where a proposed amendment to this chapter includes a specific change in a zoning district
 60 map, but does not affect districts generally, public notice shall be given as required
 61 by ~~§ 255-1830A~~ subsection A of this chapter and section, with the additional requirements
 62 that:

63 (1) Notice shall include a map showing the existing and proposed boundaries, zoning
 64 district boundaries, existing streets and roads and their names, and Town
 65 boundaries where appropriate; and

66 (2) Written notice of the date, time, and place of the public hearing and the nature and
 67 purpose thereof shall be sent to all owners of real property whose property is
 68 located in or within not less than 200 feet of the perimeter of the area proposed for
 69 change, whether within the Town or within an adjacent city or town. The notice
 70 shall be sent by ~~registered or certified~~ USPS first-class mail to the last known
 71 address of the owners, as shown on the current real estate tax assessment records of
 72 the city or town in which the property is located; provided, for any notice sent by
 73 USPS first-class mail, the person sending the notice shall prepare and submit an
 74 affidavit in which they swear and attest to mailing the notice.

75 ~~D~~E. Notice of the public hearing shall be sent by first class mail to the city or town council of
 76 any city or town to which one or more of the following pertain.

77 (1) Which is located in or within not less than 200 feet of the boundary of the area
 78 proposed for change; or

79 (2) Where there is a public or quasi-public water source, or private water source that is
 80 used or is suitable for use as a public water source, within 2,000 feet of any real
 81 property that is the subject of a proposed zoning change, regardless of municipal
 82 boundaries.

83 ~~E~~F. Notice of a public hearing shall be sent to the governing body of any state or municipal
 84 water department or agency, special water district, or private water company that has
 85 riparian rights to a surface water resource and/or surface watershed that is used or is

86 suitable for use as a public water source and that is within 2,000 feet of any real property
87 which is the subject of a proposed zoning change; provided, ~~however~~; that the governing
88 body of any state or municipal water department or agency, special water district, or
89 private water company has filed with the Building Inspector a map survey, which shall be
90 kept as a public record, showing areas of surface water resources and/or watersheds and
91 parcels of land within 2,000 feet thereof.

92 G. Where a proposed text amendment to an existing zoning ordinance would cause a
93 conforming lot of record to become nonconforming by lot area or frontage, written notice
94 shall be given to all owners of the real property as shown on the current real estate tax
95 assessment records of the Town. The notice shall be given by USPS first-class mail at
96 least two (2) weeks prior to the hearing at which the text amendment is to be considered,
97 with the content required by subsection A of this section. If the zoning ordinance contains
98 an existing merger clause to which the nonconforming lots would be subject, the notice
99 shall include reference to the merger clause and the impacts of common ownership of
100 nonconforming lots. For any notice sent by USPS first-class mail, the sender of the notice
101 shall submit a notarized affidavit to attest to such mailing.

102 ~~F.H.~~ No defect in the form of any notice under this section shall render this chapter or
103 amendment invalid, unless the defect is found to be intentional or misleading.

104 ~~G.I.~~ Any ~~Costs~~ actual costs of newspaper notices/advertising as well as the cost of mailing
105 notices ~~any notice~~ required under this chapter and section shall be due from and payable
106 by ~~borne by~~ the applicant.

107
108 **Section 2.** This ordinance shall take effect upon its passage and final adoption.
109

110
111 Positive Endorsement: Negative Endorsement: (Attach reasons)
112
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114
115 _____ Date _____ Date
116 Town Solicitor Town Solicitor
117

118 Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive
119

120 Referred to/for: Planning Commission on February 19, 2025
121
122 First Reading on _____, 2025
123
124 Public Hearing on _____, 2025

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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE VIII – Nonconforming Development

Ordinance No. 2025-04

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article VIII:

Article VIII, Chapter 255 – Zoning

§ 255-870. Single nonconforming lots of record.

A. ~~A lot or parcel of land having a lot width or area which is less than required by Article VI may be considered buildable for single family residential purposes regardless of the lot width or area, provided such lot or parcel of land was duly recorded prior to the effective date of this chapter, and further provided that at the time of the recording said lot or parcel of land so created conformed in all respects to the minimum requirements of the Zoning Ordinance in effect at the time of such recording, and did not adjoin other land of the same owner on the effective date of this chapter or at any time after such lot or parcel of land was rendered substandard by the provisions of any prior Zoning Ordinance. Any lot meeting the requirements of a single nonconforming lot of record for single family purposes shall be governed by the requirements of § 255-890 for determination of setbacks for principal structures.~~ Notwithstanding the failure of a single substandard lot of record or contiguous lots of record to meet the dimensional and /or quantitative requirements of this zoning ordinance, and/or road frontage or other access requirements applicable to the district as stated in the ordinance, a substandard lot of record shall not be required to seek any zoning relief based solely on the failure to meet minimum lot size requirements of the district in which such lot is located. For any structure proposed under this section on a substandard lot of record, the following dimensional regulations shall apply:

46 (1) Minimum building setbacks, lot frontage and lot width requirements for a lot which is
47 nonconforming in area shall be reduced by applying the building setback, lot frontage and
48 lot width requirements from another zoning district in the municipality in which the
49 subject lot would be conforming as to lot area. If the subject lot is not conforming as to lot
50 area in any zoning district in the municipality, the setbacks, lot frontage and lot width shall
51 be reduced by the same proportion that the area of such substandard lot meets the
52 minimum lot area of the district in which the lot is located. By way of example only - if
53 the lot area of a substandard lot only meets forty percent (40%) of the minimum lot area
54 required in the district in which it is located, the setbacks, frontage and width shall each be
55 reduced to forty percent (40%) of the requirements for those dimensional standards in the
56 same district.

57 (2) Maximum lot building coverage for lots that are nonconforming in area shall be increased
58 by the inverse proportion that the area of such substandard lot meets the minimum area
59 requirements in the district in which the lot is located. By way of example only - if the lot
60 area of a substandard lot only meets forty percent (40%) of the required minimum lot area,
61 the maximum lot building coverage is allowed to increase by sixty percent (60%) over the
62 maximum permitted lot building coverage in that district.

63 (3) All proposals exceeding such reduced requirement shall proceed with a modification
64 request pursuant to R.I. Gen. Laws § 45-24-46 or a dimensional variance request pursuant
65 to R.I. Gen. Laws § 45-24-41, whichever is applicable.

66 ~~B. Nothing in this section shall be construed as exempting single nonconforming lots of record~~
67 ~~from complying with the maximum percentage of lot coverage of principal and accessory~~
68 ~~buildings, maximum building height and accessory building setback requirements, as~~
69 ~~required by § 255-600.~~

70 **§255-880. Adjacent nonconforming lots of record under same ownership.**

71 ~~A. Generally, if two or more adjacent nonconforming lots of record or parcels of land are under~~
72 ~~the same ownership on the effective date of this chapter, such lots shall be considered to be~~
73 ~~an undivided parcel of land for the purpose of this chapter, and no single lot or portion~~
74 ~~thereof shall be used in violation of the requirements of § 255-600 as to lot width and area. If~~
75 ~~the total lot width or lot area of such adjacent merged lots of record is less than required by §~~
76 ~~255-600, such lots may be considered as a single nonconforming lot of record for single-~~
77 ~~family residential purposes and shall be governed by the provisions of § 255-870.~~ The merger
78 of lots shall not be required when the substandard lot of record has an area equal to or greater
79 than the area of fifty percent (50%) of the lots within two hundred feet (200 ft) of the subject
80 lot, as confirmed by the zoning enforcement officer, which shall be supported by the
81 submission of a Compilation Survey of the property as prepared by a Rhode Island
82 Registered Professional Land Surveyor, as submitted by and at the expense of the property
83 owner.

84 B. Adjacent nonconforming lots of record under common ownership in Rural Residential Zone;
85 exemption from merger provision. Two or more adjacent nonconforming lots of record or
86 parcels of land under the same ownership on the effective date of this subsection, June 26,
87 2000, in an RR-2, RR-3, or RR-5 Zone shall not be merged for the purpose of this chapter
88 pursuant to § 255-880A of the Code, provided that the adjacent nonconforming lots of record

89 or parcels of land conformed to the minimum two-acre dimensional requirements in effect
90 after May 4, 1981, and provided that they were lawfully created and recorded.

91 C. Nothing in this section shall be construed as exempting such adjacent nonconforming lots of
92 record from complying with the maximum percentage of lot coverage of principal and
93 accessory buildings, maximum building height and accessory building setback requirements,
94 as required in § 255-600 of the Code for the zoning district in which such lot is located. Any
95 lots meeting those requirements shall be considered as a conforming lot of record for single-
96 family residential purposes.

97 **§255-890. Nonconforming lots of record, building setback requirements in residential**
98 **zones.**

Table 8-1

| Minimum Depth of Lot (feet) | Minimum Front Yard Setback (feet) | | | Minimum Rear Yard Setback (feet) | | |
|-----------------------------|-----------------------------------|----------|-----|----------------------------------|----------|-----|
| | RR5 | RR3, RR2 | R20 | RR5 | RR3, RR2 | R20 |
| Up to 125 | 25 | 25 | 25 | 30 | 30 | 30 |
| 126 to 150 | 35 | 35 | 35 | 40 | 40 | 40 |
| 151 to 175 | 40 | 40 | 35 | 50 | 50 | 40 |
| 176 to 200 | 40 | 40 | 35 | 90 | 70 | 40 |
| 201 to 275 | 45 | 45 | 35 | 90 | 90 | 40 |
| 276 to 300 | 45 | 45 | 35 | 90 | 90 | 40 |
| 301 and up | 45 | 45 | 35 | 90 | 90 | 40 |

Table 8-2

| Lot Width Measured at Building Setback Line Not Less Than (feet) | Minimum Side Yard for: RR5, RR3, RR2, R20 (feet) |
|--|--|
| 50 | 10 |
| 60 | 11 |
| 70 | 12 |
| 80 | 13 |
| 90 | 14 |
| 100 | 15 |
| 120 | 20 |
| 130 | 22 |
| 140 | 26 |
| 150 | 30 |
| 160 | 35 |
| 170 | 40 |
| 180 | 45 |
| 190 | 50 |
| 200+ | 50 |

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Section 2. This ordinance shall take effect upon its passage and final adoption.

Positive Endorsement:

Negative Endorsement: (Attach reasons)

Town Solicitor

Date

Town Solicitor

Date

Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive

Referred to/for: Planning Commission on February 19, 2025

First Reading on _____, 2025

Public Hearing on _____, 2025

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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE III – Administration and Enforcement

Ordinance No. 2025-05

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article III:

Article III, Chapter 255 – Zoning

§ 255-320. Zoning certificate required.

- A. No building, structure or land shall be erected, enlarged, relocated, structurally altered or used in whole or in part, until a zoning certificate is issued stating that the proposed use conforms to the requirements of this chapter, unless the Building Inspector or Zoning Enforcement Officer receives a written order in the form of an administrative appeal, a variance, special use permit or ~~administrative variance~~ modification as provided by this chapter.
- B. Any change of use or tenant in a commercial or industrial building structure or land shall require the issuance of a zoning certificate.

§ 255-380. Vested rights.

- A. ~~Applications for development that are~~ Any application for development under the provisions of this chapter, including but not limited to an application for a building permit, special use permit, or variance, is deemed substantially complete and have been submitted for approval to the Building Inspector or the Board prior to the effective date of this chapter shall be reviewed according to the Zoning Ordinance in force at the time the application was submitted. when all required documents, including but not limited to plans, together with payment of all required fees, have been received by the official designated by Code or regulation to receive such applications. Required documents shall include only those

48 documents specified either by ordinance (this ordinance or any other applicable
 49 ordinance), Code provision, or rule adopted and published by the permitting authority
 50 prior to the time the application is filed.
 51

52 B. Any application for development under this ordinance and the Subdivision and Land
 53 Development Regulations, including an application for a land development project or
 54 subdivision or for development plan review, is deemed substantially complete when issued a
 55 certificate of completeness, as defined in Article II of the Subdivision and Land
 56 Development Regulations.

57 For minor land development and minor subdivision projects and for development plan
 58 review, an application is vested when a certificate of completeness is issued at the
 59 preliminary plan phase.

60 For major land development and major subdivision projects, an application is vested when a
 61 certificate of completeness is issued at the master plan phase.

62 ~~B. C. For purposes of this section, an application shall be considered substantially complete~~
 63 ~~when signatures of approval have been obtained from the Town Engineer, the Zoning~~
 64 ~~Enforcement Officer, the Fire District, and the Building Inspector. Any application for~~
 65 ~~development under this ordinance that is substantially complete prior to the enactment or~~
 66 ~~amendment of this chapter shall be reviewed according to the regulations applicable in the~~
 67 ~~Zoning Ordinance in full force and effect at the time the application was submitted.~~

68 ~~C. D.~~ If an application for development under the provisions of this section is approved, the
 69 applicant must begin development ~~shall be initiated~~ or exercise the right granted in the
 70 approval within ~~six months~~ one (1) year of the date of approval, and shall be substantially
 71 completed within two (2) years of the date of approval. Any application for development
 72 that is governed by the Subdivision and Land Development Regulations shall adhere to
 73 the provisions of such approval and this section shall not apply.

74
 75

§ 255-390. ~~Administrative variances.~~ Modification permit.

76 A. The ~~Building Inspector or~~ Zoning Enforcement Officer ~~may allow an administrative~~
 77 ~~variance~~ is authorized to grant modification permits under this chapter. Modification
 78 permits may be for modifications or adjustments from the literal dimensional
 79 requirements of this chapter ~~in the instance of the construction, alteration, or structural~~
 80 ~~modification variance of a structure or lot of record.~~ The modification shall not exceed
 81 25% of any of the dimensional requirements specified in this chapter. ~~In no instance~~
 82 ~~shall an administrative variance permit the moving of lot lines.~~ Within ~~ten (10)~~ 10 days
 83 of receipt of a request for ~~an administrative variance~~ a modification permit, the ~~Building~~
 84 ~~Inspector or~~ Zoning Enforcement Officer shall make a written findings decision as to the
 85 suitability of the requested ~~administrative variance~~ modification permit based on the
 86 following determinations:

87 (1) The ~~administrative variance~~ modification requested is reasonably necessary for the
 88 full enjoyment of the permitted use;

89 (2) If the ~~administrative variance~~ modification is granted, neighboring property
 90 will neither be substantially injured nor its appropriate use substantially impaired;

91 (3) The ~~administrative variance~~ modification requested is in harmony with the purposes

92 and intent of the Comprehensive Plan and this chapter; and

93 (4) The ~~administrative variance~~ modification requested does not require a variance
 94 of a flood hazard requirement.

95 ~~B. The Building Inspector or Zoning Enforcement Officer shall consider, but not~~
 96 ~~necessarily be bound by, an advisory opinion of the planning department on an~~
 97 ~~administrative variance in question, provided that such opinion is delivered in writing~~
 98 ~~within 10 days of receipt of the request for administrative variance.~~

99 ~~C. B.~~ Upon an affirmative determination, ~~in the case of a modification of 5% or less, the~~
 100 ~~Building Inspector or~~ Zoning Enforcement Officer has ~~shall have~~ the authority to issue a
 101 decision approving the modification without any public notice requirements. In the case
 102 of a modification of greater than 5%, the Zoning Enforcement Officer shall direct the
 103 applicant to notify, by registered or certified USPS first class mail, all property owners
 104 abutting the property which is the subject of the administrative variance modification
 105 request, and shall indicate the street address of the subject property in the notice, and
 106 shall publish in a newspaper of general local circulation within the Town that the
 107 administrative variance modification will be granted unless written objection is received
 108 within 30- fourteen (14) days of the public notice. Costs of any notice required under
 109 this subsection shall be borne by the applicant requesting the modification
 110 administrative variance. If written objection is received within 30 fourteen (14) days, the
 111 request for an administrative variance modification shall be denied scheduled for the
 112 next available hearing before the Zoning Board on application for review as a
 113 dimensional variance following standards and procedures for such variances, including
 114 notice requirements provided under this chapter. In that case the changes requested will
 115 be considered a request for a variance and may only be issued by the Board following
 116 the standard procedures for variances. If no written objections are received within 30
 117 fourteen (14) days, the Building Inspector or Zoning Enforcement Officer shall grant the
 118 administrative variance modification decision.

119 ~~D. C.~~ The ~~Building Inspector or~~ Zoning Enforcement Officer may apply such special
 120 conditions to the modification decision permit as may, in the opinion of the ~~Building~~
 121 ~~Inspector or~~ Zoning Enforcement Officer, be required to conform to the intent and
 122 purposes of this chapter.

123 ~~E. D.~~ The ~~Building Inspector or~~ Zoning Enforcement Officer shall keep public records of all
 124 requests for administrative variances modifications, and of findings, determinations,
 125 special conditions, and any objections received.

126 ~~F. E.~~ A request for an administrative variance a modification shall require an administrative
 127 fee paid to the Town consistent with the schedule of fees maintained in the Planning and
 128 Development Department \$145.

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[This space intentionally left blank for legislative purposes only]

138 **Section 2.** This ordinance shall take effect upon its passage and final adoption.

139

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141 Positive Endorsement:

Negative Endorsement: (Attach reasons)

142

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144

145 _____
Town Solicitor Date

_____ Date
Town Solicitor

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148 Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive

149

150 Referred to/for: Planning Commission on February 19, 2025

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152 First Reading on _____, 2025

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154 Public Hearing on _____, 2025

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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE V – Zoning Districts and Zoning District Map

Ordinance No. 2025-06

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article V:

Article V, Chapter 255 – Zoning

§ 255-500. Zoning districts.

For the purpose of this chapter, the Town of Coventry is ~~hereby~~ divided into the following districts:

A. Residential.

(1) RR5 - Rural Residential District. These are rural areas, which are not served by public facilities, and in which intensive development should not occur. These areas are characterized by very-low-density development, large estates, agricultural uses and certain low-intensity nonresidential activities incidental to a rural environment. This district is designed to preserve the rural character of the Town and to preserve and protect environmentally sensitive land. The minimum lot size for development is five (5) acres.

(2) RR3 - Rural Residential District. These are rural areas which public water or sewer facilities are not available and in which municipal police, fire, school and recreation opportunities and facilities are limited. This district is designed to minimize intensive development in order to protect surface and groundwater reserves and to promote orderly development in a manner that appropriately reflects the surrounding land use and capacity of the Town to service the resultant development. These areas are characterized by low-density residential development, large estates, and certain low-

49 intensity nonresidential activities ~~incidental~~ incidental to a rural environment. The minimum
 50 lot size for development is three (3) acres.

51
 52 (3) RR2 - Rural Residential District. These are rural areas in which public water or sewer
 53 facilities are generally not available. These areas are characterized by low-density
 54 single-family residential development, large estates, and certain low-intensity
 55 nonresidential activities incidental to a rural environment. The minimum lot size for
 56 development is two (2) acres.

57
 58 (4) R20 - Residential District. These are quiet, higher-density residential areas of the Town,
 59 plus certain undeveloped areas where similar residential development will likely occur
 60 in the future. Public water is generally available and public sewers are planned. Public
 61 facilities and a wide range of services are available. The minimum lot size for
 62 development is 20,000 square feet.

63
 64 (5) RMH - Residential Mobile Home District. These are ~~districts~~ floating zones limited to use
 65 as a mobile home parks and associated accessory uses created in accordance with the
 66 provisions of Article XI of this chapter.

67
 68 B. Business.

69
 70 (1) VRC - Village Rural Commercial District. These districts are defined primarily as
 71 traditional mixed-use village nodes in central and western Coventry that support a
 72 variety of land uses, including retail, service, light industrial, office, and residential uses.
 73 Special development standards are required for the preservation and enhancement of the
 74 visual, traditional and historic character of the vicinity.

75
 76 (2) VMC - Village Main Street Commercial. These districts are defined primarily as
 77 traditional mixed-use village nodes in eastern Coventry that support a variety of uses
 78 including retail, service, office, and residential. Special development standards are
 79 required for the preservation and enhancement of the visual, traditional and historic
 80 character of the vicinity.

81
 82 (3) GB/GB-1 General Business District. These districts are composed of certain land and
 83 structures to provide for the retailing of commodities and the furnishing of services
 84 which depend primarily on vehicular traffic. GB-1 requires a minimum of one (1) acre for
 85 development.

86
 87 (4) BP - Planned Business Park. This is a floating zone, the purpose of which is to denote
 88 major commercial, office and industrial centers for the Town as identified in the
 89 Comprehensive Community Plan. Proposals shall ensure a coordinated development
 90 plan where uses, traffic controls, open space needs, buffering and site appropriateness
 91 can be evaluated. Land uses in this district include all commercial uses other than heavy
 92 industrial and certain other uses specifically prohibited. Business Park Districts shall be
 93 approved as a land development project through the provisions of Article XIV of this
 94 chapter.

95
 96
 97

98 C. Industrial.

99

100 (1) I1 - These districts are primarily large tracts of land suitable for industrial development
101 in conformance with development standards enumerated in this chapter.

102

103 (2) I2 - These districts are older industrial mill complexes in the Town in existence prior to
104 the original enactment of this chapter which may have existing buildings over 35 feet in
105 height.

106

107 D. Planned development/planned unit development:

108

109 (1) These are floating zones composed of a variety of land uses, including mixed-use,
110 commercial, industrial, and multifamily projects that are created in conformance with
111 Article XIV of this chapter.

112

113 E. SPD - Special Planning Overlay District.

114

115 (1) This is a design overlay district to provide for the establishment of a design review by
116 the Planning Commission which shall take into consideration the special impact the
117 development will have on this visually ~~prominant~~ prominent location. There shall be a strong
118 emphasis on aesthetics, including design and building layout. Strip development is
119 strongly discouraged. Buffering, access, landscaping, lighting and signage must be
120 oriented to accommodate pedestrian traffic within the site. The uses and dimensions of
121 the underlying zone shall remain in effect.

122

123

124 **Section 2.** This ordinance shall take effect upon its passage and final adoption.

125

126

127 Positive Endorsement:

Negative Endorsement: (Attach reasons)

128

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131 _____
Town Solicitor Date

_____ Date
Town Solicitor

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134 Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive

135

136 Referred to/for: Planning Commission on February 19, 2025

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138 First Reading on _____, 2025

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140 Public Hearing on _____, 2025

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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE XI – Residential Mobile Home Districts (RMD)

Ordinance No. 2025-07

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article XI:

Article XI, Chapter 255 – Zoning

§ 255-1100. Establishment and Purpose.

A. Article XI and the sections hereof establish the procedures for the creation and review of Residential Mobile Home Districts (“RMD”) as a floating zone. This floating zone is an unmapped zoning district, which is established on the Zoning Map only when an application for development meeting the zone requirements is approved as defined by R.I. Gen. Laws § 45-24-31.

~~A. B. The purpose of this article is to permit the creation of residential mobile home districts (RMD) and to establish the procedures for their creation. It is the intent of Article XI this article is to regulate the location and design of RMDs in such a manner as to create neighborhoods designed for long-term occupancy, to ensure compatibility with surrounding areas and with the natural environment, and to provide safe, sanitary and attractive living conditions for occupants of mobile homes located in such parks. There shall be no creation, extension or expansion of any mobile home park after an amendment of this ordinance, unless such creation, extension or expansion is in conformance with all ordinances concerning RMDs. No mobile home park shall be created or extended in the Town of Coventry after this article is adopted except in conformance with this article.~~

~~B. Residential mobile home district. A district limited to mobile home parks and accessory uses as permitted by this chapter, created in accordance with this chapter and based on an approved comprehensive site plan as set forth below. The minimum gross land area,~~

48 ~~excluding swamps, ponds, streams, unsuitable soils and other unusable land under single~~
49 ~~ownership, shall be 10 acres. All RMDs shall adhere to the regulations of this article and~~
50 ~~Chapter 11 of the Code of Ordinances of the Town.~~

51
52 **§ 255-1110. Establishment of residential mobile home districts. Procedures.**

53 ~~A. RMDs may be established in the Town by amendment of this chapter and~~
54 ~~accompanying maps in accordance with the requirements and procedures of this article.~~

55
56 ~~B. Procedures. Notwithstanding any other provisions of this chapter or any other provisions~~
57 ~~of the ordinances of the Town, the following procedures shall apply:~~

58 ~~(1) Application for an amendment to the Zoning Map to create a RMD shall be made~~
59 ~~according to Article XVIII of this chapter. However, the fee for such application~~
60 ~~shall be \$500 plus advertising costs. In addition to the plat requirements, a site plan,~~
61 ~~prepared by a registered architect or engineer, shall be required that, as a minimum,~~
62 ~~shows the following, together with appropriate dimensions and descriptive material~~
63 ~~as necessary:~~

64 ~~(a) The items in § 255-1620B(1) through (18) of this chapter;~~

65 ~~(b) Proposed location of riser pipes;~~

66 ~~(c) Refuse disposal facilities;~~

67 ~~(d) Location of electrical system;~~

68 ~~(e) Location and details of underground gas and oil systems;~~

69 ~~(f) Plans and specifications of all buildings constructed in the park;~~

70 ~~(g) Number, location, dimensions and size of all lots;~~

71 ~~(h) Evidence that other local, state, or federal permits have been applied for or~~
72 ~~obtained;~~

73 ~~(i) An impact analysis of the proposed development which shall contain detailed~~
74 ~~economic, social, physical studies of the area and a proposed population~~
75 ~~analysis. The Commission may request additional information if desired;~~

76 ~~(j) Type and size of home to be used in development; and~~

77 ~~(k) Applicable rules and regulations for the development.~~

78
79 A. Application for an amendment to the Zoning Map to create a RMD shall be filed in
80 accordance with the requirements and procedures of Article XVIII of this chapter. Town
81 Council may consider an application for a RMD floating zone map amendment
82 simultaneously with rezoning to the underlying district as one (1) rezoning application.

83
84 B. Application for an amendment to the Zoning Map to create a RMD may be allowed to
85 be filed concurrently with a land development application, in accordance with the
86 requirements and procedures of Article XIV of this chapter. However, the fee for the
87 Zone Map amendment application shall be \$500, plus advertising costs.

88 ~~§ 255-1120. Planning Commission review.~~

89

90 ~~A. C.~~ All applications for a Zoning Map amendment to RMD shall be referred to the Planning
91 Commission by the Town Council. The Planning Commission shall have ~~sixty (60)~~ 60
92 days to respond to the Council. This sixty-day (60) period shall begin upon the receipt
93 of two copies of all plans and the application in the Planning Department from the Town
94 Clerk's Office after referral by the Council. The Planning Commission may request an
95 extension of this time period if additional time is required to complete the review of the
96 proposed RMD rezoning. The Council may act if the Commission fails to respond within
97 the allotted time.

98

99 D. All RMD Zoning Map amendments shall be approved as conditional upon land
100 development approval of the site plan. Conditional approval of the RMD zone change
101 shall not bind the Planning Commission to approving a land development project for the
102 site. The approval of a RMD zone change legally binds commitment by the applicant to
103 carry out the development as proposed.

104

105 E. In addition to the plat requirements, a site plan, prepared by a Rhode Island registered
106 engineer, and additional application materials shall be required consistent with the
107 application forms and checklists maintained in the Department of Planning and
108 Development.

109

110 ~~B. F.~~ The applicant shall show to the satisfaction of the Planning Commission that:

- 111 (1) The granting of approval will not result in conditions inimical to the public
- 112 health,safety, morals and welfare; and
- 113 (2) The granting of such approval will not substantially or permanently injure the
- 114 appropriate use of property in the surrounding area or district; and
- 115 (3) The plans for such project comply with all of the requirements of this chapter; and
- 116 (4) The plans for such project are in conformance with the Coventry Comprehensive
- 117 Plan.

118 ~~C. G.~~ In recommending an action to the Town Council, the Planning Commission shall
119 enumerate its reasonsfor approval or denial and any stipulations that the Planning
120 Commission would like imposed.

121 ~~D. H.~~ After receipt of the Planning Commission's recommendations, the Council shall hold a
122 public hearing in accordance with Article XVIII of this chapter and shall act on the
123 amendment within ~~forty five (45)~~ 45 days of the hearing and may attach conditions to
124 ensure the public health, safety, morals andwelfare. Approval of the amendment requires
125 that the final development shall conform to theplans as approved by the Council. Any
126 changes to the plan will require a resubmittal of the application for the rezoning
127 following all procedures of this article.

128 ~~E. I.~~ The approved site plan with any conditions stipulated in the rezoning shall be recorded in
129 theTown Clerk's Office within ~~fourteen (14)~~ 14 days of the Zoning Approval. The Town
130 Planner and Town Engineer shall review the site plan for conformity with the approved
131 rezoning and shall certify to the Town Clerk the conformance of the plan prior to its
132 recording. If the plan doesnot conform to the approved rezoning, it shall not be recorded

133 and the applicant shall have fourteen (14) 14 days to correct the plan and resubmit for
134 review and recording.

135 F. ~~There shall be written on the plan the following note: "Failure to act on this rezoning in~~
136 ~~one year shall cause this plan to become null and void."~~

137
138 **§ 255-~~1130~~ 1120. Permitted uses and development standards.**

139
140 A. In a RMD, the following uses shall be permitted:

141
142 (1) Principal uses. Mobile homes as defined in Article II.

143
144 (2) Accessory uses. Uses directly accessory to a mobile home including parking areas,
145 carport, patios and semi-enclosed outdoor living areas not intended for overnight
146 occupancy. Service buildings as required in Code § 255-1150, recreation areas and facilities
147 for the exclusive use of occupants of the mobile home park and as further provided in
148 this section; offices intended for management and/or service to the mobile home park;
149 and central laundry facilities designed for residents.

150
151 (3) Garages shall not be allowed. The addition to or expansion of a mobile home so as to
152 make it a permanent structure shall not be allowed.

153
154 B. Site standards.

155
156 (1) Lot coverage. Maximum lot coverage by a mobile home in an individual mobile home
157 lot shall not exceed 20% of the gross area of the lot.

158
159 (2) Width and depth. For portions of the tract used for general vehicular entrances and exits
160 only, the lot width shall be a minimum of 50 feet; for portions containing mobile home
161 lots and buildings open generally to occupants, the width of the lot shall be a minimum
162 of 250 feet. The ratio of width to depth shall not exceed one to five.

163
164 (3) Landscaping and buffering. Along all exterior property lines of a mobile home park, a
165 landscaped buffer strip shall be maintained. Such buffer strip shall be no less than 100
166 feet wide along all property lines. Such buffer strip shall be planted, screened, or
167 otherwise maintained in a natural condition in order to provide year-round visual
168 obstruction of the mobile home lots from abutting land and streets. The provisions of
169 Article XVII shall be met for all landscaping in a mobile home park. Such buffer strip
170 may be used for recreation of a non-intensive character; provided, however, that no
171 structure be located thereon.

172
173 (4) Recreation and open space. At least 10% of the gross land area of the mobile home park
174 shall be reserved for recreational and open space uses. Such recreation and open space
175 shall be located outside the required buffer strip. However, this figure is in addition to
176 any other open areas required by yard provisions or other sections of this chapter.
177 Recreation areas shall be so located as to be free of traffic hazards and should, where
178 the topography permits, be centrally located.

179
180 (5) Access. All mobile home parks shall have a minimum lot frontage of 50 feet on a public
181 street.

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(6) All mobile homes shall be a minimum distance of 75 feet from any park boundary line abutting a public street.

C. Lot requirements. Individual mobile home lots in a RMD shall conform to the following requirements:

(1) Lot size. Each individual mobile home lot shall contain a minimum area of 6,000 square feet. Lot size shall be increased by five square feet for each square foot that the mobile home and accessory buildings exceed the allowable size of 1,200 square feet.

(2) Lot width. The minimum lot width shall be 50 feet.

(3) Required separation between mobile homes. Mobile homes shall be separated from each other and from other buildings and structure by at least 30 feet. Any accessory structure which has a horizontal area exceeding 25 square feet, is attached to a mobile home or located within 10 feet of its window, and has an opaque top or roof that is higher than the nearest window shall, for purposes of all separation requirements, be considered to be part of the mobile home.

(4) Setbacks. No mobile home shall be located closer than 15 feet to a lot line abutting an internal street, common parking area or other common areas.

(5) Frontage. Each mobile home lot shall have frontage on an internal street.

D. Streets. All streets shall be constructed in accordance with the requirements of Chapter 11 of the Code ~~of Ordinances of the Town~~. Storm drainage plans must be provided and approved by the Town Engineer and shall result in no net increase of runoff.

E. Density requirements.

(1) Maximum density requirements for a residential mobile home district shall be two mobile homes per acre. Density shall be computed by dividing the total number of mobile homes by total useable acreage of the development.

(2) There shall be a maximum of 200 mobile homes per RMD.

§ 255-~~1140~~ 1130. Occupancy.

A. No lot shall be rented for residential use in a RMD except for periods of ~~thirty (30)~~ 30 days or more, and no mobile home shall be admitted to any park unless it can be demonstrated that it meets the requirements of the BOCA Basic Building Code, as amended.

B. No lot shall be rented for residential use unless a license has been obtained in conformance with Chapter 11 of the Code ~~of Ordinances of the Town~~.

230 § 255-~~1150~~ 1140. Service building.

231
232 All mobile home parks shall be provided with a service building consolidating all sanitary,
233 laundry, management and other service facilities. The floor area of such service building shall not
234 exceed 2,500 square feet.

235
236 § 255-~~1160~~ 1150. Sale of mobile homes.

237
238 No mobile home shall be sold in a RMD unless it is located on a mobile home stand and connected
239 to ~~pertinent~~ permanent utilities.

240
241 § 255-~~1170~~ 1160. Change of lot size.

242
243 The size of mobile homes in an approved park shall not be changed to a larger home unless the
244 size of the mobile home lot is increased ~~aeording to~~ in accordance with § 255-1130B(2) of the
245 Code. Prior to any change in a RMD, the proposed changes shall be submitted to the Planning
246 Commission for review. Any changes approved by the ~~The~~ Planning Commission must ~~may~~
247 ~~approve the changes if they~~ adhere to this chapter.

248
249
250 **Section 2.** This ordinance shall take effect upon its passage and final adoption.

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253 Positive Endorsement: Negative Endorsement: (Attach reasons)
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257 _____ Date _____ Date
258 Town Solicitor Town Solicitor

259
260 Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive

261
262 Referred to/for: Planning Commission on February 19, 2025
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264 First Reading on _____, 2025
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266 Public Hearing on _____, 2025

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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE XIV – Land Development Projects

Ordinance No. 2025-08

Passed:

Hillary V. Lima, Council President

Approved:

Daniel O. Parrillo, Town Manager

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article XIV:

Article XIV, Chapter 255 – Zoning

§ 255-1430. Procedure.

- A. No land development project shall be initiated until a plan of the project has been submitted and approval has been granted by the authorized permitting authority, as determined in the Subdivision and Land Development Regulations set forth in the Code.
- B. If a use is not permitted in the underlying zoning district, the applicant may apply for a special use permit or a use variance, as applicable, or obtain a zone change from the Town Council, by establishing a planned development, ~~or~~ planned business park district, or Residential Mobile Home District in accordance with ~~R.I.G.L.~~ R.I. Gen. Laws § 45-23-61(b), as amended. The approved zone change shall be designated on the Coventry Zoning Map.
- C. (Reserved)
- D. The permitting authority is empowered to apply any special conditions and stipulations to the approval that may, in the opinion of the authorized permitting authority, be required to maintain harmony with neighboring uses and promote the objectives and purposes of the Comprehensive Plan and Zoning Ordinance.
- E. Technical review committee.
 - (1) There is hereby established a technical review committee (TRC) in accordance with ~~R.I.G.L.~~ R.I. Gen. Laws § 45-23-56. The TRC is responsible for conducting technical

- 45 reviews of all applications subject to the jurisdiction delegated under the Land
 46 Development and Subdivision Regulations.
- 47 (2) The TRC shall consist of the following members:
- 48 (a) Planning Commission Chairperson, or designee of the Chairperson, from the
 49 Planning Commission.
- 50 (b) Police Chief or designee.
- 51 (c) Applicable Fire Marshal(s) or designee(s).
- 52 (d) Department of Public Works Director or designee.
- 53 (e) Principal Planner or designee.
- 54 (f) Planning Director or designee (serving as administrative officer).
- 55 (g) Zoning Official or designee.
- 56 (h) Town Engineer or designee.
- 57 (3) The TRC membership may also include:
- 58 (a) Member(s) of the public with expertise and/or experience in one or more of the
 59 following: engineering, architecture, and/or land use planning. Such
 60 appointment(s) will be made by the Town Council at the recommendation of the
 61 Planning Director.
- 62 (4) The Planning Commission shall adopt written rules and procedures for the
 63 organization and conduct of the TRC. These rules and procedures shall contain
 64 information specific to terms, quorums, meeting schedules, submission deadlines, and
 65 other administrative functions necessary to organize and facilitate the operation and
 66 duties of the TRC.
- 67 (5) The administrative officer shall serve as Chair of the TRC.
- 68 (6) The TRC shall review development applications and provide guidance to an applicant
 69 at a meeting of the TRC with regard to procedure, technical requirements, public
 70 safety, and overall project design.
- 71 (7) Recommendations of the TRC to the permitting authority shall be in writing and kept
 72 as part of the permanent record of the development application. The recommendation
 73 of the TRC shall be made available to the applicant prior to a decision by the
 74 permitting authority.
- 75 (8) Review of applications in an advisory capacity. The TRC may review the following
 76 types of applications in an advisory capacity:
- 77 (a) Minor and major land development projects and subdivisions: advisory to the
 78 permitting authority as designated in the Land Development and Subdivision
 79 Regulations.
- 80
 81 (b) Administrative subdivisions at the request of the administrative officer: advisory
 82 to the administrative officer.

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- (c) Comprehensive permit applications: advisory to the Planning Commission.
- (d) Minor modifications or changes, as requested by the administrative officer: advisory to the administrative officer.
- (e) Administrative development plan review applications, as requested by the administrative officer: advisory to the administrative officer.
- (f) Formal development plan review applications: advisory to the permitting authority as designated in the Land Development and Subdivision Regulations.
- (g) Other matters referred to the TRC by the Planning Commission, Zoning Board, or administrative officer.

Section 2. This ordinance shall take effect upon its passage and final adoption.

| | |
|-----------------------|--|
| Positive Endorsement: | Negative Endorsement: (Attach reasons) |
| _____ | _____ |
| Town Solicitor | Town Solicitor |
| Date | Date |

Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive

Referred to/for: Planning Commission on February 19, 2025

First Reading on _____, 2025

Public Hearing on _____, 2025

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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE IV – Zoning Board of Review

Ordinance No. 2025-09

Passed:

Hillary V. Lima, Council President

Approved:

Daniel O. Parrillo, Town Manager

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article IV:

Article IV, Chapter 255 – Zoning

§ 255-410. Powers and duties of Board.

A. The Board shall have the following powers and duties:

- (1) To hear and decide appeals in a timely fashion where it is alleged there is error in any order, requirement, decision, or determination made by the Building Inspector or the Zoning Enforcement Officer (“ZEO”) in the enforcement or interpretation of the Zoning Enabling Act or this chapter;
- (2) To hear and decide appeals from a party aggrieved by a decision of the Historic District Commission when and if historic district zoning is established in the Town;
- (3) To authorize, upon application, in specific cases of hardship, variances in the application of the terms of this chapter;
- (4) To authorize, upon application, in specific cases, special use permits;
- (5) To refer matters to the Planning Commission, or to other boards or agencies of the Town as the Board may deem appropriate, for findings and recommendations;
- (6) To provide for issuance of conditional zoning approvals where a proposed application would otherwise be approved except that one or more state or federal agency approvals which are necessary are pending. A conditional zoning approval shall be revoked in the instance where any necessary state or federal agency approvals are not received

- 45 within a specified time period;
- 46 (7) To promulgate rules and regulations to enforce this chapter;
- 47 (8) To provide for the payment of reasonable fees, in an amount not to exceed actual costs
 48 incurred, to be paid by the appellant or applicant for the adequate review and hearing of
 49 applications, the issuance of zoning certificates, and for the recording of the decisions
 50 thereon; and
- 51 (9) To hear and decide other matters, according to the terms of this chapter or other statutes,
 52 and upon which the Board may be authorized to pass under this chapter or other statutes.

53 ~~B.—An appeal to the Board from a decision of the Building Inspector or the Zoning
 54 Enforcement Officer in the enforcement of this chapter may be taken by any person,
 55 officer, department or board of the Town or state aggrieved or affected by such decision or
 56 other action. Such appeal shall be taken within 30 days of the recording of the decision or
 57 action by the Building Inspector or the Zoning Enforcement Officer by filing a notice of
 58 appeal with the Zoning Board of Review Clerk specifying the grounds therefor. The
 59 Building Inspector or the Zoning Enforcement Officer shall transmit to the Board all the
 60 records upon which the decision or action was based. An appeal shall stay all proceedings
 61 in furtherance of the decision or action appealed from, unless the Building Inspector or
 62 Zoning Enforcement Officer certifies to the Board that a stay would cause imminent peril
 63 to life or property. In such a case, proceedings shall not be stayed other than by a
 64 restraining order granted by a court of competent jurisdiction.~~

65

66 ~~B.~~ In exercising its powers the Board may reverse or affirm wholly or partly and may modify
 67 the order, requirement, decision, or determination appealed from and may make such
 68 orders, requirements, decisions, or determinations as ought to be made, and to that end shall
 69 have the powers of the officer from whom the appeal was taken. All decisions and records
 70 of the Board with respect to appeals ~~respecting appeals~~ shall conform to the provisions of
 71 Code § 255-420E-4120B.

72

73 **§ 255-420. Procedure of the Board.**

- 74 A. Meetings of the Board shall be held at the call of the chairperson, by vote of the
 75 membership, or by written request signed by three members of the Board and filed with
 76 the Town Clerk. The Chairperson or in his absence, the Vice-Chairperson, may
 77 administer oaths and compel the attendance of witnesses.
 78
- 79 B. When transacting business, conducting a public hearing, or arriving at a decision, the
 80 Board shall at all times consist of at least five participating members. As soon as a
 81 conflict of interest, as defined by R.I. Gen. Laws § 36-14-1 et seq. as well as the rules and
 82 regulations of the Rhode Island Ethics Commission, occurs for a member, that member
 83 shall recuse themselves ~~himself or herself~~, shall not sit on the dais or in the meeting room ~~as~~
 84 ~~an active member~~, and otherwise take no part in the conduct of the hearing.
 85
- 86 C. Only five (5) active members shall be entitled to vote on any issue. The concurring
 87 vote of ~~three of the five~~ a majority of the members of the Board sitting at the hearing
 88 shall be necessary to reverse or modify any order, requirement, decision or
 89 determination of ~~the Building Inspector or~~ the ZEO from whom an appeal was taken and
 90 the concurring vote of ~~four of the five~~ a majority of the members of the Board sitting at a

91 hearing shall be required to decide in favor of the applicant on the matter of a variance,
 92 special use permit, or any other matter upon which the Board is authorized to pass.

93 ~~C.— The Board shall hold a public hearing on all appeals and on applications for special use~~
 94 ~~permits. Such hearing shall not be held later than 45 days after receipt, in proper form, of~~
 95 ~~an appeal or application. Public notice thereof shall be given at least 21 days prior to the~~
 96 ~~date of hearing in a newspaper of general circulation in the Town. In addition, the~~
 97 ~~appellant or applicant shall give written notice by certified mail at least 21 days before~~
 98 ~~such hearing to all property owners of record within the notice radii specified below~~
 99 ~~(excluding road rights-of-way). The requirement for notice by certified mail shall apply~~
 100 ~~even where properties within the notice radii are located in an adjacent municipality.~~
 101 ~~Where the notification radius includes properties in an adjacent municipality, notice by~~
 102 ~~certified mail shall also be sent to the Clerk of the adjacent city or town. A list of the~~
 103 ~~names and addresses of these persons shall be determined from current public records~~
 104 ~~within the appropriate municipality. Proof of such mailing shall be established by the~~
 105 ~~applicant's filing an affidavit of such notice with the Town Clerk. The Board shall render a~~
 106 ~~decision on any matters before it within 45 days after the termination of the public~~
 107 ~~hearing.~~

108

109 ~~————— **Notice Radius**~~

110 ~~**Measured from Property Boundary**~~

| | | | |
|-----|-------------------|------------------|-------------------------------------|
| 111 | (feet) | ————— | Zone |
| 112 | 200 | ————— | R-20 |
| 113 | 500 | ————— | VRC, VMC, GB, BP, I1, I2 |
| 114 | 1,000 | ————— | RR-2, RR-3 |
| 115 | 2,000 | ————— | RR-5 |

116 ~~D.— The Board shall include in its decision all findings of fact and conditions, showing the~~
 117 ~~vote of each member participating thereon, and the absence of a member or his or her~~
 118 ~~failure to vote. Decisions shall be recorded and filed in the office of the Board within 30~~
 119 ~~working days from the date when the decision was rendered and shall be a public record.~~
 120 ~~The Board shall keep written minutes of its proceedings, showing the vote of each~~
 121 ~~member upon each question, or, if absent or failing to vote, indicating such fact, and shall~~
 122 ~~keep records of its examinations, findings of fact, and other official actions, all of which~~
 123 ~~shall be recorded and filed in the Office of the Town Clerk in an expeditious manner~~
 124 ~~upon completion of the proceeding. A copy of the Board's decision shall also be recorded~~
 125 ~~in the land evidence records of the Town. For any proceeding in which the right of appeal~~
 126 ~~lies to the superior or supreme court, the Board shall have the minutes taken either by a~~
 127 ~~competent stenographer or recorded by a sound recording device. All costs for~~
 128 ~~stenographic services shall be paid by the applicant.~~

129 ~~E.— Any decision by the Board, including any special conditions attached thereto, shall be~~
 130 ~~mailed to the appellant or applicant, the Town Clerk, the Building Inspector or the~~
 131 ~~Zoning Enforcement Officer, the Town Planner and the Commission, and to the~~
 132 ~~Associate Director of the Division of Planning of the Rhode Island Department of~~
 133 ~~Administration. Any decision evidencing the granting of a variance, modification, or~~
 134 ~~special use shall also be recorded in the land evidence records of the Town.~~

135

136 ~~F. D.~~ Wherehen the Board denies a request for variance or special use permit, an application
 137 requesting an identical action may not be considered for a period of one year from the
 138 date of such denial unless the Board in its discretion votes affirmatively to reconsider the
 139 request.

140 ~~F. — Copies of all applications to the Board shall be forwarded to the Planning Commission~~
 141 ~~for advisory review and recommendation.~~

142
 143 § 255-430. Decisions and records.

144 A. The Board shall render a decision on any matters before it within fifteen (15) days after
 145 the public hearing is closed by a majority vote of the Board.

146 B. The Board shall include in its decision all findings of fact and conditions, registering the
 147 vote of each participating member, and the absence of a member or their failure to vote.
 148 The Board shall keep written minutes of its proceedings, recording the vote of each
 149 member upon each question, or, if absent or failing to vote, indicating such fact, and the
 150 Board shall keep records of its examinations, findings of fact, and other official actions,
 151 all of which shall be recorded and filed in the Office of the Town Clerk in as expeditious
 152 a manner a practicable following the completion of a proceeding.

153 C. Decisions shall be recorded and filed in the office of the Board within thirty (30) working
 154 days from the date when a decision was rendered and decisions shall be a public record.
 155 A copy of all Board decisions shall also be recorded in the land evidence records of the
 156 Town.

157 D. For any proceeding from which a party to the proceeding has a right of appeal to the
 158 Rhode Island Superior or Supreme Courts, the Board shall have the minutes recorded
 159 stenographically and transcribed by a qualified stenographer or recorded by a sound-
 160 recording device and transcribed by a qualified transcriptionist. All costs for stenographic
 161 and/or transcription services shall be paid by the applicant.

162 E. All decisions of the Board, including any special conditions attached thereto, shall be
 163 mailed to the appellant or applicant, the Town Clerk, the Building Inspector or the ZEO,
 164 the Town Planner and the Commission, and to the Associate Director of the Division of
 165 Planning of the Rhode Island Department of Administration. Any decision evidencing the
 166 granting of a variance, modification, or special use shall also be recorded in the land
 167 evidence records of the Town.

168
 169 ~~§ 255-430. Special Use Permits.~~

170 ~~A. — The Board shall have the power to grant a special use permit for the uses so designated~~
 171 ~~in Article VI.~~

172 ~~B. — In granting any special use permit, the Board shall require that evidence to the~~
 173 ~~satisfaction of the following standards be entered into the record of the proceedings:~~

174 ~~(1) — Ingress and egress to the lot and to existing or proposed structures thereon with~~
 175 ~~particular reference to automotive and pedestrian safety and convenience, traffic~~
 176 ~~flow and control, and access in case of fire, emergency or catastrophe;~~

177 ~~(2) — Off street parking and loading areas where required (see Article XII), with~~
 178 ~~particular attention to the items in Subsection B(1) above, and to the economic,~~

- 179 ~~noise, glare or odor effects of the special use permit on adjoining lots;~~
- 180 ~~(3) Trash, storage and delivery areas with particular reference to the items in~~
- 181 ~~Subsection B(1) and (2) above;~~
- 182 ~~(4) Utilities, with reference to locations, availability and compatibility;~~
- 183 ~~(5) Screening and buffering with reference to type, dimensions and character (see~~
- 184 ~~Article XVII);~~
- 185 ~~(6) Signs, if any, and exterior lighting with reference to glare, traffic safety, economic~~
- 186 ~~effect on and compatibility and harmony with lots in the zoning district (see~~
- 187 ~~Article XV);~~
- 188 ~~(7) Required yards and other open space;~~
- 189 ~~(8) General compatibility with lots in the same or abutting zoning districts;~~
- 190 ~~(9) The use will not result in or create conditions that will exceed the industrial~~
- 191 ~~performance standards in Article VII;~~
- 192 ~~(10) General compatibility with the Coventry Comprehensive Plan; and~~
- 193 ~~(11) That the granting will not result in conditions inimical to the public health,~~
- 194 ~~safety, morals and welfare.~~

195 ~~C.—The Board shall hold a public hearing on any application for a special use permit in an~~
 196 ~~expeditious manner, after receipt, in proper form, of an application, and shall give~~
 197 ~~notice thereof at least 14 days prior to the date of the hearing in a newspaper of general~~
 198 ~~circulation in the Town. Notice of hearing shall be sent by certified mail to the~~
 199 ~~applicant and to at least all those who would require notice under § 255-420C of this~~
 200 ~~chapter. The notice shall also include the street address of the subject property. The~~
 201 ~~posting shall be for informational purposes only and shall not constitute required notice~~
 202 ~~of a public hearing. The cost of notification shall be borne by the applicant.~~

203
 204 ~~D.—Approval of an application for a special use permit shall expire one year from the date~~
 205 ~~recorded in the Town Clerk's Office unless the applicant exercises the permission~~
 206 ~~granted or receives a building permit to do so and begins the construction and diligently~~
 207 ~~pursues it until completed. The disregarding of any conditions made part of the special~~
 208 ~~use permit shall be deemed a violation of this chapter and shall negate the granted~~
 209 ~~special use permit. The Board may grant a six-month extension of the special use~~
 210 ~~permit if the applicant can show just cause.~~

211
 212 **§255-440. Public notice and hearing requirements.**

- 213
- 214 A. The Board, immediately upon receipt of an application for a variance or a special use
- 215 permit, may request that planning staff report its findings and recommendations,
- 216 including a statement on the general consistency of the application with the goals and
- 217 purposes of the Comprehensive Plan, in writing, to the Board within thirty (30) days of
- 218 receipt of the application from the Board.
- 219 B. The Board shall hold a public hearing on an application for a variance or a special use
- 220 permit in an expeditious manner, after receipt, in proper form, of an application, and shall

221 give public notice at least fourteen (14) days prior to the date of the hearing in a
 222 newspaper of local circulation in the Town. A supplemental notice, that an application for
 223 a variance or a special use permit is under consideration, shall be posted at the location in
 224 question. The posting is for information purposes only and does not constitute required
 225 notice of a public hearing. The same notice shall be posted in the Town Clerk’s office
 226 and one other municipal building in the Town and the notice shall be accessible on the
 227 Town’s website at least fourteen (14) days prior to the hearing. For any notice sent by
 228 USPS first-class mail, the sender of the notice shall submit a notarized affidavit attesting
 229 the mailing. The cost of newspaper notification shall be due and payable from the
 230 applicant.

231 C. Notice by USPS first-class mail shall be sent by the applicant at least fourteen (14) days
 232 prior to the date of the hearing to all property owners within the notice radii specified
 233 under Subsections D and E of this Code section. Notice shall also be sent to at least those
 234 who would require notice under Code § 255-1820. The requirement for notice by USPS
 235 first-class mail shall apply even where properties within the notice radii are located in an
 236 adjacent municipality. Where notification radius includes properties in an adjacent
 237 municipality, notice by USPS certified mail shall also be sent to the Clerk of the adjacent
 238 city or town. A list of the names and addresses of these persons shall be determined from
 239 current public records within the appropriate municipality. Proof of such mailing shall be
 240 established by the applicant’s filing an affidavit of notice with the Town’s Department of
 241 Planning and Development. The cost of mailing notification shall be paid by the
 242 applicant.

243 D. For dimensional variance and special use permit applications, notice shall be sent to all
 244 property owners within 500 feet measured from the perimeter of the property boundary,
 245 except in the case of applications within the R-20 zoning district in which the notice shall
 246 be sent to all property owners within 200 feet measured from the perimeter of the
 247 property boundary.

248 E. For use variance applications, notice shall be sent to all property owners within the notice
 249 radii shown below, as measured from the perimeter of the property boundary:

| <u>Notice Radius</u> | |
|--|--------------------------------|
| <u>Measured from Property Boundary</u> | <u>Zone</u> |
| <u>(feet)</u> | |
| 200 | R-20 |
| 500 | VRC, VMC, GB, GB-1, BP, I1, I2 |
| 1,000 | RR-2, RR-3 |
| 2,000 | RR-5 |

258
 259 ~~§ 255-440. Extension of special use permits.~~
 260

261 ~~Any special exception previously granted under any Zoning Ordinance of the Town shall~~
 262 ~~continue to be a special exception, and shall not be construed to become, by the passage of~~
 263 ~~this chapter as revised and amended in 1994, a nonconforming use or structure.~~
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§ 255-450. Special use permits.

- A. The Board shall have the power to grant a special use permit for the uses so designated in Article VI.
- B. In granting any special use permit, the Board shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:
 - (1) Ingress and egress to the lot and to existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency or catastrophe;
 - (2) Off-street parking and loading areas where required (see Article XII), with particular attention to the items in Subsection B(1) above, and to the economic, noise, glare or odor effects of the special use permit on adjoining lots;
 - (3) Trash, storage and delivery areas with particular reference to the items in Subsection B(1) and (2) above;
 - (4) Utilities, with reference to locations, availability and compatibility;
 - (5) Screening and buffering with reference to type, dimensions and character (see Article XVII);
 - (6) Signs, if any, and exterior lighting with reference to glare, traffic safety, economic effect on and compatibility and harmony with lots in the zoning district (see Article XV);
 - (7) Required yards and other open space;
 - (8) General compatibility with lots in the same or abutting zoning districts;
 - (9) The use will not result in or create conditions that will exceed the industrial performance standards in Article VII;
 - (10) General compatibility with the Coventry Comprehensive Plan; and
 - (11) That the granting will not result in conditions inimical to the public health, safety, morals and welfare.

~~§ 255-450. Variances.~~

- A. ~~The Board shall have the power to:~~
 - (1) ~~Grant a variance from the literal requirements of this chapter relating to density, dimensions or other site requirements, but not involving the actual use or activity; and~~
 - (2) ~~Grant a variance from the use regulations or requirements of this chapter where application is made for reinstatement of a nonconforming use.~~

- 305 B. ~~An application for relief from the literal requirements of this chapter because of hardship~~
 306 ~~may be made by any person by filing with the Zoning Board of Review Clerk an~~
 307 ~~application in accordance with § 255-470. The Zoning Board of Review Clerk shall~~
 308 ~~immediately transmit each application received to the Board and shall transmit a copy of~~
 309 ~~each application to the Planning Commission.~~
- 310 C. ~~The Board, immediately upon receipt of an application for a variance in the application~~
 311 ~~of the literal terms of this chapter, may request that the Commission and/or planning~~
 312 ~~staff shall report its findings and recommendations, including a statement on the general~~
 313 ~~consistency of the application with the goals and purposes of the Comprehensive Plan, in~~
 314 ~~writing, to the Board within 30 days of receipt of the application from that Board. The~~
 315 ~~Board shall hold a public hearing on any application for variance in an expeditious~~
 316 ~~manner, after receipt, in proper form, of an application. Public notice thereof shall be~~
 317 ~~given at least 21 days prior to the date of hearing in a newspaper of general circulation in~~
 318 ~~the Town. In addition, the applicant shall give written notice by certified mail at least 21~~
 319 ~~days before such hearing to all property owners of record within 200 feet of the~~
 320 ~~perimeter of the subject property (excluding road rights-of-way). The requirement for~~
 321 ~~notice by certified mail shall apply where properties within 200 feet are located in an~~
 322 ~~adjacent municipality. Where the notification radius includes properties in an adjacent~~
 323 ~~municipality, notice by certified mail shall also be sent to the Clerk of the adjacent city~~
 324 ~~or town. A list of the names and addresses of these persons shall be determined from~~
 325 ~~public record. Proof of such mailing shall be established by the applicant's filing an~~
 326 ~~affidavit of such notice with the Town Clerk. The Board shall render a decision on any~~
 327 ~~matters before it within 45 days after the termination of the public hearing. The notice~~
 328 ~~shall also include the street address of the subject property. The cost of notification shall~~
 329 ~~be borne by the applicant.~~
- 330 D. ~~In granting a variance, the Board shall require that evidence to the satisfaction of the~~
 331 ~~following standards be entered into the record of the proceedings:~~
- 332 (1) ~~That the hardship from which the applicant seeks relief is due to the unique~~
 333 ~~characteristics of the subject land or structure and not to the general characteristics~~
 334 ~~of the surrounding area; and is not due to a physical or economic disability of the~~
 335 ~~applicant;~~
- 336 (2) ~~That the hardship is not the result of any prior action of the applicant and does not~~
 337 ~~result primarily from the desire of the applicant to realize greater financial gain;~~
- 338 (3) ~~That the granting of the requested variance will not alter the general character of the~~
 339 ~~surrounding area or impair the intent or purpose of this chapter or the Coventry~~
 340 ~~Comprehensive Plan; and~~
- 341 (4) ~~That the relief to be granted is the least relief necessary.~~
- 342 (5) ~~When the Zoning Enforcement Officer of the Town of Coventry has recorded a~~
 343 ~~notice of violation in the Coventry Land Evidence records which is, in his opinion,~~
 344 ~~a violation of any of the use or dimensional regulation of the Coventry Zoning~~
 345 ~~Ordinance, then the Board shall be prohibited from granting a variance regarding~~
 346 ~~said use or dimensional regulation until such time as the applicant has corrected said~~
 347 ~~violation to the satisfaction of the Zoning Enforcement Officer.~~

348 E. ~~The Board shall, in addition to the above standards, require that evidence be entered into~~
 349 ~~the record of the proceedings showing that:~~

350 ~~(1) Granting of variances:~~

351 ~~(a) In granting a use variance the subject land or structure cannot yield any~~
 352 ~~beneficial use if it is required to conform to the provisions of this chapter.~~
 353 ~~Noneconforming use of neighboring land or structures in the same district and~~
 354 ~~permitted use of lands or structures in an adjacent district shall not be~~
 355 ~~considered in granting a use variance; and~~

356 ~~(b) In granting a dimensional variance, that the hardship that will be suffered by the~~
 357 ~~owner of the subject property if the dimensional variance is not granted shall~~
 358 ~~amount to more than a mere inconvenience, which shall mean that there is no~~
 359 ~~other reasonable alternative to enjoy a legally permitted beneficial use of one's~~
 360 ~~property.~~

361 ~~(2) The fact that a use may be more profitable or that a structure may be more valuable~~
 362 ~~after the relief is granted shall not be grounds for relief.~~

363 F. ~~The Board shall consider any application for variance in the light of the Comprehensive~~
 364 ~~Plan and shall consider the effect of the variance on the future development of the Town.~~

365 G. ~~In granting or denying an application for any variance, the Board shall set forth specific~~
 366 ~~reasons for its decision in writing.~~

367 H. ~~Approval of the application for a variance shall expire one year from the date recorded in~~
 368 ~~the Town Clerk's Office unless the applicant exercise the permission granted by~~
 369 ~~obtaining a building permit and begins construction and diligently pursues it until~~
 370 ~~completed. The Board may grant a six-month extension of the variance upon a showing~~
 371 ~~of just cause by the applicant.~~

372 **§ 255-460. Special exceptions.**

373
 374 Any special exception previously granted under any Zoning Ordinance of the Town shall
 375 continue to be a special exception, and shall not be construed to become, by the passage of
 376 this chapter as revised and amended in 1994, a nonconforming use or structure.
 377

378 **§ 255-460. Special conditions.**

379 ~~In granting a variance or special use permit, or in making any determination upon which it is~~
 380 ~~required to pass after a public hearing under this chapter, the Board may apply such special~~
 381 ~~conditions that may, in the opinion of the Board, be required to promote the intent and~~
 382 ~~purposes of the Coventry Comprehensive Plan and this chapter. Failure to abide by any~~
 383 ~~special conditions attached to a grant shall constitute a zoning violation. Those special~~
 384 ~~conditions shall be based on competent credible evidence on the record, be incorporated into~~
 385 ~~the decision, and may include, but are not limited to, provisions for:~~

386 A. ~~Minimizing adverse impact of the development upon other land, including the type,~~
 387 ~~intensity, design, and performance of activities;~~

- 388 B. ~~Controlling the sequence of development, including when it must be commenced and~~
- 389 ~~completed;~~
- 390 C. ~~Controlling the duration of use or development and the time within which any temporary~~
- 391 ~~structure must be removed;~~
- 392 D. ~~Assuring satisfactory installation and maintenance of required public improvements;~~
- 393 E. ~~Designating the exact location and nature of development; and~~
- 394 F. ~~Establishing detailed records by submission of drawings, maps, plats, or specifications.~~

395

396 **§ 255-470. Variances.**

397 A. An application for relief from the literal requirements of this chapter because of hardship

398 may be made by any person by filing with the Zoning Enforcement Officer an application

399 in accordance with Code § 255-4100. The ZEO shall immediately transmit each

400 application received to the Board and shall transmit a copy of each application to the

401 Planning Commission.

402

403 B. In granting a variance, the Board, or, when unified development review is triggered

404 pursuant to R.I. Gen. Laws § 45-24-46.4, the Planning Commission, shall require that

405 evidence to the satisfaction of the following standards be entered into the record of the

406 proceedings:

407

408 (1) That the hardship from which the applicant seeks relief is due to the unique

409 characteristics of the subject land or structure and not to the general characteristics

410 of the surrounding area; and is not due to a physical or economic disability of the

411 applicant;

412

413 (2) That the hardship is not the result of any prior action of the applicant; and

414 (3) That the granting of the requested variance will not alter the general character of the

415 surrounding area or impair the intent or purpose of this chapter or the Coventry

416 Comprehensive Plan.

417

418 C. The Board, or, where unified development review is enabled pursuant to R.I. Gen. Laws

419 § 45-24-46.4, the Planning Commission, shall, in addition to the above standards, require

420 that evidence be entered into the record of the proceedings showing that:

421

422 (1) In granting a use variance, the subject land or structure cannot yield any beneficial

423 use if it is required to conform to the provisions of this chapter. Nonconforming use

424 of neighboring land or structures in the same district and permitted use of lands or

425 structures in an adjacent district shall not be considered in granting a use variance;

426 and

427

428 (2) In granting a dimensional variance, that the hardship that will be suffered by the

429 owner of the subject property if the dimensional variance is not granted shall amount

430 to more than a mere inconvenience, meaning that the relief sought is minimal to a

431 reasonable enjoyment of the permitted use to which the property is proposed to be

428 devoted. The fact that a use may be more profitable or that a structure may be more
 429 valuable after the relief is granted shall not be grounds for relief.

430
 431 **~~§ 255-470. Application procedure for special use permits and variances.~~**

432 ~~A. An application for a special use permit or variance may be made by any person desiring~~
 433 ~~such action by filing with the Zoning Board of Review Clerk the prescribed application~~
 434 ~~which shall describe the request and contain such information as may be required by this~~
 435 ~~chapter and by the rules of the Board. All applications shall be accompanied at the time of~~
 436 ~~filing by a plot plan drawn to scale showing the location of all lot and street lines, existing~~
 437 ~~and proposed structures, utilities, wells, sewage disposal systems of the property which is~~
 438 ~~the subject of the appeal or application. Additional application requirements may be~~
 439 ~~found in Article XVI (Development Plan Review). All applications shall be accompanied~~
 440 ~~by a plat map showing lot and street lines and approximate location of structures on~~
 441 ~~premises adjacent to the property which is the subject of the application. All applications~~
 442 ~~shall be filed with the Zoning Board of Review Clerk at least 20 days prior to the next~~
 443 ~~scheduled public hearing date, and shall be accompanied by the fees required.~~

444 ~~B. An application for a special use permit, variance or appeal from a decision of the~~
 445 ~~Building Inspector, shall require a filing fee as exhibited in Table 3-1.~~

446
 447 **§ 255-480. Expiration of variances and special use permits.**

448 A. Any variance or special use permit shall expire one (1) year from the date recorded in the
 449 Town Clerk’s Office unless the applicant exercises the permission granted or receives a
 450 building permit, begins construction and diligently performs construction of the project
 451 until it is completed. Construction shall be substantially completed within two (2) years
 452 from the date of approval. The Board may, upon written request for cause shown, renew
 453 the variance or special use permit for a second, one-year period. The request for an
 454 extension need not be advertised.

455 B. Should the applicant fail to begin construction following the issuance of a building
 456 permit, or obtain a certificate of occupancy within the second, one-year period, the Board
 457 may upon written request prior to the expiration of the second, one-year period, renew the
 458 variance or special use permit for a third, one-year period provided the applicant can
 459 demonstrate due diligence in proceeding and substantial financial commitment in
 460 promoting the subject variance or special use permit since the date of the filing of the
 461 resolution. Notice shall be given in accordance with Code § 255-440 and a hearing shall
 462 be held on the request.

463 C. The expiration periods of an approval of a variance or special use permit granted under
 464 this section under unified development review shall be the same as those set forth in the
 465 Rhode Island General Laws for the underlying type of project under review.

466 D. The above one-year periods shall be stayed as of the date any court action is commenced
 467 to overturn the approval and for the duration of the pendency of any such action.

468
 469
 470 **~~§ 255-480. Participation in zoning hearing.~~**

471 ~~Participation in a zoning hearing or other proceeding by a party shall not be a cause for civil~~
 472 ~~action or liability except for acts not in good faith, intentional misconduct, a knowing~~
 473 ~~violation of law, transactions where there is an improper personal benefit, or malicious,~~
 474 ~~wanton, or willful misconduct.~~

475 **§ 255-490. Special conditions.**

476
 477 When granting a variance or special use permit, or in making any determination upon which
 478 it is required to pass after a public hearing under this chapter, the Board may apply such
 479 special conditions that may, in the opinion of the Board, be required to promote the intent
 480 and purposes of the Coventry Comprehensive Plan and this Chapter. Failure to abide by any
 481 special conditions attached to a grant shall constitute a zoning violation. Those special
 482 conditions shall be based on competent credible evidence on the record, be incorporated into
 483 the decision, and may include, but are not limited to, provisions for:

- 484 A. Minimizing adverse impact of the development upon other land, including the type,
 485 intensity, design, and performance of activities; and
- 486 B. Controlling the sequence of development, including when it must be commenced
 487 and completed; and
- 488 C. Controlling the duration of use or development and the time within which any
 489 temporary structure must be removed; and
- 490 D. Assuring satisfactory installation and maintenance of required public improvements;
- 491 E. Designating the exact location and nature of development; and
- 492 F. Establishing detailed records by submission of drawings, maps, plats, or specifications.

493
 494 **§ 255-490. Appeals to superior court.**

495 ~~An aggrieved party may appeal a decision of the Board to the Superior Court for Kent~~
 496 ~~County in accordance with R.I.G.L. § 45-24-69 by filing a complaint setting forth the reasons~~
 497 ~~of appeal within 20 days after the decision has been recorded and posted in the office of the~~
 498 ~~Town Clerk. The decision shall be posted in a location visible to the public in the Town Hall~~
 499 ~~for a period of 20 days following the recording of the decision. The Board shall file the~~
 500 ~~original documents acted upon by it and constituting the record of the case appealed from, or~~
 501 ~~certified copies thereof, together with such other facts as may be pertinent, with the clerk of~~
 502 ~~the court within 30 days after being served with a copy of the complaint. When the complaint~~
 503 ~~is filed by someone other than the original applicant or appellant, the original applicant or~~
 504 ~~appellant and the members of the Board shall be made parties to the proceedings. The appeal~~
 505 ~~shall not stay proceedings upon the decision appealed from, but the court may, in its~~
 506 ~~discretion, grant a stay on appropriate terms and make such other orders as it deems~~
 507 ~~necessary for an equitable disposition of the appeal.~~

508 **§ 255-500. Appeals to the Rhode Island Superior Court.**

509 In accordance with R.I. Gen. Laws § 45-24-69, an aggrieved party may appeal any decision
 510 of the Board to the Rhode Island Superior Court sitting in Kent County by filing a complaint
 511 therein and setting forth the reasons of appeal within twenty (20) days after the decision has

512 been recorded in the Town’s land evidence records and posted in the office of the Town
 513 Clerk in a location visible to the general public. The posting in the Clerk’s office shall be for
 514 a period of twenty (20) days following the recording of the decision.

515 After being served with a copy of the complaint, the Board shall file the original documents,
 516 or certified copies thereof, it acted upon and all other documents it relied upon or that
 517 otherwise constitute the record of the decision appealed from, together with such other facts
 518 as may be pertinent with the clerk of the Superior Court within thirty (30) days.

519 When a complaint is filed by someone other than the original applicant or appellant, the
 520 original applicant or appellant and the members of the Board shall be made parties to the
 521 proceedings in Superior Court. The appeal shall not stay the decision appealed from, but the
 522 Court may, on application, grant a stay and make orders it deems necessary and just while the
 523 appeal is pending before the Court.

524

525 **§ 255-4100. Application procedure for special use permits and variances.**

526 A. An application for a special use permit or variance may be made by any person desiring
 527 such action by filing it with the Clerk of Zoning Board of Review. The prescribed
 528 application shall describe the request and contain such other information as may be
 529 required by this Chapter and by the rules of the Board. All applications shall be
 530 accompanied at the time of filing by a plot plan drawn to scale showing the location of
 531 all lot and street lines as well as existing and proposed structures, utilities, wells, and
 532 sewage disposal systems of the property, which is the subject of the appeal or
 533 application. Additional application requirements may be found in Article XVI of this
 534 Chapter. All applications shall be accompanied by a plat map showing lot and street
 535 lines and approximate location of structures on premises adjacent to the property which
 536 is the subject of the application. All applications shall be filed with the Zoning Board of
 537 Review Clerk at least twenty (20) days prior to the next scheduled public hearing date,
 538 and shall be accompanied by payment for all required fees.

539 B. An application for a special use permit, variance or appeal from a decision of the
 540 Building Inspector, shall require a filing fee as set forth in Table 3-1.

541

542 **~~§ 255-4100. Unified development review.~~**

543 ~~There shall be unified development review for the issuance of variances and special use~~
 544 ~~permits for properties undergoing review under development plan review and/or land~~
 545 ~~development or subdivision review.~~

546 A. ~~Public hearing. All land development and subdivision applications, and development~~
 547 ~~plan review applications, which include requests for variances and/or special use permits~~
 548 ~~submitted pursuant to this section, shall be heard in a public hearing that meets the~~
 549 ~~requirements of the Land Development and Subdivision Regulations and R.I.G.L. § 45-~~
 550 ~~23-42(b).~~

- 551 B. ~~In granting requests for dimensional and use variances, the Planning Commission shall~~
 552 ~~be bound to the requirements as set forth in Article IV and specifically relative to~~
 553 ~~entering evidence into the record in satisfaction of the applicable standards.~~
- 554 C. ~~In reviewing requests for special use permits, the Planning Commission shall be bound~~
 555 ~~to the conditions and procedures under which a special use permit may be issued and the~~
 556 ~~criteria for the issuance of such permits, as set forth in Article IV and specifically~~
 557 ~~relative to entering evidence into the record in satisfaction of the applicable standards.~~
- 558 D. ~~Appeals. An appeal from any decision made pursuant to this section may be taken~~
 559 ~~pursuant to R.I.G.L. § 45-23-71.~~
- 560 E. ~~Any decision for a variance or special use permit rendered by the Planning Commission~~
 561 ~~through unified development review shall be required to provide for the recording of~~
 562 ~~findings of fact and a written decision. Such decision shall be made part of the record~~
 563 ~~and recorded in the land evidence records.~~

564
 565 **§ 255-4110. Participation in zoning hearing.**
 566

567 The general public shall have the right to participate in any zoning hearing or other
 568 proceeding before the Board so long as the hearing or other proceeding is properly before
 569 the Board as a docketed matter on its agenda. The Board shall have, as a matter of course, a
 570 docket heading on its agenda entitled “Public Comment on Docketed Items; and Public
 571 Hearings” during which the public may exercises its right to participate, subject to Board
 572 rules concerning the conduct of its docket, hearings and public participation as well as
 573 guidance set forth on the docket itself.

574
 575 Generally, participation in a zoning hearing or other proceeding by a party or member of the
 576 public shall not be a cause for civil action or liability except for: acts of bad faith, intentional
 577 misconduct, a knowing violation or misrepresentation of the law, a knowing
 578 misrepresentation of facts, transactions and relationships related to a docketed matter where
 579 there is an undisclosed personal benefit or self-interest; and other malicious, wanton, or
 580 willful acts of misconduct intended to provide misleading testimony.
 581

582 **§ 255-4120. Appeals to the zoning board of review.**

583 A. An appeal to the Board from a decision of the ZEO in the enforcement of this chapter
 584 may be taken by any person, officer, department or board of the Town or state aggrieved
 585 or affected by such decision or other action taken by the ZEO. Any appeal must be taken
 586 within thirty (30) days of the recording of the decision or action by the Building Inspector
 587 or the ZEO by filing a notice of appeal with the Clerk for the Zoning Board of Review
 588 setting forth the grounds for or reasons of appeal. The Building Inspector or the ZEO
 589 shall transmit to the Board all the records upon which the decision or action was based.
 590 Any appeal to the Board shall stay all actions or proceedings, including penalties and
 591 finest, in furtherance of the decision or action appealed from, unless the Building
 592 Inspector or ZEO certifies to the Board that a stay would cause imminent peril to life,
 593 life safety or property. In such a case, proceedings shall not be stayed other than by a
 594 restraining order granted by a Court of competent jurisdiction.

595 B. In exercising its powers the Board may reverse or affirm, in whole or in part, and may
596 modify the order, requirement, decision, or determination appealed from and may make
597 such orders, requirements, decisions, or determinations as ought to be made, and, to that
598 end, shall have the powers of the officer from whom the appeal was taken. All decisions
599 and records of the Board respecting appeals shall conform to the provisions of Code §
600 255-430E.

601
602 **§ 255-4140. Unified development review.**

603
604 There shall be unified development review for the issuance of variances and special use
605 permits for properties undergoing review under development plan review and/or land
606 development or subdivision review.

607 A. Public hearing. All land development and subdivision applications, and development
608 plan review applications, which include requests for variances and/or special use
609 permits submitted pursuant to this section, shall be heard in a public hearing that meets
610 the requirements of the Land Development and Subdivision Regulations and R.I. Gen.
611 Laws § 45-23-42(b).

612 B. When granting requests for dimensional and use variances, the Planning Commission
613 shall be bound to the requirements as set forth in Article IV of this Chapter and
614 specifically relative to entering evidence into the record in satisfaction of the
615 applicable standards.

616 C. In reviewing requests for special use permits, the Planning Commission shall be bound
617 to the conditions and procedures under which a special use permit may be issued and
618 the criteria for the issuance of such permits, as set forth in Article IV and specifically
619 relative to entering evidence into the record in satisfaction of the applicable standards.
620 Appeals. An appeal from any decision made pursuant to this section may be taken
621 pursuant to R.I. Gen. Laws § 45-23-71.

622
623 D. Any decision on a variance or special use permit rendered by the Planning
624 Commission through unified development review shall be required to provide for the
625 recording of findings of fact and a written decision. Such decision shall be made part
626 of the record and recorded in the land evidence records.

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642 **Section 2.** This ordinance shall take effect upon its passage and final adoption.

643

644

645 Positive Endorsement:

Negative Endorsement: (Attach reasons)

646

647

648

649 _____
Town Solicitor

Date

Date

650

651

652 Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive

653

654 Referred to/for:

Planning Commission on February 19, 2025

655

656

First Reading on _____, 2025

657

658

Public Hearing on _____, 2025

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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE VI – Zoning District Use and Dimensional Regulations

Ordinance No. 2025-10

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article VI:

Article VI, Chapter 255 – Zoning

§ 255-600. Schedule of Zoning District Use Regulations. ~~H~~

- A. The following ~~schedule~~ Schedule of District Use Regulations, attached to this Chapter as Table 6-1, (Table 6-1) of uses is designed to regulate the uses in the various zoning districts in the Town. Specific uses are listed for each zoning district.
- B. For uses not specifically listed in Table 6-1, the property owner may submit a written request to the Zoning Official for an evaluation and determination of whether the proposed use is of similar type, character, and intensity as a listed use.
- C. The following uses are permitted only in the zoning district marked with a "P." Uses permitted in the zoning district as a special use permit under the provisions of Article IV of this chapter are marked with an "S." Where the letter "N" appears, the uses are prohibited. Note that Article XII, regarding parking, Article XVI (Development Plan Review), Article XIV (Land Development Projects), and Article XVII (Landscaping), will likely apply to some residential and agricultural uses, as well as most commercial and industrial uses.

~~[1] — Editor's Note: Table 6-1 is included as an attachment to this chapter.~~

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[Table 6-1 is a separate document containing amendments]

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Section 2. This ordinance shall take effect upon its passage and final adoption.

Positive Endorsement:

Negative Endorsement: (Attach reasons)

Town Solicitor

Date

Town Solicitor

Date

Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive

Referred to/for:

Planning Commission on February 19, 2025

First Reading on _____, 2025

Public Hearing on _____, 2025

Town of Coventry Schedule of District Use Regulations

The following uses are permitted only in the zoning district marked with a “P.” Uses permitted in the zoning district as a special use permit under the provisions of Article IV of this chapter are marked with an “S.” Where an “N” appears, the uses are prohibited. Note that Article XII (regarding parking), Article XVI (Development Plan Review), Article XIV (Land Development Projects), and Article XVII (Landscaping) will likely apply to some residential and agricultural uses, as well as most commercial and industrial uses.

Table 6-1

A. Residential

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|--------------|--------------|--------------|--------------|----------------|----------------|--------------|--------------|--------------|--------------|---|
| 01 | Single-family detached dwelling | P | P | P | P | N P | N P | N | N | N | N | The maximum density of a subdivision for residential purposes in the VMC zone shall be 2 units per acre. |
| 02 | Accessory dwelling unit (ADU) <i>Accessory living quarters in-law</i> | P | P | P | P | P | P | N | N | N | N | |
| 03 | <i>Accessory family dwelling unit</i> | N | N | N | N | N | N | N | N | N | N | <i>Lot must have 20 acres</i> |
| 04 | Two-family dwelling | N | N | N | N | N | N | N | N | N | N | |
| 05 | Multi-family dwelling project | N | N | N | N | N | N | N | N | N | N | See Article XIV |
| 06 | Taking of Boarders or the renting of rooms by a resident family (up to two boarders) | P | P | P | N | P | P | N | N | N | N | |
| 07 | Taking of boarders or the renting of rooms by a resident family (3 or 4 roomers or boarders) | N | N | N | N | P | P | N | N | N | N | |

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---|-----|-----|-----|-----|-----|-----|----|----|----|----|---|
| 08 | Taking of Boarders or the renting of rooms by a resident family (5 to 12 roomers or boarders) | N | N | N | N | N | N | N | N | N | N | |
| 09 | Bed-and-breakfast inn | N | N | N | N | N | N | N | N | N | N | |
| 10 | Motel and hotel | N | N | N | N | N | N | N | P | N | N | See § 255-930F hotel only in BP zone |
| 11 | Mobile home park | N | N | N | N | N | N | N | N | N | N | See Article XI and Chapter 9 of the Code of Ordinances |
| 12 | Community residence | N | N | N | N | N | N | N | N | N | N | See definitions; residences with 6 or fewer individuals are exempt from zoning |
| 13 | Family day care | P | P | P | P | P | P | P | P | P | P | See definitions |
| 14 | Multi-family 1- and 2-bedroom apartment above commercial uses | N | N | N | N | N | N | N | N | N | N | Development must have double the square footage of commercial floor area compared to residential floor area |

Note: Conversion of residential dwellings into additional dwelling units requires development plan review pursuant to Article XVI.

B. Agricultural.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|----------------------------------|------------|------------|------------|------------|------------|------------|-----------|-----------|-----------|-----------|-----------------|
| 01 | Veterinarian and animal hospital | N | N | N | N | P | P | P | P | N | N | |

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|------------|------------|------------|------------|------------|------------|-----------|-----------|-----------|-----------|---|
| 02 | Horticultural nursery and Greenhouses. Includes onsite sale of produce and items associated with gardening and plant landscaping | N | N | N | N | P | P | P | P | N | N | See Table 6-4, 6-5, 6-6 |
| 03 | Fish hatcheries | P | P | P | N | N | N | N | N | N | N | |
| 04 | Commercial raising breeding of animals or fowl, excluding swine. For domestic animals, see kennels in Table E-2-06 below | P | P | P | N | N | N | N | N | N | N | Requires 5 acres and structures located 85 feet from property line. Use not to exceed 15% lot coverage, not including wetlands. See Article IX, § 255-950. Fenced animal area 30 feet from property line. |
| 05 | Commercial boarding of horses or other livestock | P | N | N | N | N | N | N | N | N | N | See agricultural dimensional requirements of B-04 and Article IX, § 255-950 |

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | II | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|----|----|----|----|---|
| 06 | Recreational, hobby, educational raising of farm animals, incidental to a household use, roosters or geese due to their tendency to create a noise nuisance to abutting properties must be kept at least 300 feet from any property line | P | P | P | P | P | P | P | N | P | P | Farm animals such as cows, goats, horses, and sheep shall require 2 acres, limited to 2 animals, with 1 additional animal for every additional acre housed at a minimum of 50 feet from the property line. Other farm animals such as chickens, rabbits, and ducks shall be limited to 6 animals, if property contains less than 1 acre. If property is greater than 1 acre, limited to 25 small farm animals. All small farm animals must be housed at a minimum of 25 feet from any property line |
| 07 | Sale of fruit, vegetables, meat and animal products raised on the premises. No slaughtering will be done on site | P | P | P | P | P | P | P | N | P | P | Signs no larger than 12 square feet |
| 08 | Compassion centers and cooperative cultivation facilities as defined in R.I.G.L. § 21-28.6 | N | N | N | N | N | N | N | N | N | N | |

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | II | I2 | Comments |
|----|---|-----|-----|-----|-----|-----|-----|----|----|----|----|----------|
| 09 | Marijuana cultivation by not more than two patients cardholders as defined in R.I.G.L. § 21-28.6 Within their residential dwelling for personal, medical use only and not for sale or distributions | P | P | P | P | P | P | N | N | N | N | |
| 10 | Marijuana cultivation other than for personal medical use as set forth in section 09 | N | N | N | N | N | N | N | N | N | N | |

c. Industry.

1. Extractive industry.

| | Use | RR5 | RR-3 | RR2 | R20 | VRC | VMC | GB | BP | II | I2 | Comments |
|----|---------------|-----|------|-----|-----|-----|-----|----|----|----|----|---------------|
| 01 | Earth removal | N | N | N | N | N | N | N | N | N | N | See Article X |

2. Industrial nonmanufacturing.

| | Use | RR5 | RR-3 | RR2 | R20 | VRC | VMC | GB | BP | I-1 | I-2 | Comments |
|----|---|-----|------|-----|-----|-----|-----|----|----|-----|-----|---|
| 01 | Metal fabrication or machine shop | N | N | N | N | N | N | N | P | P | P | |
| 02 | Screened outdoor or indoor storage and wrecking of junk or salvage material; automobile junk yards (includes sales of material) | N | N | N | N | N | N | N | N | N | N | See Chapter 204, Article II of the Code of Ordinances |

| | Use | RR5 | RR-3 | RR2 | R20 | VRC | VMC | GB | BP | I-1 | I-2 | Comments |
|----|---|-----|------|-----|-----|-----|-----|----|----|-----|-----|---|
| 03 | Screened open lot storage of building material and machinery, etc. | N | N | N | N | N | N | P | P | P | N | Accessory to principal use of sales or manufacturing |
| 04 | Open storage of solid fuel, sand or gravel | N | N | N | N | N | N | N | N | N | N | |
| 05 | Storage of flammable or explosive materials above ground and underground | N | N | N | N | N | N | N | N | N | N | Limited to liquid natural gas in a BP Zone |
| 06 | Commercial woodlots and firewood storage and sales | N | N | N | N | N | N | N | N | N | N | See Article XVII |
| 07 | Equipment garage for the commercial storage of construction vehicles and heavy equipment over 4-ton carrying capacity | N | N | N | N | P | N | P | P | P | P | See Article XVI, Development Plan Review |
| 08 | Recycling of solid waste (not to include agricultural or fish waste) | N | N | N | N | N | N | N | N | N | N | See Chapter 204, Article II, of the Code of Ordinances (individual business needs for source separation is allowed) |
| 09 | Commercial composting | N | N | N | N | N | N | N | N | N | N | See § 255-930H and Article XVI; consult with DEM; see also Chapter 204, Article II, of the Code of Ordinances |

Note: See Article VII, industrial Performance Standards, and Chapter 18, Article IV of the Code of Ordinances

3. Industrial manufacturing.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---|-----|-----|-----|-----|-----|----------------|----|----|----|----|--|
| 01 | Food and food kindred products (processing) including canneries | N | N | N | N | N | N | N | N | N | N | |
| 02 | Manufacture of textile products and apparel | N | N | N | N | N | N | N | P | P | P | |
| 03 | Production of bakery goods | N | N | N | N | N | N | P | P | P | P | |
| 04 | Manufacture of wood products and furniture | N | N | N | N | P | N P | N | P | P | P | |
| 05 | Sawmill and planing mills | N | N | N | N | N | N | N | N | P | P | To include sales of wood products produced on the property |
| 06 | Printing, publishing and allied industries | N | N | N | N | N | N | N | P | P | P | |
| 07 | Manufacture of pharmaceuticals | N | N | N | N | N | N | N | P | P | P | |
| 08 | Manufacture of chemicals and allied products | N | N | N | N | N | N | N | N | P | P | |
| 09 | Manufacture of rubber and plastic products | N | N | N | N | N | N | N | N | P | P | |
| 10 | Manufacture of leather and leather products | N | N | N | N | N | N | N | N | P | P | |
| 11 | Manufacture of glass products | N | N | N | N | N | N | N | P | P | P | |
| 12 | Manufacture of concrete products | N | N | N | N | N | N | N | N | N | N | |
| 13 | Primary metal industries | N | N | N | N | N | N | N | N | P | N | |
| 14 | Manufacture of fabricated metals, machinery | N | N | N | N | N | N | N | P | P | P | |

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---|-----|-----|-----|-----|-----|-----|----------------|----|----|----|----------|
| 15 | Manufacture of electrical machinery, machinery equipment, and supplies | N | N | N | N | N | N | N | P | P | P | |
| 16 | Manufacture of transportation equipment | N | N | N | N | N | N | N | P | P | P | |
| 17 | Manufacture of professional, scientific and controlling instruments; photographic and optical goods; watches and clocks | N | N | N | N | N | N | N P | P | P | P | |
| 18 | Arts and crafts manufacturing, manual assembly of jewelry parts, production of folk art (i.e., leather, glass, soap, wood, pottery, stone or metal workshop) including retail trade | N | N | N | N | P | P | P | P | P | P | |
| 19 | Biological technologies and associated laboratories and research facilities | N | N | N | N | N | N | N P | P | P | P | |
| 20 | Manufacture or assembly of electronic parts | N | N | N | N | N | N | N P | P | P | P | |
| 21 | Assembly of prefabricated metal products | N | N | N | N | N | N | P | P | P | P | |
| 22 | Manufacture of ordinances | N | N | N | N | N | N | N | N | N | N | |

Note: See Article VII, Industrial Performance Standards, and Chapter 142 of the Code of Ordinances.

4. Transportation, communications and utilities.

| | Use | RR-5 | RR-3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|----------------|----------------|-----|-----|-----|-----|----------------|----------------|----------------|----|--|
| 01 | Taxi stand (off-street parking) | N | N | N | N | P | P | P | P | P | P | No development plan review required (if parking lot already exists) |
| 02 | School bus parking and storage | N | N | N | N | N | N | N P | N P | P | N | |
| 03 | Bus terminal | N | N | N | N | N | N | P | N P | P | P | |
| 04 | Motor freight terminal | N | N | N | N | N | N | N | P | P | P | |
| 05 | Private airstrip | N | N | N | N | N | N | N | N | N | N | Parcel must have a minimum of 25 acres in area or be part of a land development project which sets aside adequate area for an airstrip |
| 06 | Telephone exchange substation (provided no business activity is conducted therein) | N | N | N | N | N | N | N | P | N | N | Article XVI applies |
| 07 | Radio or TV studios | N | N | N | N | N | N | P | P | N P | N | |
| 08 | Transmitters and tower for private use | S N | S N | N | N | N | N | N | N | N | N | See § 255-910A |
| 09 | Power generating station | N | N | N | N | N | N | N | N | P | P | |
| 10 | Power generating station - hydro | N | N | N | N | N | N | N | N | N | P | |
| 11 | Water towers | N | N | N | N | N | N | N | N | N | N | See Article XVII |
| 12 | Sewage treatment facilities | N | N | N | N | N | N | N | N | N | P | |
| 13 | Sewage Pumping Facilities | P | P | P | P | P | P | P | P | P | P | |
| 14 | Utility substation | N | N | N | N | N | N | N | N | N | N | |

| | Use | RR-5 | RR-3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|------|------|-----|-----|-----|-----|----|----|----|----|---|
| 15 | Windmills, wind turbines Subject to additional regulations as set forth in Article XX. The requirements set forth in such article shall be in addition to the requirements of this ordinance pertaining to special use permits* | N | N | N | N | N | N | N | N | N | N | Allowed by right on all municipally owned properties. Applicant must demonstrate that the light flicker caused by the turbine will not negatively affect nearby homes |
| 16 | Major solar installation** | N | N | N | N | N | N | N | N | N | N | |
| | Medium solar installation* | N | N | N | N | N | N | N | P | P | P | |
| | Minor solar installation** | P | P | P | P | P | P | P | P | P | P | |
| | Roof-mounted solar installation** | P | P | P | P | P | P | P | P | P | P | |
| 17 | Telecommunications antennas and towers (new or principal structures) except small repeater antennas mounted on utility pole which will be allow in all zones | N | N | N | N | N | N | N | P | P | P | Communications towers are permitted on municipally owned property (see Article IX) |
| 18 | Telecommunications antennas and towers (accessory use) | N | N | N | N | N | N | N | P | P | P | Communication towers are allowed on municipally-owned property (see Article 9) |
| 19 | Cable TV and telephone equipment | N | N | N | N | N | N | N | P | P | P | Cable TV and telephone equipment is allowed on municipally-owned property |

* See Article XX.

** Subject to additional regulations as set forth in Article XXI of this chapter. NOTE: See Article IX, § 255-970.
NOTE: See Articles VII, XVI, XVII and Chapter 142 of the Code of Ordinances.

d. Commercial.

1. Wholesale.

| | Use | RR5 | RR-3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|------|-----|-----|-----------------------|-----------------------|----|----|----|----|--|
| 01 | Wholesale distribution establishments, the principal activity of which is sale of merchandise to individuals and corporations for resale to the public (no retail sales) | N | N | N | N | P <u>N</u> | P <u>N</u> | N | P | P | P | *Special use permit required for uses greater than 2,000 square feet |

2. Retail trade: building materials, hardware and farm equipment.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----------------------|----|----|-----------------------|-----------------------|----------|
| 01 | Sale of lumber and other building materials | N | N | N | N | P | P <u>P</u> | P | P | P | P <u>P</u> | |
| 02 | Sale of heating plumbing and electrical supply and service | N | N | N | N | P | P | P | P | P | P <u>P</u> | |
| 03 | Sale of paint, glass, floorcovering and wallpaper | N | N | N | N | P | P | P | P | P <u>P</u> | P <u>P</u> | |
| 04 | Sale of hardware | N | N | N | N | P | P | P | P | N | P <u>P</u> | |
| 05 | Sale of farm equipment and heavy equipment, including rental | N | N | N | N | P | P <u>P</u> | P | P | P | P <u>P</u> | |

3. Retail trade: food.

| | Use | RR5 | RR-3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--------------|-----|------|-----|-----|-----|-----|----|----|----|----|-----------------|
| 01 | Supermarkets | N | N | N | N | N | N | P | P | N | N | See definitions |

| | Use | RR5 | RR-3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|------|-----|-----|----------------|-----|----|----|----|----|--|
| 02 | Grocery stores, delicatessens, meat and fish markets, retail sale of baked goods and dairy products; permanent fruit and vegetable markets | N | N | N | N | N P | P | P | P | N | N | *Less than 10,000 square feet GFA; see definitions |
| 03 | Convenience stores | N | N | N | N | P | P | P | P | N | N | |

4. Retail trade: motor vehicles.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---|-----|-----|-----|-----|-----|-----|----------------|----|----|----------------|----------------|
| 01 | Motor vehicle motorcycle or trailer dealers - new and used (including repairs conducted only within a building) | N | N | N | N | N | N | N P | P | P | N P | See § 255-930B |
| 02 | Tire, battery and accessory dealers - no service (auto parts store) | N | N | N | N | P | P | P | P | P | N P | |
| 03 | Gasoline service (full or self) station (minor repairs only, may be combined with convenience store) | N | N | N | N | N | N | N | N | N | N | See § 255-930A |
| 04 | Storage, repair and sales of boats | N | N | N | N | N | N | N | P | P | N | See § 255-930C |

5. Retail trade: apparel and apparel accessories.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|----------------------|-----|-----|-----|-----|-----|-----|----|----|----|----|----------|
| 01 | Shoe store | N | N | N | N | P | P | P | P | N | N | |
| 02 | Tailor or dressmaker | N | N | N | N | P | P | P | P | N | N | |

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|----|----|----|----|----------|
| 03 | Sale of miscellaneous apparel and accessories including yarn, fabric, sewing shop, leather shops | N | N | N | N | P | P | P | P | N | N | |

6. Retail trade: furniture, furnishing and equipment.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---|-----|-----|-----|-----|-----|-----|----|----|----------------|----------------|----------|
| 01 | Sale and repair of furniture, floor covering, home furnishings and accessories stores | N | N | N | N | P | P | P | P | N P | N P | |
| 02 | Sale and repair of appliances | N | N | N | N | P | P | P | P | P | N | |
| 03 | Sale and repair of radio, television, musical instruments, record, CD, and tape shops | N | N | N | N | P | P | P | P | P | N | |
| 04 | Rental service stores (light equipment) | N | N | N | N | P | P | P | P | N | N | |
| 05 | Camping, fishing or hunting equipment store (retail or rental) | N | N | N | N | P | P | P | P | N | N | |

7. Retail trade: eating and drinking places.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|----|----|----------------|----------------|----------|
| 01 | Lunchroom or restaurant (no alcoholic beverage) | N | N | N | N | P | P | P | P | N P | N P | |
| 02 | Tavern, cafe, club, bar or lounge (alcoholic beverage) | N | N | N | N | N | N | P | P | N P | N | |
| 03 | Lunchroom or restaurant (alcoholic beverage) | N | N | N | N | N | N | P | P | N | N | |

| | | | | | | | | | | | | |
|----|---|---|---|---|---|---|---|---|---|---|---|----------------|
| 04 | Drive-in and fast-food restaurants (no alcoholic beverages) | N | N | N | N | N | N | P | N | N | N | See § 255-930A |
|----|---|---|---|---|---|---|---|---|---|---|---|----------------|

8. Retail trade: miscellaneous retail stores.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|----|----------------|----|----|---|
| 01 | Drugstores, video rental, office equipment, sporting goods and gun stores | N | N | N | N | P | P | P | N P | N | N | |
| 02 | Packaged liquor stores | N | N | N | N | P | P | P | N P | N | N | |
| 03 | Secondhand stores | N | N | N | N | P | P | P | N P | N | N | Limited to 100 square feet outside display area |
| 04 | Antique shops | N | N | N | N | P | P | P | N P | N | N | Limited to 100 square feet outside display area |
| 05 | Flea market - outdoors/indoors | N | N | N | N | N | N | N | N | N | N | |
| 07 | Lawn and garden supply stores | N | N | N | N | P | P | P | P | N | N | Not to include landscape supply in bulk |
| 08 | Swimming pool sales | N | N | N | N | N | N | P | P | N | N | |
| 09 | Fuel dealers, oil and bottled gas sale and service only | N | N | N | N | N | N | N | N | N | N | Refers to retail sales of bottled gas to individuals for home use |
| 10 | Sale of general merchandise, department store (including storage up to 30% of GFA) | N | N | N | N | P* | P* | P | P | N | N | *Limited to 10,000 square feet building |

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|----------------------------|-----|-----|-----|-----|-----|-----|----|----|----|----|--|
| 11 | Landscape supply (in bulk) | N | N | N | N | N | N | P | P | P | N | See Article XVI; outdoor storage of aggregate materials including sand, stone, bark, mulch, and loam in excess of 4 cubic yards, not to exceed 12 feet height, and not to exceed the lot coverage percentages designated in Tables 6-3 and 6-4 |

9. Storage facilities.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|----------------|----|----|----|-----------------------------|
| 01 | General warehousing and storage facilities (nonflammable and nonexplosive within a building) | N | N | N | N | N | N | N | P | P | P | |
| 02 | Self-storage facilities | N | N | N | N | N | N | N P | P | P | P | See Article II, Definitions |

E. Personal, business and professional services.

1. Professional offices.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---|-----|-----|-----|-----|-----|-----|----|----|----|----|----------|
| 01 | General commercial offices, bank or financial institution | N | N | N | N | P | P | P | P | P | P | |

| | | | | | | | | | | | | |
|----|--|---|---|---|---|---|---|---|---|---|---|---|
| 02 | Temporary real estate office and/or model home | P | P | P | P | N | N | N | P | N | N | To be located only in an approved subdivision, for one year only, in a model home |
| 03 | Customary home occupation | P | P | P | P | P | P | P | N | P | P | Up to 100 square feet, no employees, no parking; See § 255-930G |
| 04 | Office (for use by the resident of the premises, up to one employee in addition to resident) | N | N | N | N | P | P | P | P | P | P | |
| 05 | Physical therapy and other health-related services | N | N | N | N | P | P | P | P | N | N | Allowed in R-20 only if on arterial road |
| 06 | Medical and dental offices and | N | N | N | N | P | P | P | P | N | N | Allowed in R-20 only if on arterial |

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|--|--|-----|-----|-----|-----|-----|-----|----|----|----|----|----------|
| | laboratories, legal, engineering and design and other professional offices | | | | | | | | | | | road |

2. Personal services.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---|-----|-----|-----|-----|--------------|--------------|--------------|--------------|----|----|---|
| 01 | Laundry or dry cleaners (pick-up) and self-service laundromat | N | N | N | N | P | P | P | P | N | N | In BP Zone, these uses allowed only in multioccupant structures |
| 02 | Photo studio, taxidermist and similar specialty shops | N | N | N | N | P | P | P | P | N | N | See comments under 01 |
| 03 | Beautician and barber shops, shoe repair, tattoo shop and similar specialty shops | N | N | N | N | P | P | P | P | N | N | See comments under 01 |
| 04 | Mortuary or funeral home | N | N | N | N | N | N | P | N | N | N | See comments under 01 |

| | | | | | | | | | | | | |
|---------------|--|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------------------|-----------------|-----------------|--|
| 05 | Caterer | N | N | N | N | P | P | P | N | N | N | See comments under 01 |
| 06 | Kennels, or the boarding of animals (including retail sales) | N | N | N | N | N | N | N | N | N | N | Annual kennel license required from Town Council |
| 07 | <u>Pet grooming</u> | <u>N</u> | <u>N</u> | <u>N</u> | <u>N</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| 07 | Travel agency, newspaper office (no printing) | N | N | N | N | P | P | P | N <u>P</u> | N | N | See comments under 01 |

3. Automotive repair, services and garages.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---|-----|-----|-----|-----|-----|-----|----|----|----|----|----------------------|
| 01 | Paid off-street parking lot or structure | N | N | N | N | N | N | N | P | N | N | See Article XII |
| 02 | General automotive repair, automobile body shop, vehicle washing shop | N | N | N | N | N | N | N | N | P | N | See § 255-930A and C |

4. Miscellaneous repair services.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---|-----|-----|-----|-----|-----|-----|----|------------------------------|----|----|----------|
| 01 | Small engines and appliance and miscellaneous repair services | N | N | N | N | P | P | P | N <u>P</u> | P | P | |

F. Governmental, education and institutional.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|----|------------------------------|----|------------------------------|----------|
| 01 | Government-owned building (except garage or utility) | N | N | N | N | P | P | P | P | P | N <u>P</u> | |
| 02 | Garage or utility (government-owned building) | N | N | N | N | N | N | N | N <u>P</u> | P | N | |

| | | | | | | | | | | | | |
|----|--|---|---|---|---|---|-----------------------|-----------------------|---|-----------------------|-----------------------|---|
| 03 | Fire or police station, and municipal schools | P | P | P | P | P | P | P | P | P | P | In BP, school use requires approval of Fire and Police Chief |
| 04 | Private day-care, kindergarten, elementary or secondary school, junior college college or university | N | N | N | N | P | N <u>P</u> | N <u>P</u> | P | N <u>P</u> | N <u>P</u> | Up to six children allowed in family day care (See definitions and Table 6-1, Use A-14); also Comments 03 |
| 05 | Trade or professional | N | N | N | N | P | P | P | P | P | P | |

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----------------------|-----|-----------------------|----|----|-----------------------|--|
| | school | | | | | | | | | | | |
| 06 | Individual instruction | P | P | P | P | P | P | P | P | N | N <u>P</u> | |
| 07 | Group instruction | N | N | N | N | P | P | P | P | P | P | Up to 6 individuals in residential zones |
| 08 | Library or museum | P | P | P | P | P | P | P | P | N | N | |
| 09 | Churches | N | N | N | N | N | N | P | N | N | N | |
| 10 | Religious services (regularly held, not in churches) | N | N | N | N | N | N | N <u>P</u> | N | N | N | |
| 11 | Cemetery | N | N | N | N | N | N | N | N | N | N | See § 255-930D |
| 12 | Hospitals | N | N | N | N | N | N | P | N | N | N | |
| 13 | Walk-in medical clinic or treatment center | N | N | N | N | P <u>N</u> | N | P | P | P | N <u>P</u> | |
| 14 | Rest, retirement, convalescent or nursing homes | N | N | N | N | N | N | N | P | N | N | |

c. Recreation.

1. Commercial outdoor recreation.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---|-----|-----|-----|-----|-----|-----|----|----|----|----|---|
| 01 | Camps and campgrounds | N | N | N | N | N | N | N | N | N | N | Town Council permit required |
| 02 | Riding academies and riding schools (may include accessory indoor rink) | N | N | N | N | N | N | N | N | N | N | Excludes outside lighting for night use |

| | | | | | | | | | | | | |
|----|---|---|---|---|---|---|---|---|---|---|---|---------------------------------|
| 03 | Roller or ice skating rink | N | N | N | N | N | N | P | P | P | N | Includes lighting for night use |
| 04 | Outdoor gun range (includes trap and skeet) | N | N | N | N | N | N | N | N | N | N | |
| 05 | Golf course | N | N | N | N | N | N | N | P | N | N | Excludes lighted for night use |

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|----|----|----|----|--|
| 06 | Golf practice range, pitch and putt, golf driving range, miniature golf course | N | N | N | N | N | N | P | P | P | N | |
| 07 | Tennis courts, general athletic field and swimming pools | N | N | N | N | N | N | P | P | P | N | Includes unlighted and lighted for night use |
| 08 | Paint ball, air soft and laser tag arena | N | N | N | N | N | N | P | P | N | N | |
| 09 | Hayride, corn maze or similar activity | N | N | N | N | N | N | N | N | N | N | |
| 10 | Outdoor archery range | N | N | N | N | N | N | N | N | N | N | |

2. Commercial outdoor water-based recreation.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|----|----|----|----|----------|
| 01 | Boat liveries (small, nonmotorized boat rental(s)) | N | N | N | N | P | N | N | N | N | N | |

3. Commercial indoor recreation.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|----|----|----|----|----------|
| 01 | Arena or recreation hall | N | N | N | N | N | N | P | P | P | P | |
| 02 | Roller or ice skating rink | N | N | N | N | N | N | P | P | P | N | |
| 03 | Tennis courts or other indoor courts games | N | N | N | N | N | N | P | P | P | N | |
| 04 | Indoor riding school or academy | N | N | N | N | N | N | N | N | N | N | |
| 05 | Indoor athletic fields | N | N | N | N | N | N | P | P | P | N | |
| 06 | Indoor archery and gun range | N | N | N | N | N | N | N | N | N | N | |

4. Open lands.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|---------------------|-----|-----|-----|-----|-----|-----|----|--------------|----|----|----------|
| 01 | Conservation lands, | P | P | P | P | P | P | P | P | P | P | |

| | | | | | | | | | | | | |
|----|---|---|---|---|---|---|---|---|---|---|---|--|
| | wildlife areas, nature preserves | | | | | | | | | | | |
| 02 | Open lands operated as commercial picnic groves | N | N | N | N | N | P | N | N | N | N | |

5. Outdoor recreation operated by nonprofit organizations.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|--------------|--------------|--------------|--------------|----------|
| 01 | Private parks, including subdivision parks | P | P | P | P | P | P | P | P | P | P | |
| 02 | Indoor and/or outdoor private nonprofit recreation not elsewhere classified | N | N | N | N | N | N | P | P | N | N | |
| 03 | Indoor and/or outdoor private nonprofit recreation facilities owned and operated by a nonprofit neighborhood association | N | N | N | N | N | N | P | N | P | P | |

6. Indoor commercial amusement or recreation services.

| | Use | RR5 | RR3 | RR2 | R20 | VRC | VMC | GB | BP | I1 | I2 | Comments |
|----|--|-----|-----|-----|-----|-----|-----|----|----|--------------|----|----------|
| 01 | Studios and schools for musical instruments, dance, singing etc. | N | N | N | N | P | P | P | P | P | P | |

| | | | | | | | | | | | | |
|----|--|---|---|---|---|--------------|---|---|---|--------------|--------------|--|
| 02 | Bowling alleys, billiard and pool, motion picture theater, exercise center, gymnasium, sauna or Turkish bath | N | N | N | N | P | P | P | P | N | N | |
| | turkish bath | | | | | | | | | | | |
| 03 | Video or pinball arcades | N | N | N | N | P | N | P | P | N | N | |
| 04 | Paintball, air soft and laser tag arena | N | N | N | N | P | P | P | P | P | P | |

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THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE II – Definitions

Ordinance No. 2025-11

Passed:

Hillary V. Lima, Council President

Approved:

Daniel O. Parrillo, Town Manager

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article II:

Article II, Chapter 255 – Zoning

§ 255-200. Standard Interpretations.

- A. For the purposes of this Chapter, certain terms or words used herein shall be interpreted as follows:
 - (1) The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.
 - (2) The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
 - (3) The word "shall" is mandatory, the word "may" is permissive.
 - (4) The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."
 - (5) The word "lot" includes the words "plot" or "parcel."
 - (6) The word "land" includes the words "water" and "marsh," unless otherwise designated herein.
 - (7) The word "structure" includes the word "building."
- B. Where used in this chapter, words and terms defined in ~~R.I.G.L.~~ R.I. Gen. Laws § 45-22.2-4 shall have the meanings ascribed therein, unless otherwise defined by this chapter.

44 C. Where used in this Chapter ~~the Ordinance~~, the specific definition of words and terms listed
45 in this article shall be interpreted as stated and shall have the meaning ascribed to them.

46 **§ 255-210. Specific definitions.**

47 As used in this chapter, the following terms shall have the meanings indicated:

48 ABANDONMENT

49 To cease or discontinue a use or activity without intent to resume, but excluding temporary or
50 short-term interruptions to a use or activity during periods of remodeling, maintaining, or
51 otherwise improving a facility, or during normal periods of vacation or seasonal closure. See
52 Code § 255-830.

53 ABUTTER

54 One whose property abuts, that is, adjoins at a border, boundary, or point with no intervening
55 land.

56 ~~ACCESSORY DWELLING STRUCTURE —~~

57 ~~An accessory residential structure that constitutes a dwelling unit under these definitions and~~
58 ~~which is located on the same lot as the principal residence.~~

59 ~~ACCESSORY FAMILY DWELLING UNIT (AFDU)/IN-LAW APARTMENT~~

60 ~~An area, room or combination of rooms located in or attached to an existing principal residence~~
61 ~~that constitute a separate and distinct accessory dwelling unit for use by one or more family~~
62 ~~members of the owner of the principal residence. The principal means of ingress and egress to an~~
63 ~~accessory family dwelling unit shall be through the living area within the principal residence and~~
64 ~~shall not rely on a separate exterior entrance.~~

65 ACCESSORY DWELLING UNIT

66 A residential living unit on the same lot where the principal use is a legally established single-
67 family dwelling unit, two-family dwelling unit, or multi-family dwelling unit. An ADU provides
68 complete independent living facilities for one or more persons. It may take various forms
69 including, but not limited to, a detached unit; a unit that is part of an accessory structure, such as
70 a detached garage; or a unit that is part of an expanded or remodeled primary dwelling.

71

72 ACCESSORY STRUCTURE

73
74 A structure that is incidental and subordinate to the primary use/structure on the same lot, such
75 as a garage, shed, deck, or accessory dwelling unit.

76

77 ACCESSORY USE

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

82

83

84 ADAPTIVE REUSE

85 The conversion of an existing structure from the use for which it was constructed to a new use by
86 maintaining the elements of the structure and adapting such elements to a new use.

87

88 ~~ADMINISTRATIVE VARIANCE~~

89 ~~Permission granted and administered by the Building Inspector or the Zoning Enforcement~~
90 ~~Officer of Coventry, and pursuant to the provisions of this chapter contained herein, to grant a~~
91 ~~dimensional variance other than lot area requirements from this chapter, but not to exceed 25%~~
92 ~~of each of the applicable dimensional requirements.~~

93 AGGRIEVED PARTY — An aggrieved party, for purposes of this chapter, shall be:

- 94 A. Any person who can demonstrate that their property will be injured by a decision of any
- 95 official, board or agency responsible for administering this chapter; or
- 96 B. Anyone requiring notice pursuant to this chapter or ~~R.I.G.L. Title 45, Chapter 24~~ R.I. Gen.
- 97 Laws § 45-24-1 et seq.

98 AGRICULTURAL LAND

99 "Agricultural land" as defined in ~~R.I.G.L.~~ R.I. Gen. Laws § 45-22.2-4. Land suitable for
100 agriculture by reason of suitability of soil or other natural characteristics or past use for
101 agricultural purposes. Agricultural land includes that defined as prime farm land or additional
102 farm land of statewide importance for Rhode Island by the Soil Conservation Service of the
103 United States Department of Agriculture.

104 ALTERATION

105 Any change, addition, or modification in construction or occupancy of an existing structure.

106 APPLICANT

107 An owner or authorized agent of the owner submitting an application or appealing an action of
108 any official, board or agency.

109 APPLICATION

110 The completed form or forms and all accompanying documents, exhibits and plans, if any,
111 required of an applicant by an approving authority for development review, approval, or
112 permitting purposes. In the case of any application relating to a business park district or a land
113 development project in a business park district, infrastructure inspection fees may be waived at
114 the discretion of the Town Council.

115 ARTERIAL ROAD

116 A high-capacity urban road. The primary function of an arterial road is to deliver traffic from
117 collector roads to freeways, and between collector roads and urban centers. Arterial roads are
118 depicted in the Circulation element of the Comprehensive Community Plan adopted on August
119 14, 1992, as amended June 19, 2000.

120 AUTO SALES

121 The sale of more than three used or new vehicles on any property or parcel per year.

122

- 123 BASEMENT
- 124 That portion of a building that is partly or completely below grade.
- 125 BED-AND-BREAKFAST INN
- 126 An owner-occupied dwelling where short-term lodging rooms and meals are provided for a fee.
- 127
- 128 BERM
- 129 An earthen mound designed to provide visual interest, screen undesirable views, and/ or decrease
- 130 noise.
- 131 BOARD
- 132 The Zoning Board of Review.
- 133 BUFFER
- 134 Land which is maintained in either a natural or landscaped state, and is used to screen and/or
- 135 mitigate the impacts of development on surrounding areas, properties or rights-of-way.
- 136 BUFFER, PERIMETER LANDSCAPE
- 137 A continuous area of land set aside along the perimeter of a lot in which landscaping is used to
- 138 provide a transition between and to reduce the environmental, aesthetic, and other impacts of one
- 139 type of land use upon another.
- 140 BUILDING
- 141 Any structure used or intended for supporting or sheltering any use or occupancy.
- 142 BUILDING ENVELOPE
- 143 The three-dimensional space within which a structure is permitted to be built on a lot and which
- 144 is defined by regulations governing building setbacks, maximum height, and bulk; by other
- 145 regulations; and/or any combination thereof.
- 146 BUILDING HEIGHT
- 147 The vertical distance from grade plane, as defined by the Rhode Island Building Code Rules,
- 148 ~~determined by the Town,~~ to the average height of the highest roof surface ~~top of the highest point~~
- 149 ~~of the roof or structure.~~ The distance shall exclude spires, chimneys, flagpoles, and the like.
- 150 BUILDING HEIGHT IN A BUSINESS PARK
- 151 The vertical distance from grade, as determined by the location of the main entrance to the
- 152 structure, to the top of the highest point of the roof or structure. The distance shall exclude spires,
- 153 chimneys, flagpoles and the like.
- 154 BUSINESS PARK or PLANNED BUSINESS PARK
- 155 The purpose of this district is to denote major commercial and employment centers for the town.
- 156 Land uses in this district include all commercial uses other than heavy industrial and certain other
- 157 uses specifically prohibited. Business parks and development plans therefor, and land
- 158 development projects in Business Park Districts, shall be approved, upon review and
- 159 recommendation by the Planning Commission, administered and developed by the Town Council
- 160 under the provisions of Article XIV of this chapter, to the extent such provisions are deemed
- 161 necessary and appropriate by the Council.

162 CAMPGROUNDS

163 One or more lots used for seasonal overnight residential occupancy in permanent or semi-
 164 permanent structures, such as cabins, tents with tent platforms, or similar shelters. Such
 165 campgrounds may include any necessary permanent structures accessory to the principal use.

166

167 CAPACITY or LAND CAPACITY

168 The suitability of the land, as defined by geology, soil conditions, topography, and water
 169 resources, to support its development for uses such as residential, commercial, industrial, open
 170 space, or recreation. Land capacity may be modified by provision of facilities and services.

171 CLUSTER

172 A site planning technique that concentrates buildings in specific areas on the site to allow the
 173 remaining land to be used for recreation, common open space, and/or preservation of
 174 environmentally, historically, culturally, or other sensitive features and/or structures.

175 COMMERCIAL AGRICULTURE

176 The raising and breeding of more than two animal units for commercial enterprise, commercial
 177 greenhouses, and plant nurseries or other farm products for the sale of commodities on or off the
 178 premises. ~~Assessory~~ Accessory uses shall include sale of craft and perishable items produced
 179 from materials cultivated on the property.

180

181 COMMERCIAL COMPOSTING

182 An operation in which solid waste, excluding animal renderings and fish wastes, undergoes a
 183 manufacturing process of accelerated biodegradation and stabilization of organic material under
 184 controlled conditions yielding a product which can safely be used. Such a product is then sold
 185 either wholesale or retail to the general public. Note that consultation with the Rhode Island
 186 Department of Environmental Management is required for such an operation.

187 COMMISSION

188 The Planning Commission for the Town of Coventry.

189 COMMON OWNERSHIP

190 Either:

191 A. Ownership by one or more persons in any form of ownership of two or more contiguous
 192 lots; or

193 B. Ownership by any association (such ownership may also include a municipality) of one or
 194 more lots under specific development techniques.

195 COMMUNITY RESIDENCE

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

199 A. Whenever six or fewer mentally handicapped children or adults reside in any type of
 200 residence in the community, as licensed by the state pursuant ~~to R.I.G.L.~~ R.I. Gen. Laws §

201 40.1-24-1 et seq. All requirements pertaining to local zoning are waived for these
202 community residences;

203 B. A group home providing care or supervision, or both, to not more than eight mentally
204 disabled or mentally handicapped or physically handicapped persons, and licensed by the
205 state pursuant to ~~R.I.G.L.~~ R.I. Gen Laws § 40.1-24-1 et seq.;

206 C. A residence for children providing care or supervision, or both, to not more than eight
207 children including those of the caregiver and licensed by the state pursuant to ~~R.I.G.L.~~ R.I.
208 Gen. Laws § 42-72.1-1 et seq.;

209 D. A community transitional residence providing care or assistance, or both, to no more than
210 six unrelated persons or no more than three families, not to exceed a total of eight persons,
211 requiring temporary financial assistance, and/or to persons who are victims of crimes, abuse,
212 or neglect, and who are expected to reside in that residence not less than ~~sixty (60)~~ 60 days
213 nor more than two years. Residents will have access to and use of all common areas,
214 including eating areas and living rooms, and will receive appropriate social services for the
215 purpose of fostering independence, self-sufficiency, and eventual transition to a permanent
216 living situation.

217

218 COMPREHENSIVE PLAN

219 The comprehensive community plan adopted by the Town of Coventry and approved pursuant to
220 ~~R.I.G.L.~~ R.I. Gen. Laws § 45-22.2-1 et seq.

221 CONVENIENCE STORE

222 Any retail establishment offering for sale prepackaged food products, household items, and any
223 other goods commonly associated with the same and having a gross floor area of less than 5,000
224 square feet.

225 CUSTOMARY HOME OCCUPATION

226 Any occupation, profession, activity, or use that is clearly a customary, incidental, and accessory
227 use of a residential dwelling unit carried out for gain by a resident, and which does not alter the
228 exterior of the property or affect the residential character of the neighborhood.

229 DAY CARE: DAY-CARE CENTER

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

231 DAY CARE: FAMILY DAY-CARE HOME

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

235 DAYS

236 Calendar days.

237 DAYTIME

238 The hours between 7:00 a.m. and 9:00 p.m.

239

- 240 DENSITY, RESIDENTIAL
- 241 The number of dwelling units per unit of land.
- 242 DEVELOPMENT
- 243 The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of
- 244 any structure; any mining, excavation, landfill or land disturbance; any change in use, or
- 245 alteration or extension of the use of land.
- 246 DEVELOPMENT PLAN REVIEW
- 247 The process whereby authorized local officials review the site plans, maps, and other
- 248 documentation of a development to determine compliance with the stated purposes and standards
- 249 of this chapter.
- 250
- 251 DISTRICT
- 252 See "zoning use districts."
- 253 DORMITORY
- 254 A structure used for housing by persons generally unrelated to each other by blood or marriage,
- 255 but associated by reason or participation in the activities of a medical, religious, or educational
- 256 organization. Such institutional dormitories are characterized by the provision of sleeping
- 257 accommodations and common kitchen, dining or recreation facilities.
- 258 DRAINAGE SYSTEM
- 259 A system for the removal of water from land by drains, grading, or other appropriate means.
- 260 These techniques may include runoff controls to minimize erosion and sedimentation during and
- 261 after construction or development, the means for preserving surface and ground waters, and the
- 262 prevention and/or alleviation of flooding.
- 263 DRIVE-IN FACILITY
- 264 An establishment that encourages or permits customers to receive a service or obtain a product,
- 265 including food and drink, while in an automobile on the premises, or after briefly parking the
- 266 automobile. See also "fast-food restaurant."
- 267 DUPLEX
- 268 Two single dwelling units each with separate entrances divided by a common party wall.
- 269 DWELLING
- 270 A building or portion thereof designed exclusively for residential occupancy, but not including
- 271 hotels, motels, lodging houses, trailers, or structures solely for transient or overnight occupancy.
- 272 DWELLING UNIT
- 273 A structure or portion thereof providing complete, independent living facilities for one or more
- 274 persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, and
- 275 containing a separate means of ingress and egress.
- 276 DWELLING, MULTIFAMILY
- 277 A dwelling containing more than two dwelling units for occupancy of families living
- 278 independently of each other including apartment houses, apartment hotels, and flats.

279 DWELLING, SINGLE-FAMILY

280 A building used exclusively for occupancy by one family.

281 DWELLING, TWO-FAMILY

282 A building used exclusively for occupancy by two families living independently of each other.

283

284 EARTH REMOVAL

285 The extraction of minerals and mining of materials from the ground to include quarrying, milling,
 286 crushing, screening, washing, and flotation of earthen materials, and other preparation
 287 customarily done at the extraction site or as a part of the extractive activity.

288 EXCAVATION, EXTRACTION, or MINING

289 The mechanical removal of rock, sand, gravel, clay, and similar materials for commercial
 290 purposes.

291 FAMILY

292 A person or persons related by blood, marriage, or other legal means. See also "household."

293 FAST-FOOD RESTAURANT

294 An establishment that serves food and beverages inside or outside the structure, generally in
 295 disposable containers, and where such food and beverages may be removed from the premises
 296 for consumption.

297 FEDERALLY INSURED OR ASSISTED HOUSING

298 A. Low-income housing units insured or assisted under Sections 221(d)(3) and 236 of the
 299 National Housing Act [12 U.S.C. § 1701 et seq.].

300 B. Low-income housing units produced with assistance under Section 8 of the U.S. Housing Act
 301 of 1937 [42 U.S.C. § 1401 et seq.]; and

302 C. Rural low-income housing financed under Section 515 of the Housing Act of 1949 [12 U.S.C.
 303 § 1715Z].

304 FLOATING ZONE

305 An unmapped zoning district adopted within this chapter which is established on the Zoning Map
 306 only when an application for development meeting the zone requirements is approved.

307 FLOODPLAINS or FLOOD HAZARD AREA

308 As defined by ~~in R.I.G.L.~~ R.I. Gen. Laws § 45-22.2-4, ~~An~~ an area that has a one-percent or
 309 greater chance of inundation in any given year, as delineated by the Federal Emergency
 310 Management Agency pursuant to the National Flood Insurance Act of 1968, as amended (P.L.
 311 90-448) [42 U.S.C. § 4011 et seq.].

312 FRONTAGE

313 The length of any one property line of a premises, which property line abuts a legally accessible
 314 right-of-way, not burdened by access easement, across which access is legally and physically
 315 available for pedestrians and vehicles; or, in the case of a corner lot, all sides of a lot adjacent to
 316 street rights-of-way shall be considered frontage.

317 GARAGE

318 A building or structure, or part thereof, used or intended to be used for the storage of vehicles.

319 GRADE

320 The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within
321 the area between the structure and the property line.

322 GROCERY STORE

323 A commercial establishment that sells food, food kindred products, and household goods, and
324 that has a gross floor area of 10,000 square feet or less.

325 GROSS FLOOR AREA

326 The sum of the total horizontal areas of the several floors of all buildings on a lot, measured from
327 the interior faces of the exterior walls, but shall not include floor space that provides less than six
328 feet of structural headroom, interior parking spaces, or loading areas for motor vehicles.

329 GROUNDWATER

330 "Groundwater" and associated terms, as defined in R.I.G.L. R.I. Gen. Laws § 46-13.1-3.

331 HALFWAY HOUSES

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

334

335 HARDSHIP

336 A set of unique characteristics of land or structures that result in an inability to conform with the
337 standards and requirements of this chapter. Hardship shall not include consideration of the
338 characteristics of surrounding land, or physical or economic disability of an applicant.

339 HAZARDOUS WASTE

340 A waste or combination of wastes of a solid, liquid, contained gaseous, or semisolid form which
341 because of its quantity, concentration or physical, chemical or infectious characteristics may:

- 342 A. Cause or significantly contribute to an increase in mortality or an increase in serious
343 irreversible or incapacitating reversible illness; or
- 344 B. Pose a substantial present or potential hazard to human health or the environment; or such
345 wastes which include, but are not limited to, those which are toxic, corrosive, flammable,
346 irritants, strong sensitizers, substances which are assimilated or concentrated in and are
347 detrimental to tissue, or which generate pressure through decomposition or chemical reaction.

348 HISTORIC DISTRICT or HISTORIC SITE

349 As defined by in R.I.G.L. R.I. Gen. Laws § 45-22.2-4₂, "Historic historic district" means one or
350 more historic sites and intervening or surrounding property significantly affecting or affected by
351 the quality and character of the historic site or sites, and has been registered, or is deemed
352 eligible to be included, on the state register of historical places pursuant to R.I.G.L. R.I. Gen.
353 Laws § 42-45-5₂, "Historic historic site" means any real property, man-made structure, natural
354 object, or configuration or any portion or group of the foregoing which has been registered, or is

355 deemed eligible to be included, on the state register of historic places pursuant to ~~R.I.G.L.~~ R.I.
356 Gen. Laws § 42-45-5.

357 HOUSEHOLD

358 One or more persons living together in a single dwelling unit, with common access to, and
359 common use of, all living and eating areas and all areas and facilities for the preparation and
360 storage of food within the dwelling unit. The term "household unit" shall be synonymous with
361 the term "dwelling unit" for determining the number of such units allowed within any structure
362 on any lot in a zoning district. An individual household shall consist of any one of the following:

363 A. A family, which may also include servants and employees living with the family; or

364 B. A person or group of no more than five unrelated persons living together.

365

366 IMPERVIOUS SURFACE

367 A surface that has been compacted or covered with a layer of material so that it is highly resistant
368 to infiltration by water, including surfaces such as compacted sand, gravel, or clay, as well as
369 most conventionally surfaced streets, sidewalks, parking lots, and other similar structures.

370 IMPULSIVE NOISE

371 Sound of short duration, usually less than one second, with an abrupt onset and a rapid decay.
372 Examples of impulsive noise include explosions and the discharge of firearms.

373

374 INCOMPATIBILITY OF LAND USES

375 An issue arising from the proximity or direct association of contradictory, incongruous, or
376 discordant land uses or activities, including the impacts of noise, vibration, smoke, odors, toxic
377 matter, and similar environmental conditions.

378 INDUSTRIAL ARTS

379 Craft products created through the use of tools or machinery for retail sale.

380 INFRASTRUCTURE

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

383 JUNKYARD

384 A lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of
385 waste paper, rags, scrap metal or discarded material; or for the collecting, dismantling, storage
386 and salvaging of three or more unregistered, inoperable motor vehicles or other materials. (This
387 shall also refer to auto salvage yards).

388 KENNEL

389 An establishment licensed to operate a facility housing dogs, cats, or other household pets and
390 where grooming, breeding, boarding, training, or selling of animals is conducted as a business.

391

392

393 LAND DEVELOPMENT PROJECT

394 A project in which one or more lots, tracts, or parcels of land are to be developed or redeveloped
395 as a coordinated site for a complex of uses, units, or structures, including, but not limited to,
396 planned development and/or cluster development for residential, commercial, institutional,
397 recreational, open space, and/or mixed uses as provided for in this chapter.

398 LANDSCAPING

399 Any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees)
400 and nonliving landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or
401 decorative paving materials).

402 LODGING HOUSE

403 A building with more than two but not more than 10 guest rooms where lodging, with or without
404 meals, is provided for compensation.

405

406 LOT

407 Either:

408 A. The basic development unit for determination of lot area, depth, and other dimensional
409 regulations; or

410 B. A parcel of land whose boundaries have been established by some legal instrument such as a
411 recorded deed or recorded map and which is recognized as a separate legal entity for
412 purposes of transfer of title.

413 LOT AREA

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

416 LOT COVERAGE

417 That portion of the lot that is or may be covered by buildings, accessory buildings and
418 impervious surfaces.

419 LOT DEPTH

420 The distance measured from the front lot line to the rear lot line. For lots where the front and rear
421 lot lines are not parallel, the lot depth is an average of the depth.

422 LOT LINE

423 A line of record, bounding a lot, which divides one lot from another lot or from a public or
424 private street or any other public or private space and shall include:

425 A. FRONT

426 The lot line separating a lot from a street right-of-way.

427

428

429 B. REAR

430 The lot line opposite and most distant from the front lot line, or in the case of triangular or
431 otherwise irregularly shaped lots, an assumed line at least 10 feet in length entirely within the
432 lot, parallel to and at a maximum distance from the front lot line.

433 C. SIDE

434 Any lot line other than a front or rear lot line. On a corner lot, a side lot line may be a street
435 lot line.

436 LOT WIDTH

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

439

440 LOT, THROUGH

441 A lot which fronts upon two parallel streets, or which fronts upon two streets which do not
442 intersect at the boundaries of the lot.

443 MARIJUANA EXTRACTION

444 The use of butane, propane or other solvents for the purpose of extracting marijuana.

445 MARIJUANA STORE

446 Any retail or commercial establishment, or club, whether for-profit, nonprofit, or otherwise, at
447 which the sale or use of marijuana in any form (other than for medical purposes) takes place.
448 This shall include without limitation any so-called "vape lounge," "vapor lounge," or any other
449 establishment at which medical marijuana is consumed in vaporized form.

450 MEDICAL MARIJUANA EMPORIUM

451 Any retail or commercial establishment, or club, whether for-profit, nonprofit, or otherwise, at
452 which the sale or use of medical marijuana in any form takes place. This shall include without
453 limitation any so-called "vape lounge," "vapor lounge," or any other establishment at which
454 medical marijuana is consumed in vaporized form.

455

456 MIXED USE

457 A combination of residential, business, commercial, or industrial land uses within a single
458 development, building, or tract.

459 MOBILE HOME

460 A transportable, single-family dwelling unit suitable for year-round occupancy and having a
461 water supply and waste disposal system similar to immobile housing. A mobile home is designed
462 to be transported on the streets and highways on its own wheels and arrive at the site where it is
463 to be occupied as a dwelling unit complete and ready for occupancy. Removal of wheels and/or
464 axles shall not change its status as a mobile home.

465 MOBILE HOME LOT

466 A lot located in a mobile home park used for the placement of a single mobile home and the
467 exclusive use of its occupants.

468 MOBILE HOME PARK

469 A site with required improvements and utilities for the long-term parking of mobile homes which
470 may include services and facilities for residents.

471 MODIFICATION

472
473 Permission granted and administered by the Zoning Enforcement Officer of Coventry, and
474 pursuant to the provisions of this chapter to grant a dimensional variance other than lot area
475 requirements from this chapter, but not to exceed 25% of each of the applicable dimensional
476 requirements.
477

478 NIGHTTIME

479 The hours between 9:00 p.m. and 7:00 a.m.

480 NONCONFORMANCE

481 A building, structure, or parcel of land, or use thereof, lawfully existing at the time of the
482 adoption or amendment of this chapter and not in conformity with the provisions of such chapter
483 or amendment. Nonconformance shall be of only two types:

484 A. Nonconforming by use: a lawfully established use of land, building, or structure which is not
485 a permitted use in that zoning district. A building or structure containing more dwelling units
486 than are permitted by the use regulations of this chapter shall be nonconforming by use; or

487 B. Nonconforming by dimension: a building, structure, or parcel of land not in compliance with
488 the dimensional regulations of this chapter. Dimensional regulations include all regulations of
489 this chapter, other than those pertaining to the permitted uses. A building or structure
490 containing more dwelling units than are permitted by the use regulations of this chapter shall
491 be nonconforming by use; a building or structure containing a permitted number of dwelling
492 units by the use regulations of this chapter, but not meeting the lot area per dwelling unit
493 regulations, shall be nonconforming by dimension.

494 OPEN SPACE

495 Any parcel or area of land or water set aside, dedicated, designated, or reserved for public or
496 private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining
497 or neighboring such open space; provided that the area may be improved with only those
498 buildings, structures, streets, and off-street parks and other improvements that are designated to
499 be incidental to the natural openness of the land.

500 ORNAMENTAL TREE

501 A deciduous tree planted primarily for its ornamental value or for screening purposes; tends to be
502 smaller at maturity than a shade tree.

503

504 OVERLAY DISTRICT

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

508

509 OWNER

510 Any person who alone, jointly, or severally with others shall have legal or record title to any
511 property; or shall have charge, care, or control of any property as agent, executor, trustee, or
512 guardian.

513 PERFORMANCE STANDARDS

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

516 PERIODIC NOISE

517 Sound which is not continuous, is of intermittent character, and may be cyclical in nature.

518 PERMITTED USE

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

520 PLANNED UNIT DEVELOPMENT (PUD)

521 A "land development project," as defined herein, and developed according to plan as a single
522 entity and containing one or more structures and/or uses with appurtenant common areas.

523 PREAPPLICATION CONFERENCE

524 A review meeting of a proposed development held between applicants and reviewing agencies as
525 permitted by law and this chapter, before formal submission of an application for a permit or for
526 development approval.

527 RECREATIONAL, HOBBY, EDUCATION FARM ANIMAL RAISING

528 The raising of farm animals for appropriate 4-H activities, personal and household use or
529 pleasure rather than for commercial enterprise.

530 REPAIR GARAGE

531 A building designed and used for the storage, care, repair, or refinishing of motor vehicles
532 including both minor and major mechanical overhauling, paint and body work.

533 RESIDENTIAL MOBILE HOME DISTRICTS

534

535 Residential Mobile Home Districts ("RMD") are floating zones limited to mobile home parks
536 and accessory uses, based on an approved comprehensive site plan as set forth in Article XI of
537 this chapter. The minimum gross land area, excluding swamps, ponds, streams, unsuitable soils
538 and other unusable land under single ownership, shall be 10 acres. All RMDs shall adhere to the
539 regulations of Article XI and Chapter 11 of the Code.

540

541 RESTORATION The reasonable rehabilitation of the affected land for useful purposes and the
542 protection of the natural resources of the surrounding area including surface and groundwater.
543 ~~groundwaters.~~

544 SCREEN

545 A method of reducing the impact of noise and unsightly visual intrusions with less offensive or
546 more harmonious elements such as plants, berms, fences, walls, or any appropriate combination
547 thereof.

548

549 SERVICE STATION

550 Any premises where gasoline and other petroleum products are sold and/ or light maintenance
551 activities such as engine tune_ups, lubrication, minor repairs, and carburetor cleaning are
552 conducted. Service stations shall not include premises where heavy automobile maintenance
553 activities such as engine overhauls, automobile painting, and body fender work are conducted.

554 SETBACK LINE OR LINES

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

558 SHADE TREE

559 Usually a deciduous tree planted primarily for its high crown of foliage or overhead canopy.

560 SHOPPING CENTER

561 A group of three or more contiguous commercial establishments, planned, developed, owned,
562 and managed as a single unit with off-street parking provided on the same lot.

563 SHRUB

564 A woody plant, smaller than a tree, consisting of several small stems from the ground or small
565 branches near the ground which can be either deciduous or evergreen.

566 SIGN

567 A structure or device designed or intended to convey information to the public in written or
568 pictorial form.

569 SITE PLAN

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

572 SPECIAL USE

573 A regulated use which is permitted pursuant to the special use permit issued by the Coventry
574 Zoning Board of Review. Formerly referred to as a special exception.

575 STORY

576 That portion of a building between the surface of any floor and the surface of the floor next
577 above it or, if there is no floor above it, then the space between the highest floor and the top of
578 the roof beams. A basement shall be counted as a story.

579 STRUCTURE

580 A combination of materials to form a construction for use, occupancy, or ornamentation, whether
581 installed on, above, or below the surface of land or water.

582 SUBSTANDARD LOT OF RECORD

583 Any lot lawfully existing at the time of adoption or amendment of this chapter and not in
584 conformance with the dimensional and/or area provisions of the Ordinance.

585 SUPERMARKET

586 A commercial establishment that sells food, food kindred products, and household goods, and
587 that has a gross floor area in excess of 10,000 square feet. Such an establishment shall also be

- 588 considered a supermarket if it sells items not customarily associated with grocery stores,
 589 regardless of size.
- 590
- 591 TOP SOIL
- 592 A presumed fertile soil or soil material that responds to fertilization, ordinarily rich in organic
 593 matter.
- 594 TRAILER
- 595 Any vehicle or any portable structure designed and constructed so as to permit the occupancy
 596 thereof as a dwelling by one or more persons and so designed and constructed that it is or may be
 597 mounted on wheels and used as a conveyance on a street or highway, propelled or drawn by its
 598 own or other motive power.
- 599 UNSTABLE SOILS
- 600 Any soil, as defined by the United States Geological Survey, the U.S. Department of Agriculture,
 601 or the Soil Conservation Service, that is prone to cause erosion or sedimentation, or that is
 602 incapable of supporting structures due to engineering concerns.
- 603 UPLAND
- 604 Land which is not a wetland as defined in ~~R.I.G.L.~~ R.I. Gen. Laws § 2-1-20.
- 605 USE
- 606 The purpose or activity for which land or structures are designed, arranged, or intended, or for
 607 which land or structures are occupied or maintained.
- 608 VARIANCE
- 609 Permission to depart from the literal requirements of this chapter. An authorization for the
 610 construction or maintenance of a building or structure, or for the establishment or maintenance of
 611 a use of land, which is prohibited by this chapter.
- 612 A. There shall be only two categories of variance, a use variance or a dimensional variance.
- 613 (1) USE VARIANCE
- 614 Permission to depart from the use requirements of this chapter where the applicant for
 615 the requested variance has shown, by evidence upon the record, that the subject land or
 616 structure cannot yield any beneficial use if it is to conform to the provisions of this
 617 chapter.
- 618 (2) DIMENSIONAL VARIANCE
- 619 Permission to depart from the dimensional requirements of this chapter, where the
 620 applicant for the requested relief has shown, by evidence upon the record, that there is
 621 no other reasonable alternative way to enjoy a legally permitted beneficial use of the
 622 subject property unless granted the requested relief from the dimensional regulations.
- 623 B. However, the fact that a use may be more profitable or that a structure may be more valuable
 624 after the relief is granted shall not be grounds for relief.
- 625

626 WATERS

627 As defined by ~~in R.I.G.L.~~ R.I. Gen. Laws § 46-12-1(b).

628 WETLAND, FRESHWATER

629 As defined by ~~in R.I.G.L.~~ R.I. Gen. Laws § 2-1-20-~~A~~, a marsh, swamp, bog, pond, river, river or
 630 stream floodplain or bank, area subject to flooding or storm flowage; emergent or submergent
 631 plant community in any body of fresh water; or area within 50 feet of the edge of a bog, marsh,
 632 swamp, or pond, as defined ~~in R.I.G.L.~~ by R.I. Gen. Laws § 2-1-20.

633 WOODLANDS

634 Existing trees and shrubs of a number, size, and species that accomplish the same general
 635 function as new plantings.

636 YARD

637 A space on the same lot with a main building, open, unoccupied and unobstructed by buildings or
 638 structures from the ground up, except as otherwise provided in this chapter.

639 YARD, FRONT

640 The area between a street line and a line parallel thereto, drawn through the nearest point of a
 641 main structure, extending between side lot lines. On a corner lot, there shall be only one front
 642 yard; the other potential front yard shall be considered a side yard, or where applicable, a corner
 643 side yard.

644 YARD, REAR

645 An area extending across the full width of the lot between the rearmost main building and the
 646 rear lot line, the depth of which shall be the least distance between the rear lot line and the rear of
 647 such main building.

648 YARD, SIDE

649 The area between the main building and the side lot line, extended from the front yard or front lot
 650 line where no front yard is required, to the rear yard. The width of the required side yard shall be
 651 measured horizontally from the nearest point of the side lot line toward the nearest point of the
 652 main building.

653 ZONING CERTIFICATE

654 A document signed by the Zoning Enforcement Officer, as required by this chapter, which
 655 acknowledges that a use, structure, building or lot either complies with or is legally
 656 nonconforming to the provisions of this chapter or is an authorized variance, special use permit
 657 or administrative variance therefrom.

658 ZONING ENFORCEMENT OFFICER

659 The person charged with enforcing this chapter and referred to from time to time in this chapter
 660 as the “ZEO”.

661 ZONING MAP

662 The map or maps which are a part of this chapter and which delineate the boundaries of all
 663 mapped zoning districts within the physical boundary of the Town of Coventry.

664 ZONING USE DISTRICTS

665 The basic unit in zoning to which a uniform set of regulations applies, or a uniform set of
666 regulations for a specified use.

667
668 **Section 2.** This ordinance shall take effect upon its passage and final adoption.
669

670
671 Positive Endorsement: Negative Endorsement: (Attach reasons)
672

673
674 _____
675 Town Solicitor Date Town Solicitor Date
676

677
678 Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive
679

680 Referred to/for: Planning Commission on February 19, 2025
681
682 First Reading on _____, 2025
683
684 Public Hearing on _____, 2025

THE TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE IX – Supplementary Regulations

Ordinance No. 2025-12

Passed:

Hillary V. Lima, Council President

Approved:

Daniel O. Parrillo, Town Manager

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article IX:

Article IX, Chapter 255 – Zoning

§ 255-910. Exceptions to dimensional requirements.

A. Exceptions to height regulations.

- (1) The following structures or parts of structures may be erected above the specified height limitation in Article VI provided that such vertical element shall be set back from any lot line one additional foot for each foot by which it exceeds the prescribed height limit for the district: church spire, church tower or church belfry; flagpole; radio or television antenna; chimney; elevator; penthouse; silo; municipal water supply structures; windmills; or wind generators.

B. Authorized departures from yard regulations. The following describes special circumstances in which deviation from the stated yard restrictions in Article VI may be waived. This section also defines the yard setbacks for odd-shaped lots.

- (1) Waiver of front yard restrictions. Where lots on both sides of a vacant lot have main buildings, which are located in the established front yard and have been so maintained since this chapter became effective, the front yard requirement for the vacant lot may be the average of the front yards of the adjacent lots. In no case shall a front yard be less than 15 feet.

- (2) Architectural projections. Open or semi enclosed structures such as porches, canopies, balconies, platforms, garages, carports, covered patios, decks and similar

46 architectural projections when attached to a principal building shall be considered
 47 parts of the building to which they are attached and shall not project into the required
 48 minimum front, side or rear yard. When such structures are not attached to the
 49 principal building, they shall be considered accessory buildings and shall be governed
 50 by the provisions of Code § 255-920A.

51 (3) Waiver of yard restrictions in general. Yards required in this chapter and the space
 52 above them shall be unobstructed by buildings except as permitted by this article.

53 (a) Ordinary projections of windowsills, cornices, and other structural features may
 54 extend not more than 12 inches into the space above required yards;

55 (b) Signs as permitted in Article XV may be located in front yards; and

56 (c) Outdoor telephone booths in a commercial district may be located in front yards,
 57 provided that they do not obstruct visibility for proper traffic circulation.

58 (4) Three-sided lot. In the event that a lot contains only three sides, the width of the lot
 59 shall be considered to be the distance between side lot lines, measured at the required
 60 front yard depth. The rear yard shall be measured from a line 10 feet in length entirely
 61 within the lot parallel to the front lot line.

62 (5) Irregular lot. In the event the front yard of a lot abuts a curve, a cul-de-sac or a
 63 junction of two streets that form an interior angle approximating 90°, the width of the
 64 lot shall be considered to be the distance between the two side lot lines, measured at
 65 the required front yard depth.

66 (6) Reduction of street frontage. In any residential district, street frontage may be
 67 reduced to not less than 60 feet for those lots fronting entirely on turnarounds or culs-
 68 de-sac. In such instances, the required frontage shall be measured at the building line.

69 (7) Corner lot. On a corner lot, ~~both yards fronting on intersecting streets shall meet the~~
 70 ~~front yard setbacks~~ there shall be only one front yard as determined by the Zoning
 71 ~~Enforcement Officer; the other potential front yard shall be considered a side yard.~~

72 (8) Front yards or through lots. At each end of a through lot the front yard setbacks for
 73 the district shall be adhered to.

74
 75 ~~C.—Different use districts abutting one another. Minimum landscaped buffer requirements are~~
 76 ~~established in § 255-1730 to protect residents against the impacts of potentially~~
 77 ~~incompatible abutting land uses. These buffers shall be complied with when residential~~
 78 ~~and nonresidential land uses abut one another.~~

79
 80 ~~D.—Buffer between residential dwellings and earth removal operations. There shall be a~~
 81 ~~minimum buffer of 600 feet between occupied and new residential dwellings and the limit~~
 82 ~~of operation for any earth removal operation. See § 255-1040A(3).~~

83
 84
 85

86 § 255-920. General development regulations.

87 A. Accessory structures.

88 ~~(1) Generally. A permitted accessory structure in any residential zone shall be placed in~~
 89 ~~the rear yard, except that accessory buildings may be placed in the side yard where the~~
 90 ~~side yard setback requirement for the principal structure can be maintained. For~~
 91 ~~example: a detached garage in an R-20 Zone may be permitted in the side yard if a side~~
 92 ~~yard setback of 20 feet can be maintained.~~

93 (1) Dimensional regulations for detached accessory structures.

94 (a) Location: Detached accessory structures in any zone shall be placed in the rear
 95 yard, except that detached accessory structures may be placed in the side yard
 96 where the side yard setback requirement for the principal structure can be
 97 maintained. Detached accessory structures shall not be placed in the front yard.

98 (b) ~~R20: The height for a detached accessory structure shall not be greater than 15~~
 99 ~~feet, or the height of the principal structure, whichever is lower. Detached~~
 100 ~~A~~ accessory structures shall be placed no closer than 10 feet to the property line.
 101 Residential tool, garden or storage sheds up to a maximum of 120 square feet
 102 may be permitted up to five feet to a property line.

103 (c) RR2 and RR3: ~~The height for a detached accessory structure shall not be greater~~
 104 ~~than 19 feet. Detached A~~ accessory structures ~~over 120 square feet~~ shall be placed
 105 no closer than ~~10~~ 15 feet to the property line. Residential tool, garden or storage
 106 sheds up to a maximum of 120 square feet may be permitted up to five feet to a
 107 property line.

108 (d) RR5: ~~The maximum height for a detached accessory structure may be permitted~~
 109 ~~up to 22 feet where the property meets the minimum lot size requirement.~~
 110 ~~Otherwise, the maximum height limitation shall be 19 feet. The location~~
 111 ~~of Detached~~ accessory structures shall be placed ~~no closer than~~ ~~at least 50~~ 35 feet
 112 ~~from the~~ to the property line, ~~except for nonconforming lots of record which shall~~
 113 ~~have an accessory structure setback of 25 feet to the property line, unless as~~
 114 ~~otherwise stated in this chapter.~~ Residential tool, garden or storage sheds up to a
 115 maximum of 120 square feet may be permitted up to 10 feet to a property line.

116 (e) Height: The maximum height for a detached accessory structure is the height of
 117 the principal structure or 25 feet, whichever is lower.

118 (f) Floor Area: The maximum floor area of a detached accessory structure shall be
 119 1,200 square feet or 60% of the total floor area of the principal structure,
 120 whichever is less.

121 (g) Design: Detached accessory structures shall be designed such that they are
 122 incidental and subordinate to the principal structure and maintain continuity with
 123 the architectural appearance and character of the principal structure.

124 (h) Lot Coverage: Detached accessory structures shall comply with the lot coverage
 125 requirements of the underlying zoning district.

126

127

- 128 (2) Dimensional regulations for attached accessory structures.
- 129 (a) An accessory garage or accessory dwelling unit attached to the principal
 130 structure shall be subject to the yard requirements of a principal structure in the
 131 applicable zoning district.
- 132 (b) New attached accessory garages or attached accessory dwelling units shall not
 133 extend in front of the principal structure.
- 134 (c) Attached decks and porches may be allowed in front of the principal structure,
 135 but shall be subject to the yard requirements of a principal structure in the
 136 applicable zoning district.
- 137 (d) Attached accessory garages and attached accessory dwelling units shall be
 138 designed such that they are incidental and subordinate to the principal structure
 139 and maintain continuity with the architectural appearance and character of the
 140 principal structure.
- 141 (e) Attached accessory dwelling units must comply with the provisions of Code §
 142 255-920.F.
- 143 (3) Accessory structures, whether attached or detached, that are buildings incidental and
 144 subordinate to farming or agricultural uses. ~~Accessory buildings incidental and~~
 145 ~~subordinate to farming or agricultural uses~~ may have a height greater than ~~15-25~~ feet,
 146 provided that farming is the principal use of the land. In no instance shall the height of
 147 such accessory buildings be greater than 35 feet as stipulated by § 255-600. ~~The~~ Such
 148 accessory structures ~~building~~ shall be primarily used for storage of materials incidental
 149 to farm or agricultural uses, and not for ~~habitation~~ habitable living areas, except to
 150 allow for the development of ADU's in compliance with the provisions of Code § 255-
 151 920.F. ~~(i.e., apartments, efficiency units, dwelling units, etc.).~~
- 152 ~~(4) Attached structures. An accessory garage attached to the principal structure becomes~~
 153 ~~part of the principal structure and therefore must meet the yard requirements of the~~
 154 ~~applicable zoning district.~~
- 155 B. Fences and walls. Fences and walls not exceeding 10 feet may be placed in any yard area in
 156 an industrial district. In any other commercial district, fences will be limited to eight feet in
 157 height. In any other residential district, fences and walls may be constructed in side and
 158 rear yards up to six feet in height. In front yards, the maximum height of walls and fences
 159 shall be four feet. All fences are subject to the vision requirements in Code § 255-920C.
- 160 C. Vision clearance at corners. At street intersections or corners of streets no structure shall be
 161 erected and no vegetation shall be planted or maintained in such a manner as to materially
 162 impede vision between the heights of two feet and 10 feet above the triangle formed by the
 163 two street lines and a third line joining points on the street lines 30 feet from the
 164 intersection.
- 165 D. Swimming pools. No private swimming pool capable of containing a depth of 24 inches
 166 shall be allowed in any district except as an accessory use and must comply with the
 167 following requirements:
- 168 (1) The pool must be intended and used principally for the enjoyment of the property
 169 occupants.

- 170 (2) It shall not be located in the front yard and shall be no closer than 10 feet to a side or
 171 rear property line.
- 172 (3) The pool, or the property on which it is located, shall be walled or fenced to prevent
 173 uncontrolled access from the street or from adjacent properties. Said fence or wall
 174 shall not be less than five feet in height, shall be maintained in good condition with a
 175 gate and lock, and must prohibit the passage of any object exceeding four inches in
 176 diameter.
- 177 (4) ~~Inground~~ In-ground pools shall have an apron inside the fence no less than four feet in
 178 width.

179 E. ~~Water bodies.~~

- 180 (1) ~~No disposal trench or bed, cesspool, seepage pit or other facility shall be located:~~
- 181 (a) ~~Within 75 feet of a freshwater wetland, stream, river, pond or lake as defined~~
 182 ~~in R.I.G.L. 2-1, as amended, except that the required setbacks shall not be~~
 183 ~~considered.~~
- 184 (b) ~~Within 75 feet of the flood water source if such facility is located on a "Flood~~
 185 ~~Plain" as defined in R.I.G.L. 2-1.~~
- 186 (2) ~~No structure may be erected within 50 feet of any freshwater wetland, stream, river,~~
 187 ~~pond or lake except sheds, for the storage of boats and accessories, piers and similar~~
 188 ~~structures.~~
- 189 (3) ~~No freshwater wetland, stream, river, pond, or lake as defined in R.I.G.L. 2-1 shall be~~
 190 ~~excavated, drained, filled or altered in any way except in conformance state and~~
 191 ~~federal law.~~

192 F. E. Temporary structures. Temporary structures including, but not limited to, truck bodies;
 193 container boxes; and plastic, metal, or wood-sheathed structures without plumbing and electricity
 194 shall be prohibited.

195 G. ~~Accessory dwelling structures. [Added 5-14-2018 by Ord. No. 04-18-322]~~

- 196 (1) ~~Accessory dwelling structures are prohibited on any lot containing less than 20 acres.~~
- 197 (2) ~~Multiple accessory dwelling structures on a single lot are not permitted. Accessory~~
 198 ~~dwelling structures shall comply with all planning, building and zoning requirements~~
 199 ~~for a principal structure.~~

200 H. ~~Accessory family dwelling unit (AFDU)/in-law apartment. [Added 5-14-2018 by Ord. No.~~
 201 ~~04-18-322]~~

- 202 (1) ~~AFDU by right. AFDUs located in an owner-occupied, single-family residence shall~~
 203 ~~be permitted as a reasonable accommodation for family members in all residential~~
 204 ~~zones subject to the following conditions in accordance with R.I.G.L. § 45-24-37(e):~~
- 205 (a) ~~The AFDU shall only be occupied by a family member;~~
- 206 (b) ~~The family member occupying the AFDU must be 62 years of age or older or~~
 207 ~~disabled;~~

- 208 ~~(c) The exterior appearance of the principal structure shall remain that of a single-~~
 209 ~~family home;~~
- 210 ~~(d) An internal means of entry and egress shall be maintained between the principal~~
 211 ~~residence and the AFDU at all times;~~
- 212 ~~(e) No additional exterior entrances shall be added absent a compelling need, such~~
 213 ~~as code compliance or to accommodate an occupant's disability. If a compelling~~
 214 ~~need for an exterior entrance arises, the entrance will be located on the side or~~
 215 ~~rear of the structure;~~
- 216 ~~(f) Any septic system located on site shall be approved by the Department of~~
 217 ~~Environmental Management to handle waste associated with the AFDU; and~~
- 218 ~~(g) An AFDU under this section shall only be valid where the owner of the~~
 219 ~~principal~~
 220 ~~residence has recorded a notarized declaration in the Coventry land evidence~~
 221 ~~records and filed a copy of that declaration with the Coventry Zoning Official.~~
 222 ~~The AFDU declaration shall be on forms prepared by the Coventry Office of~~
 223 ~~Planning and Development.~~
- 224 ~~(2) AFDU by special use permit. AFDUs that do not meet the criteria for an AFDU by~~
 225 ~~right, as outlined above, because they involve expansion of the existing principal~~
 226 ~~residence, may be approved by special use permit in accordance with Article 4,~~
 227 ~~subject to the following conditions:~~
- 228 ~~(a) The AFDU shall only be occupied by a family member;~~
- 229 ~~(b) The exterior appearance of the principal structure shall remain that of a single-~~
 230 ~~family home;~~
- 231 ~~(c) An internal means of entry and egress shall be maintained between the living~~
 232 ~~area of the principal residence and the AFDU at all times;~~
- 233 ~~(d) No additional exterior entrances shall be added absent a compelling need, such~~
 234 ~~as code compliance or to accommodate an occupant's disability. If a compelling~~
 235 ~~need for an exterior entrance arises, the entrance will be located on the side or~~
 236 ~~rear of the structure;~~
- 237 ~~(e) Any septic system located on site shall be approved by the Department of~~
 238 ~~Environmental Management to handle waste associated with the AFDU; and~~
- 239 ~~(f) An AFDU under this section shall only be valid once a special use permit has~~
 240 ~~been granted by the Zoning Board and recorded in the Coventry land evidence~~
 241 ~~records.~~
- 242 ~~(3) A structure that would otherwise meet the definition of an accessory dwelling~~
 243 ~~structure cannot be made into an AFDU by connecting it to a principal residence with~~
 244 ~~a walkway, hallway, breezeway or other similar structure.~~
- 245 ~~(4) The identity of the occupant of the ADFU shall be named and an affidavit signed~~
 246 ~~verifying that this person will be the only occupant.~~
- 247 ~~(5) All building permit applications for renovations or additions to construct an ADFU~~

- 248 ~~shall include a plan describing how the ADFU will be converted back into living~~
 249 ~~space for the principal dwelling unit when the ADFU is terminated.~~
- 250 ~~(6) Any ADFU obtained under this section shall automatically terminate~~
 251 ~~when:~~
- 252 ~~(a) The ADFU is no longer occupied by a qualified family member(s);~~
 253 ~~or~~
- 254 ~~(b) Title to the principal residence is transferred, whichever occurs first.~~
- 255 ~~(7) Upon termination of an ADFU, either where it is no longer occupied by a qualifying~~
 256 ~~family member or as a result of a transfer of title, the owner-occupant of the~~
 257 ~~principal residence shall notify the Coventry Zoning Official, in writing, and record~~
 258 ~~an appropriate document in the land evidence records noting the termination of the~~
 259 ~~ADFU.~~
- 260 ~~(8) Once an ADFU has terminated, occupancy of the ADFU shall no longer be~~
 261 ~~permitted~~
 262 ~~unless a subsequent ADFU declaration is recorded to renew the ADFU for~~
 263 ~~another family member.~~
- 264 ~~(9) ADFUs originally approved by special use permit under Subsection H(2) may be~~
 265 ~~renewed through the ADFU declaration process under Subsection H(1), provided~~
 266 ~~that no further expansion of the principal dwelling is proposed.~~
- 267 ~~(10) At no time shall either the ADFU or the principal residence be occupied by a non-~~
 268 ~~family member of the owner of the property.~~

269 F. Accessory Dwelling Units (ADUs)

- 270 (1) Eligibility. One ADU per lot shall be allowed by right under the following
 271 circumstances:
- 272 (a) On an owner-occupied property as a reasonable accommodation for family
 273 members with disabilities; or
- 274 (b) On a lot with a total lot area of twenty thousand square feet (20,000 sq. ft.) or
 275 more for which the primary use is residential; or
- 276 (c) Where the proposed ADU is located within the existing footprint of the primary
 277 structure or existing accessory attached or detached structure and does not
 278 expand the footprint of the structure.
- 279 (2) Performance Standards:
- 280 (a) The maximum unit size for an ADU is as follows:
- 281 1. A studio or one (1) bedroom ADU may be up to 900 square feet, or 60% of
 282 the floor area of the principal dwelling, whichever is less.
- 283 2. A two (2) bedroom ADU may be up to 1,200 square feet, or 60% of the floor

- 284 area of the principal dwelling, whichever is less.
- 285 3. ADU's with three (3) bedrooms or more are not allowed.
- 286 (b) One additional off-street parking space shall be required for the ADU.
- 287 (c) ADUs shall comply with the accessory structure standards for the underlying
- 288 zoning district.
- 289 (d) ADUs shall have adequate water supply and wastewater disposal systems, which
- 290 may be shared with the principal dwelling. Separate water or sewer service lines
- 291 or expanded septic system capacity shall not be required, except as necessary for
- 292 state law compliance, building code compliance, or to address capacity or
- 293 upgrades necessary to accommodate the ADU.
- 294 (e) ADUs cannot be offered or rented for tourist or transient use (defined as
- 295 occupancy less than thirty (30) days) or through a hosting platform.
- 296 (f) ADUs must comply with all state and federal fair housing laws.
- 297 (g) ADU's shall not require zoning relief when proposed within the existing
- 298 footprint of the primary or accessory structure which is a legal nonconforming
- 299 structure in order to address the existing dimensional nonconformity.
- 300 (h) ADU's shall be allowed as part of applications for new primary dwelling units or
- 301 subdivisions. For proposed ADU's as part of a larger development proposal, such
- 302 ADU shall not be counted toward the density of the proposal.
- 303 (i) ADU's that are not allowed by right under this chapter shall utilize the Unified
- 304 Development Review process pursuant to the Rhode Island General Laws.

305 **§ 255-930. Supplemental regulations for specific land uses.**

- 307 A. Gasoline service stations, automotive repair and drive-in restaurants. Gasoline stations,
- 308 service stations, drive-in restaurants, car washes, automotive repair shops and similar
- 309 highway oriented "drive-in" uses shall be designed to conform with the following
- 310 requirements, in addition to other applicable provisions of this chapter.
- 311 (1) The minimum lot area shall be 20,000 square feet with a minimum street frontage of
- 312 not less than 150 feet.
- 313 (2) Suitable separation shall be made between the pedestrian sidewalk and the vehicular
- 314 parking or moving area with the use of appropriate bumper, wheel guards, or traffic
- 315 islands in accordance with Article XII of this chapter. Where the portion of the
- 316 property used for vehicular traffic abuts a street, such portion shall be separated from
- 317 the street line by a concrete curb at least six inches high.
- 318 (3) The entire area used for vehicle service shall be paved, except for such unpaved area
- 319 as is landscaped and protected from vehicle use by a low barrier.
- 320 (4) The construction standards for all drive access openings (curb cuts) shall be in
- 321 accordance with Code § 255-1230C.
- 322 (5) The distance of any driveway from any property line shall be at least 10 feet.

- 323 (6) The distance between curb cuts serving the same lot or adjacent lots shall be no less
 324 than 40 feet.
- 325 (7) The distance between a street intersection and a curb cut shall be in accordance
 326 with Code § 255-1230D.
- 327 (8) Buffer landscaping and screening shall be done in accordance with Article XVII of
 328 this chapter.
- 329 (9) No vehicles shall be stored on site for salvage or dismantling.
- 330 (10) Hydraulic hoists, pits, lubricating, greasing, washing and repair equipment shall be
 331 entirely enclosed within a building. Tire and battery service and automotive repair,
 332 excluding automobile body repair and painting, may be carried out within the
 333 premises.
- 334 B. Automotive dealerships/new and used. All car and truck dealerships shall conform to the
 335 following requirements, in addition to the other provisions of this chapter:
- 336 (1) The minimum lot area shall be 40,000 square feet with a minimum street frontage of
 337 not less than 200 feet.
- 338 (2) The requirements of § 255-930A(2) through (9).
- 339 (3) The number of vehicles to be displayed and stored on site shall be limited as follows:
- 340 (a) The lot exclusive of building, landscape areas and drives shall be laid out as a
 341 parking lot with travel lanes and back up areas and with each space being a
 342 minimum of 8.5 feet by 18 feet. The number of required parking spaces shall be
 343 deducted from the total number of spaces on the lot. The remaining spaces
 344 dictate the number of cars that can legally be displayed at the dealership.
- 345 (b) Spaces shall be set back five feet from side and rear property lines and five feet
 346 from sidewalk areas or 10 feet from street lines. This setback shall be marked
 347 by some type of curb stop.
- 348 (4) Any building permit or zoning certificate issued for an automotive dealership shall
 349 note the number of vehicles that can legally be displayed on the lot.
- 350 C. Auto body repair shops/repair and sale of boats, motors, marine equipment. Auto body
 351 repair shops shall conform to the following requirements, in addition to other applicable
 352 provisions of this chapter:
- 353 (1) All auto body repair shall take place within a building.
- 354 (2) Storage of vehicles, boats or marine equipment to be repaired shall be located in the
 355 rear and/or side of the repair building and such storage area shall be enclosed with a
 356 six-foot- high fence which shall effectively screen the area from view. Where the
 357 storage area is visible from the road or adjacent uses, four-foot-high evergreens shall
 358 be planted along the fence.
- 359 (3) No junk vehicles, boats or marine equipment shall be stored on site. No vehicles,
 360 boats or marine equipment shall be kept on site for the cannibalization of parts.
- 361 (4) The requirements of Code § 255-930A(1) through (9).

362 D. Cemeteries. Where a cemetery exists on a lot the following rules shall apply:

363 (1) Buildings shall be set back from the cemetery by 50 feet. Accessory buildings shall
364 be set back 20 feet.

365 (2) If parking is located around or near the cemetery, the cemetery shall be fenced and
366 curb stops installed to prohibit vehicles from driving over the area.

367 (3) The cemetery shall not be altered in any way.

368 E. Hazardous waste management facilities.

369 (1) Any application for the siting of a Hazardous Waste Management Facility in
370 accordance with ~~R.I.G.L.~~ R.I. Gen. Laws § 23-19.7 shall conform with the following
371 requirements in addition to the industrial performance standards of this chapter
372 (Article VII of this chapter and Code § 255-720 in particular):

373 (a) The disposal of hazardous waste in the Town by the means of discharge,
374 deposit, injection, dumping, spilling, leaching, placing, or landfilling into or on
375 any land or water, shall not be permitted in any zone.

376 (b) A development site for a hazardous waste management facility shall be located
377 a minimum distance of 1,000 feet from contiguous residential uses or
378 residentially zoned districts.

379 (c) A development site for a hazardous waste management facility shall be located
380 at least 1,000 feet from schools, nursing homes, and other centers of
381 institutional population.

382 (d) A development site for a hazardous waste management facility shall be located
383 at least 1,000 feet from a public recreational facility.

384 (e) Hazardous waste management facilities shall be prohibited in environmentally
385 sensitive areas. These areas include areas of steep slope (10% or greater);
386 freshwater wetlands (as defined by ~~R.I.G.L.~~ R.I. Gen. Laws § 2-1, Parts 1-3 et
387 seq.); areas in the one-hundred-year flood zone (as defined in the Flood Zone
388 Maps prepared by the Department of Housing and Urban Development for the
389 Town of Coventry effective September 1, 1978); areas with soils that are
390 unstable, highly permeable, excessively drained, wet and have a high water
391 table; areas which are adjacent to or are over an aquifer or a major water source.

392 (f) There shall be no open storage of hazardous waste at a hazardous waste
393 management facility.

394 (g) The following lot requirements shall apply for hazardous waste management
395 facilities:

396 [1] Minimum lot area: 200,000 square feet.

397 [2] Minimum front yard: 150 feet.

398 [3] Minimum rear yard: 150 feet.

399 [4] Minimum side yard: 150 feet.

400 [5] Maximum lot coverage: 40%.

401 (2) For the purposes of enforcement of these provisions, a hazardous waste management
 402 facility does not include firms which treat their own hazardous waste as an incidental
 403 process, subordinate to the main use of the land and principal structures and which is
 404 located on the same or adjoining lot.

405 ~~F. Motels and hotels. The Board may permit hotels and motels by special use permit and~~
 406 ~~development plan review by the Commission (Article XVI) in a General Business District,~~
 407 ~~provided that the following conditions are met:~~

408 ~~(1) The lot shall consist of not less than 160,000 square feet of land area and shall have~~
 409 ~~a minimum width of 200 feet.~~

410 ~~(2) The suitability of the soil within the lot shall provide for the safe and proper~~
 411 ~~operation of individual sewage disposal systems, if such are required. No portion of~~
 412 ~~the lot shall be under water or in wetlands. The lot shall be well drained, and so~~
 413 ~~graded that pools of stagnant water shall not be allowed to collect. Where public~~
 414 ~~sewers exist, the hotel or motel facility shall be connected to such sewers.~~

415 ~~(3) The permanent structures of motels or hotels shall not occupy more than 25% of the~~
 416 ~~total lot area. Additional lot coverage not to exceed 10% of the total lot area is~~
 417 ~~authorized for recreational facilities.~~

418 ~~(4) No individual motel unit or hotel room shall be erected or altered so as to have a~~
 419 ~~floor area of less than 240 square feet, including bathroom and closet space.~~

420 ~~(5) No part of a motel or hotel structure, accessory structure (except a sign), parking lot~~
 421 ~~or utility area shall be within 50 feet of any lot line or closer than 100 feet to the~~
 422 ~~right-of-way of any public street. A landscaped or natural buffer zone shall be~~
 423 ~~provided within said fifty-foot setback from any lot line and within said one-~~
 424 ~~hundred-foot setback from any public street, and shall be established in accordance~~
 425 ~~with Article XVII.~~

426 ~~(6) Accessory uses may include necessary office, recreation, parking and maintenance~~
 427 ~~areas, lunch room, restaurant, cocktail lounge or gift shop.~~

428 ~~(7) No principal building shall exceed 35 feet in height; no accessory building or other~~
 429 ~~structure shall exceed 20 feet in height.~~

430 ~~(8) Minimum off-street parking and drive access shall be provided and maintained in~~
 431 ~~accordance with Article XII.~~

432
 433 ~~G.F.~~ Customary home occupation. As set forth in Article II of this chapter, any customary home
 434 occupation shall be customarily conducted in a dwelling unit by a member of the family
 435 residing in said unit. No persons residing outside the home shall be employed. The use shall
 436 be clearly incidental and secondary to the use of the dwelling unit for residential purposes.

437 (1) All customary home occupations shall conform to the following conditions:

438 (a) The home occupation shall be performed by the resident and using no more than
 439 100 square feet of floor area and such activity shall not be visible from a lot line.

- 440 (b) There shall be no patrons or customers for the sale of products at the premises.
- 441 (c) There shall be no exterior display, no exterior sign, no exterior storage of
- 442 materials and no other exterior indication of the home occupation or variation
- 443 from the residential character of the principal building.
- 444 (d) No vibration, smoke, dust, odors, heat or glare or offensive noise shall be
- 445 produced.
- 446 (e) No traffic shall be generated by such home occupation.
- 447 (f) No dealing or selling of firearms or related products shall be permitted.

448
 449 **H.G.** Commercial composting. All commercial composting operations shall conform to
 450 the following conditions:

- 451 (1) No animal renderings, ~~or fish wastes, or any other kind of putrescible waste~~ shall be
- 452 used to accelerate the decomposition of waste.
- 453 (2) A commercial composting operation shall be no smaller than five acres in size and no
- 454 larger than 10 acres.

455
 456 **§ 255-940. ~~Leased land/seasonal housing. Reserved.~~**

457 ~~A.—On the effective date of this chapter, the Tax Assessor shall make a determination as to the~~
 458 ~~status of the housing on leased land as to whether it is year-round or seasonal.~~

459 ~~B.—No new housing units shall be constructed on leased land.~~

460 ~~C.—Seasonal units shall not be converted to year-round units. Seasonal or year-round units shall~~
 461 ~~not be enlarged or added onto and no accessory structures requiring the issuance of a building~~
 462 ~~permit shall be built unless they receive a special use permit pursuant to Article IV and~~
 463 ~~receive all required state permits including, but not limited to, wetland and individual sewage~~
 464 ~~disposal system permits from the Rhode Island Department of Environmental Management,~~
 465 ~~and any other necessary permits. However, unenclosed decks totaling up to 120 square feet~~
 466 ~~shall be permitted (without a special use permit). Structures damaged by fire must adhere to~~
 467 ~~the requirements of Article VIII.~~

468 ~~D.—All owners of leased land parcels who propose to subdivide their property shall apply for and~~
 469 ~~obtain approval for such subdivision pursuant to the Town of Coventry Subdivision~~
 470 ~~Regulations.~~

471 ~~E.—The minimum lot size permitted in § 255-60 shall apply to all new construction or alteration~~
 472 ~~of existing leased land or seasonal housing parcels. If existing structures are too close~~
 473 ~~together to meet the minimum lot size, the development may be proposed as a cluster~~
 474 ~~development, pursuant to Article XIII.~~

475 ~~F.—Nothing in § 255-940 shall permit the creation of new housing developments on leased land~~
 476 ~~except described in § 255-940A through E.~~

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Section 2. This ordinance shall take effect upon its passage and final adoption.

Positive Endorsement:

Negative Endorsement: (Attach reasons)

Town Solicitor

Date

Town Solicitor

Date

Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive

Referred to/for: Planning Commission on February 19, 2025

First Reading on _____, 2025

Public Hearing on _____, 2025