

Zoning Ordinance

Town of Coventry

Contents

Town of Coventry	5
Zoning Ordinance	5
§ I. Introduction	5
§ 255-100. Preamble.	5
§ 255-110. Purpose.	5
§ 255-120. Regulation.	6
§ II. Definitions	7
§ 255-200. Standard interpretations.	7
§ 255-210. Specific definitions.	7
§ III. Administration and Enforcement	19
§ 255-300. Building Inspector and Zoning Enforcement Officer.	19
§ 255-310. Building Inspector.	19
§ 255-311. Zoning Enforcement Officer (ZEO).	19
§ 255-320. Zoning certificate required.	20
§ 255-330. Zoning certificates.	20
§ 255-340. Publication of zoning certificates.	21
§ 255-350. Zoning certificate relationship to other codes, regulations and ordinances.	21
§ 255-360. Expiration of zoning certificate.	21
§ 255-370. Work previously authorized.	21
§ 255-380. Vested rights.	22
§ 255-390. Modification permit.	22
§ 255-3100. Violations and penalties.	23
§ 255-3110. Appeal from decision of Building Inspector/Zoning Enforcement Officer.	24
§ 255-3120. Maintenance of chapter.	24
§ 255-3130. Filing fees.	24
§ IV. Zoning Board of Review	25
§ 255-400. Organization.	25
§ 255-410. Powers and duties of Board.	25
§ 255-420. Procedure of the Board.	26
§ 255-430. Decisions and records.	26
§ 255-440. Public notice and hearing requirements.	27
§ 255-450. Special use permits.	28
§ 255-460. Special exceptions.	28
§ 255-470. Variances.	29
§ 255-480. Expiration of variances and special use permits.	29
§ 255-490. Special conditions.	30
§ 255-4100. Appeals to the Rhode Island Superior Court.	30
§ 255-4110. Application procedure for special use permits and variances.	30

§ 255-4120. Participation in zoning hearing.	31
§ 255-4130. Appeals to the Zoning Board of Review.	31
§ 255-4140. Unified development review.	31
§ V. Zoning Districts and Zoning District Map	32
§ 255-500. Zoning districts.	32
§ 255-510. Zoning Map.	33
§ 255-520. Interpretation of zoning district boundaries.	33
§ 255-530. SPD-Special Planning Overlay District/Special Management District for Route 3 and Sandy Bottom Road.	34
§ 255-540. Planned District — Coventry Centre.	36
§ VI. Zoning District Use and Dimensional Regulations	38
§ 255-600. Schedule of Zoning District Use Regulations.	38
§ 255-610. Dimensional regulations.	39
§ VII. Industrial Performance Standards	39
§ 255-700. Purpose.	39
§ 255-710. Application of standards.	39
§ 255-720. Administration of performance standards.	39
§ 255-730. Plans and specifications.	40
§ 255-740. Report by expert consultants.	40
§ 255-750. Required alterations.	40
§ 255-760. Continued enforcement.	40
§ 255-770. Cancellation of permits.	41
§ 255-780. Appeals.	41
§ 255-790. Performance standards for noise.	41
§ 255-7100. Performance standards for vibrations.	42
§ 255-7110. Performance standards for smoke and particulate matter.	42
§ 255-7120. Performance standards for odorous matter.	42
§ 255-7130. Performance standards for glare.	42
§ 255-7140. Performance standards for heat.	43
§ 255-7150. Performance standards for airborne toxics, gases, and fumes.	43
§ 255-7160. Performance standards for sewage and water-borne wastes.	43
§ 255-7170. Performance standards for radioactive materials.	43
§ 255-7180. Performance standards for fire and explosive hazards.	44
§ 255-7190. Performance standards for hazardous materials.	44
§ VIII. Nonconforming Development	44
§ 255-800. Purpose and applicability.	44
§ 255-810. Completion of construction.	45
§ 255-820. Prior illegal establishment.	45
§ 255-830. Abandonment.	45
§ 255-840. Restrictions on nonconforming development.	45
§ 255-850. Restrictions on nonconforming structures.	46
§ 255-860. (Reserved)	46
§ 255-870. Single nonconforming lots of record.	46
§ 255-880. Adjacent nonconforming lots of record under same ownership.	47
§ 255-890. (Reserved)	47
§ IX. Supplementary Regulations	48
§ 255-900. Purpose.	48
§ 255-910. Exceptions to dimensional requirements.	48
§ 255-920. General development regulations.	49
§ 255-930. Supplemental regulations for specific land uses.	51

§ 255-940. (Reserved)	54
§ 255-950. Keeping of horses.	54
§ 255-960. Utilities.	54
§ 255-970. Telecommunication towers.	54
§ 255-980. Mill Conversion District.	59
§ 255-990. Adaptive reuse projects.	60
§ 255-9100. Cannabis retail use.	62
 § IXA. Historical Area Zoning	 63
§ 255-900.1. Authority.	63
§ 255-910.1. Purpose.	64
§ 255-920.1. Definitions.	64
§ 255-930.1. Designation of historic districts.	64
§ 255-940.1. Historic District Commission.	65
§ 255-950.1. Demolition.	67
§ 255-960.1. Failure of Commission to act.	68
§ 255-970.1. Exceptions.	68
§ 255-980.1. Enforcement; violations and penalties.	68
§ 255-990.1. Appeals.	69
§ 255-9100.1. When effective; map change.	69
 § X. Earth Removal/Sand and Gravel Extraction	 69
§ 255-1000. Purpose.	69
§ 255-1010. Applicability.	69
§ 255-1020. Permit application.	70
§ 255-1030. Operational requirements.	72
§ 255-1040. Buffers and setbacks.	72
§ 255-1050. Site restoration.	73
§ 255-1060. Security/performance bond.	73
§ 255-1070. Earth removal operations authorized under previously granted special use permits. . .	74
§ 255-1080. Nuisance avoidance.	74
 § XI. Residential Mobile Home Districts (RMD)	 74
§ 255-1100. Establishment and purpose.	75
§ 255-1110. Procedures.	75
§ 255-1120. Permitted uses and development standards.	76
§ 255-1130. Occupancy.	77
§ 255-1140. Service building.	77
§ 255-1150. Sale of mobile homes.	77
§ 255-1160. Change of lot size.	78
 § XII. Standards for Parking Lots and Loading Facilities	 78
§ 255-1200. General requirements.	78
§ 255-1210. Loading space requirements and dimensions.	79
§ 255-1220. Minimum off-street parking requirements.	79
§ 255-1230. Property access standards.	81
 § XIII. Residential Cluster Development	 83
§ 255-1300. Purpose.	83
§ 255-1310. Development parameters.	83
§ 255-1320. Dimensional regulations.	84
§ 255-1330. Application requirements.	85
§ 255-1340. General requirements.	85
§ 255-1350. Criteria for approval.	86
§ 255-1360. Common open space requirements.	87

§ 255-1370. Incentives.	88
§ 255-1380. Approval required before improvements.	88
§ 255-1390. Previously approved developments.	88
§ 255-13100. Security/performance bond.	88
§ XIV. Land Development Projects	88
§ 255-1400. Definition.	88
§ 255-1410. Purpose.	89
§ 255-1420. Permitted uses.	89
§ 255-1430. Procedure.	89
§ 255-1440. Modifications and amendments.	90
§ XV. Signs	90
§ 255-1500. Findings and purpose.	91
§ 255-1510. Standard sign use regulation.	91
§ 255-1520. Signs in residential zoning districts.	93
§ 255-1530. Signs in commercial and industrial districts.	94
§ 255-1540. Village commercial sign regulations.	94
§ 255-1550. Hazardous or obsolete signs.	96
§ 255-1560. Abatement and removal of unlawful or unsafe signs.	97
§ 255-1570. Exemptions for signs.	97
§ 255-1580. Nonconforming signs.	97
§ XVI. Development Plan Review	97
§ 255-1600. Uses requiring development plan review.	97
§ 255-1610. Permitting authority.	98
§ 255-1620. Specific and objective guidelines.	98
§ 255-1630. Waivers.	98
§ 255-1640. Appeal.	98
§ XVII. Landscaping	98
§ 255-1700. Purpose.	98
§ 255-1710. Applicability.	98
§ 255-1720. Plan submittal requirements.	98
§ 255-1730. Minimum landscaped buffer.	99
§ 255-1740. Landscape standards and specification.	99
§ 255-1750. Parking lots.	101
§ 255-1760. Maintenance of landscaped buffers.	102
§ XVIII. Adoption and Amendment	102
§ 255-1800. Procedure.	102
§ 255-1810. Review by Planning Commission.	102
§ 255-1820. Notice and hearing requirements.	103
§ 255-1830. Change of zone; limitations and restrictions.	104
§ 255-1840. Review by Planning Commission.	105
§ 255-1850. Adverse decision.	105
§ 255-1860. Fees.	105
§ 255-1870. Amendment to Zoning Map.	105
§ 255-1880. Appeal of enactment of or amendment to zoning ordinance.	105
§ XIX. Legal Status	105
§ 255-1900. Conflict with other ordinances.	105
§ 255-1910. Severability.	106
§ 255-1920. Minimum requirements.	106
§ 255-1930. When effective.	106

§ XX. Special Regulations for Wind Energy Facilities	106
§ 255-2000. Wind energy facilities.	106
§ 255-2010. Definitions.	106
§ 255-2020. Applicability.	108
§ 255-2030. Conflict and severability.	108
§ 255-2040. Administration.	108
§ 255-2050. Application submission requirements.	109
§ 255-2060. General standards.	111
§ 255-2070. Safety setback.	112
§ 255-2080. Decommissioning and abandonment.	112
§ 255-2090. Special standards for wind energy facilities.	112
§ 255-20100. Plan Commission approvals.	113
§ 255-20110. Liability insurance.	113
§ 255-20120. Improvement guarantees.	114
§ 255-20130. Public inquiries and complaints.	116
§ 255-20140. When effective.	116
 § XXI. Special Regulations - Solar Power Generators	 117
§ 255-2100. Purpose.	117
§ 255-2110. Definitions.	117
§ 255-2120. General requirements.	118
§ 255-2130. Roof-mounted solar installations.	118
§ 255-2140. Ground-mounted solar installations.	119
§ 255-2150. Construction and application.	122

Town of Coventry

Zoning Ordinance

This document reflects the ordinance as adopted through September 2026.

§ I. Introduction

ARTICLE I Introduction

§ 255-100. Preamble.

§ 255-100. Preamble.

In accordance with R.I.G.L. 45-24, as amended and as hereafter amended, and by virtue of the authority conferred by the Town of Coventry Home Rule Charter, the Zoning Ordinance of the Town is hereby amended to read as follows:

§ 255-110. Purpose.

§ 255-110. Purpose.

- A. The regulations set forth in this chapter adopted December 19, 1994 (see Ord. No. 3-94-0196), as amended, are made in accordance with the Comprehensive Plan of the Town of Coventry, adopted on July 27, 1992, for the following purposes:
 - – (1) To promote the health, safety, morals and general welfare of the public;

- – (2) To provide for a range of uses and intensities of uses appropriate to the character of the Town and reflecting current and expected future needs;
- – (3) To provide for orderly growth and development which recognizes:
 - – * (a) The goals and patterns of land use contained in the Comprehensive Plan of the Town adopted on July 27, 1992;
 - – * (b) The natural characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution;
 - – * (c) The values and dynamic nature of coastal and freshwater ponds, the shoreline, and freshwater and coastal wetlands;
 - – * (d) The values of unique or valuable natural resources and features;
 - – * (e) The availability and capacity of existing and planned public and/or private services and facilities;
 - – * (f) The need to shape and balance urban and rural development; and (g) The use of innovative development regulations and techniques.
- – (4) To provide for the control, protection, and/or abatement of air, water, groundwater, and noise pollution, and soil erosion and sedimentation;
- – (5) To provide for the protection of the natural, historic, cultural, and scenic character of the Town and/or areas therein;
- – (6) To provide for the preservation and promotion of agricultural production, forest, silviculture, aquaculture, timber resources, and open space;
- – (7) To provide for the protection of public investment in transportation, water, stormwater management systems, sewage treatment and disposal, solid waste treatment and disposal, schools, recreation, public facilities, open space, and other public requirements;
- – (8) To promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe, and sanitary housing;
- – (9) To provide opportunities for the establishment of low- and moderate-income housing;
- – (10) To promote safety from fire, flood, and other natural or man-made disasters;
- – (11) To promote a high level of quality in design in the development of private and public facilities;
- – (12) To promote implementation of the Coventry Comprehensive Plan;
- – (13) To provide for coordination of land uses with contiguous municipalities, other municipalities, the state, and other agencies, as appropriate, especially with regard to resources and facilities that extend beyond Town boundaries or have a direct impact on the Town;
- – (14) To provide for efficient review of development proposals, to clarify and expedite the zoning approval process; and (15) To provide for procedures for the administration of this chapter, including, but not limited to, variances, special use permits, and administrative variances.
- B. In the instance of uncertainty in the construction or application of any section of this chapter, the chapter shall be construed in a manner that will further the implementation of, and not be contrary to, the goals and policies and applicable elements of the Comprehensive Plan.

§ 255-120. Regulation.

§ 255-120. Regulation.

The use of any land or the erection, modification, enlargement or use of any building, structure or sign shall conform to all applicable provisions of this chapter. Every building, structure or sign hereafter erected and every use hereafter initiated shall be located on a lot as defined by this chapter.

§ II. Definitions

ARTICLE II Definitions [Amended 5-14-2018 by Ord. No. 04-18-322; 11-28-2023 by Ord. No. 2023-4; 3-25-2025 by Ord. No. 2025-11]

§ 255-200. Standard interpretations.

§ 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. Gen. Laws § 45-22.2-4 shall have the meanings ascribed therein, unless otherwise defined by this chapter.
- C. Where used in this Chapter, the specific definition of words and terms listed in this article shall be interpreted as stated and shall have the meaning ascribed to them.

§ 255-210. Specific definitions.

§ 255-210. Specific definitions.

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

- **ABANDONMENT**
To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving a facility, or during normal periods of vacation or seasonal closure. See Code § 255-830.
- **ABUTTER**
One whose property abuts, that is, adjoins at a border, boundary, or point with no intervening land.
- **ACCESSORY DWELLING UNIT**
A residential living unit on the same lot where the principal use is a legally established single-family dwelling unit, two-family dwelling unit, or multi-family dwelling unit. An ADU provides complete independent living facilities for one or more persons. It may take various forms including, but not limited to, a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled primary dwelling.

- **ACCESSORY STRUCTURE**
A structure that is incidental and subordinate to the primary use/structure on the same lot, such as a garage, shed, deck, or accessory dwelling unit.
- **ACCESSORY USE**
A use of land or of a structure, or portion thereof, customarily incidental and subordinate to the principal use of the land or structure. An accessory use shall be restricted to the same lot as the principal use. An accessory use shall not be permitted without the principal use to which it is related.
- **ADAPTIVE REUSE**
The conversion of an existing structure from the use for which it was constructed to a new use by maintaining the elements of the structure and adapting such elements to a new use.
- **AGGRIEVED PARTY**
An aggrieved party, for purposes of this chapter, shall be:
 - A. Any person who can demonstrate that their property will be injured by a decision of any official, board or agency responsible for administering this chapter; or
 - B. Anyone requiring notice pursuant to this chapter or R.I. Gen. Laws § 45-24-1 et seq.
- **AGRICULTURAL LAND**
"Agricultural land" as defined in R.I. Gen. Laws § 45-22.2-4. Land suitable for agriculture by reason of suitability of soil or other natural characteristics or past use for agricultural purposes. Agricultural land includes that defined as prime farm land or additional farm land of statewide importance for Rhode Island by the Soil Conservation Service of the United States Department of Agriculture.
- **ALTERATION**
Any change, addition, or modification in construction or occupancy of an existing structure.
- **APPLICANT**
An owner or authorized agent of the owner submitting an application or appealing an action of any official, board or agency.
- **APPLICATION**
The completed form or forms and all accompanying documents, exhibits and plans, if any, required of an applicant by an approving authority for development review, approval, or permitting purposes. In the case of any application relating to a business park district or a land development project in a business park district, infrastructure inspection fees may be waived at the discretion of the Town Council.
- **ARTERIAL ROAD**
A high-capacity urban road. The primary function of an arterial road is to deliver traffic from collector roads to freeways, and between collector roads and urban centers. Arterial roads are depicted in the Circulation element of the Comprehensive Community Plan adopted on August 14, 1992, as amended June 19, 2000.
- **AUTO SALES**
The sale of more than three used or new vehicles on any property or parcel per year.
- **BASEMENT**
That portion of a building that is partly or completely below grade.
- **BED-AND-BREAKFAST INN**
An owner-occupied dwelling where short-term lodging rooms and meals are provided for a fee.
- **BERM**
An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.
- **BOARD**
The Zoning Board of Review.

- **BUFFER**
Land which is maintained in either a natural or landscaped state, and is used to screen and/or mitigate the impacts of development on surrounding areas, properties or rights-of-way.
- **BUFFER, PERIMETER LANDSCAPE**
A continuous area of land set aside along the perimeter of a lot in which landscaping is used to provide a transition between and to reduce the environmental, aesthetic, and other impacts of one type of land use upon another.
- **BUILDING**
Any structure used or intended for supporting or sheltering any use or occupancy.
- **BUILDING ENVELOPE**
The three-dimensional space within which a structure is permitted to be built on a lot and which is defined by regulations governing building setbacks, maximum height, and bulk; by other regulations; and/or any combination thereof.
- **BUILDING HEIGHT**
The vertical distance from grade plane, as defined by the Rhode Island Building Code Rules, to the average height of the highest roof surface. The distance shall exclude spires, chimneys, flagpoles, and the like.
- **BUILDING HEIGHT IN A BUSINESS PARK**
The vertical distance from grade, as determined by the location of the main entrance to the structure, to the top of the highest point of the roof or structure. The distance shall exclude spires, chimneys, flagpoles and the like. **BUSINESS PARK** or **PLANNED BUSINESS PARK** — The purpose of this district is to denote major commercial and employment centers for the Town. Land uses in this district include all commercial uses other than heavy industrial and certain other uses specifically prohibited. Business parks and development plans therefor, and land development projects in Business Park Districts, shall be approved, upon review and recommendation by the Planning Commission, administered and developed by the Town Council under the provisions of Article XIV of this chapter, to the extent such provisions are deemed necessary and appropriate by the Council.
- **CAMPGROUNDS**
One or more lots used for seasonal overnight residential occupancy in permanent or semi-permanent structures, such as cabins, tents with tent platforms, or similar shelters. Such campgrounds may include any necessary permanent structures accessory to the principal use. **CAPACITY** or **LAND CAPACITY** — The suitability of the land, as defined by geology, soil conditions, topography, and water resources, to support its development for uses such as residential, commercial, industrial, open space, or recreation. Land capacity may be modified by provision of facilities and services.
- **CLUSTER**
A site planning technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and/or preservation of environmentally, historically, culturally, or other sensitive features and/or structures.
- **COMMERCIAL AGRICULTURE**
The raising and breeding of more than two animal units for commercial enterprise, commercial greenhouses, and plant nurseries or other farm products for the sale of commodities on or off the premises. Accessory uses shall include sale of craft and perishable items produced from materials cultivated on the property.
- **COMMERCIAL COMPOSTING**
An operation in which solid waste, excluding animal renderings and fish wastes, undergoes a manufacturing process of accelerated biodegradation and stabilization of organic material under controlled conditions yielding a product which can safely be used. Such a product is then sold either wholesale or retail to the general public. Note that consultation with the Rhode Island Department of Environmental Management is required for such an operation.

- COMMISSION

The Planning Commission for the Town of Coventry.

- COMMON OWNERSHIP

Either:

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

- COMMUNITY RESIDENCE

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

- A. Whenever six or fewer mentally handicapped children or adults reside in any type of residence in the community, as licensed by the state pursuant to R.I. Gen. Laws § 40.1-24-1 et seq. All requirements pertaining to local zoning are waived for these community residences;
- B. A group home providing care or supervision, or both, to not more than eight mentally disabled or mentally handicapped or physically handicapped persons, and licensed by the state pursuant to R.I. Gen Laws § 40.1-24-1 et seq.;
- C. A residence for children providing care or supervision, or both, to not more than eight children including those of the caregiver and licensed by the state pursuant to R.I. Gen. Laws § 42-72.1-1 et seq.;
- D. A community transitional residence providing care or assistance, or both, to no more than six unrelated persons or no more than three families, not to exceed a total of eight persons, requiring temporary financial assistance, and/or to persons who are victims of crimes, abuse, or neglect, and who are expected to reside in that residence not less than sixty (60) days nor more than two years. Residents will have access to and use of all common areas, including eating areas and living rooms, and will receive appropriate social services for the purpose of fostering independence, selfsufficiency, and eventual transition to a permanent living situation.

- COMPREHENSIVE PLAN

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

- CONVENIENCE STORE

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

- CUSTOMARY HOME OCCUPATION

Any occupation, profession, activity, or use that is clearly a customary, incidental, and accessory use of a residential dwelling unit carried out for gain by a resident, and which does not alter the exterior of the property or affect the residential character of the neighborhood. DAY CARE: DAY-CARE CENTER — Any other day care center which is not a family day-care home. DAY CARE: FAMILY DAY-CARE HOME — Any home other than the individual's home in which day care in lieu of parental care or supervision is offered at the same time to six or fewer individuals who are not relatives of the care giver, but may not contain more than a total of eight individuals receiving day care.

- DAYS

Calendar days.

- DAYTIME

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

- DENSITY, RESIDENTIAL

The number of dwelling units per unit of land.

- **DEVELOPMENT**
The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance; any change in use, or alteration or extension of the use of land.
- **DEVELOPMENT PLAN REVIEW**
The process whereby authorized local officials review the site plans, maps, and other documentation of a development to determine compliance with the stated purposes and standards of this chapter.
- **DISTRICT**
See "zoning use districts."
- **DORMITORY**
A structure used for housing by persons generally unrelated to each other by blood or marriage, but associated by reason or participation in the activities of a medical, religious, or educational organization. Such institutional dormitories are characterized by the provision of sleeping accommodations and common kitchen, dining or recreation facilities.
- **DRAINAGE SYSTEM**
A system for the removal of water from land by drains, grading, or other appropriate means. These techniques may include runoff controls to minimize erosion and sedimentation during and after construction or development, the means for preserving surface and ground waters, and the prevention and/or alleviation of flooding.
- **DRIVE-IN FACILITY**
An establishment that encourages or permits customers to receive a service or obtain a product, including food and drink, while in an automobile on the premises, or after briefly parking the automobile. See also "fast-food restaurant."
- **DUPLEX**
Two single dwelling units each with separate entrances divided by a common party wall.
- **DWELLING**
A building or portion thereof designed exclusively for residential occupancy, but not including hotels, motels, lodging houses, trailers, or structures solely for transient or overnight occupancy.
- **DWELLING UNIT**
A structure or portion thereof providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, and containing a separate means of ingress and egress.
- **DWELLING, MULTIFAMILY**
A dwelling containing more than two dwelling units for occupancy of families living independently of each other including apartment houses, apartment hotels, and flats.
- **DWELLING, SINGLE-FAMILY**
A building used exclusively for occupancy by one family.
- **DWELLING, TWO-FAMILY**
A building used exclusively for occupancy by two families living independently of each other.
- **EARTH REMOVAL**
The extraction of minerals and mining of materials from the ground to include quarrying, milling, crushing, screening, washing, and flotation of earthen materials, and other preparation customarily done at the extraction site or as a part of the extractive activity. **EXCAVATION, EXTRACTION, or MINING** — The mechanical removal of rock, sand, gravel, clay, and similar materials for commercial purposes.
- **FAMILY**
A person or persons related by blood, marriage, or other legal means. See also "household."

- **FAST-FOOD RESTAURANT**

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

FEDERALLY INSURED OR ASSISTED HOUSING —

- A. Low-income housing units insured or assisted under Sections 221(d)(3) and 236 of the National Housing Act [12 U.S.C. § 1701 et seq.].
- B. Low-income housing units produced with assistance under Section 8 of the U.S. Housing Act of 1937 [42 U.S.C. § 1401 et seq.]; and
- C. Rural low-income housing financed under Section 515 of the Housing Act of 1949 [12 U.S.C. § 1715Z].

- **FLOATING ZONE**

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

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

- **FRONTAGE**

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

- **GARAGE**

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

- **GRADE**

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

- **GROCERY STORE**

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

- **GROSS FLOOR AREA**

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

- **GROUNDWATER**

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

- **HALFWAY HOUSES**

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

- **HARDSHIP**

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

- **HAZARDOUS WASTE**

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

- A. Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or
- B. Pose a substantial present or potential hazard to human health or the environment; or such wastes which include, but are not limited to, those which are toxic, corrosive, flammable, irritants, strong sensitizers, substances which are assimilated or concentrated in and are detrimental to tissue, or which generate pressure through decomposition or chemical reaction. HISTORIC DISTRICT or HISTORIC SITE — As defined by R.I. Gen. Laws § 45-22.2-4, "historic district" means one or more historic sites and intervening or surrounding property significantly affecting or affected by the quality and character of the historic site or sites, and has been registered, or is deemed eligible to be included, on the state register of historical places pursuant to R.I. Gen. Laws § 42-45-5, "historic site" means any real property, man-made structure, natural object, or configuration or any portion or group of the foregoing which has been registered, or is deemed eligible to be included, on the state register of historic places pursuant to R.I. Gen. Laws § 42-45-5.
- **HOUSEHOLD**
One or more persons living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit. The term "household unit" shall be synonymous with the term "dwelling unit" for determining the number of such units allowed within any structure on any lot in a zoning district. An individual household shall consist of any one of the following:
 - A. A family, which may also include servants and employees living with the family; or
 - B. A person or group of no more than five unrelated persons living together.
- **IMPERVIOUS SURFACE**
A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water, including surfaces such as compacted sand, gravel, or clay, as well as most conventionally surfaced streets, sidewalks, parking lots, and other similar structures.
- **IMPULSIVE NOISE**
Sound of short duration, usually less than one second, with an abrupt onset and a rapid decay. Examples of impulsive noise include explosions and the discharge of firearms.
- **INCOMPATIBILITY OF LAND USES**
An issue arising from the proximity or direct association of contradictory, incongruous, or discordant land uses or activities, including the impacts of noise, vibration, smoke, odors, toxic matter, and similar environmental conditions.
- **INDUSTRIAL ARTS**
Craft products created through the use of tools or machinery for retail sale.
- **INFRASTRUCTURE**
Facilities and services needed to sustain residential, commercial, industrial, institutional, and other activities.
- **JUNKYARD**
A lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal or discarded material; or for the collecting, dismantling, storage and salvaging of three or more unregistered, inoperable motor vehicles or other materials. (This shall also refer to auto salvage yards).
- **KENNEL**
An establishment licensed to operate a facility housing dogs, cats, or other household pets and where grooming, breeding, boarding, training, or selling of animals is conducted as a business.
- **LAND DEVELOPMENT PROJECT**
A project in which one or more lots, tracts, or parcels of land are to be developed or redeveloped as a coordinated site for a complex of uses, units, or structures, including, but not limited to, planned

development and/or cluster development for residential, commercial, institutional, recreational, open space, and/or mixed uses as provided for in this chapter.

- **LANDSCAPING**

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

- **LODGING HOUSE**

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

- **LOT**

Either:

- A. The basic development unit for determination of lot area, depth, and other dimensional regulations; or
- B. A parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or recorded map and which is recognized as a separate legal entity for purposes of transfer of title.

- **LOT AREA**

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

- **LOT COVERAGE**

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

- **LOT DEPTH**

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

- **LOT LINE**

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

- A. **FRONT** — The lot line separating a lot from a street right-of-way.
- B. **REAR** — The lot line opposite and most distant from the front lot line, or in the case of triangular or otherwise irregularly shaped lots, an assumed line at least 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
- C. **SIDE** — Any lot line other than a front or rear lot line. On a corner lot, a side lot line may be a street lot line.

- **LOT WIDTH**

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

- **LOT, THROUGH**

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

- **MARIJUANA EXTRACTION**

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

- **MARIJUANA STORE**

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

- **MEDICAL MARIJUANA EMPORIUM**

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

- **MIXED USE**

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

- **MOBILE HOME**

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

- **MOBILE HOME LOT**

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

- **MOBILE HOME PARK**

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

- **MODIFICATION**

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

- **NIGHTTIME**

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

- **NONCONFORMANCE**

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

- **A. Nonconforming by use:** a lawfully established use of land, building, or structure which is not a permitted use in that zoning district. A building or structure containing more dwelling units than are permitted by the use regulations of this chapter shall be nonconforming by use; or
- **B. Nonconforming by dimension:** a building, structure, or parcel of land not in compliance with the dimensional regulations of this chapter. Dimensional regulations include all regulations of this chapter, other than those pertaining to the permitted uses. A building or structure containing more dwelling units than are permitted by the use regulations of this chapter shall be nonconforming by use; a building or structure containing a permitted number of dwelling units by the use regulations of this chapter, but not meeting the lot area per dwelling unit regulations, shall be nonconforming by dimension.

- **OPEN SPACE**

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

- **ORNAMENTAL TREE**

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

- **OVERLAY DISTRICT**
A district established that is superimposed on one or more districts or parts of districts and that imposes specified requirements in addition to, but not less than, those otherwise applicable for the underlying zone.
- **OWNER**
Any person who alone, jointly, or severally with others shall have legal or record title to any property; or shall have charge, care, or control of any property as agent, executor, trustee, or guardian.
- **PERFORMANCE STANDARDS**
A set of criteria or limits relating to elements which a particular use or process either must meet or may not exceed.
- **PERIODIC NOISE**
Sound which is not continuous, is of intermittent character, and may be cyclical in nature.
- **PERMITTED USE**
A use by right which is specifically authorized in a particular zoning district.
- **PLANNED UNIT DEVELOPMENT (PUD)**
A "land development project," as defined herein, and developed according to plan as a single entity and containing one or more structures and/or uses with appurtenant common areas.
- **PREAPPLICATION CONFERENCE**
A review meeting of a proposed development held between applicants and reviewing agencies as permitted by law and this chapter, before formal submission of an application for a permit or for development approval.
- **RECREATIONAL, HOBBY, EDUCATION FARM ANIMAL RAISING**
The raising of farm animals for appropriate 4-H activities, personal and household use or pleasure rather than for commercial enterprise.
- **REPAIR GARAGE**
A building designed and used for the storage, care, repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint and body work.
- **RESIDENTIAL MOBILE HOME DISTRICTS**
Residential Mobile Home Districts ("RMD") are floating zones limited to mobile home parks and accessory uses, based on an approved comprehensive site plan as set forth in Article XI of this chapter. The minimum gross land area, excluding swamps, ponds, streams, unsuitable soils and other unusable land under single ownership, shall be 10 acres. All RMDs shall adhere to the regulations of Article XI and Chapter 11 of the Code.
- **RESTORATION**
The reasonable rehabilitation of the affected land for useful purposes and the protection of the natural resources of the surrounding area including surface and groundwater.
- **SCREEN**
A method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements such as plants, berms, fences, walls, or any appropriate combination thereof.
- **SERVICE STATION**
Any premises where gasoline and other petroleum products are sold and/or light maintenance activities such as engine tune-ups, lubrication, minor repairs, and carburetor cleaning are conducted. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.
- **SETBACK LINE OR LINES**
A line or lines parallel to a lot line at the minimum distance of the required setback for the zoning

district in which the lot is located that establishes the area within which the principal structure must be erected or placed.

- **SHADE TREE**
Usually a deciduous tree planted primarily for its high crown of foliage or overhead canopy.
- **SHOPPING CENTER**
A group of three or more contiguous commercial establishments, planned, developed, owned, and managed as a single unit with off-street parking provided on the same lot.
- **SHRUB**
A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground which can be either deciduous or evergreen.
- **SIGN**
A structure or device designed or intended to convey information to the public in written or pictorial form.
- **SITE PLAN**
The development plan for one or more lots on which is shown the existing and/or the proposed conditions of the lot.
- **SPECIAL USE**
A regulated use which is permitted pursuant to the special use permit issued by the Coventry Zoning Board of Review. Formerly referred to as a special exception.
- **STORY**
That portion of a building between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, then the space between the highest floor and the top of the roof beams. A basement shall be counted as a story.
- **STRUCTURE**
A combination of materials to form a construction for use, occupancy, or ornamentation, whether installed on, above, or below the surface of land or water.
- **SUBSTANDARD LOT OF RECORD**
Any lot lawfully existing at the time of adoption or amendment of this chapter and not in conformance with the dimensional and/or area provisions of the Ordinance.
- **SUPERMARKET**
A commercial establishment that sells food, food kindred products, and household goods, and that has a gross floor area in excess of 10,000 square feet. Such an establishment shall also be considered a supermarket if it sells items not customarily associated with grocery stores, regardless of size.
- **TOP SOIL**
A presumed fertile soil or soil material that responds to fertilization, ordinarily rich in organic matter.
- **TRAILER**
Any vehicle or any portable structure designed and constructed so as to permit the occupancy thereof as a dwelling by one or more persons and so designed and constructed that it is or may be mounted on wheels and used as a conveyance on a street or highway, propelled or drawn by its own or other motive power.
- **UNSTABLE SOILS**
Any soil, as defined by the United States Geological Survey, the U.S. Department of Agriculture, or the Soil Conservation Service, that is prone to cause erosion or sedimentation, or that is incapable of supporting structures due to engineering concerns.
- **UPLAND**
Land which is not a wetland as defined in R.I. Gen. Laws § 2-1-20.

- **USE**
The purpose or activity for which land or structures are designed, arranged, or intended, or for which land or structures are occupied or maintained.
- **VARIANCE**
Permission to depart from the literal requirements of this chapter. An authorization for the construction or maintenance of a building or structure, or for the establishment or maintenance of a use of land, which is prohibited by this chapter.
 - A. There shall be only two categories of variance, a use variance or a dimensional variance.
 - – (1) **USE VARIANCE** — Permission to depart from the use requirements of this chapter where the applicant for the requested variance has shown, by evidence upon the record, that the subject land or structure cannot yield any beneficial use if it is to conform to the provisions of this chapter.
 - – (2) **DIMENSIONAL VARIANCE** — Permission to depart from the dimensional requirements of this chapter, where the applicant for the requested relief has shown, by evidence upon the record, that there is no other reasonable alternative way to enjoy a legally permitted beneficial use of the subject property unless granted the requested relief from the dimensional regulations.
 - B. However, the fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief.
- **WATERS**
As defined by R.I. Gen. Laws § 46-12-1(b).
- **WETLAND, FRESHWATER**
As defined by R.I. Gen. Laws § 2-1-20, a marsh, swamp, bog, pond, river, river or stream floodplain or bank, area subject to flooding or storm flowage; emergent or submergent plant community in any body of fresh water; or area within 50 feet of the edge of a bog, marsh, swamp, or pond, as defined by R.I. Gen. Laws § 2-1-20.
- **WOODLANDS**
Existing trees and shrubs of a number, size, and species that accomplish the same general function as new plantings.
- **YARD**
A space on the same lot with a main building, open, unoccupied and unobstructed by buildings or structures from the ground up, except as otherwise provided in this chapter.
- **YARD, FRONT**
The area between a street line and a line parallel thereto, drawn through the nearest point of a main structure, extending between side lot lines. On a corner lot, there shall be only one front yard; the other potential front yard shall be considered a side yard, or where applicable, a corner side yard.
- **YARD, REAR**
An area extending across the full width of the lot between the rearmost main building and the rear lot line, the depth of which shall be the least distance between the rear lot line and the rear of such main building.
- **YARD, SIDE**
The area between the main building and the side lot line, extended from the front yard or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest point of the main building.
- **ZONING CERTIFICATE**
A document signed by the Zoning Enforcement Officer, as required by this chapter, which acknowledges that a use, structure, building or lot either complies with or is legally nonconforming to the provisions of this chapter or is an authorized variance, special use permit or administrative variance therefrom.

- **ZONING ENFORCEMENT OFFICER**

The person charged with enforcing this chapter and referred to from time to time in this chapter as the "ZEO."

- **ZONING MAP**

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

- **ZONING USE DISTRICTS**

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

§ III. Administration and Enforcement

ARTICLE III Administration and Enforcement

§ 255-300. Building Inspector and Zoning Enforcement Officer.

§ 255-300. Building Inspector and Zoning Enforcement Officer. [Amended 10-14-2025 by Ord. No.

2025-22] It shall be the duty of the Building Inspector and the Zoning Enforcement Officer ("ZEO") to administer and enforce the provisions of this chapter as such provisions may be assigned to them in their respective capacities, by this chapter or by law, as may be amended.

§ 255-310. Building Inspector.

§ 255-310. Building Inspector. [Amended 10-14-2025 by Ord. No. 2025-22]

- A. Qualifications. The qualifications of the Building Inspector are set forth in Chapter 27.3 of Title 23 of the Rhode Island General Laws.
- B. Duties. The duties of the Building Inspector are set forth in Chapter 27.3 of Title 23 of the Rhode Island General Laws. In addition, and to the extent that there is no conflict with the Rhode Island General Laws, the following are additional duties of the Building Inspector:
 - (1) Order that any illegal work in progress be discontinued or cease;
 - (2) Take other action authorized by this chapter, state law or are otherwise lawfully delegated to the Building Inspector to ensure compliance with or to prevent violation(s) of this chapter, state building code or state law, including but not limited to the issuance of and action on building permits, zoning and occupancy certificates and similar administrative duties as are permitted or authorized by state law or ordinance not inconsistent with state law;
 - (3) Collect required fees and fines for violations of this chapter; and pay all funds received over to the Town's finance department at the direction of the Finance Director;
 - (4) Keep records that demonstrate the compliance of uses of land and in connection with the performance of their duties as Building Inspector;
 - (5) Inspect suspected and/or credibly reported violations of state building code and the Code where required; and (6) Perform other duties and exercise other powers as are authorized by this chapter, law or are otherwise lawfully delegated to the Building Inspector.

§ 255-311. Zoning Enforcement Officer (ZEO).

§ 255-311. Zoning Enforcement Officer (ZEO). [Added 10-14-2025 by Ord. No. 2025-22] The Director of the Department of Planning and Development shall be the ZEO.

- A. Qualifications. The minimum qualifications of the ZEO shall be the ability to intelligently interpret this chapter and to enforce the chapter in an effective, firm and tactful manner, and to carry out such other related duties as may be required by law.
- B. Duties. The ZEO has authority to enforce the provisions of this chapter, which includes performance of the following duties:
 - – (1) Order the correction of any violation of this chapter;
 - – (2) Order that the illegal uses of land, buildings or structures be discontinued or cease;
 - – (3) Order the removal of illegal buildings, structures, illegal additions, and/or structural alterations;
 - – (4) Order that any illegal work in progress be discontinued or cease;
 - – (5) Interpret the zoning ordinances of the Town and this chapter; and opine thereon on behalf of the Town in their official capacity as ZEO;
 - – (6) In accordance with R.I. Gen. Laws § 45-24-54, upon written request, issue a zoning certificate or provide guidance, clarification and/or information to a requesting party;
 - – (7) Research, drafting, and signing of and in connection with zoning certificates;
 - – (8) Research, drafting, and signing of and in connection with modification permit;
 - – (9) Inspect suspected and/or credibly reported Code violations;
 - – (10) Research, perform site inspections, drafting and signing in connection with zoning enforcement documents, including but not limited to Notice of Orders ("NOO") and Notice of Violations ("NOV");
 - – (11) Keep records in connection with the performance of their duties as ZEO;
 - – (12) Collect fees and fines for enforcement of this chapter or law; and pay all funds received over to the Town's finance department at the direction of the Finance Director; and (13) Perform other duties and exercise other powers as are authorized by this chapter, law or are otherwise lawfully delegated to the ZEO.
- C. Delegation of duties. The ZEO may delegate to one or more subordinates ("Designee"), such as a Zoning Clerk or Special Duties Clerk, all or a portion of their duties under this chapter so long as the Designee works at the direction of the ZEO, is responsible to the ZEO and is qualified to perform such delegated duties as to the enforcement of the provisions of this chapter. It shall be the responsibility of the ZEO to ensure that their Designee is qualified, trained and supervised by them.

§ 255-320. Zoning certificate required.

§ 255-320. Zoning certificate required. [Amended 3-25-2025 by Ord. No. 2025-05]

- 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 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.

§ 255-330. Zoning certificates.

§ 255-330. Zoning certificates.

- A. An application for a zoning certificate shall be accompanied by:

- – (1) A site plan, accurately drawn, showing the actual shape and dimensions of the lot to be built upon;
 - – (2) The exact location and size of all existing buildings and structures and all buildings or structures to be erected, constructed, reconstructed, altered or enlarged;
 - – (3) The location of all zoning district boundary lines as they may affect the lot or premises;
 - – (4) The location and size of off-street parking and loading facilities where required; and (5) Such other information as may be necessary to provide for the enforcement of this chapter. The zoning certificate shall be issued on the basis of the application and accompanying plans and shall authorize only the use, arrangement and construction set forth in approved plans and applications. Any use, arrangement or construction at variance with that authorized under this chapter shall be deemed in violation of this chapter. No site plan shall be required with an application for a zoning certificate involving only alterations of an existing building where the use and exterior surfaces of such buildings are not changed or enlarged in any manner and the use is not affected by any other section of this chapter. A record of all applications, plans and certificates shall be kept on file in the office of the Building Inspector and shall be available for public inspection during regular office hours. One copy of the plans shall be returned to the applicant by the Building Inspector after each copy is marked as either as approved or disapproved and attested to by the signature of the Building Inspector on such copy. The original, similarly marked, shall be retained by the Building Inspector as a Town record.
- B. The Building Inspector, or the Zoning Enforcement Officer, or an assistant shall have the right of entry to such building or structure for the proper performance of his/her duties.
 - C. The Building Inspector or Zoning Enforcement Officer shall not issue a building permit until a zoning certificate has been issued.

§ 255-340. Publication of zoning certificates.

§ 255-340. Publication of zoning certificates.

The Building Inspector shall publish weekly a list of all zoning certificates issued in a newspaper of general circulation in the Town. Such list shall show the zoning certificates issued during the proceeding week, and shall specify the applicant, assessor's plat and lot, street name and proposed use.

§ 255-350. Zoning certificate relationship to other codes, regulations and ordinances.

§ 255-350. Zoning certificate relationship to other codes, regulations and ordinances.

The issuance of a zoning certificate shall in no way relieve the applicant of the responsibility of obtaining such permits or approvals as may be required under the provisions of other codes, regulations and ordinances, whether federal, state or Town, relating to the use, erection, alteration or modification of a building or structure or to the use or subdivision of land. However, all other permits or approvals shall conform to this chapter.

§ 255-360. Expiration of zoning certificate.

§ 255-360. Expiration of zoning certificate.

A zoning certificate shall be valid for the duration of the use which was the subject of the original application and issuance, and shall expire upon the termination of that use.

§ 255-370. Work previously authorized.

§ 255-370. Work previously authorized.

Nothing in this chapter shall prevent the completion of any development for which a valid building permit has been issued except that such development shall be initiated within three months after the adoption of this chapter and shall be completed within two years after such adoption. Where such a valid building permit exists, no zoning certificate shall be required.

§ 255-380. Vested rights.

§ 255-380. Vested rights. [Amended 3-25-2025 by Ord. No. 2025-05]

- A. 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 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 documents specified either by ordinance (this ordinance or any other applicable ordinance), Code provision, or rule adopted and published by the permitting authority prior to the time the application is filed.
- B. Any application for development under this ordinance and the Subdivision and Land Development Regulations, including an application for a land development project or subdivision or for development plan review, is deemed substantially complete when issued a certificate of completeness, as defined in Article II of the Subdivision and Land Development Regulations. For minor land development and minor subdivision projects and for development plan review, an application is vested when a certificate of completeness is issued at the preliminary plan phase. For major land development and major subdivision projects, an application is vested when a certificate of completeness is issued at the master plan phase.
- C. Any application for development under this chapter that is substantially complete prior to the enactment or amendment of this chapter shall be reviewed according to the regulations applicable in the zoning ordinance in full force and effect at the time the application was submitted.
- D. If an application for development under the provisions of this section is approved, the applicant must begin development or exercise the right granted in the approval within one (1) year of the date of approval, and shall be substantially completed within two (2) years of the date of approval. Any application for development that is governed by the Subdivision and Land Development Regulations shall adhere to the provisions of such approval and this section shall not apply.

§ 255-390. Modification permit.

§ 255-390. Modification permit. [Amended 3-25-2025 by Ord. No. 2025-05]

- A. The Zoning Enforcement Officer is authorized to grant modification permits under this chapter. Modification permits may be for modifications or adjustments from the literal dimensional requirements of this chapter. The modification shall not exceed 25% of any of the dimensional requirements specified in this chapter. Within ten (10) days of receipt of a request for a modification permit, the Zoning Enforcement Officer shall make written findings as to the suitability of the requested modification permit based on the following determinations:
 - – (1) The modification requested is reasonably necessary for the full enjoyment of the permitted use;
 - – (2) If the modification is granted, neighboring property will neither be substantially injured nor its appropriate use substantially impaired;
 - – (3) The modification requested is in harmony with the purposes and intent of the Comprehensive Plan and this chapter; and (4) The modification requested does not require a variance of a flood hazard requirement.
- B. Upon an affirmative determination, in the case of a modification of 5% or less, the Zoning Enforcement Officer has the authority to issue a decision approving the modification without any public

notice requirements. In the case of a modification of greater than 5%, the Zoning Enforcement Officer shall direct the applicant to notify, by USPS first class mail, all property owners abutting the property which is the subject of the modification request, and shall indicate the street address of the subject property in the notice, and shall publish in a newspaper of local circulation within the Town that the modification will be granted unless written objection is received within fourteen (14) days of the public notice. Costs of any notice required under this subsection shall be borne by the applicant requesting the modification. If written objection is received within fourteen (14) days, the request for a modification shall be scheduled for the next available hearing before the Zoning Board on application for review as a dimensional variance following standards and procedures for such variances, including notice requirements provided under this chapter. If no written objections are received within fourteen (14) days, the Zoning Enforcement Officer shall grant the modification decision.

- C. The Zoning Enforcement Officer may apply such special conditions to the modification decision as may, in the opinion of the Zoning Enforcement Officer, be required to conform to the intent and purposes of this chapter.
- D. The Zoning Enforcement Officer shall keep public records of all requests for modifications, and of findings, determinations, special conditions, and any objections received.
- E. A request for a modification shall require an administrative fee paid to the Town consistent with the schedule of fees maintained in the Planning and Development Department.

§ 255-3100. Violations and penalties.

§ 255-3100. Violations and penalties.

- A. The erection, construction, enlargement, intensification, conversion, moving or maintenance of any building or structure and the use of any land or building or structure which is continued, operated or maintained, contrary to any of the provisions of this chapter, is a violation of this chapter and unlawful.
- B. Any person, whether as principal, agent, employee or otherwise, who violates any of the provisions of this chapter, shall be fined an amount reasonably related to the seriousness of the offense, and in any case not more than \$500 for each offense. Fines collected shall go into the general fund of the Town.
- C. Each day of the existence of any such violation shall be deemed a separate offense.
- D. Upon finding that any of the provisions of this chapter are being violated, the Building Inspector or Zoning Enforcement Officer shall notify in writing the person responsible for such violation(s), indicating the nature of the violations, and ordering the action necessary to correct it. Such notice shall contain a date for compliance with said order. The Building Inspector or Zoning Enforcement Officer shall establish the compliance date based upon the amount of time reasonably required to so comply, subject to the following:
 - (1) The maximum time allowed shall be 30 days.
 - (2) The minimum time to be allowed shall be five days unless the Building Inspector or Zoning Enforcement Officer finds as a fact that the violation constitutes an immediate hazard to the public health, safety, morals and welfare, in which case the minimum time to be allowed shall be 24 hours. If compliance has not been made within the stipulated time period, the Building Inspector or Zoning Enforcement Officer shall notify the Town Solicitor or other such legal counsel of the Town of the violation of this chapter. Immediately upon notification of any violation, the Town Solicitor shall institute appropriate action to prevent, enjoin, abate or remove such violation. The remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.
- E. The Town may bring suit in the supreme court, the superior court, or any municipal court, including a municipal housing court having jurisdiction, in the name of the Town, to restrain the violation of, or to compel compliance with, the provisions of this chapter. The Town may consolidate an action for injunctive relief and/or fines under this chapter in the Kent County Superior Court.

§ 255-3110. Appeal from decision of Building Inspector/Zoning Enforcement Officer.

§ 255-3110. Appeal from decision of Building Inspector/Zoning Enforcement Officer.

Any person aggrieved by a decision of the Building Inspector or Zoning Enforcement Officer concerning this chapter may file an appeal in accordance with the provisions of § 255-410B of this chapter.

§ 255-3120. Maintenance of chapter.

§ 255-3120. Maintenance of chapter.

The Director of the Department of Planning and Development shall be responsible for the maintenance and update of the text and zoning map comprising this chapter. Changes which impact the Zoning Map shall be depicted on the map within 90 days of the authorized change.

§ 255-3130. Filing fees.

§ 255-3130. Filing fees. [Amended 5-14-2018 by Ord. No. 03-18-321]

- A. The Town of Coventry shall assess fees for all reasonable costs and expenses associated with processing applications.
- B. The following fee schedule shall apply for applications filed with the appropriate reviewing authority:

Table 3-1	
Type of Project	Fee

- A. Variances and special use permits applied for: (Note: All costs for stenographic services shall be paid by the applicant.)
- 1. Residential additions or alterations under 250 \$145 square feet 2. Residential additions or alterations over 250 \$200 square feet or application for residential structure (other than types listed below)
- 3. Application for duplex or in-law \$350 4. Application for multifamily units and \$400, plus \$20 per unit over 3 condominium projects 5. Commercial and industrial building up to \$500 5,000 square feet (including additions or alterations)
- 6. Commercial and industrial buildings over \$750 5,000 square feet 7. Administrative variance \$145 8. Each appeal pursuant to § 255-410B \$200 9. Zoning amendment \$250
- – B. Application for telecommunications tower facility \$1,500

Table 3-1	
Type of Project	Fee

- – C. Additional fees may be required to pay for the following studies as deemed appropriate by the Town Council to ascertain potential impact to the environment and adjacent land uses. These studies shall be performed by outside consultants on behalf of the Town.
- 1. Traffic \$1,500 2. Hydrogeologic \$1,500 3. Hazardous materials \$2,500 4. Power plant siting \$2,500 5. Air quality \$1,500
- – D. Development plan review 1. Up to 15,000 square feet under development \$150 2. 15,000 square feet to one acre under \$350 development 3. Each additional acre or portion thereof under \$100 development
- – E. Appeal from Planning Commission decision \$200

- – F. Zoning certificate \$25
- – C. The Zoning Officer shall recover additional costs and expenses by the Town that are incurred due to the actions of the applicant, including (but not limited to) mailing, noticing, police and/or fire details, computer networking, and securing and setting up for locations other than the Town Hall Town Council Chambers.

§ IV. Zoning Board of Review

ARTICLE IV Zoning Board of Review [5-14-2018 by Ord. No. 02-18-320; 5-14-2018 by Ord. No. 03-18-321; 11-28-2023 by Ord. No.

2023-4; 3-25-2025 by Ord. No. 2025-09]

§ 255-400. Organization.

§ 255-400. Organization.

- A. There is hereby created a Zoning Board of Review, hereafter called the "Board." The Board shall consist of five members, each to hold office for the term of five years; provided, however, that the original appointments shall be made for terms of one, two, three, four, and five years, respectively. The Board shall also include two alternates to be designated as the first and second alternate members, each for one-year terms. Alternate members shall sit and may actively participate in hearings. The first alternate shall vote if a member of the Board is unable to serve at a hearing and the second shall vote if two members of the Board are unable to serve at a hearing. In the absence of the first alternate member, the second alternate member shall serve in the position of the first alternate. No member or alternate may vote on any matter before the Board unless they have attended all hearings concerning that matter.
- B. Members and alternates of the Board shall be legal residents of the Town of Coventry.
- C. The Board shall, in May of each year, elect a Chairman, Vice-Chairman and a Secretary from its membership and may adopt rules to be used in the conduct of its business.
- D. The Board as constituted at the time of the adoption of this chapter shall be continued, and all members shall hold office for the remainder of their respective terms.
- E. Members of the Board serving on the effective date of adoption of this chapter shall be exempt from provisions of this chapter respecting terms of originally appointed members until the expiration of their current terms.
- F. If a vacancy occurs on the Board, for whatever reason at any time, the Town Council shall appoint a new member for the unexpired term. The following shall constitute termination of membership: voluntary resignation; nonreappointment; or failure to maintain qualifications of membership.
- G. Members of the Board may be removed from office for cause by a majority vote of the Town Council upon written charges and after a public hearing, if requested.

§ 255-410. Powers and duties of Board.

§ 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 within a specified time period;
- – (7) To promulgate rules and regulations to enforce this chapter;
- – (8) To provide for the payment of reasonable fees, in an amount not to exceed actual costs incurred, to be paid by the appellant or applicant for the adequate review and hearing of applications, the issuance of zoning certificates, and for the recording of the decisions thereon; and (9) To hear and decide other matters, according to the terms of this chapter or other statutes, and upon which the Board may be authorized to pass under this chapter or other statutes.
- B. In exercising its powers the Board may reverse or affirm wholly or partly and may modify the order, requirement, decision, or determination appealed from and may make such orders, requirements, decisions, or determinations as ought to be made, and to that end shall have the powers of the officer from whom the appeal was taken. All decisions and records of the Board with respect to appeals shall conform to the provisions of Code § 255-4130B.

§ 255-420. Procedure of the Board.

§ 255-420. Procedure of the Board.

- A. Meetings of the Board shall be held at the call of the chairperson, by vote of the membership, or by written request signed by three members of the Board and filed with the Town Clerk. The Chairperson or in his absence, the Vice-Chairperson, may administer oaths and compel the attendance of witnesses.
- B. When transacting business, conducting a public hearing, or arriving at a decision, the Board shall at all times consist of at least five participating members. As soon as a conflict of interest, as defined by R.I. Gen. Laws § 36-14-1 et seq. as well as the rules and regulations of the Rhode Island Ethics Commission, occurs for a member, that member shall recuse himself, shall not sit on the dais or in the meeting room, and otherwise take no part in the conduct of the hearing.
- C. Only five (5) active members shall be entitled to vote on any issue. The concurring vote of a majority of the members of the Board sitting at the hearing shall be necessary to reverse or modify any order, requirement, decision or determination of the ZEO from whom an appeal was taken and the concurring vote of a majority of the members of the Board sitting at a hearing shall be required to decide in favor of the applicant on the matter of a variance, special use permit, or any other matter upon which the Board is authorized to pass.
- D. When the Board denies a request for variance or special use permit, an application requesting an identical action may not be considered for a period of one year from the date of such denial unless the Board in its discretion votes affirmatively to reconsider the request.

§ 255-430. Decisions and records.

§ 255-430. Decisions and records.

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

- B. The Board shall include in its decision all findings of fact and conditions, registering the vote of each participating member, and the absence of a member or their failure to vote. The Board shall keep written minutes of its proceedings, recording the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and the Board shall keep records of its examinations, findings of fact, and other official actions, all of which shall be recorded and filed in the Office of the Town Clerk in as expeditious a manner as practicable following the completion of a proceeding.
- C. Decisions shall be recorded and filed in the office of the Board within thirty (30) working days from the date when a decision was rendered and decisions shall be a public record. A copy of all Board decisions shall also be recorded in the land evidence records of the Town.
- D. For any proceeding from which a party to the proceeding has a right of appeal to the Rhode Island Superior or Supreme Courts, the Board shall have the minutes recorded stenographically and transcribed by a qualified stenographer or recorded by a sound-recording device and transcribed by a qualified transcriptionist. All costs for stenographic and/or transcription services shall be paid by the applicant.
- E. All decisions of the Board, including any special conditions attached thereto, shall be mailed to the appellant or applicant, the Town Clerk, the Building Inspector or the ZEO, the Town Planner and the Commission, and to the Associate Director of the Division of Planning of the Rhode Island Department of Administration. Any decision evidencing the granting of a variance, modification, or special use shall also be recorded in the land evidence records of the Town.

§ 255-440. Public notice and hearing requirements.

§ 255-440. Public notice and hearing requirements.

- A. The Board, immediately upon receipt of an application for a variance or a special use permit, may request that planning staff report its findings and recommendations, including a statement on the general consistency of the application with the goals and purposes of the Comprehensive Plan, in writing, to the Board within thirty (30) days of receipt of the application from the Board.
- B. The Board shall hold a public hearing on an application for a variance or a special use permit in an expeditious manner, after receipt, in proper form, of an application, and shall give public notice at least fourteen (14) days prior to the date of the hearing in a newspaper of local circulation in the Town. A supplemental notice, that an application for a variance or a special use permit is under consideration, shall be posted at the location in question. The posting is for information purposes only and does not constitute required notice of a public hearing. The same notice shall be posted in the Town Clerk's office and one other municipal building in the Town and the notice shall be accessible on the Town's website at least fourteen (14) days prior to the hearing. For any notice sent by USPS first-class mail, the sender of the notice shall submit a notarized affidavit attesting the mailing. The cost of newspaper notification shall be due and payable from the applicant.
- C. Notice by USPS first-class mail shall be sent by the applicant at least fourteen (14) days prior to the date of the hearing to all property owners within the notice radii specified under Subsections D and E of this Code section. Notice shall also be sent to at least those who would require notice under Code § 255-1820. The requirement for notice by USPS first-class mail shall apply even where properties within the notice radii are located in an adjacent municipality. Where notification radius includes properties in an adjacent municipality, notice by USPS certified mail shall also be sent to the Clerk of the adjacent city or town. A list of the names and addresses of these persons shall be determined from current public records within the appropriate municipality. Proof of such mailing shall be established by the applicant's filing an affidavit of notice with the Town's Department of Planning and Development. The cost of mailing notification shall be paid by the applicant.
- D. For dimensional variance and special use permit applications, notice shall be sent to all property owners within 500 feet measured from the perimeter of the property boundary, except in the case of applications within the R-20 Zoning District in which the notice shall be sent to all property owners within 200 feet measured from the perimeter of the property boundary.

- E. For use variance applications, notice shall be sent to all property owners within the notice radii shown below, as measured from the perimeter of the property boundary: Notice Radius Measured from Property Boundary (feet) Zone 200 R-20 500 VRC, VMC, GB, GB-1, BP, I1, I2 1,000 RR-2, RR-3 2,000 RR-5

§ 255-450. Special use permits.

§ 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.

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

§ 255-460. Special exceptions.

§ 255-460. Special exceptions.

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

§ 255-470. Variances.

§ 255-470. Variances.

- A. An application for relief from the literal requirements of this chapter because of hardship may be made by any person by filing with the Zoning Enforcement Officer an application in accordance with Code § 255-4110. The ZEO shall immediately transmit each application received to the Board and shall transmit a copy of each application to the Planning Commission.
- B. In granting a variance, the Board, or, when unified development review is triggered pursuant to R.I. Gen. Laws § 45-24-46.4, the Planning Commission, shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:
 - (1) That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant;
 - (2) That the hardship is not the result of any prior action of the applicant; and (3) That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the Coventry Comprehensive Plan.
- C. The Board, or, where unified development review is enabled pursuant to R.I. Gen. Laws § 45-24-46.4, the Planning Commission, shall, in addition to the above standards, require that evidence be entered into the record of the proceedings showing that:
 - (1) In granting a use variance, the subject land or structure cannot yield any beneficial use if it is required to conform to the provisions of this chapter. Nonconforming use of neighboring land or structures in the same district and permitted use of lands or structures in an adjacent district shall not be considered in granting a use variance; and (2) In granting a dimensional variance, that the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience, meaning that the relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief.

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

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

- A. Any variance or special use permit shall expire one (1) year from the date recorded in the Town Clerk's Office unless the applicant exercises the permission granted or receives a building permit, begins construction and diligently performs construction of the project until it is completed. Construction shall be substantially completed within two (2) years from the date of approval. The Board may, upon written request for cause shown, renew the variance or special use permit for a second, one-year period. The request for an extension need not be advertised.
- B. Should the applicant fail to begin construction following the issuance of a building permit, or obtain a certificate of occupancy within the second, one-year period, the Board may upon written request prior to the expiration of the second, one-year period, renew the variance or special use permit for a third, one-year period provided the applicant can demonstrate due diligence in proceeding and substantial financial commitment in promoting the subject variance or special use permit since the date of the filing of the resolution. Notice shall be given in accordance with Code § 255-440 and a hearing shall be held on the request.
- C. The expiration periods of an approval of a variance or special use permit granted under this section under unified development review shall be the same as those set forth in the Rhode Island General Laws for the underlying type of project under review.
- D. The above one-year periods shall be stayed as of the date any court action is commenced to overturn the approval and for the duration of the pendency of any such action.

§ 255-490. Special conditions.

§ 255-490. Special conditions.

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

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

§ 255-4100. Appeals to the Rhode Island Superior Court.

§ 255-4100. Appeals to the Rhode Island Superior Court.

In accordance with R.I. Gen. Laws § 45-24-69, an aggrieved party may appeal any decision of the Board to the Rhode Island Superior Court sitting in Kent County by filing a complaint therein and setting forth the reasons of appeal within twenty (20) days after the decision has been recorded in the Town's land evidence records and posted in the office of the Town Clerk in a location visible to the general public. The posting in the Clerk's office shall be for a period of twenty (20) days following the recording of the decision. After being served with a copy of the complaint, the Board shall file the original documents, or certified copies thereof, it acted upon and all other documents it relied upon or that otherwise constitute the record of the decision appealed from, together with such other facts as may be pertinent with the clerk of the Superior Court within thirty (30) days. When a complaint is filed by someone other than the original applicant or appellant, the original applicant or appellant and the members of the Board shall be made parties to the proceedings in Superior Court. The appeal shall not stay the decision appealed from, but the Court may, on application, grant a stay and make orders it deems necessary and just while the appeal is pending before the Court.

§ 255-4110. Application procedure for special use permits and variances.

§ 255-4110. Application procedure for special use permits and variances.

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

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

§ 255-4120. Participation in zoning hearing.

§ 255-4120. Participation in zoning hearing.

The general public shall have the right to participate in any zoning hearing or other proceeding before the Board so long as the hearing or other proceeding is properly before the Board as a docketed matter on its agenda. The Board shall have, as a matter of course, a docket heading on its agenda entitled "Public Comment on Docketed Items; and Public Hearings" during which the public may exercise its right to participate, subject to Board rules concerning the conduct of its docket, hearings and public participation as well as guidance set forth on the docket itself. Generally, participation in a zoning hearing or other proceeding by a party or member of the public shall not be a cause for civil action or liability except for: acts of bad faith, intentional misconduct, a knowing violation or misrepresentation of the law, a knowing misrepresentation of facts, transactions and relationships related to a docketed matter where there is an undisclosed personal benefit or self-interest; and other malicious, wanton, or willful acts of misconduct intended to provide misleading testimony.

§ 255-4130. Appeals to the Zoning Board of Review.

§ 255-4130. Appeals to the Zoning Board of Review.

- A. An appeal to the Board from a decision of the ZEO in the enforcement of this chapter may be taken by any person, officer, department or board of the Town or state aggrieved or affected by such decision or other action taken by the ZEO. Any appeal must be taken within thirty (30) days of the recording of the decision or action by the Building Inspector or the ZEO by filing a notice of appeal with the Clerk for the Zoning Board of Review setting forth the grounds for or reasons of appeal. The Building Inspector or the ZEO shall transmit to the Board all the records upon which the decision or action was based. Any appeal to the Board shall stay all actions or proceedings, including penalties and fines, in furtherance of the decision or action appealed from, unless the Building Inspector or ZEO certifies to the Board that a stay would cause imminent peril to life, life safety or property. In such a case, proceedings shall not be stayed other than by a restraining order granted by a Court of competent jurisdiction.
- B. In exercising its powers the Board may reverse or affirm, in whole or in part, and may modify the order, requirement, decision, or determination appealed from and may make such orders, requirements, decisions, or determinations as ought to be made, and, to that end, shall have the powers of the officer from whom the appeal was taken. All decisions and records of the Board respecting appeals shall conform to the provisions of Code § 255-430E.

§ 255-4140. Unified development review.

§ 255-4140. Unified development review.

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

- A. Public hearing. All land development and subdivision applications, and development plan review applications, which include requests for variances and/or special use permits submitted pursuant to this section, shall be heard in a public hearing that meets the requirements of the Land Development and Subdivision Regulations and R.I. Gen. Laws § 45-23-42(b).
- B. When granting requests for dimensional and use variances, the Planning Commission shall be bound to the requirements as set forth in Article IV of this chapter and specifically relative to entering evidence into the record in satisfaction of the applicable standards.

- C. In reviewing requests for special use permits, the Planning Commission shall be bound to the conditions and procedures under which a special use permit may be issued and the criteria for the issuance of such permits, as set forth in Article IV and specifically relative to entering evidence into the record in satisfaction of the applicable standards. Appeals. An appeal from any decision made pursuant to this section may be taken pursuant to R.I. Gen. Laws § 45-23-71.
- D. Any decision on a variance or special use permit rendered by the Planning Commission through unified development review shall be required to provide for the recording of findings of fact and a written decision. Such decision shall be made part of the record and recorded in the land evidence records.

§ V. Zoning Districts and Zoning District Map

ARTICLE V Zoning Districts and Zoning District Map

§ 255-500. Zoning districts.

§ 255-500. Zoning districts. [Amended 3-25-2025 by Ord. No. 2025-06] For the purpose of this chapter, the Town of Coventry is 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 verylow-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-intensity nonresidential activities incidental to a rural environment. The minimum lot size for development is three (3) acres.
 - – (3) RR2 - Rural Residential District. These are rural areas in which public water or sewer facilities are generally not available. These areas are characterized by low-density single-family residential development, large estates, and certain low-intensity nonresidential activities incidental to a rural environment. The minimum lot size for development is two (2) acres.
 - – (4) R20 - Residential District. These are quiet, higher-density residential areas of the Town, plus certain undeveloped areas where similar residential development will likely occur in the future. Public water is generally available and public sewers are planned. Public facilities and a wide range of services are available. The minimum lot size for development is 20,000 square feet.
 - – (5) RMH - Residential Mobile Home District. These are floating zones limited to use as a mobile home park and associated accessory uses created in accordance with the provisions of Article XI of this chapter.
- B. Business.
 - – (1) VRC - Village Rural Commercial District. These districts are defined primarily as traditional mixed-use village nodes in central and western Coventry that support a variety of land uses, including retail, service, light industrial, office, and residential uses. Special development standards

are required for the preservation and enhancement of the visual, traditional and historic character of the vicinity.

- – (2) VMC - Village Main Street Commercial. These districts are defined primarily as traditional mixed-use village nodes in eastern Coventry that support a variety of uses including retail, service, office, and residential. Special development standards are required for the preservation and enhancement of the visual, traditional and historic character of the vicinity.
- – (3) GB/GB-1 General Business District. These districts are composed of certain land and structures to provide for the retailing of commodities and the furnishing of services which depend primarily on vehicular traffic. GB-1 requires a minimum of one (1) acre for development.
- – (4) BP - Planned Business Park. This is a floating zone, the purpose of which is to denote major commercial, office and industrial centers for the Town as identified in the Comprehensive Community Plan. Proposals shall ensure a coordinated development plan where uses, traffic controls, open space needs, buffering and site appropriateness can be evaluated. Land uses in this district include all commercial uses other than heavy industrial and certain other uses specifically prohibited. Business Park Districts shall be approved as a land development project through the provisions of Article XIV of this chapter.
- C. Industrial.
 - – (1) I1 - These districts are primarily large tracts of land suitable for industrial development in conformance with development standards enumerated in this chapter.
 - – (2) I2 - These districts are older industrial mill complexes in the Town in existence prior to the original enactment of this chapter which may have existing buildings over 35 feet in height.
- D. Planned development/planned unit development.
 - – (1) These are floating zones composed of a variety of land uses, including mixed-use, commercial, industrial, and multifamily projects that are created in conformance with Article XIV of this chapter.
- E. SPD - Special Planning Overlay District.
 - – (1) This is a design overlay district to provide for the establishment of a design review by the Planning Commission which shall take into consideration the special impact the development will have on this visually prominent location. There shall be a strong emphasis on aesthetics, including design and building layout. Strip development is strongly discouraged. Buffering, access, landscaping, lighting and signage must be oriented to accommodate pedestrian traffic within the site. The uses and dimensions of the underlying zone shall remain in effect.

§ 255-510. Zoning Map.

§ 255-510. Zoning Map.

The boundaries of the above zoning districts are hereby established as shown on a map filed in the Office of the Town Clerk, entitled "ZONING MAP-COVENTRY, RHODE ISLAND, 1" EQUALS 1,200' DATED JUNE 26, 2000" as amended and hereafter known as the "Zoning Map." Prior to June 26, 2000, the Coventry Zoning Map was composed of 61 separate maps numbered 1 to 61 and filed in the Office of the Town Clerk. The Coventry Zoning Map is hereby amended and adopted on June 26, 2000, and made part of this chapter.

§ 255-520. Interpretation of zoning district boundaries.

§ 255-520. Interpretation of zoning district boundaries. [Amended 3-25-2025 by Ord. No. 2025-13] Where uncertainty exists as to the boundaries of zoning districts as shown on the Zoning Map, the following rules shall apply:

- A. Boundaries indicated as approximately following the center lines of a highway, street, alley, railroad, watercourse or body of water shall be construed to the center line, or middle thereof, or where such boundaries indicated as approximately following Town limits shall be construed as following such Town limits;
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
- C. Where a district boundary line divides a lot which was in single ownership at the time of passage of this chapter, the Zoning Enforcement Officer may consider the extension of the regulations for either portion of the lot not to exceed 30 feet beyond the district line in the remainder of the lot;
- D. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line;
- E. Boundaries indicated as parallel to or extensions of features indicated in the above Subsection C shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map;
- F. Where physical or cultural features existing on the ground are at variance with these shown on the Zoning Map, or in other circumstances not covered by the above subsections, the Board shall interpret the district boundaries.

§ 255-530. SPD-Special Planning Overlay District/Special Management District for Route 3 and Sandy Bottom Road.

§ 255-530. SPD-Special Planning Overlay District/Special Management District for Route 3 and Sandy Bottom Road.

- A. Conformity with the Comprehensive Plan. All development along the Tiogue Avenue/Nooseneck Hill Road (Route 3) and Sandy Bottom Road corridors shall conform to the policies and guidelines as set forth in the Town's Comprehensive Community Plan. In order to demonstrate such conformity, the owners, applicants or developers, as applicable, must provide appropriate landscape, streetscape, on-site lighting, building and redevelopment activities and improvements to comport with the goals and intents of said plan.
- B. Purpose. The purpose of this "Special Management District" is to revitalize and develop Tiogue Avenue/Nooseneck Hill Road and Sandy Bottom Road so as to dramatically improve the functioning and appearance of this arterial corridor, create redevelopment opportunities and create jobs as well as enhance the Town's economic tax base.
- C. Applicability. This section shall apply to all real estate and buildings thereon situated on or adjacent to Tiogue Avenue and Nooseneck Hill Road and Sandy Bottom Road that are in a General Business (GB) Zoning District.
- D. Procedure for approval. All new commercial uses, changes in commercial uses or expansion of commercial uses shall be subject to the provisions of this article in addition to any other applicable zoning, subdivision and land use regulations. Such uses shall be reviewed by the Planning Department and/or Planning Commission as appropriate.
- E. Architectural standards.
 - – (1) General. The architectural design of buildings, structures and site layout shall be visually compatible with the traditional historic character of Coventry and the surrounding area, including building materials, scale and roof line.
 - – (2) Specific.
 - – * (a) New buildings shall be designed with traditional roof forms that are compatible with other traditional New England towns such as gabled, lipped, and pitched roofs. Flat roofs shall be

avoided.

- – * (b) Architectural elements to include dormers, columns, facades, awnings, canopies, etc., shall be in proportion with the dimensions and design of the overall building. Exaggerated or excessively large architectural elements shall be avoided.
- – * (c) Traditional building materials such as shingles, wood clapboards, stucco, brick and stone should be used for the exterior sheathing of additions and new construction.
- – * (d) The construction of buildings which are designed primarily according to themes or architectural styles associated with chain stores or restaurants shall be reviewed by the Planning Commission and may be modified or prohibited if found inconsistent with the Town's Comprehensive Community Plan or this chapter.
- – * (e) For new retail or commercial establishments which will exceed 10,000 gross square feet of floor area or additions which will increase their floor area in excess of 50%, the following minimum standards shall apply:
 - – * · [1] There shall be no blank, windowless uninterrupted facade in excess of 60 feet in length. Lengthy facades shall be interrupted by recesses, projections, windows, awnings or similar measures.
 - – * · [2] Smaller retail stores that are a portion of a larger store or principal building shall have display windows and separate outside entrances.
 - – * · [3] Roof lines shall be varied so as to break up lengthy, monotonous facades and exteriors.
- F. Colors and materials. To ensure higher quality development, new or renovated buildings in the special management district shall meet the following "colors and materials" standards:
 - – (1) Exterior materials shall be of high quality such as wood, brick, stucco, sandstone, or nature stone;
 - – (2) Facade colors shall be low-reflective, subtle, neutral or earth-tone colors;
 - – (3) High-intensity or metallic colors on the exterior of buildings are prohibited;
 - – (4) Neon tubing as an accent material is prohibited.
- G. Relationship to surrounding community. To ensure that all buildings with 10,000 square feet or more of gross floor area are compatible with surrounding streets, commercial and residential uses, all new buildings in excess of 10,000 square feet gross floor area or existing buildings which propose to increase their gross floor area in excess of 50% shall:
 - – (1) Install or provide all facades that are visible from adjoining properties and/or public streets which encourage community integration by featuring characteristics of the front facade;
 - – (2) All sides of a principal building which directly faces abutting streets shall include at least one customer entrance;
 - – (3) Evergreen trees must be installed on all sides of a building which abuts or faces a residential zoning district;
 - – (4) Landscape features shall be incorporated into all plans which shield loading docks, trash collection, and outdoor storage from public view;
 - – (5) Every effort shall be made to incorporate community and public spaces such as water fountains, water features, clock towers, and/or patio seating areas in plans.
- H. General Business design guidelines. Those techniques and measures set forth in the "Town of Coventry, Special Management District, General Business Guidelines" prepared by the Town of Coventry Planning Department and dated July 2007 are incorporated herein (NOTE: street lighting should be coordinated through the local fire district).

§ 255-540. Planned District — Coventry Centre.

§ 255-540. Planned District — Coventry Centre. [Added 9-9-2025 by Ord. No. 2025-19]

- A. Establishment of Coventry Centre Planned District. There is hereby created the Coventry Centre Planned District (the "CCPD"), which is comprised of property identified as 2271 New London Turnpike and 666 Arnold Road, and further described as Assessor's Plat 7, Lots 24 and 23 (the "Property"). The CCPD Property is depicted below as follows:
- B. CCPD zoning and development requirements. The zoning and development requirements of this section are intended to apply exclusively to the CCPD. Where this section departs from the requirements and definitions of the Coventry Zoning Ordinance (the "Zoning Ordinance") and/or Subdivision and Land Development Regulations (the "Regulations"), the specific provisions of this section take precedence. Where this section is silent, the provisions of the Zoning Ordinance and the Regulations shall apply to the CCPD and take precedence over this section.
- C. Coventry Planning Commission review. The Coventry Planning Commission (the "Planning Commission") shall review the development of the Property as a Major Land Development Plan, which shall include review of the master plan, preliminary plan and final plan stages. The recorded final plan remains valid as the approved plan for the site unless and until an amendment to the plan is approved, or a new plan is approved by the Planning Commission. Minor changes, as defined by the Regulations, shall be approved administratively by the administrative officer designated by the Zoning Ordinance. Major changes, as defined by the Regulations, shall be approved by the Planning Commission and shall include a public hearing.
- D. Permitted uses. The following uses shall be permitted in the CCPD, as derived from the Zoning Ordinance Table of Uses, unless otherwise stated herein:
 - – (1) Residential is a multifamily dwelling project.
 - – (2) Agricultural is a veterinarian and/or animal hospital.
 - – (3) Industry is transportation, communications, utilities or roof-mounted solar installation.
 - – (4) Commercial is retail trade and sales and repairs, where so stated, of the following:
 - – * (a) Building materials, hardware and farm equipment, excluding the outdoor sales or storage of the same. Retail sales are of lumber and other building materials; heating, plumbing and electrical supply and service; paint, glass, floor covering and wallpaper; and hardware.
 - – * (b) Food wherein the retail trade and sales occur in supermarkets, grocery stores, delicatessens, meat and fish markets, permanent fruit and vegetable markets, and convenience stores as well as stores that sell baked goods and dairy products.
 - – * (c) Motor vehicles, excluding the outdoor sales or storage of the same. Retail sales shall occur in the following types of establishments and involve the following services and products: Tire, battery and accessory dealers (auto parts store); and Gasoline service (full or self) station or service store (minor repairs only, may be combined with convenience store).
 - – * (d) Apparel and accessories wherein the retail trade and sales occur in shoe stores; tailor or dressmaker shops; leather shops; a yarn, fabric, sewing shop.
 - – * (e) Furniture, furnishing and equipment, excluding the outdoor sales or storage of the same. Retail sales are of furniture, floor covering, home furnishings and accessories in stores; appliances, radio, television, musical instruments, record, CD, and tape in stores; rental service stores (light equipment); and camping, fishing or hunting equipment in stores (retail or rental).
 - – * (f) Places of eating and drinking wherein the retail trade and sales occur in a lunchroom or restaurant (no alcoholic beverage); a tavern, cafe, club, bar or lounge (alcoholic beverage may be permitted); lunchroom or restaurant (alcoholic beverage may be permitted); and at a drive-in and fast-food restaurant (no alcoholic beverages).

- – * (g) Miscellaneous retail stores, excluding the outdoor sales or storage of the same. Retail sales occur in drugstores, video rental, office equipment, sporting goods and guns in stores; packaged liquor stores; secondhand stores; antique shops; and lawn and garden supply stores. Retail sales may also be made by swimming pool stores; fuel dealers of oil and bottle gas - sale and service only; general merchandise stores; department stores (including storage up to thirty percent (30%) of the Gross Floor Area ("GFA")); and landscape supply stores selling in bulk.
- – * (h) Stores that sell and repair personal items, including jewelry, mobile phones, bath and kitchen supplies and other similar products and goods. Such stores are not referenced in the Zoning Ordinance Table of Uses.
- – (5) Motels and hotels, which is a departure from the Zoning Ordinance Table of Uses.
- – (6) Storage facilities.
- – (7) Personal, business and professional services.
- – * (a) Professional offices as stated: general commercial office; bank or financial institution; temporary real estate office and/or model home; physical therapy and other health-related services; medical and dental offices and laboratories; legal services; engineering and design; and other professional offices; urgent care facilities and walk-ins.
- – * (b) Personal services as stated: laundry or dry cleaners (pick up) and self-service laundromat; photo studio; taxidermist and similar specialty shops; beautician and barber shops; shoe repair; tattoo shop and similar specialty shops; caterer; travel agency; and newspaper office (no printing permitted).
- – * (c) Automotive repair, services and garages as stated: general automotive repair; automobile body shop; and vehicle washing shop.
- – * (d) Governmental, education and institutional as stated: government-owned building (except garage or utility); private day-care, kindergarten, elementary or secondary school, junior college, college or university; trade or professional school; individual instruction; group instruction; churches; and walk-in medical clinic or treatment center.
- – (8) Pet grooming services. Such services are not referenced in the Zoning Ordinance Table of Uses.
- – (9) Recreation in a commercial amusement or recreation services environment as stated: Studios and schools for musical instruments, dance, and singing; bowling alleys billiards/pool; motion picture theater; exercise center, gymnasium, sauna or Turkish bath; and video or pinball arcades.
- E. Low- and moderate-income housing requirement for multifamily dwelling use. If the proposal for development includes multifamily residential, then fifteen percent (15%) of the total number of dwelling units must be designated as low- and moderate-income housing as defined by R.I Gen Laws § 45-53-3(9) (the "LMI Units"). The LMI Units shall be designated within the CCPD and may be integrated throughout the development or sited in one or more buildings at the discretion of the developer.
- F. Dimensional regulations.
 - – (1) The following dimensional regulations shall apply to the CCPD:

Maximum Impervious Area/Lot Coverage	Sixty Five Percent (65%)
Maximum GFA	One hundred-twenty thousand square feet of non-residential GFA; for every dw
Minimum Parking Lot/Driveway Setbacks	Ten feet (10') (see perimeter landscape buffer)
Minimum Building Setbacks	Twenty feet (20')
Maximum Height	Forty feet (40'); building height may be increased to a maximum of sixty feet (

- G. Parking and loading regulations.

- – (1) Parking in the CCPD shall be a minimum of four (4) spaces per one thousand (1,000) square feet of GFA of non-residential uses and one and a half (1.5) spaces for each dwelling unit.
- – (2) Loading in the CCPD including size and number of spaces shall be required as determined by the Planning Commission, considering the type of use, size of delivery trucks, expected timing of delivery, when found to be in the best interest of planning practice, considering the unique characteristics of the development.
- H. Landscaping and other surface area requirements.
 - – (1) Perimeter landscape buffer requirements: Along New London Avenue and Arnold Road Ten feet (10') From shared property line with AP 7, Lot 1 Thirty-five feet (35') Rear yard Twenty feet (20') Along internal lot lines Ten feet (10') The perimeter landscape buffer shall be provided to separate commercial and office uses from the street. At least a ten-foot (10') strip along roadways shall be landscaped with trees, shrubs, fences, earthen berms or other means deemed acceptable by the Planning Commission. Along shared property lines, existing trees and woodlands shall be preserved to the greatest extent possible. Otherwise, supplemental plantings shall be introduced as appropriate to adequately buffer adjacent land uses.
 - – (2) Parking area requirements: The development shall contain a minimum of five percent (5%) interior landscaping in parking areas with a mix of evergreen, ornamental, shade trees and shrubs; the landscape plan shall be designed to promote safe and efficient circulation of pedestrians and vehicles, while considering the need for properly vegetated and maintained landscaped areas in order to enhance and preserve the visual character by promoting highquality developments.
 - – (3) Remaining pervious area requirements: The total pervious area shall be considered greenspace totaling thirty-five (35%) of the total project area and will include well-maintained natural, vegetated and lawn areas to enhance the development. Well-maintained retaining walls, drainage areas and development amenities may be included in these areas. Half of pervious areas may be devoted to major stormwater facilities, as approved by the Planning Commission.
- I. Signs. The requirements of § 255-1530 of the Zoning Ordinance shall apply to the CCPD.
- J. Architectural standards.
 - – (1) Roof lines. New building shall be designed with traditional roof forms that a compatible with other traditional New England towns such as gabled, lipped, and pitched roofs. Flat roofs shall be avoided; however, parapets and faux roofs may be used to screen mechanicals and solar panels on flat roofs.
 - – (2) Building materials. Exterior materials shall appear as wood, brick, stucco, sandstone or other natural materials; metal facades are not permitted, except where used for decorative purposes.

§ VI. Zoning District Use and Dimensional Regulations

ARTICLE VI Zoning District Use and Dimensional Regulations

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

§ 255-600. Schedule of Zoning District Use Regulations. [Amended 11-28-2023 by Ord. No. 2023-4; 3-25-2025 by Ord. No. 2025-10; 1-13-2026 by Ord. No. 2025-23]

- A. The following Schedule of District Use Regulations, attached to this Chapter as Table 6-1, 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.

§ 255-610. Dimensional regulations.

§ 255-610. Dimensional regulations.

The tables of dimensional regulations are included as an attachment to this chapter.

§ VII. Industrial Performance Standards

ARTICLE VII Industrial Performance Standards

§ 255-700. Purpose.

§ 255-700. Purpose.

The purpose of this article is to provide performance standards for the control of industrial uses. These standards are designed to prevent public health and safety hazards, public nuisances and harmful environmental impacts; to permit potential industrial nuisances to be measured factually and objectively; and to ensure that all industrial uses will provide methods to protect the Town from hazard which can be prevented by processes of control and elimination.

§ 255-710. Application of standards.

§ 255-710. Application of standards.

- A. The provisions of this article shall apply to any industrial uses located within the I1 and I2 Industrial Zoning Districts in Coventry or those preexisting nonconforming uses in any other zoning district. If any existing use, process, building or other structure is extended, enlarged, moved, structurally altered or reconstructed, or any existing use of land is modified in any way, these performance standards shall become applicable.
- B. Performance standards shall be measured at the lot line at a point nearest the use or process being measured.
- C. Industrial uses shall comply with all applicable zoning requirements. Property and buildings shall be designed and laid out to minimize adverse impacts on adjacent property by establishing adequate buffers and screening the use through such features as landscaping, fences, and plantings; suitably located points of traffic ingress/egress; and areas for loading and parking, which shall be screened and landscaped. (See Articles XII and XVII).
- D. If any local standards differ from state or federal standards, the more stringent or restrictive standards shall apply.

§ 255-720. Administration of performance standards.

§ 255-720. Administration of performance standards.

- A. Before issuing a building permit for an industrial use, the Building Inspector or Zoning Enforcement Officer shall certify any proposed use, alteration or change to an existing use, compliance of an existing use, whether permitted or nonconforming, for compliance with this article. Before certifying compliance, the Building Inspector or Zoning Enforcement Officer may consult with the Town Engineer, Planner, or Fire Chief.

- B. Issuance of a building permit shall constitute certification of compliance with the performance standards of this article. Any modifications or alterations of the industrial use as permitted shall be reviewed by the Building Inspector or Zoning Enforcement Officer.

§ 255-730. Plans and specifications.

§ 255-730. Plans and specifications.

- A. In order to determine the probable compliance of a proposed use with this article, the Building Inspector or Zoning Enforcement Officer shall require the applicant to submit:
 - – (1) Plans of existing or proposed construction and development;
 - – (2) Descriptions of existing or proposed machinery and products;
 - – (3) Specifications for the mechanisms and techniques used or proposed to be used to adhere to these standards;
 - – (4) Measurements of the amount or rate of emissions of the items referred to in these standards for existing industrial uses of the applicant;
 - – (5) Certification by a registered professional engineer that the proposed use shall comply with these standards;
 - – (6) An affidavit from the applicant acknowledging an understanding of these standards and a continuing agreement to comply with them.
 - – (7) Demonstration of compliance with all other applicable articles of this chapter.
- B. The applicant shall also submit a copy of the development plan review application and plans to the Building Inspector or Zoning Enforcement Officer.
- C. Failure to submit any data required by the Building Inspector or Zoning Enforcement Officer shall constitute grounds for denying a permit.

§ 255-740. Report by expert consultants.

§ 255-740. Report by expert consultants.

In the investigation of the compliance with these standards by any existing or proposed use, the Building Inspector or Zoning Enforcement Officer may require the owner or operator to provide a study and report by an expert consultant as to the compliance with these standards and, if necessary, advise as to how such existing or proposed use can be brought into compliance with these standards.

§ 255-750. Required alterations.

§ 255-750. Required alterations.

The Building Inspector or Zoning Enforcement Officer may require modifications or alterations in the existing or proposed construction or the operational procedures to ensure that compliance with the performance standards will be maintained. The owner or operator shall be given a reasonable length of time to effect any changes prescribed by the Building Inspector or Zoning Enforcement Officer for the purpose of securing compliance with the performance standards.

§ 255-760. Continued enforcement.

§ 255-760. Continued enforcement.

The Building Inspector or Zoning Enforcement Officer shall investigate any purported violation of these standards and, for such investigation, may request that qualified experts be employed if a violation is found to occur or exist. The owner or operator of the industrial use shall be notified of a violation of these standards

by certified mail. The notice shall direct the owner or operator to bring the violating facility or industrial use into compliance with these standards within a stated time period determined by the Building Inspector or Zoning Enforcement Officer. The notice shall state that upon continuation of the violation beyond the stated time period, any costs associated with monitoring the operation, including the costs of hiring qualified experts, shall be paid by the violator.

§ 255-770. Cancellation of permits.

§ 255-770. Cancellation of permits.

If, after receipt of notice of violation pursuant to § 255-760, and after the expiration of time provided to bring the violating industry into compliance with these performance standards, the Building Inspector or Zoning Enforcement Officer finds that the violation persists, any permits previously issued shall be void and the owner or operator shall be required to cease operation until such time as the Building Inspector or Zoning Enforcement Officer determines that the violation is remedied and these performance standards are met.

§ 255-780. Appeals.

§ 255-780. Appeals.

Appeals of the decisions of the Building Inspector or Zoning Enforcement Officer concerning the performance standards shall be made according to § 255-410B of this chapter.

§ 255-790. Performance standards for noise.

§ 255-790. Performance standards for noise.

- A. Existing and proposed industrial uses shall not create noise in excess of the sound pressure levels specified by Subsections D through G.
- B. Sound pressure levels shall be measured with a sound-level meter that conforms with the American Standards Specifications for Sound Level Meters for measurement of Noise and Other Sounds, and with an octave bank filter and analyzer that conforms to the American Standard Specifications for an Octave Bank Filter Set for the Analysis of Noise and Other Sounds, Z 24.10-1953.
- C. Traffic, aircraft, and other background noises shall not be considered in measuring noise levels except when the background noise is part of the noise being measured.
- D. Maximum permissible sound-pressure levels, nighttime operation. Table 7-1 Pre-1960 Octave Band Frequency Preferred Frequency Octave Band Center (Cycles per Second) Decibels Frequency (Cycles per Second) Decibels 0 to 75 72 21.5 76 75 to 100 67 63 71 150 to 300 59 125 65 300 to 600 52 250 57 600 to 1,200 46 500 50 1,200 to 2,400 40 1,000 45 2,400 to 4,800 34 2,000 39 Above 4,800 32 4,000 34
- E. Maximum permitted sound-pressure levels daytime operation. Table 7-2 Pre-1960 Octave Bands Octave Frequency (Cycles per Second) Preferred Frequency Octave Bands Octave Band Decibels Center Frequency (Cycles per Second) Decibels 0 to 75 77 21.5 81 75 to 150 72 63 76 150 to 300 64 125 70 300 to 600 57 250 62 Table 7-2 Pre-1960 Octave Bands Octave Frequency (Cycles per Second) Preferred Frequency Octave Bands Octave Band Decibels Center Frequency (Cycles per Second) Decibels 600 to 1,200 51 500 55 1,200 to 2,400 45 1,000 50 2,400 to 4,800 39 2,000 44 Above 4,800 37 4,000 39
- F. Pressure levels, impulsive noises and periodic noise. Table 7-3 Pre-1960 Octave Bands Octave Band Preferred Frequency Octave Bands Octave Band Frequency (Cycles per Second) Decibels Center Frequency (cycles per Second) Decibels 0 to 75 67 21.5 71 75 to 150 62 63 66 150 to 300 54 125 60 300 to 600 47 250 52 600 to 1,200 41 500 45 1,200 to 2,400 35 1,000 40 2,400 to 4,800 29 2,000 34 Above 4,800 27 4,000 29
- G. Maximum permitted sound-pressure levels, noncontinuous operation. For noncontinuous operation of noise sources, the following adjustments shall be made to the decibel levels specified in § 255-7100D through F to determine the appropriate maximum permissible sound-pressure level.

- – (1) For noise sources operated less than 20% of any one-hour period, add five decibels.
- – (2) For noise sources operated less than 5% of any one-hour period, add 10 decibels.
- – (3) For noise sources operated less than 1% of any one-hour period, add 15 decibels.

§ 255-7100. Performance standards for vibrations.

§ 255-7100. Performance standards for vibrations.

- A. Ground-transmitted vibration shall be measured with a seismograph or complement of instruments capable of recording vibration displacement and frequency, particle velocity, or acceleration simultaneously in three mutually perpendicular directions. The maximum vector resultant shall be less than the vibration displacement permitted. Particle velocity may be measured directly or computed from the following formula: Particle Velocity = 6.28 x displacement x frequency (inches per second) (inches) (Hertz)
- B. Vibration shall be measured at any adjacent lot line or zone boundary.
- C. Steady-state vibrations are continuous vibrations or discrete vibrations which have greater than 60 impulses per minute.
- D. Impact vibrations are noncontinuous vibrations with fewer than 60 impulses per minute.
- E. The maximum permissible particle velocity of the ground measured at a residential zone boundary shall be:
 - – (1) Two hundredths inches per second for steady state vibrations; and (2) Four hundredths inches per second for impact vibrations.
- F. The maximum permissible particle velocity of the ground measured at a lot line shall be:
 - – (1) One hundredths inches per second for steady state vibrations; and (2) Two hundredths inches per second for impact vibrations.
- G. No vibration discernible to human senses shall occur:
 - – (1) For three minutes or longer in any one hour between 7:00 a.m. and 7:00 p.m.; or (2) For 30 seconds or longer in any one hour between 7:00 a.m. and 7:00 p.m.

§ 255-7110. Performance standards for smoke and particulate matter.

§ 255-7110. Performance standards for smoke and particulate matter.

All existing and proposed industrial uses emitting smoke or particulate matter shall comply with the standards established by the Rhode Island Department of Environmental Management.

§ 255-7120. Performance standards for odorous matter.

§ 255-7120. Performance standards for odorous matter.

Existing and proposed industrial uses shall not emit odor in a concentration readily detectable above ambient levels at lot lines without instruments.

§ 255-7130. Performance standards for glare.

§ 255-7130. Performance standards for glare.

Existing and proposed industrial uses shall not produce direct or indirect glare so as to cause illumination in excess of 0.50 foot-candles when measured from an adjacent residential district or public highway.

§ 255-7140. Performance standards for heat.

§ 255-7140. Performance standards for heat.

Existing and proposed industrial uses shall not emit heat in quantities discernible above ambient levels at the lot lines without instruments.

§ 255-7150. Performance standards for airborne toxics, gases, and fumes.

§ 255-7150. Performance standards for airborne toxics, gases, and fumes.

- A. No industrial use for any period of time shall discharge across the boundaries of the lot wherein it is located toxic matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort, or welfare, or cause injury or damage to property or business.
- B. Existing and proposed industrial uses shall comply with the ambient air quality standards governing the release of airborne toxics, gases and fumes for the State of Rhode Island as set forth by the Rhode Island Clean Air Act, R.I.G.L., 23-23, and by regulations of the Rhode Island Department of Environmental Management.
- C. Airborne toxics shall be measured at the lot line at ground level or at habitable elevations, and shall be the average of any twenty-four-hour sampling period.

§ 255-7160. Performance standards for sewage and water-borne wastes.

§ 255-7160. Performance standards for sewage and water-borne wastes.

- A. No discharge shall occur at any point into any public or private sewage disposal systems or streams, or into the ground, of any liquid or solid materials, except in accordance with the regulations of the Rhode Island Department of Environmental Management, and the United States Environmental Protection Agency.
- B. For subsurface wastewater disposal systems, existing and proposed industrial uses shall receive the approval of the Rhode Island Department of Environmental Management for the design, installation and operation of all subsurface wastewater disposal systems prior to receiving a building permit.
- C. For surface water body discharges, existing and proposed industrial uses shall obtain a National Pollutant Discharge Elimination System (NPDES) permit from the United States Environmental Protection Agency or the Rhode Island Department of Environmental Management prior to receiving a building permit.
- D. All industrial uses shall provide information to the Planning Commission pursuant to Article XVI concerning the management of wastewater, sewage, and stormwater.
- E. All industrial uses shall develop a stormwater management plan which is approved by the Planning Commission prior to receiving a building permit. The management plan shall specify how the industrial use will prevent the mixing of industrial wastes, oils, and greases with stormwater runoff; low stormwater runoff from parking lots will be arranged; and low stormwater runoff will be collected and discharged.

§ 255-7170. Performance standards for radioactive materials.

§ 255-7170. Performance standards for radioactive materials.

Industrial uses shall comply with the regulations of the United States Nuclear Regulatory Commission and the Rhode Island Department of Environmental Health governing the handling of radioactive materials, the discharge of radioactive materials to air or water, and the disposal of radioactive waste.

§ 255-7180. Performance standards for fire and explosive hazards.

§ 255-7180. Performance standards for fire and explosive hazards.

The use, storage, and manufacture of flammable or explosive materials shall receive the approval of the Rhode Island State Fire Marshal prior to receiving a building permit. Adequate safety, fire-fighting and fire suppression devices shall be provided according to standard industry practices.

§ 255-7190. Performance standards for hazardous materials.

§ 255-7190. Performance standards for hazardous materials. [Amended 3-25-2025 by Ord. No. 2025-14]

- A. All hazardous materials used, created, stored above or below ground, processed, disposed of by processing, diluting, burying or containment, leaching or any other manner, or transported (including piping) in the Town shall be used, stored or transported in accord with all applicable federal, state, and local regulations, and shall be subject to a use variance granted in accordance with Code § 255-470.
- B. If any hazardous material is used, stored, transported or disposed of at the site, the following standards shall apply:
 - – (1) Facilities with a capacity in excess of 1,000 gallons shall be located more than 500 feet from all abutting property lines and more than 100 feet from any building or structure.
 - – (2) Facilities with a capacity of 1,000 gallons or less shall be located more than 200 feet from all abutting property lines and more than 100 feet from any building or structure.
 - – (3) Any underground storage for a nonresidential, non-farming use shall be by a vaulted tank or tanks.
 - – (4) Prior to granting a use variance for such an industrial use, the Commission shall find that the use of the site will not endanger the safety of residential or other properties in the area, that vehicular access to the facility will be provided from major thoroughfares and will not require the use of minor residential access streets for access to the site.
 - – (5) An emergency plan shall be prepared by the applicant detailing procedures, techniques, and equipment for firefighting; location, type, and volume of hazardous materials found on-site; evacuation and warning in case of emergency; and shall be submitted to the Building Inspector, and the local Fire Chief, along with site plans and building plans prior to the negotiation of a siting agreement.
 - – (6) Siting standards for such facilities shall be complied with as stated in Code § 255-930E.

§ VIII. Nonconforming Development

ARTICLE VIII Nonconforming Development

§ 255-800. Purpose and applicability.

§ 255-800. Purpose and applicability.

- A. Nonconforming uses are incompatible with and detrimental to permitted uses in the zoning districts in which they are located, cause disruption of the comprehensive land use pattern of the Town, inhibit present and future development of nearby properties and confer upon their owners and uses a position of unfair advantage. It is a fundamental principle of this article that nonconformities may be continued as allowed by this chapter. It is also the intent of this chapter that existing nonconformities shall not be a reason for authorizing uses prohibited in the same zoning district.
- B. This article shall apply to the following nonconformances in any zoning district:

- – (1) Nonconforming use. Any use of land or of a structure which was lawfully in existence at the time of the adoption of this chapter or any amendments thereto, but which is not a permitted use or a use permitted by special use permit by the district regulations of this chapter or any amendments thereto in the zoning district in which such use is located.
- – (2) Nonconforming structure. Any structure which was lawfully in existence at the time of the adoption of this chapter or any amendments thereto, but which does not comply with the dimensional regulations or the supplementary regulations or any other regulations concerning structures set forth in this chapter or any amendment thereto for the zoning district in which such structure is located.
- – (3) Nonconforming lot of record. A lot of record that when recorded was in full compliance with this chapter in effect at the time of recording or which was legally recorded prior to May 4, 1981, and which cannot conform to the area and dimensional regulations of this chapter.

§ 255-810. Completion of construction.

§ 255-810. Completion of construction.

Nothing in this chapter shall be deemed to require a change in the plans, construction, or authorized use of any structure for which a building permit was lawfully issued prior to the effective date of the adoption or amendment of this chapter.

§ 255-820. Prior illegal establishment.

§ 255-820. Prior illegal establishment.

Any nonconforming development illegally established prior to the effective date of this chapter shall not become legally established by virtue of such enactment or subsequent amendment.

§ 255-830. Abandonment.

§ 255-830. Abandonment.

Abandonment of a nonconforming use shall consist of some overt act, or failure to act, which would lead one to believe that the owner of the nonconforming use neither claims nor retains any interest in continuing the nonconforming use unless the owner can demonstrate an intent not to abandon the use. An involuntary interruption of a nonconforming use, such as by fire and natural catastrophe, does not establish the intent to abandon the nonconforming use, although the owner may be limited with respect to the repair or rebuilding of such a use in accordance with § 255-840F. However, if any nonconforming use is halted for a period of one year, the owner of the nonconforming use will be presumed to have abandoned the nonconforming use, unless that presumption is rebutted by the presentation of sufficient evidence of intent not to abandon the use.

§ 255-840. Restrictions on nonconforming development.

§ 255-840. Restrictions on nonconforming development.

- A. A nonconforming use may be continued so long as it remains otherwise lawful, and does not cause any adverse impacts to surrounding uses, subject to the restrictions of this section.
- B. (Reserved)
- C. A nonconforming use may occupy any parts of a structure which were designed for such use at the time of the adoption of this chapter.
- D. A nonconforming use shall not be moved in whole or in part to any portion of the land other than that occupied by such use at the time of adoption of this chapter.

- E. A nonconforming use which has been abandoned in accordance with § 255-830 for a period of more than one year shall not be resumed unless it conforms with the provisions of this chapter.
- F. Any structure containing a nonconforming use which is destroyed or damaged in any manner or from any cause whatsoever to the extent of 75% of its current market value at the time of such damage, as determined by the Building Inspector, shall not be repaired or rebuilt except in conformity with the provisions of this chapter. In determining restoration cost, the cost of the land or factors other than the cost of the structure itself shall not be included.
- G. A nonconforming use shall not be changed to another nonconforming use.
- H. If a nonconforming use is changed to a conforming use, it shall not thereafter be changed back to a nonconforming use.
- I. Any structure containing a nonconforming use shall be properly maintained in good repair provided that such work does not enlarge or extend any nonconforming use.

§ 255-850. Restrictions on nonconforming structures.

§ 255-850. Restrictions on nonconforming structures. [Amended 11-28-2023 by Ord. No. 2023-4]

- A. A nonconforming structure may be continued provided that it conforms to the requirements of this section.
- B. (Reserved)
- C. Any nonconforming structure may be altered to decrease its nonconformity.
- D. A nonconforming structure which is demolished or removed in whole or in part by the voluntary and lawful action of the owner or other authorized party shall not be rebuilt or replaced unless it conforms with this chapter.
- E. Any nonconforming structure shall not be moved in whole or in part unless such structure conforms to the requirements of the district in which it is to be located.
- F. Any nonconforming structure located in an industrial or commercial zone which is damaged by any manner or cause whatsoever in excess of 75% of its current market value shall not be repaired or replaced except in conformity with this chapter. The Building Inspector or Zoning Enforcement Officer shall determine the restoration cost of the damaged structure. In determining this cost, only the cost of the structure itself shall be considered. If the extent of damage is less than 75%, the structure may be repaired and rebuilt provided that such repair or reconstruction does not occupy a larger footprint than the damaged structure unless it can do so in conformance with the dimensional regulations in § 255-610.
- G. Any nonconforming residential structure located in a residential district which is damaged or destroyed by other than the voluntary and lawful action of the owner or other authorized party may be repaired or rebuilt provided that such repair or reconstruction does not occupy a larger footprint than the damaged structure unless it can do so in conformance with the dimensional regulations in § 255-600.

§ 255-860. (Reserved)

§ 255-860. (Reserved)

§ 255-870. Single nonconforming lots of record.

§ 255-870. Single nonconforming lots of record. [Amended 3-25-2025 by Ord. No. 2025-04] 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:

- A. Minimum building setbacks, lot frontage and lot width requirements for a lot which is nonconforming in area shall be reduced by applying the building setback, lot frontage and lot width requirements from another zoning district in the municipality in which the subject lot would be conforming as to lot area. If the subject lot is not conforming as to lot area in any zoning district in the municipality, the setbacks, lot frontage and lot width shall be reduced by the same proportion that the area of such substandard lot meets the minimum lot area of the district in which the lot is located. By way of example only - if the lot area of a substandard lot only meets forty percent (40%) of the minimum lot area required in the district in which it is located, the setbacks, frontage and width shall each be reduced to forty percent (40%) of the requirements for those dimensional standards in the same district.
- B. Maximum lot building coverage for lots that are nonconforming in area shall be increased by the inverse proportion that the area of such substandard lot meets the minimum area requirements in the district in which the lot is located. By way of example only - if the lot area of a substandard lot only meets forty percent (40%) of the required minimum lot area, the maximum lot building coverage is allowed to increase by sixty percent (60%) over the maximum permitted lot building coverage in that district.
- C. All proposals exceeding such reduced requirement shall proceed with a modification request pursuant to R.I. Gen. Laws § 45-24-46 or a dimensional variance request pursuant to R.I. Gen. Laws § 45-24-41, whichever is applicable.

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

§ 255-880. Adjacent nonconforming lots of record under same ownership. [Amended 3-25-2025 by Ord. No. 2025-04]

- A. The merger of lots shall not be required when the substandard lot of record has an area equal to or greater than the area of fifty percent (50%) of the lots within two hundred feet (200 ft) of the subject lot, as confirmed by the Zoning Enforcement Officer, which shall be supported by the submission of a Compilation Survey of the property as prepared by a Rhode Island Registered Professional Land Surveyor, as submitted by and at the expense of the property owner.
- B. Adjacent nonconforming lots of record under common ownership in Rural Residential Zone; exemption from merger provision. Two or more adjacent nonconforming lots of record or parcels of land under the same ownership on the effective date of this subsection, June 26, 2000, in an RR-2, RR-3, or RR-5 Zone shall not be merged for the purpose of this chapter pursuant to § 255-880A of the Code, provided that the adjacent nonconforming lots of record or parcels of land conformed to the minimum two-acre dimensional requirements in effect after May 4, 1981, and provided that they were lawfully created and recorded.
- C. Nothing in this section shall be construed as exempting such adjacent nonconforming lots of record from complying with the maximum percentage of lot coverage of principal and accessory buildings, maximum building height and accessory building setback requirements, as required in § 255-600 of the Code for the zoning district in which such lot is located. Any lots meeting those requirements shall be considered as a conforming lot of record for single-family residential purposes.

§ 255-890. (Reserved)

§ 255-890. (Reserved)

3-25-2025 by Ord. No. 2025-04.

§ IX. Supplementary Regulations

ARTICLE IX Supplementary Regulations

§ 255-900. Purpose.

§ 255-900. Purpose.

The purpose of supplementary regulations is to set specific conditions for various uses and to set standards for land use types that require special attention due to their nature or potential impacts to surrounding neighborhoods.

§ 255-910. Exceptions to dimensional requirements.

§ 255-910. Exceptions to dimensional requirements. [Amended 3-25-2025 by Ord. No. 2025-12]

- 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.
 - – (2) Architectural projections. Open or semi enclosed structures such as porches, canopies, balconies, platforms, garages, carports, covered patios, decks and similar architectural projections when attached to a principal building shall be considered parts of the building to which they are attached and shall not project into the required minimum front, side or rear yard. When such structures are not attached to the principal building, they shall be considered accessory buildings and shall be governed by the provisions of Code § 255-920A.
 - – (3) Waiver of yard restrictions in general. Yards required in this chapter and the space above them shall be unobstructed by buildings except as permitted by this article.
 - – * (a) Ordinary projections of windowsills, cornices, and other structural features may extend not more than 12 inches into the space above required yards;
 - – * (b) Signs as permitted in Article XV may be located in front yards; and (c) Outdoor telephone booths in a commercial district may be located in front yards, provided that they do not obstruct visibility for proper traffic circulation.
 - – (4) Three-sided lot. In the event that a lot contains only three sides, the width of the lot shall be considered to be the distance between side lot lines, measured at the required front yard depth. The rear yard shall be measured from a line 10 feet in length entirely within the lot parallel to the front lot line.
 - – (5) Irregular lot. In the event the front yard of a lot abuts a curve, a cul-de-sac or a junction of two streets that form an interior angle approximating 90°, the width of the lot shall be considered to be the distance between the two side lot lines, measured at the required front yard depth.

- – (6) Reduction of street frontage. In any residential district, street frontage may be reduced to not less than 60 feet for those lots fronting entirely on turnarounds or culs-de-sac. In such instances, the required frontage shall be measured at the building line.
- – (7) Corner lot. On a corner lot, there shall be only one front yard as determined by the Zoning Enforcement Officer; the other potential front yard shall be considered a side yard.
- – (8) Front yards or through lots. At each end of a through lot the front yard setbacks for the district shall be adhered to.

§ 255-920. General development regulations.

§ 255-920. General development regulations. [Amended 5-14-2018 by Ord. No. 04-18-322; 3-25-2025 by Ord. No. 2025-12]

- A. Accessory structures.
 - – (1) Dimensional regulations for detached accessory structures.
 - – * (a) Location: Detached accessory structures in any zone shall be placed in the rear yard, except that detached accessory structures may be placed in the side yard where the side yard setback requirement for the principal structure can be maintained. Detached accessory structures shall not be placed in the front yard.
 - – * (b) R20: Detached accessory structures shall be placed no closer than 10 feet to the property line. Residential tool, garden or storage sheds up to a maximum of 120 square feet may be permitted up to five feet to a property line.
 - – * (c) RR2 and RR3: Detached accessory structures shall be placed no closer than 15 feet to the property line. Residential tool, garden or storage sheds up to a maximum of 120 square feet may be permitted up to five feet to a property line.
 - – * (d) RR5: Detached accessory structures shall be placed no closer than 35 feet to the property line. Residential tool, garden or storage sheds up to a maximum of 120 square feet may be permitted up to 10 feet to a property line.
 - – * (e) Height: The maximum height for a detached accessory structure is the height of the principal structure or 25 feet, whichever is lower.
 - – * (f) Floor Area: The maximum floor area of a detached accessory structure shall be 1,200 square feet or 60% of the total floor area of the principal structure, whichever is less.
 - – * (g) Design: Detached accessory structures shall be designed such that they are incidental and subordinate to the principal structure and maintain continuity with the architectural appearance and character of the principal structure.
 - – * (h) Lot coverage. Detached accessory structures shall comply with the lot coverage requirements of the underlying zoning district.
 - – (2) Dimensional regulations for attached accessory structures.
 - – * (a) An accessory garage or accessory dwelling unit attached to the principal structure shall be subject to the yard requirements of a principal structure in the applicable zoning district.
 - – * (b) New attached accessory garages or attached accessory dwelling units shall not extend in front of the principal structure.
 - – * (c) Attached decks and porches may be allowed in front of the principal structure, but shall be subject to the yard requirements of a principal structure in the applicable zoning district.
 - – * (d) Attached accessory garages and attached accessory dwelling units shall be designed such that they are incidental and subordinate to the principal structure and maintain continuity with the architectural appearance and character of the principal structure.

- – * (e) Attached accessory dwelling units must comply with the provisions of Code § 255-920F.
- – (3) Accessory structures, whether attached or detached, that are incidental and subordinate to farming or agricultural uses may have a height greater than 25 feet, provided that farming is the principal use of the land. In no instance shall the height of such accessory buildings be greater than 35 feet as stipulated by § 255-600. Such accessory structures shall be primarily used for storage of materials incidental to farm or agricultural uses, and not for habitable living areas, except to allow for the development of ADUs in compliance with the provisions of Code § 255-920F.
- B. Fences and walls. Fences and walls not exceeding 10 feet may be placed in any yard area in an industrial district. In any other commercial district, fences will be limited to eight feet in height. In any other residential district, fences and walls may be constructed in side and rear yards up to six feet in height. In front yards, the maximum height of walls and fences shall be four feet. All fences are subject to the vision requirements in Code § 255-920C.
- C. Vision clearance at corners. At street intersections or corners of streets no structure shall be erected and no vegetation shall be planted or maintained in such a manner as to materially impede vision between the heights of two feet and 10 feet above the triangle formed by the two street lines and a third line joining points on the street lines 30 feet from the intersection.
- D. Swimming pools. No private swimming pool capable of containing a depth of 24 inches shall be allowed in any district except as an accessory use and must comply with the following requirements:
 - – (1) The pool must be intended and used principally for the enjoyment of the property occupants.
 - – (2) It shall not be located in the front yard and shall be no closer than 10 feet to a side or rear property line.
 - – (3) The pool, or the property on which it is located, shall be walled or fenced to prevent uncontrolled access from the street or from adjacent properties. Said fence or wall shall not be less than five feet in height, shall be maintained in good condition with a gate and lock, and must prohibit the passage of any object exceeding four inches in diameter.
 - – (4) In-ground pools shall have an apron inside the fence no less than four feet in width.
- E. Temporary structures. Temporary structures including, but not limited to, truck bodies; container boxes; and plastic, metal, or wood-sheathed structures without plumbing and electricity shall be prohibited.
- F. Accessory Dwelling Units (ADUs).
 - – (1) Eligibility. One ADU per lot shall be allowed by right under the following circumstances:
 - – * (a) On an owner-occupied property as a reasonable accommodation for family members with disabilities; or (b) On a lot with a total lot area of twenty thousand square feet (20,000 sq. ft.) or more for which the primary use is residential; or (c) Where the proposed ADU is located within the existing footprint of the primary structure or existing accessory attached or detached structure and does not expand the footprint of the structure.
 - – (2) Performance Standards:
 - – * (a) The maximum unit size for an ADU is as follows:
 - – * · [1] A studio or one (1) bedroom ADU may be up to 900 square feet, or 60% of the floor area of the principal dwelling, whichever is less.
 - – * · [2] A two (2) bedroom ADU may be up to 1,200 square feet, or 60% of the floor area of the principal dwelling, whichever is less.
 - – * · [3] ADUs with three (3) bedrooms or more are not allowed.
 - – * (b) One additional off-street parking space shall be required for the ADU.

- – * (c) ADUs shall comply with the accessory structure standards for the underlying zoning district.
- – * (d) ADUs shall have adequate water supply and wastewater disposal systems, which may be shared with the principal dwelling. Separate water or sewer service lines or expanded septic system capacity shall not be required, except as necessary for state law compliance, building code compliance, or to address capacity or upgrades necessary to accommodate the ADU.
- – * (e) ADUs cannot be offered or rented for tourist or transient use (defined as occupancy less than thirty (30) days) or through a hosting platform.
- – * (f) ADUs must comply with all state and federal fair housing laws.
- – * (g) ADUs shall not require zoning relief when proposed within the existing footprint of the primary or accessory structure which is a legal nonconforming structure in order to address the existing dimensional nonconformity.
- – * (h) ADUs shall be allowed as part of applications for new primary dwelling units or subdivisions. For proposed ADUs as part of a larger development proposal, such ADU shall not be counted toward the density of the proposal.
- – * (i) ADUs that are not allowed by right under this chapter shall utilize the Unified Development Review process pursuant to the Rhode Island General Laws.

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

§ 255-930. Supplemental regulations for specific land uses. [Amended 3-25-2025 by Ord. No.

2025-12]

- A. Gasoline service stations, automotive repair and drive-in restaurants. Gasoline stations, service stations, drive-in restaurants, car washes, automotive repair shops and similar highway oriented "drive-in" uses shall be designed to conform with the following requirements, in addition to other applicable provisions of this chapter.
 - – (1) The minimum lot area shall be 20,000 square feet with a minimum street frontage of not less than 150 feet.
 - – (2) Suitable separation shall be made between the pedestrian sidewalk and the vehicular parking or moving area with the use of appropriate bumper, wheel guards, or traffic islands in accordance with Article XII of this chapter. Where the portion of the property used for vehicular traffic abuts a street, such portion shall be separated from the street line by a concrete curb at least six inches high.
 - – (3) The entire area used for vehicle service shall be paved, except for such unpaved area as is landscaped and protected from vehicle use by a low barrier.
 - – (4) The construction standards for all drive access openings (curb cuts) shall be in accordance with Code § 255-1230C.
 - – (5) The distance of any driveway from any property line shall be at least 10 feet.
 - – (6) The distance between curb cuts serving the same lot or adjacent lots shall be no less than 40 feet.
 - – (7) The distance between a street intersection and a curb cut shall be in accordance with Code § 255-1230D.
 - – (8) Buffer landscaping and screening shall be done in accordance with Article XVII of this chapter.
 - – (9) No vehicles shall be stored on site for salvage or dismantling.

- – (10) Hydraulic hoists, pits, lubricating, greasing, washing and repair equipment shall be entirely enclosed within a building. Tire and battery service and automotive repair, excluding automobile body repair and painting, may be carried out within the premises.
- B. Automotive dealerships/new and used. All car and truck dealerships shall conform to the following requirements, in addition to the other provisions of this chapter:
 - – (1) The minimum lot area shall be 40,000 square feet with a minimum street frontage of not less than 200 feet.
 - – (2) The requirements of § 255-930A(2) through (9).
 - – (3) The number of vehicles to be displayed and stored on site shall be limited as follows:
 - – * (a) The lot exclusive of building, landscape areas and drives shall be laid out as a parking lot with travel lanes and back up areas and with each space being a minimum of 8.5 feet by 18 feet. The number of required parking spaces shall be deducted from the total number of spaces on the lot. The remaining spaces dictate the number of cars that can legally be displayed at the dealership.
 - – * (b) Spaces shall be set back five feet from side and rear property lines and five feet from sidewalk areas or 10 feet from street lines. This setback shall be marked by some type of curb stop.
 - – (4) Any building permit or zoning certificate issued for an automotive dealership shall note the number of vehicles that can legally be displayed on the lot.
- C. Auto body repair shops/repair and sale of boats, motors, marine equipment. Auto body repair shops shall conform to the following requirements, in addition to other applicable provisions of this chapter:
 - – (1) All auto body repair shall take place within a building.
 - – (2) Storage of vehicles, boats or marine equipment to be repaired shall be located in the rear and/or side of the repair building and such storage area shall be enclosed with a six-foot-high fence which shall effectively screen the area from view. Where the storage area is visible from the road or adjacent uses, four-foot-high evergreens shall be planted along the fence.
 - – (3) No junk vehicles, boats or marine equipment shall be stored on site. No vehicles, boats or marine equipment shall be kept on site for the cannibalization of parts.
 - – (4) The requirements of Code § 255-930A(1) through (9).
- D. Cemeteries. Where a cemetery exists on a lot the following rules shall apply:
 - – (1) Buildings shall be set back from the cemetery by 50 feet. Accessory buildings shall be set back 20 feet.
 - – (2) If parking is located around or near the cemetery, the cemetery shall be fenced and curb stops installed to prohibit vehicles from driving over the area.
 - – (3) The cemetery shall not be altered in any way.
- E. Hazardous waste management facilities.
 - – (1) Any application for the siting of a Hazardous Waste Management Facility in accordance with R.I. Gen. Laws § 23-19.7 shall conform with the following requirements in addition to the industrial performance standards of this chapter (Article VII of this chapter and Code § 255-720 in particular):
 - – * (a) The disposal of hazardous waste in the Town by the means of discharge, deposit, injection, dumping, spilling, leaching, placing, or landfilling into or on any land or water, shall not be permitted in any zone.

- – * (b) A development site for a hazardous waste management facility shall be located a minimum distance of 1,000 feet from contiguous residential uses or residentially zoned districts.
- – * (c) A development site for a hazardous waste management facility shall be located at least 1,000 feet from schools, nursing homes, and other centers of institutional population.
- – * (d) A development site for a hazardous waste management facility shall be located at least 1,000 feet from a public recreational facility.
- – * (e) Hazardous waste management facilities shall be prohibited in environmentally sensitive areas. These areas include areas of steep slope (10% or greater); freshwater wetlands (as defined by R.I. Gen. Laws § 2-1, Parts 1-3 et seq.); areas in the one-hundred-year flood zone (as defined in the Flood Zone Maps prepared by the Department of Housing and Urban Development for the Town of Coventry effective September 1, 1978); areas with soils that are unstable, highly permeable, excessively drained, wet and have a high water table; areas which are adjacent to or are over an aquifer or a major water source.
- – * (f) There shall be no open storage of hazardous waste at a hazardous waste management facility.
- – * (g) The following lot requirements shall apply for hazardous waste management facilities:
 - – * · [1] Minimum lot area: 200,000 square feet.
 - – * · [2] Minimum front yard: 150 feet.
 - – * · [3] Minimum rear yard: 150 feet.
 - – * · [4] Minimum side yard: 150 feet.
 - – * · [5] Maximum lot coverage: 40%.
- – (2) For the purposes of enforcement of these provisions, a hazardous waste management facility does not include firms which treat their own hazardous waste as an incidental process, subordinate to the main use of the land and principal structures and which is located on the same or adjoining lot.
- F. Customary home occupation. As set forth in Article II of this chapter, any customary home occupation shall be customarily conducted in a dwelling unit by a member of the family residing in said unit. No persons residing outside the home shall be employed. The use shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes.
 - – (1) All customary home occupations shall conform to the following conditions:
 - – * (a) The home occupation shall be performed by the resident and using no more than 100 square feet of floor area and such activity shall not be visible from a lot line.
 - – * (b) There shall be no patrons or customers for the sale of products at the premises.
 - – * (c) There shall be no exterior display, no exterior sign, no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building.
 - – * (d) No vibration, smoke, dust, odors, heat or glare or offensive noise shall be produced.
 - – * (e) No traffic shall be generated by such home occupation.
 - – * (f) No dealing or selling of firearms or related products shall be permitted.
- G. Commercial composting. All commercial composting operations shall conform to the following conditions:
 - – (1) No animal renderings, fish wastes, or any other kind of putrescible waste shall be used to accelerate the decomposition of waste.

- – (2) A commercial composting operation shall be no smaller than five acres in size and no larger than 10 acres.

§ 255-940. (Reserved)

§ 255-940. (Reserved)

§ 255-950. Keeping of horses.

§ 255-950. Keeping of horses.

Keeping of horses in residential districts may be permitted under the following conditions:

- A. There shall be no more than one horse per 7,500 square feet of fenced area. The fenced area must be for the horse or horses and shall be set back a minimum of 10 feet from any property line or residential building. For purposes of keeping horses for recreational purposes, the minimum street frontage requirements of § 255-600 shall not pertain.

§ 255-960. Utilities.

§ 255-960. Utilities.

All utilities installed through the provisions of this chapter or any other Town ordinance governing utility installations shall, in developments and/or subdivisions, be installed underground unless specifically waived by the Commission.

§ 255-970. Telecommunication towers.

§ 255-970. Telecommunication towers.

- A. Purpose. The intent of this section is to regulate the placement of new telecommunication towers, telephone and cable television equipment and related equipment and addition of communication equipment to existing structures. The regulations serve to establish a procedure for application and variance from the regulations; establish development standards and locational requirements and to encourage the co-location of equipment onto existing structures.
- – (1) The purpose of this section is to establish general guidelines for the siting of communication towers and antennas. The goals of this section are to:
 - – * (a) Encourage the location of towers for telecommunication equipment and cable television equipment in nonresidential areas and minimize the total number of towers throughout the community;
 - – * (b) Strongly encourage the joint use of new and existing tower sites;
 - – * (c) Encourage users of towers and antennas to locate them, to the greatest extent possible, in areas where any adverse impacts on the community are minimized;
 - – * (d) Encourage applicants and users of towers, antennas and equipment to configure them in a way that minimizes the adverse visual impact of the towers, antennas and equipment;
 - – * (e) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently.
- B. Definitions. As used in this section, the following terms shall have the meanings indicated:
- ACCESSORY STRUCTURE — Addition(s) to existing tower(s) or nonresidential structure including the mechanical building, mounting equipment or additional antenna not to exceed 20 feet above the original structure.

- **ALTERNATIVE TOWER STRUCTURE** — Man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.
- **ANTENNA** — Any exterior apparatus designed for telephonic, radio, or television communications through the sending and/or receiving of electromagnetic waves.
- **FAA** — The Federal Aviation Administration.
- **FCC** — The Federal Communications Commission.
- **GOVERNING AUTHORITY** — Either the Buildings Official or the Zoning Board of Review.
- **HEIGHT** — When referring to a tower or other structure, the distance measured from ground level to the highest point on the tower or other structure, even if said highest point is an antenna.
- **PRE-EXISTING TOWERS AND ANTENNAS** — Have the meaning set forth in Subsection C(3) of this section.
- **PUBLIC OFFICER** — The Zoning Enforcement Officer or Building Official of the Town of Coventry.
- **RELATED EQUIPMENT** — Equipment and/or structures which is/are an integral part of the system or any structures used to house such equipment.
- **TOWER** — Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like.
- **C. Applicability.**
 - — (1) New towers and facilities. The requirements set forth in this section shall govern the location of all new towers, facilities and related equipment that exceed, and antennas that are installed at a height in excess of, the height limitations specified for each zoning district. The height limitations applicable to buildings and structures shall not apply to towers and antennas.
 - — (2) Amateur radio; receive-only antennas. This section shall not govern any tower, or the installation of any antenna, that is under 70 feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas.
 - — (3) Preexisting towers and antennas. Any tower or antenna for which a permit has been properly issued prior to the effective date of this section shall not be required to meet the requirements of this section, other than the requirements of Subsection D(3) and (4). Any such towers or antennas shall be referred to in this section as "preexisting towers" or "preexisting antennas."
- **D. General guidelines and requirements.**
 - — (1) Principal or accessory use. Antennas and towers may be considered either principal or accessory uses. A different existing use or an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lots. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this section shall not be deemed to constitute the expansion of a nonconforming use or structure. Towers and base facilities may not take away required parking spaces of an existing building.
 - — (2) Inventory of existing sites. Each applicant for an antenna and/or tower shall provide to the Building Department an inventory of its existing towers that are either within the Town of Coventry and within 10 miles of the border thereof, including specific information about the location,

height, design and capacity of each tower. The Building Department may share such information with other applicants applying for administrative approvals or special use permits under this section or other organizations seeking to locate antennas within the Town; provided, however, that the Building Department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

- – (3) Federal requirements. All towers must meet or exceed current standards and regulations of the Rhode Island State Building Code, FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.
- – (4) Building codes: safety standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in the State Building Codes as amended from time to time. If, upon inspection, the Building Official concludes that a tower fails to comply with such codes and standards, and constitutes a danger to persons or property, then the Building Official shall proceed in accordance with Chapter 27.3 of Title 23 of the R.I.G.L., entitled "State Building Code."
- – (5) Notification. All applicants shall send certified mail announcements to all other users locating in Coventry, declaring their sharing capabilities and siting needs. Except in cases where mechanical, structural or regulatory factors prevent them from sharing, applicants cannot be denied or deny space on a tower.
- – (6) ANSI Standards. Upon completion of construction, the applicant shall submit an annual report to the Town Engineer which provides quantified electromagnetic field (EMF) measurements and compares these measurements to current Federal and American National Standards Institute (ANSI) standards or subsequent standards. If the project does not meet federal and ANSI standards, the permit may be modified or revoked.
- E. Procedures.
 - – (1) General.
 - * (a) A preapplication conference with the Planning Department is required before any building permit is sought. The conference will serve to familiarize the applicant with the Town's regulations. The Planning Department shall approve the site plan prior to the issuance of any building permit.
 - * (b) Building permits are required for all telecommunications towers, related equipment and similar facilities.
 - * (c) Each applicant for such building permit shall apply to the Building Department, providing the information set forth in Subsection G(2) below.
 - * (d) The Building Department shall respond to each such application within 30 days after receiving it by either approving or denying the application. If the Building Department fails to respond to the applicant within said 30 days, then the application shall be deemed to be approved.
 - * (e) In connection with any such administrative approval, the Zoning Enforcement Officer may, in order to encourage shared use, administratively waive any zoning district setback requirement by up to 10%.
 - * (f) If an administrative approval is denied, the applicant may appeal said denial in accordance with the provisions of the zoning article concerning appeals of administrative decisions.
- F. Permitted uses.
 - – (1) General. The uses listed in this subsection are deemed to be permitted uses and shall not require a special use permit. Nevertheless, all such uses shall comply with Subsection D(3) and

- (4) above, and Subsection H and all other applicable statutes and articles.
- – (2) Specific permitted uses. The following uses are specifically permitted:
 - – * (a) Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, in an I1 Industrial or Business Park Zoning District; provided, however, that such tower shall be set back from any existing off-site residence a distance equal to the height of the tower or in the case of an unoccupied lot, set back a distance equal to the height of the tower less the residential yard setback for the adjacent residential lot;
 - – * (b) Installing an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower, or other freestanding nonresidential structure) that is 50 feet in height or greater, so long as said additional antenna adds no more than 20 feet to the height of said existing structure;
 - – * (c) Installing an antenna on any existing tower of any height, so long as the addition of said antenna adds no more than 20 feet to the height of said existing tower; provided, however, that such specific permitted use shall not include the placement of additional buildings or other supporting equipment used in connection with said antenna;
 - – * (d) Location of communication towers, cable television equipment and related equipment on municipal property, i.e., Town or school property, shall be allowed by right, provided that a site plan, approved by the Director of Planning, is provided before a building permit may be issued.
- G. Special use permits.
 - – (1) General. The following conditions shall require the issuance of special use permits:
 - – * (a) If the tower or antenna is not a permitted use under Subsection F of this section or permitted to be approved administratively pursuant to Subsection E of this section, then a special use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts.
 - – * (b) In granting a special use permit, the Zoning Board of Review may impose conditions, to the extent the Board concludes such conditions are necessary, to minimize any adverse effect of the proposed tower on adjoining properties.
 - – * (c) Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.
 - – (2) Information required. Each applicant requesting a special use permit under this section shall submit a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks, drives, parking, fencing, buffering/landscaping, adjacent uses, and other information deemed by the Zoning Board of Review to be necessary to assess compliance with this section.
 - – (3) Factors considered in granting special use permits. The Zoning Board shall consider the following factors in determining whether to issue a special use permit, although the Board may waive or reduce the burden on the applicant of one or more of these criteria if they find that the goals of this section are better served thereby.
 - – * (a) Height of the proposed tower;
 - – * (b) Proximity of the tower to residential structures and residential district boundaries;
 - – * (c) Nature of uses on adjacent and nearby properties;
 - – * (d) Surrounding topography;

- – * (e) Surrounding tree coverage and foliage;
- – * (f) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- – * (g) Proposed ingress and egress; and (h) Availability of suitable existing towers and other structures as discussed in Subsection F(2)(6) of this section.
- – (4) Availability of suitable existing towers or other structures. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Zoning Board that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:
 - – * (a) No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements.
 - – * (b) Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
 - – * (c) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
 - – * (d) The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
 - – * (e) The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
- H. Design standards The following design standards shall apply to all towers and antennas approved by right or for which a special use permit is required; provided, however, that the Zoning Officer or the Zoning Board of Review, as is applicable, may reduce the standard setbacks and separation requirements if the goals of this section would be better served thereby.
 - – (1) Setbacks and separation.
 - – * (a) Towers must be set back a distance equal to the height of the tower from any residential structure or lot line, whichever is closer.
 - – * (b) Guys and accessory facilities must satisfy the minimum zoning district setback requirements for accessory structures.
 - – * (c) In zoning districts other than Industrial or Business Park Zoning Districts, towers over 90 feet in height shall not be located within one-quarter of a mile from any existing tower that is over 90 feet in height.
 - – (2) Aesthetics: lighting.
 - – * (a) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.
 - – * (b) At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities into the natural setting and built environment.
 - – * (c) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - – * (d) Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the appropriate governing authority may review the available

lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.

- – (3) Landscaping.
 - – * (a) Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent residential property. The standard buffer shall consist of a landscaped strip which incorporates such measures as to adequately protect adjacent properties, i.e., berming, shrub and tree plantings or a combination of these measures, at least six feet wide outside the perimeter of the compound shall be provided. A site plan approval from the Director of Planning and Development is required before a building permit may be issued.
 - – * (b) In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived altogether.
 - – * (c) Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer.
- – (4) Security fencing.
 - – * (a) Towers and equipment shall be enclosed by security fencing not less than six feet in height, with appropriate anticleimbing devices.
 - – * (b) Towers and fencing shall also be equipped with the appropriate measures to ensure security of the equipment and tower.
- I. Removal of abandoned antennas and towers. Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove same within 90 days of receipt of notice from the Building Official notifying the owner of such abandonment. The applicant/owner shall post a bond which shall be reevaluated every two years, to cover the cost of removal. If such antenna or tower is not removed within said 90 days, the Town may remove such antenna or tower at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

§ 255-980. Mill Conversion District.

§ 255-980. Mill Conversion District.

- A. Findings and purpose.
 - – (1) It is determined that throughout the Town there are a number of historic and industrial mill structures that have experienced high vacancy rates and physical deterioration. It is further determined that the Town's Comprehensive Plan encourages infill housing in existing medium and high-density areas, including industrially zoned areas.
 - – (2) The purpose of this section is to create a Mill Conversion District as a floating zone to allow for the conversion of historic mills while preserving the character of nearby residential and commercial neighborhoods; to encourage the preservation, reuse and renovation of historic mill properties and to promote diversified housing opportunities as mill conversion projects.
- B. Definitions.
 - A MILL CONVERSION PROJECT — The conversion of an existing mill, or portion thereof, to multifamily dwellings, assisted living facility, single-family dwelling units or studio units.
 - ELIGIBLE MILL — For the purposes of this section, a mill structure that was in existence before 1950.
- C. Uses. A mill conversion project is governed by the Zoning Use Regulations in Article VI, Section 600, which such mill conversion project shall be implemented as a floating zone, allowing conversion

to residential use no matter the underlying zoning district, and further subject to regulation pursuant to Article XVI, Development Plan Review.

- D. Procedure.
 - – (1) A Mill Conversion District shall be considered a floating zone, requiring a zoning map amendment. Application for a Mill Conversion District shall be filed with the Town Clerk in accordance with the requirements and procedures of Article XVIII of this chapter to amend the Zoning Ordinance Map, including those provisions for fees, notice, and application requirements. If the Zoning Map amendment to establish the Mill Conversion District is approved by the Town Council, then any mill conversion project shall adhere to the regulations for development plan review set forth in the Coventry Zoning Ordinance at Article XVI. The floating zone district map amendment shall not become finalized until final development plan approval is received. Conditional approval of a Mill Conversion District as a floating zone map amendment by the Town Council shall not bind the Planning Commission to approving a specific mill conversion project under Article XVI.
 - – (2) The filing of a mill conversion floating zone map amendment petition does not imply its acceptance in whole or in part by the Town Council. The approval of a mill conversion floating zone, including any modifications, conditions, or restrictions thereto, represents a legally binding commitment by the applicant to carry out the mill conversion project as represented to the Town Council and as it may be approved.
- E. Intensity regulations and standards for development.
 - – (1) Any mill conversion project that includes residential units shall have a minimum average of 1,000 square feet of living space for each unit in the subject mill. No unit shall have less than 720 square feet of living space. The Planning Commission may approve a plan for development and determine the appropriate dimensional requirements based on each specific and unique mill conversion project.
 - – (2) No additions shall be allowed to the mills for the purpose of gaining additional multifamily units. The Planning Commission shall have the authority to grant permission for additions for essential nonresidential uses.
 - – (3) The applicant shall be required to provide a minimum of two off-street parking spaces per residential unit on or immediately adjacent to the site. If a unit exceeds 2,000 square feet but has two or fewer bedrooms, the Planning Commission, in its sole discretion, may reduce the number of parking spaces for each unit. In no event shall the parking be reduced to less than one space.
 - – (4) If it deems appropriate, the Planning Commission may require the applicant to submit a Phase I Environmental Site Assessment or similar environmental review of the subject parcel.
 - – (5) All other general standards for review and development by the Planning Commission set forth in Article XVI, Development Plan Review, shall apply. Any applicant for a mill conversion project shall strive to renovate the mill structure(s) in a manner consistent with their original style.

§ 255-990. Adaptive reuse projects.

§ 255-990. Adaptive reuse projects. [Added 11-28-2023 by Ord. No. 2023-4]

- A. Permitted use. Adaptive reuse for the conversion of any commercial building, including offices, schools, religious facilities, medical buildings, and malls into residential units or mixed-use developments is a permitted use under the criteria described below under Subsection B, Eligibility.
- B. Eligibility.
 - – (1) Adaptive reuse development must include at least 50% of existing gross floor area developed into residential units.
 - – (2) There are no environmental land use restrictions recorded on the property preventing the conversion to residential use by RIDEM or the US EPA.

- C. Density calculations.
 - – (1) For projects that meet the following criteria, the minimum residential density shall be 15 dwelling units per acre:
 - – * (a) Where the project is limited to the existing footprint, except that the footprint is allowed to be expanded to accommodate upgrades related to the building fire code, and utility requirements.
 - – * (b) The development includes at least 20% low- and moderate-income housing.
 - – * (c) The development has access to public sewer and water service or has access to adequate private water, such as well and/or wastewater treatment systems approved by the relevant state agency for the entire development as applicable.
 - – (2) For all other adaptive reuse projects that are less than 15 dwelling units per acre, the residential density permitted in the converted structure shall be the maximum allowed that otherwise meets all standards of minimum housing and has access to public sewer and water services or has access to adequate private water, such as well and wastewater treatment systems approved by the relevant state agency for the entire development, as applicable.
 - – (3) The density proposed for any adaptive reuse project shall be determined to meet all public health and safety standards.
- D. Dimensional requirements.
 - – (1) Notwithstanding any other provisions of this chapter, existing building setbacks shall remain and are considered legal nonconforming.
 - – (2) No additional encroachments shall be permitted into any nonconforming setback unless relief is granted by the permitting authority.
 - – (3) Notwithstanding other provisions of this chapter, the height of the structure shall be considered legal nonconforming if it exceeds the maximum height of the zoning district in which the structure is located.
 - – * (a) Any rooftop construction necessary for building or fire code compliance, or utility infrastructure, is included in the height exemption.
- E. Parking requirements.
 - – (1) Adaptive reuse developments shall provide one parking space per dwelling unit. The applicant may propose additional parking in excess of one space per dwelling unit.
 - – (2) The parking requirements and design standards in Article XII and Article XVII, § 255-1750, shall apply to all uses proposed as part of the project unless otherwise approved by the applicable authority. The number of parking spaces required shall apply for all uses other than residential.
- F. Allowed uses within an adaptive reuse project.
 - – (1) Residential dwelling units are a permitted use in an adaptive reuse project regardless of the zoning district in which the structure is located, in accordance with the provisions of this section.
 - – (2) Any nonresidential uses proposed as part of an adaptive reuse project must comply with the provisions of § 255-600, Schedule of Zoning District Use Regulations, for the zoning district in which the structure is located.
- G. Development and design standards. Site design shall be in accordance with the Article XIII of the Land Development and Subdivision Regulations.
- H. Procedural requirements.

- – (1) Adaptive reuse project shall be subject to the procedural requirements of the Land Development and Subdivision Regulations and undergo either minor or major land development as determined in that section.
- – (2) In addition to the checklist requirements for the applicable review process, the applicant shall provide the following information:
 - * (a) The proposed residential density and the square footage of nonresidential uses. Residential density under the provisions of Subsection C(2) of this chapter shall be determined with the submission of a detailed floor plan as described in Subsection H(2)(b) of this section to the Zoning/Building Official for their review and approval.
 - * (b) A floor plan to scale for each building indicating, as applicable, the use of floor space, number of units, number of bedrooms, and the square footage of each unit.

§ 255-9100. Cannabis retail use.

§ 255-9100. Cannabis retail use. [Added 1-13-2026 by Ord. No. 2025-23]

- A. Definitions.
- CANNABIS RETAIL USE — An entity licensed pursuant to RIGL § 21-28.11-10.2 to purchase and deliver cannabis and cannabis products from cannabis establishments and to deliver, sell or otherwise transfer cannabis and cannabis products to cannabis establishments and to consumers.
- B. Licensing. A cannabis retail use shall be licensed by the state of Rhode Island and shall be at all times in compliance with the laws of Rhode Island, regulations duly promulgated thereunder, and the provisions of this code.
- C. Proximity to other land uses. The separation distances noted below shall be measured from the nearest portion of the property dedicated to the cannabis retail use, such as the retail building, parking area, or entry way onto the subject property to the other land use or zone as outlined herein.
 - – (1) No cannabis retail use shall be located within five hundred (500) feet from the land uses listed below:
 - * (a) School property.
 - * (b) Commercial day care.
 - * (c) Library.
 - * (d) Municipal Park/playground.
 - * (e) Outdoor sports field.
 - * (f) Substance abuse treatment facility.
 - * (g) Halfway house.
 - * (h) Youth center.
 - * (i) Public athletic and recreational facilities.
 - – (2) No cannabis retail use shall be located within two hundred (200) feet from a residential zoning district or religious places of worship.
 - – (3) No cannabis retail use shall be located within one hundred (100) feet of a residential structure in any zone.
- D. Landscaped buffer.
 - – (1) There shall be at least a ten (10) foot vegetative, evergreen buffer installed along the nearest property line adjacent to a residential zoning district or residential structure.

- E. Restrictions.
- – (1) Cannabis retail uses shall only be located within a building. The building shall be equipped with an effective odor control system which shall at all times prevent unreasonable interference of neighbors' use and enjoyment of their property.
- – (2) Cannabis retail use waste shall be stored in secured waste receptacles in the possession of and under control of the marijuana store or other person responsible for the site. Cannabis Retailer waste shall be managed in accordance with applicable state laws, including but not limited to rules promulgated by the Rhode Island Department of Health, Business Regulation, and Environmental Management in effect and as amended from time to time hereinafter.
- – (3) A cannabis retail use shall provide adequate security on the premises which meets the minimum-security requirements according to R.I.G.L. § 21-28.11 et seq., the rules and regulations promulgated by the Rhode Island Department of Business Regulation, Rhode Island State Police, or other state agency in effect and as amended from time to time hereinafter.
- – (4) Cannabis retail uses shall submit proof of appropriate security measures at the building permit stage in compliance with any and all state regulations to deter and prevent the unauthorized entrance into areas containing marijuana and shall ensure that each location has an operational security/alarm system.
- – (5) Light cast by exterior lighting fixtures (e.g., security lights, driveway lights) shall be downcast, shielded, and hooded, and not spill onto adjacent lots.
- – (6) Storage and disposal of waste or any other hazardous chemical associated with the activities of a cannabis retail use shall comply with local, state, and federal laws. An application for review of any use by a Cannabis Retailer shall include a floor plan showing the location of the storage of such chemicals.
- – (7) An annual inspection of a cannabis retail use may be conducted by the Building Official and any other municipal regulatory agency with jurisdiction.
- – (8) Outdoor display and sales of merchandise for cannabis retail uses shall be prohibited.
- – (9) Drive-in facilities for cannabis retail uses shall be prohibited.
- – (10) The hours of operation for cannabis retail uses shall be between 10:00 a.m. and 7:00 p.m.
- – (11) The minimum lot area for cannabis retail uses shall be twenty thousand (20,000) square feet.
- – (12) Parking: Five and one-half spaces for every one thousand (1,000) square feet of net leasable area.
- – (13) Signage requirements for building and freestanding signs for cannabis retail uses shall be consistent with standards applicable to retail establishments that sell alcoholic beverages. Billboards are prohibited.

§ IXA. Historical Area Zoning

ARTICLE IXA Historical Area Zoning [Added 5-13-2013 by Ord. No. 04-13-288]

§ 255-900.1. Authority.

§ 255-900.1. Authority.

This article is adopted in accordance with R.I.G.L. § 45-24-51 et seq. and R.I.G.L. § 45-24.1-1 et seq., as amended.

§ 255-910.1. Purpose.

§ 255-910.1. Purpose.

The purpose of this article is to safeguard the heritage of the Town by preserving a district or districts in the Town which reflect or reflects elements of its cultural, social, economic, political and architectural history; stabilize and improve property values in that district; foster civic beauty; strengthen the local economy; promote the use of the district for the education, pleasure and welfare of the citizens; and, where feasible, promote low and moderate housing opportunities.

§ 255-920.1. Definitions.

§ 255-920.1. Definitions.

The following terms shall have the following respective meanings:

- **ALTERATION**
An act that changes one or more of the exterior architectural features or its appurtenances, including but not limited to the erection, construction, reconstruction, or removal of any structure or appurtenance.
- **APPURTENANCES**
Features other than primary or secondary structures which contribute to the exterior historic appearance of a property, including but not limited to paving, doors, windows, signs, materials, decorative accessories, fences, and historic landscape features.
- **CERTIFICATES OF APPROPRIATENESS**
A certificate issued by the Town of Coventry Historic District Commission established under this article indicating approval of plans for alteration, construction, repair, removal, or demolition of a structure or appurtenances of a structure within a historic district. Appropriate for the purpose of passing upon an application for a certificate of appropriateness means not incongruous with those aspects of the structure, appurtenances, or the district which the Commission has determined to be historically or architecturally significant.
- **CONSTRUCTION**
The act of adding to an existing structure or erecting a new principal or accessory structure or appurtenances to a structure, including but not limited to buildings, extensions, outbuildings, fire escapes, and retaining walls.
- **DEMOLITION**
An act or process that destroys a structure or its appurtenances in part or in whole.
- **HISTORIC DISTRICT**
A specific division of a town as designated by ordinance of the Town of Coventry pursuant to this article. A historic district may include one or more structures.
- **REMOVAL**
The relocation of a structure on its site or to another site.
- **REPAIR**
A change meant to remedy damage or deterioration of a structure or its appurtenances.
- **STRUCTURE**
Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including but not limited to buildings, gazebos, billboards, outbuildings, decorative and retaining walls, and swimming pools.

§ 255-930.1. Designation of historic districts.

§ 255-930.1. Designation of historic districts.

- A. For the purposes of this article, the boundaries of Historic Districts are established as shown on a map entitled "Historic District Map," which map is filed in the office of the Coventry Town Clerk. Such map is hereby incorporated as a part of this article.
- B. It is the intent of this article that historic property owned by the Town of Coventry within the boundaries of designated historic districts as shown on the "Historic District Map" shall not be exempt from the provisions of this article.
- C. For purposes of this article, the "Historic District" is defined as Assessor's Plat 45, Lots 30 and 31, and is further depicted in the map attached hereto.
- D. From time to time, the Town Council may amend the Historic District Map so as to add or delete properties contained within the Historic District or create additional Historic Districts.

§ 255-940.1. Historic District Commission.

§ 255-940.1. Historic District Commission.

- A. Establishment. There is hereby established a Historic District Commission to carry out the purposes of this article.
- B. Membership and appointment.
 - – (1) The Commission shall consist of five qualified members, who are residents of the Town of Coventry, to be appointed by the Town Council. Members shall be appointed for three-year terms, except that the initial appointments of some of the members shall be for less than three years so that the initial appointments are staggered and so that subsequent appointments do not reoccur at the same time. Members shall be eligible for reappointment.
 - – (2) Members of the Commission shall have a demonstrated interest in historic preservation and shall serve without compensation.
 - – (3) The Town Council shall have the right to name an auxiliary member to the Commission in addition to the regular members, which auxiliary member shall sit as an active member, upon the request of the Chairperson of the Commission, when and if a regular member of the Commission is unable to serve at any meeting of the Commission.
- C. Organization of the Commission.
 - – (1) The Commission shall organize annually and, by election, shall select from its membership a Chairperson, Vice Chairperson and a Secretary.
 - – (2) The Commission shall:
 - – * (a) Adopt and publish rules and regulations necessary to carry out its functions under the provisions of this article;
 - – * (b) Adopt and publish standards of review which should be in harmony with the Secretary of the Interior's Standards and Guidelines for Rehabilitating Historic Buildings, 36 CFR 67, or similar standards of the Rhode Island Historic Preservation and Heritage Commission, as may be amended, within 12 months following the adoption of this article to inform historic district residents, property owners, and the general public of those criteria by which the Commission shall determine whether to issue a certificate of appropriateness.
 - – * The Commission may from time to time amend these standards as reasonably necessary, and it shall publish all such amendments.
 - – * (c) Such rules, procedures and standards and any additions and amendments thereto shall be submitted to the Council for its approval and shall, thereon, become part of this article.
 - – (3) Conduct of business.

- – * (a) The Chairperson shall preside over all Commission meetings and shall have the right to vote.
- – * (b) The Vice Chairperson shall, in the case of absence or disability of the Chairman, perform the duties of the Chairperson.
- – * (c) All meetings of the Commission shall be open to the public and any person or his duly constituted representative shall be entitled to appear and be heard on any matter before the Commission reaches its decision.
- – * (d) The Secretary shall keep a record of all resolutions, proceedings, finding of fact, decisions and actions and such record shall be on file for public view at the office of the Coventry Town Clerk.
- – * (e) All meetings of the Commission shall be open to the public pursuant to the provisions of the Open Meetings Law. The Commission shall keep a record of its resolutions, proceedings, decisions and actions.
- – * (f) Three members shall constitute a quorum and the concurring vote of a majority of the members present shall be necessary for either approval or rejection of any plans before the Commission for review and for establishing or amending Commission rules, regulations and standards of review.
- D. Powers and procedures.
- – (1) Certificate of appropriateness required.
- – * (a) Before a property owner may authorize or commence construction, alteration, repair, removal or demolition affecting the exterior appearance of a structure or its appurtenances within any designated Historic District, the owner must apply for and receive a certificate of appropriateness from the Commission approving such construction, alteration, repair, removal or demolition.
- – * (b) In applying for a certificate of appropriateness, a property owner must comply with the application procedures as established by the Commission pursuant to § 45-24-1 et seq. of the General Laws,⁷ as amended, and the provisions of this article.
- – * (c) A certificate of appropriateness is necessary only if a building permit is required for such construction, alteration, repair, removal or demolition. The Building Official may not issue a permit until the Commission has granted a certificate of appropriateness.
- – (2) Application for certificate of appropriateness.
- – * (a) Applications for certificates of appropriateness shall be filed with the Commission at the Office of the Planning Department, who shall determine if such application is complete and who shall forward complete applications, together with all maps, plans, and other data to the Commission. Incomplete applications shall be returned to the applicant within 35 working days of receipt of the Planning Department.
- – * (b) The Commission shall require the owner to submit information which is reasonably necessary to evaluate the proposed construction, alteration, repair, removal or demolition including but not limited to site plans, elevation drawings, photographs or other information deemed appropriate by the Commission and set forth in the Commission's rules and regulations adopted pursuant to this article.
- – * (c) In reviewing the applications and plans, the Commission shall give consideration to:
 - – * · [1] The historic and architectural significance of the structure and its appurtenances;
 - – * · [2] The contribution of the structure and its appurtenances to the historical and architectural significance of the District;

- – * · [3] The appropriateness of the general design, arrangement, texture and material proposed in the plans; and
- – * · [4] The Commission shall pass only on exterior features of a structure and its appurtenances and shall not consider interior arrangements.
- – * (d) All decisions of the Commission shall be in writing.
- – * (e) The following are special considerations regarding valuable historic resources and demolition:
 - – * · [1] In the case of an application for construction, repair, or alteration, removal, or demolition affecting the exterior appearance of a structure or its appurtenances which the Commission deems so valuable to the Town of Coventry, state or nation that the loss thereof will be a great loss to the Town of Coventry, state or nation, the Commission shall endeavor to resolve with the owner an economically feasible plan for the preservation of such structure.
 - – * · [2] Unless the Commission is satisfied that the retention of such structure constitutes a hazard to public safety, which hazard cannot be eliminated by economic means available to the owner, including the sale of the structure to any purchaser willing to preserve such structure, the Commission shall file with the Building Official and Planning Department its rejection of such application.
 - – * · [3] Unless the Commission votes to issue a certificate of appropriateness for such construction, alteration, and repair, removal and demolition, the Commission shall file with the Building Official and Planning Department its rejection of such application.
 - – * · [4] In the absence of change in such structure arising from casualty, no new application for the same or similar work shall be filed within one year after such rejection.
 - – * · [5] In the case of any structure deemed to be valuable for the period of architecture it represents and important to the neighborhood within which it exists, the Commission may file with the Building Official and Planning Department its certificate of appropriateness for such application if any of the circumstances under which a certificate of appropriateness might have been given under the proceeding paragraph are in existence, or if:
 - – * · [a] Preservation of such structure is a deterrent to a major improvement program which will be of substantial benefit to the community;
 - – * · [b] Preservation of such structure would cause undue or unreasonable financial hardship to the owner, taking into account the financial resources available to the owner including sale of the structure to any purchaser willing to preserve such structure; or
 - – * · [c] Preservation of such structure would not be in the best interest of the majority of the community.

§ 255-950.1. Demolition.

§ 255-950.1. Demolition.

- A. If the Commission is presented with an application for the removal, relocation, alteration or demolition of a structure, its accessories and finds that the approval of such an application would pose a significant threat or total loss to the Town, state or nation, it shall endeavor to work out with the owner an economically feasible plan for the preservation of the structure, accessories, and/or stone wall.
- B. Applications for demolition shall require proof that the retention of the structure, accessory or stone wall would constitute a public safety hazard as defined by the Rhode Island Building Code, R.I.G.L. § 23-27.3-100.0 et seq., which cannot be eliminated by any economic means available to the owner.

If the Commission remains unconvinced that retention is a hazard, the Commission shall forward its rejection of the application for demolition to the Building Official.

- C. If any of the following conditions apply, the Commission may approve the application for a certificate for demolition, relocation, removal or alteration of a structure:
 - – (1) Preservation of such structure is a deterrent to a major improvement program which will significantly benefit the Town.
 - – (2) Preservation of such structure would cause undue or unreasonable financial hardship to the owner, taking into account the financial resources available to the owner, including the sale of the structure to any purchaser willing and able to preserve such structure.
 - – (3) Preservation of such structure would not be in the best interest of the community as a whole.
- D. Alternatives to demolition and removal.
 - – (1) When considering an application to demolish or remove a structure of historic, cultural, architectural or archaeological value, the Commission shall assist the owner in identifying and evaluating alternatives to demolition.
 - – (2) In addition to any other criteria, the Commission shall also consider whether there is a likelihood that some person or group of persons other than the current owner is willing to purchase, move and preserve such structure or accessory and whether the owner has made continuing, bona fide and reasonable efforts to sell the structure to any such purchaser.

§ 255-960.1. Failure of Commission to act.

§ 255-960.1. Failure of Commission to act.

The failure of the Commission to act within 45 days from the date an application is deemed complete by the Planning Department shall be deemed to constitute approval, unless an extension is agreed upon mutually by the applicant and the Commission. In the event, however, that the Commission shall make a finding of fact that the circumstances of a particular application require further time for additional study and information than can be obtained within the aforesaid period of 45 days, then, and in said event, the Commission shall have a period of up to 90 days within which to act upon such application.

§ 255-970.1. Exceptions.

§ 255-970.1. Exceptions.

Nothing in this article shall be construed to prevent painting, routine maintenance or repair of any structure within a Historic District, provided that such maintenance or repair does not result in any change of design, type of material, or appearance of the structure or appurtenance; nor shall anything in this article be construed to prevent the construction, alteration, repair, moving, or demolition of any structure under a permit issued by the Building Official prior to the passage of this article.

§ 255-980.1. Enforcement; violations and penalties.

§ 255-980.1. Enforcement; violations and penalties.

- A. Where there is a violation of any of the provisions of this article or of any action taken pursuant thereto, the Town Solicitor may institute an appropriate action to prevent, enjoin, abate or remove such violation.
- B. In addition thereto, a fine may be imposed pursuant to the provisions of Chapter 1, Article I, § 1-2, of the Code of Ordinances of the Town of Coventry, as amended.

§ 255-990.1. Appeals.

§ 255-990.1. Appeals.

Any person aggrieved by a decision of the Historic District Commission shall have the right to appeal such decision to the Zoning Board of Review. When hearing appeals from the Commission decisions, the Zoning Board of Review shall not substitute its own judgment for that of the Commission, but must consider the issue upon the findings and the record of the Commission. The Zoning Board of Review shall not reverse a Commission decision except on a finding of prejudicial procedural error, clear error or lack of support by the weight of the evidence in the record. All decisions of the Zoning Board of Review shall be in writing. Any person aggrieved by a decision of the Zoning Board of Review under this article may appeal to the Superior Court of Rhode Island in the same manner as set forth in R.I.G.L. § 45-24-69.

§ 255-9100.1. When effective; map change.

§ 255-9100.1. When effective; map change.

This article shall take effect upon its adoption. The Keeper of the Zoning Ordinance Map is hereby authorized to make the adopted change to the map.

§ X. Earth Removal/Sand and Gravel Extraction

ARTICLE X Earth Removal/Sand and Gravel Extraction [Amended 1-7-2020 by Ord. No. 02-0-329; 4-12-2021 by Ord. No. 03-21-342]

§ 255-1000. Purpose.

§ 255-1000. Purpose.

The purpose of this article is to protect the environment and the health, safety, and welfare of the public by controlling those activities involving the removal or mining of earth, sand, and gravel for commercial purposes. The requirements set forth in this article are necessary to prevent and minimize adverse impacts and risks during operations, and to ensure proper restoration of affected sites upon completion.

§ 255-1010. Applicability.

§ 255-1010. Applicability. [Amended 3-25-2025 by Ord. No. 2025-15]

- A. A use variance is required from the Zoning Board of Review (or, in the case of Unified Development Review, the Planning Commission) for the following uses and activities (in addition to those defined in Article II of this chapter as "earth removal"), including both new and existing facilities:
 - – (1) Mining, quarrying, and the commercial extraction of rock, sand, gravel, earth, clay, and similar materials;
 - – (2) Storage, stockpiling, distribution, and sale of rock, sand, gravel, earth, clay and other similar materials;
 - – (3) The installation and operation of plants or apparatus for rock crushing and appurtenant screening, blending, washing, loading, and conveyor facilities; and (4) Offices and any other uses necessary or incidental to mining operations on the site.
- B. The following uses and activities are exempt from this use variance requirement:
 - – (1) Excavation in conjunction with utility installation, which is to be backfilled;
 - – (2) Excavation in conjunction with road construction within approved residential, commercial, or industrial subdivisions;

- – (3) Excavation which by nature is of limited duration and area, such as for the installation of septic tanks, swimming pools, the construction of a house, etc.; and (4) Excavation that is part of an existing and established agricultural operation or otherwise protected under the R.I. Gen. Laws § 2-23-1 et seq., also known as the "Right to Farm" Act.

§ 255-1020. Permit application.

§ 255-1020. Permit application.

- A. Before a landowner or operator may extract earth, sand or gravel or other materials from his/her property for commercial purposes, a special use permit must be applied for and obtained from the Zoning Board of Review. Owners of a similar existing facility must apply for a permit pursuant to this article within six months of the effective date of this article, to the extent any use of the land or operations thereon are not legal nonconforming as provided in Article VIII.
 - – (1) The application for the special use permit must include 11 copies of an application, a site plan, and an informational report, to provide the Zoning Board of Review with a sufficient basis for reaching a determination on the application. Additional copies of the application packet shall be submitted to the Planning Commission, the Director of the Planning and Development Department, and the Town Engineer.
- B. The site plan submitted as part of the application must show the following information, and be supported by sufficient explanatory narrative where necessary:
 - – (1) The extent of the area to be excavated on the site and how it will be phased pursuant to § 255-1030I.
 - – (2) Contours shown at no greater than two-foot intervals.
 - – (3) Access and egress to roads outside the site, for both employee and material transport.
 - – (4) Location, identification, and dimensions of all property lines, 200 feet in all directions therefrom, and public and private easements.
 - – (5) Location of all structures on the property.
 - – (6) Location and description of the floodplain, surface water bodies, groundwater resources, wetlands, and other environmentally sensitive resources.
 - – (7) Direction of groundwater flow, rate of groundwater flow and maximum high groundwater elevation.
 - – (8) Significant natural features such as large trees, vegetative groupings, and rock outcroppings.
 - – (9) Complete adjacent land use information including the names of the record owners of all abutting properties, a description of all land uses, identification of water resources on adjacent properties, and information regarding private wells on adjacent properties, if applicable.
 - – (10) Existing elevations of the property to be excavated and the estimated excavation depth.
 - – (11) Existing and proposed excavation areas shown by operational phases, sequence, thicknesses of overburden, and estimated seasonal high and low water table elevations.
 - – (12) Typical cross sections showing information requested in Subsection B(11) above and maximum slopes and restoration cover thicknesses.
 - – (13) Processing, equipment, and storage areas.
 - – (14) Proposed fencing, gates, parking, and signs.
 - – (15) Areas to be used for the storage of topsoil and other overburdened material including volume calculations and method of stabilization.
 - – (16) Locations of test borings and monitoring wells.

- – (17) Location of roads to be used for transportation of extracted materials.
- – (18) Erosion controls.
- – (19) Location of any proposed burial areas for stumps, boulders, etc.
- C. The informational report to be submitted as part of the application shall provide a description of the following aspects of the facility operations:
 - – (1) The approximate date of operational commencement and the anticipated duration of the operation.
 - – (2) Proposed daily operational times.
 - – (3) Estimated type and volume of the excavation.
 - – (4) The nature of the material to be extracted for commercial purposes.
 - – (5) Methods to be utilized for extracting and processing the material.
 - – (6) The equipment to be used on site and number of vehicle trips per day during hauling.
 - – (7) Measures to be utilized for mitigating potential noise, dust, soil erosion, air pollution, and water pollution emanating from the site.
 - – (8) Methods to be utilized for dewatering or discharge in impounding areas.
 - – (9) Method to be used for disposal of toxic substances or wastes, if present or generated on the site.
 - – (10) A definitive restoration plan outlining measures to be used to restore the site once material extraction operations have ceased. While this description does not represent the comprehensive restoration plan which is required to be submitted to the Zoning Board of Review for review prior to operational shut-down in accordance with § 255-1050 below, it must be consistent with the standards set forth therein. The submission of this plan shall become the basis for posting of the performance bond pursuant to § 255-1050.
 - – (11) Statement indicating whether the applicant has submitted applications for or secured any other required local, state, or federal permits.
- D. A filing fee for a special use permit application of \$500 shall be paid to the Town with the submission of the application.
- E. The Director of the Planning and Development Department shall determine within 30 days whether to deem the application complete. If the application is found to be incomplete, the applicant shall be required to submit the necessary information.
- F. Within 30 days after receipt of a complete application, the Planning Commission shall conduct a public hearing on the proposal. At the public hearing, the Town Engineer and the Director of Planning and Development shall be present to submit information and/or answer questions by the Planning Commission. The Planning Commission shall submit an advisory opinion to the Zoning Board of Review. The Zoning Board of Review shall conduct a public hearing on the application. Prior to the Zoning Board of Review public hearing, a notification shall be sent to all property owners within 1,200 feet of the property boundaries of the operations.
- G. Within 30 days of the close of the public hearing, the Zoning Board of Review shall render its decision on the application. It may choose to approve the project, approve it subject to conditions, or deny it.
- H. In addition to the requirements set forth in this article for controlling those activities involving the removal or mining of each, sand, and gravel for commercial purposes, the Zoning Board of Review shall make a determination that the applicant is in compliance with the requirements of a special use permit as set forth in Article IV, § 255-430.

§ 255-1030. Operational requirements.

§ 255-1030. Operational requirements.

- A. The area of excavation shall be set back in accordance with § 255-1040A. This buffer zone shall be vegetated, maintaining naturally existing vegetation to the maximum extent possible, to screen the site from visual, noise, and dust impacts on neighboring uses. Rock crushing equipment and other apparatus shall be set back a minimum of 1,000 feet from the property line. Noise control berms may be appropriate to reduce potential impacts on adjacent properties and landowners. Where no natural vegetation exists, plantings or a fence shall be installed.
- B. Erosion control measures shall be employed throughout the development and operational phases of the extraction project. These may include the use of quick growing vegetation, mulching, screening, stabilization, siltation fences, or other means as deemed necessary by the Town Engineer. The maximum unvegetated areas shall be five acres. For safety reasons during excavation, the slope shall be no greater than two feet horizontal to one foot vertical (2:1).
- C. Site restoration shall commence immediately upon the cessation of extraction operations and shall be completed successfully within one year, in accordance with the restoration plan required and described in § 255-1050. As sections of the extraction operation are completed, temporary site restoration shall proceed to minimize erosion until the comprehensive restoration plan is implemented.
- D. Equipment storage shall be for on-site use only, and solely for the duration of the permitted earth removal operations.
- E. There shall be at least a four-foot separation between the lowest elevation of excavated material and the maximum high groundwater elevation.
- F. All work shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 12:00 noon on Saturdays. No work shall take place on Sundays and legal holidays. The Zoning Board of Review may modify these hours on a case-by-case basis if there is a public hearing preceding the approval for a modification.
- G. All roads accessing and within the site shall be treated only with water to minimize dust conditions.
- H. In the permitted areas, ledge shall not be left exposed above the approved grade, and all cleared trees, stumps and brush shall be removed or completely buried. If buried, a plan showing the location of all such buried trees, stumps, or other materials subject to subsequent compacting by decay shall be filed with the Building Inspector. However, no trees, stumps, or other material subject to decay shall be buried at an elevation within four feet of the maximum high groundwater elevation.
- I. Earth removal operations shall be limited to five acres at any given time. Additional acreage may not be disturbed until site restoration has commenced on previously excavated areas. Said phasing of the operations shall be part of the Zoning Board of Review approval.

§ 255-1040. Buffers and setbacks.

§ 255-1040. Buffers and setbacks.

- A. The following buffer areas are to be left in their natural state during the life of the permit:
 - (1) Three hundred feet from any street line.
 - (2) Two hundred feet from any other boundary line.
 - (3) One thousand feet from any occupied dwelling.
- B. The entrance to the facility shall be landscaped in accordance with Article XVII.

§ 255-1050. Site restoration.

§ 255-1050. Site restoration.

- A. A comprehensive restoration plan shall be submitted for Zoning Board of Review no later than nine months prior to the anticipated date of cessation of extraction activities. The purpose of this plan is to show in detail how the site will be restored once all the materials have been extracted. The Zoning Board of Review shall certify that the plan requirements are met.
- B. The restoration plan shall include a complete landscape plan indicating the existing natural features and proposed final topography, plant list, phasing of the restoration, and final use for the site. The plan to be submitted shall demonstrate compliance with the following standards:
 - – (1) A minimum depth of four feet shall be maintained between the lowest elevation from which material is extracted to the maximum high groundwater elevation.
 - – (2) Existing topsoil shall be redistributed on-site to provide adequate growing conditions for revegetation of the site. Where needed, additional soil shall be brought in of an equal to or better quality than that of the previously existing topsoil and shall be free from refuse or toxic contaminants. Final soil depth and types shall be appropriate for the expected reuse of the site, but at a minimum shall be six inches, unless it is demonstrated that less than six inches existed prior to excavation.
 - – (3) The final grading of the site shall be appropriate for the expected reuse of the site.
 - – (4) All final site drainage shall be designed, sloped, revegetated, or shall employ other measures so that erosion and siltation of water courses and ponds are avoided.
 - – (5) The site shall be revegetated to control dust, erosion, and to restore natural features to the site. The soil shall be stabilized by planting, seeding, or sodding so as to create a complete ground cover. The landowner or facility operator shall maintain the vegetation for at least two full growing seasons after its initial planting.
 - – (6) No sharp declines, pits, depressions, or debris accumulation shall remain after the restoration. All banks shall be restored so that no slope is greater than three feet horizontal to one foot vertical (3:1).
 - – (7) Stormwater drainage from the site shall not be altered so as to adversely affect public roads or neighboring uses. Natural drainage patterns shall be restored to the maximum extent possible. No increase in drainage rate and volume leaving the site shall be permitted.
 - – (8) All stumps, boulders, and other debris resulting from the extraction operations or its related activities shall be removed from the site and disposed of by approved methods.
 - – (9) The site shall be graded so that no stagnant water or water pockets will be allowed to develop.
 - – (10) Processing plants, buildings, structures, and equipment shall be entirely removed from the pit within one year after completion of the extraction operations.

§ 255-1060. Security/performance bond.

§ 255-1060. Security/performance bond.

- A. A performance bond, letter of credit or other form of surety shall be posted in an amount to be determined by the Town Engineer to ensure proper operation of the facility and that the restoration requirements are adequately met. After evidence of nonconformance or nonperformance of the applicant, the Director of the Planning and Development Department or his or her designee shall recommend to the Zoning Board of Review that the bond be defaulted, and measures taken to accomplish necessary work in fulfillment of the intent of the regulations. Upon satisfactory completion of the restoration plan and compliance with the regulations in §§ 255-1030, 255-1040, and 255-1050 as certified by the Director of the Planning and Development Department or his or her designee, the Zoning Board of

Review shall issue a written certification that the above requirements have been met. The performance bond, letter of credit or other surety shall be released to the landowner upon receipt of the written certification from the Town Council.

- B. If all requirements of these regulations have been met by the applicant, the Zoning Board of Review shall recommend release by the Town Council of all surety bonds and other funds held in warranty of completion of the project. The Town Council shall thereupon approve, reject, or modify the Zoning Board's recommendation.

§ 255-1070. Earth removal operations authorized under previously granted special use permits.

§ 255-1070. Earth removal operations authorized under previously granted special use permits.

[Amended 3-25-2025 by Ord. No. 2025-15]

- A. Effective January 1, 2024, Code § 255-600, Table 6-1 was amended to make earth removal operations a prohibited use in all zoning districts. New earth removal operations are authorized through use variances. Earth removal operations permitted prior to January 1, 2024 shall be subject to applicable zoning regulations.
- B. Permits for existing earth removal operations may be effective for a maximum of two (2) years after issuance. Permits may be renewed in one (1) year increments for up to an additional two (2) year period after review of the application and the compliance history of the applicant. If an applicant seeks renewal of a special use permit after the initial period of time approved by the Zoning Board of Review has expired, then all Town ordinances in effect at the time of the application for renewal shall be applicable.
- C. Any application for renewal shall include site plans showing excavation and extraction activities to date and new areas where such activities are proposed to take place, and site restoration plans. The Zoning Board of Review may ask the applicant for additional information as needed.
- D. All permits for new and existing earth removal operations shall be subject to a review by the Zoning Board of Review (or, in the case of Unified Development Review, the Planning Commission) within six (6) months from the start of activity under this article. The purpose of this review is to ensure compliance with any terms and conditions of the special use permit or use variance granted for approved operations and to allow for adjustment of said conditions, based on experience with active operations.

§ 255-1080. Nuisance avoidance.

§ 255-1080. Nuisance avoidance.

- A. In any area where the Zoning Board of Review or the Coventry Town Council reasonable finds that there is a need to minimize the nuisance of noise, flying dust and rock, and the accumulation of ground or surface water, the Planning Commission may require any or all of the following measures:
 - (1) Limitations on the height of stockpiles;
 - (2) Provisions for watering/wetting of stockpiles, haul roads, or working surfaces/areas, or covering or temporary mulching of stockpiles;
 - (3) Construction of noise buffers by fencing, earth mounding, vegetative screening, a particular orientation for working faces of the excavation or other similar measures.

§ XI. Residential Mobile Home Districts (RMD)

ARTICLE XI Residential Mobile Home Districts (RMD)

[Amended 3-25-2025 by Ord. No. 2025-07]

§ 255-1100. Establishment and purpose.

§ 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.
- B. The purpose of Article XI 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.

§ 255-1110. Procedures.

§ 255-1110. Procedures.

- A. Application for an amendment to the Zoning Map to create a RMD shall be filed in accordance with the requirements and procedures of Article XVIII of this chapter. Town Council may consider an application for a RMD floating zone map amendment simultaneously with rezoning to the underlying district as one (1) rezoning application.
- B. Application for an amendment to the Zoning Map to create a RMD may be allowed to be filed concurrently with a land development application, in accordance with the requirements and procedures of Article XIV of this chapter. However, the fee for the Zone Map amendment application shall be \$500, plus advertising costs.
- C. All applications for a Zoning Map amendment to RMD shall be referred to the Planning Commission by the Town Council. The Planning Commission shall have sixty (60) days to respond to the Council. This sixty-day (60) period shall begin upon the receipt of two copies of all plans and the application in the Planning Department from the Town Clerk's Office after referral by the Council. The Planning Commission may request an extension of this time period if additional time is required to complete the review of the proposed RMD rezoning. The Council may act if the Commission fails to respond within the allotted time.
- D. All RMD Zoning Map amendments shall be approved as conditional upon land development approval of the site plan. Conditional approval of the RMD zone change shall not bind the Planning Commission to approving a land development project for the site. The approval of a RMD zone change legally binds commitment by the applicant to carry out the development as proposed.
- E. In addition to the plat requirements, a site plan, prepared by a Rhode Island registered engineer, and additional application materials shall be required consistent with the application forms and checklists maintained in the Department of Planning and Development.
- F. The applicant shall show to the satisfaction of the Planning Commission that:
 - (1) The granting of approval will not result in conditions inimical to the public health, safety, morals and welfare; and (2) The granting of such approval will not substantially or permanently injure the appropriate use of property in the surrounding area or district; and (3) The plans for such project comply with all of the requirements of this chapter; and (4) The plans for such project are in conformance with the Coventry Comprehensive Plan.
- G. In recommending an action to the Town Council, the Planning Commission shall enumerate its reasons for approval or denial and any stipulations that the Planning Commission would like imposed.

- H. After receipt of the Planning Commission's recommendations, the Council shall hold a public hearing in accordance with Article XVIII of this chapter and shall act on the amendment within forty five (45) days of the hearing and may attach conditions to ensure the public health, safety, morals and welfare. Approval of the amendment requires that the final development shall conform to the plans as approved by the Council. Any changes to the plan will require a resubmittal of the application for the rezoning following all procedures of this article.
- I. The approved site plan with any conditions stipulated in the rezoning shall be recorded in the Town Clerk's Office within fourteen (14) days of the Zoning Approval. The Town Planner and Town Engineer shall review the site plan for conformity with the approved rezoning and shall certify to the Town Clerk the conformance of the plan prior to its recording. If the plan does not conform to the approved rezoning, it shall not be recorded and the applicant shall have fourteen (14) days to correct the plan and resubmit for review and recording.

§ 255-1120. Permitted uses and development standards.

§ 255-1120. Permitted uses and development standards.

- A. In a RMD, the following uses shall be permitted:
 - – (1) Principal uses. Mobile homes as defined in Article II.
 - – (2) Accessory uses. Uses directly accessory to a mobile home including parking areas, carport, patios and semi-enclosed outdoor living areas not intended for overnight occupancy. Service buildings as required in Code § 255-1150, recreation areas and facilities for the exclusive use of occupants of the mobile home park and as further provided in this section; offices intended for management and/or service to the mobile home park; and central laundry facilities designed for residents.
 - – (3) Garages shall not be allowed. The addition to or expansion of a mobile home so as to make it a permanent structure shall not be allowed.
- B. Site standards.
 - – (1) Lot coverage. Maximum lot coverage by a mobile home in an individual mobile home lot shall not exceed 20% of the gross area of the lot.
 - – (2) Width and depth. For portions of the tract used for general vehicular entrances and exits only, the lot width shall be a minimum of 50 feet; for portions containing mobile home lots and buildings open generally to occupants, the width of the lot shall be a minimum of 250 feet. The ratio of width to depth shall not exceed one to five.
 - – (3) Landscaping and buffering. Along all exterior property lines of a mobile home park, a landscaped buffer strip shall be maintained. Such buffer strip shall be no less than 100 feet wide along all property lines. Such buffer strip shall be planted, screened, or otherwise maintained in a natural condition in order to provide year-round visual obstruction of the mobile home lots from abutting land and streets. The provisions of Article XVII shall be met for all landscaping in a mobile home park. Such buffer strip may be used for recreation of a non-intensive character; provided, however, that no structure be located thereon.
 - – (4) Recreation and open space. At least 10% of the gross land area of the mobile home park shall be reserved for recreational and open space uses. Such recreation and open space shall be located outside the required buffer strip. However, this figure is in addition to any other open areas required by yard provisions or other sections of this chapter. Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located.
 - – (5) Access. All mobile home parks shall have a minimum lot frontage of 50 feet on a public street.

- – (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. 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.

§ 255-1130. Occupancy.

§ 255-1130. Occupancy.

- A. No lot shall be rented for residential use in a RMD except for periods of thirty (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.

§ 255-1140. Service building.

§ 255-1140. Service building.

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

§ 255-1150. Sale of mobile homes.

§ 255-1150. Sale of mobile homes.

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

§ 255-1160. Change of lot size.

§ 255-1160. Change of lot size.

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

§ XII. Standards for Parking Lots and Loading Facilities

ARTICLE XII Standards for Parking Lots and Loading Facilities

§ 255-1200. General requirements.

§ 255-1200. General requirements. [Amended 3-25-2025 by Ord. No. 2025-16]

- A. No structure shall be erected, substantially altered or its use changed, unless off-street parking and loading spaces have been provided in accordance with this chapter.
- B. Submission. Plans and specifications for the required parking, loading facility and access drives shall be submitted at the time of application for the building permit for the principal use and must be approved by the Town Engineer, Town Planner, and Building Inspector or Zoning Enforcement Officer.
- C. Location. All parking facilities required under this article shall be constructed on the lot containing the principal use, or on abutting lot(s) which shall have the same zoning as the main lot. No parking or loading facility, exclusive of driveways, shall be located within 10 feet of a street right-of-way line or five feet of a sidewalk or abutting property line. It is the intent of this article that substantially all parking spaces shall be located to the rear or the side of the building. The front yard shall be used primarily for sidewalks and landscaping.
- D. Paving:
 - (1) All parking and loading facilities required under this chapter, together with driveways, aisles, and other circulation areas, shall be paved with asphalt, a minimum of two inches in thickness applied over no less than 10 inches of compacted gravel.
 - (2) The use of porous paving material may be allowed at the direction of the permitting authority. Requests for use of porous paving material shall be forwarded to the Town Engineer for his recommendation which shall be made part of the permitting authority's record. The Engineer's recommendation shall be submitted in writing at least one week prior to the permitting authority's review.
 - (3) All parking and loading areas shall be striped within 30 days of use of the premises.
- E. Lighting. Any parking area which is intended to be used during non-daylight hours shall be illuminated during the hours of operation of the principal use. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property and away from streets.
- F. Screening and/or landscaping. All parking areas shall be screened and/or landscaped in accordance with Code § 255-1750. Minimum buffers and landscaping standards are found in Article XVII of this chapter.
- G. Drainage. All parking and loading areas shall provide for proper drainage of surface water in accordance with the subdivision regulations of the Town. Such drainage shall be approved by the Town Engineer.
- H. Required trash areas. All commercial, industrial and multifamily residential uses shall provide trash and/or garbage collection areas located in the rear of the building, enclosed on at least three sides by a solid wall, opaque fence or compact planting screen of at least five feet in height if such area is not

within an enclosed building or structure. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage shall be required.

- I. Wheel blocks. When a parking lot extends to a property line, sidewalk, or street right-of-way, or landscaped buffer, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the parking facility setback line.
- J. Width of access driveways. Access driveways serving any required parking lots as a direct access drive from a street shall not be less than 12 feet for one-way traffic and not more than 24 feet for two-way traffic.

§ 255-1210. Loading space requirements and dimensions.

§ 255-1210. Loading space requirements and dimensions.

- A. No land shall be used or occupied and no structure shall be erected or used for commercial or industrial purposes unless the off-street loading spaces required herein are provided. Off-street loading spaces as specified in this chapter shall be provided for any enlargement or alterations to any such existing structure or use.
- B. Off-street loading spaces shall be on the same or contiguous lot or parcel of land as the use or structure they are intended to serve. In no case shall any required off-street loading space substitute for the off-street parking requirements. Such space shall be located in the rear of the structure.
- C. A loading space shall have minimum dimensions of not less than 12 feet in width, 60 feet in length, exclusive of driveways, aisles, and other circulation areas, and a clearance of height of not less than 14 feet. Off-street loading spaces shall be provided as follows:
 - – (1) At least one off-street loading space shall be provided and maintained on the same lot for every use having a gross floor area of up to 5,000 square feet.
 - – (2) One additional loading space shall be provided for each additional 10,000 square feet or fraction thereof of gross floor area.
- D. All off-street loading spaces shall be located so as not to impede the flow of traffic within the parking area. The plans for off-street loading must be reviewed and approved by the Town Engineer.

§ 255-1220. Minimum off-street parking requirements.

§ 255-1220. Minimum off-street parking requirements. [Amended 3-25-2025 by Ord. No. 2025-16]

- A. For the purposes of this chapter, the following minimum parking space requirements shall apply for each land-use. The Town Engineer or Planning Commission when applicable may lower the minimum parking spaces if they feel it is warranted. A parking space including aisles shall be no less than 350 square feet per vehicle with a minimum width of 8.5 feet and a minimum length of 18 feet. Any uses not specifically delineated in the following tables shall have their parking requirements determined during the development plan review process pursuant to Article XVI of this chapter.
- B. Parking or storage of commercial vehicles in residential districts. The parking or storage of commercial vehicles of over one (1)-ton capacity shall not be permitted in a residential district, except where such parking or storage is directly related and accessory to a permitted use or lawful nonconforming use on the premises. Parking or storage of one commercial vehicle up to four-ton carrying capacity in a rural residential zoning district may be permitted where the property contains a minimum of two acres. Where such parking is permitted, the vehicle shall be stored in a building or in an area screened and/or landscaped as specified in Article XVII of this chapter.
- C. Parking or storage of major recreation equipment in residential district. In residential districts, the parking or storage of major recreation equipment, which includes transient trailers, pick-up campers, coaches, motorized dwellings, tent trailers, boats, boat trailers and similar equipment belonging to the property owner, but does not include mobile homes, shall be regulated as follows:

- – (1) One transient trailer, pick-up camper, coach motorized dwelling, tent trailer, or boat trailer may be parked or stored on any lot in a residential district provided that such equipment be not more than 10 feet in height.
- – (2) Only one boat, not to be in excess of 25 feet in length, may be stored in a residential district provided that such equipment be not more than 15 feet in height measured from ground level to the highest point.
- – (3) No such major recreation equipment, while parked or stored, shall be used for living, sleeping or housekeeping.
- – (4) Where possible, such recreation equipment must be stored in the rear yard.
- – (5) No major recreation equipment shall be stored out of doors in residential districts unless it is in condition for safe and effective performance of the function for which it was intended or can be made so within a six-month period.

Table 12-1 - Residential

Type of Use	Minimum Parking Spaces Required
Single-, Two- or Multifamily	2 per dwelling unit
Boarding and rooming houses	2 for the owner/occupant and 2 for each sleeping room
Mobile home park	2 for each dwelling unit
Hotels and motels	1 space for every room, plus 1 for each 400 square feet of public meeting and banquet area,

Table 12-2 - Industrial and Wholesale

Type of Use	Minimum Parking Spaces Required
All uses permitted in an I1 or I2 District	1 for every 2 employees on the shift with the greatest employment, plus 1 for each

Table 12-3 - Commercial

Type of Use	Minimum Parking Spaces Required
Automobile service stations (full-serve)	1 for each employee, 2 for each service bay, and 1 for each gas
Self-service with convenience store	1 for each employee, 1 for each gas pump, and 1 for each 150
Commercial drive-in establishments (excluding restaurants)	1 space for each employee on the shift of greatest employment
Lunchrooms, restaurants, taverns, etc.	1 for every 3 seats, plus 1 for every 2 employees on the shift of
Restaurants, fast food	1 for each 50 square feet of GFA

Table 12-3 - Commercial

Type of Use	Minimum Parking Spaces Required
Retail stores (under 2,500 square feet GFA)	1 for each 150 square feet of GFA (minimum of 3 spaces)
Retail stores (over 2,500 square feet GFA) and shopping centers	1 for each 200 square feet of GFA
Convenience store	1 for every 150 square feet of GFA
All other types of business or commercial uses permitted	1 for each 300 square feet of GFA (minimum of 3 spaces)

Table 12-4 - Personal, Business and Professional Services

Type of Use	Minimum Parking Spaces Required
Offices, public or professional administration or service buildings	3 plus 1 for each 250 square feet of floor area
Banks, financial institutions and similar uses	3 plus 1 for each 250 square feet of floor area
Theaters, auditoriums and similar uses	1 for each 4 seats of total capacity

Table 12-4 - Personal, Business and Professional Services

Funeral homes and similar uses	1 for each 3 seats total capacity, plus 1 for every employee
Medical and dental offices	1 for every 200 square feet floor area of examination, treatment

Table 12-5 - Recreation

Type of Use	Minimum Parking Spaces Required
Athletic fields and courts	1 for each 2 persons of total capacity
Bowling alleys	4 for each lane plus 50% of the spaces otherwise required for accessory uses (i.e., restrooms, concessions, etc.)
Swimming pools, ice rinks, clubs or halls	1 for each 5 persons capacity plus 1 for each 4 seats or 1 for each 30 square feet of floor area
Golf course (9 holes)	100 spaces; plus 50% of spaces otherwise required for any accessory use (i.e., restrooms, concessions, etc.)
Golf course (18 holes)	200 spaces; plus 50% of spaces otherwise required for any accessory use (i.e., restrooms, concessions, etc.)

Table 12-6 - Government, Institutional and Educational

Type of Use	Minimum Parking Spaces Required
Churches and places of religious assembly	1 for each 4 seats
Hospitals	1 for each bed, plus 1 for every 2 employees on the shift of greatest employment

- – Sanitariums, homes for the aged, nursing homes, 1 for each 4 beds, plus 1 for every 2 employees on the shift
- – Asylums and similar uses of greatest employment
- – Libraries, museums, art galleries 1 for each 400 square feet of GFA for public use, plus 1 for every 2 employees on the shift of greatest employment
- – Elementary schools 2 spaces for each classroom plus one for every 6 seats in auditoriums or assembly halls
- – High schools 1 for every 10 students, plus 1 for every employee
- – Business, technical and trade schools 1 for each 2 students
- – Colleges, universities 1 for each 4 students
- – Kindergartens, child-care centers, nurseries, etc. 1 for each employee, plus 1 for every 10 students based on capacity enrollment for safe and convenient loading and unloading

§ 255-1230. Property access standards.

§ 255-1230. Property access standards.

- A. One of the most serious problems with strip commercial development is the proliferation of drive access. To limit this condition the following access standards are adopted.
- B. Shared drive access. The Town desires and encourages sharing access drives between separate parcels. Some of the following standards may be relaxed if shown during the development plan review process that more efficient design can be accomplished without jeopardizing the public's health, safety and welfare. All changes are subject to approval by the Commission. All drive accesses shall be approved by the Town Engineer for width and location.
 - – (1) Commercial developments which may not be able to meet the requirements of § 255-1230B through D, and are requesting deviations from the standards, shall submit to the Town Engineer a report certified by a professional engineer addressing the following site conditions, both present and future:
 - – * (a) Traffic volumes.
 - – * (b) Turning movements.
 - – * (c) Traffic controls.
 - – * (d) Site design.
 - – * (e) Site distances.

- – * (f) Location and alignment of other access points.
- – (2) Based upon the above data, the Town Engineer shall determine whether a deviation from the requirement standards is justified and, if so, what alternative requirements will be necessary.
- C. Drive access required. All nonresidential, off-street parking spaces shall have access from a drive access and not directly from a public street. All drive accesses installed, altered, changed, replaced, or extended after the effective date of this chapter shall comply with the following requirements:
 - – (1) Single-family drive access openings shall not exceed 12 feet in width measured at the right-ofway line and 15 feet in width measured at the curb line. All residential complexes for fewer than four families are considered single-family residences for the purpose of this section.
 - – (2) Residential complexes for four or more families shall be considered commercial establishments for the purpose of this section, except that townhouse units may be considered single-family residences.
 - – (3) Nonresidential drive access openings shall conform to the following criteria:
 - – * (a) Commercial drive access widths shall be a maximum of 30 feet measured at the inside edge of the drive access extended, at its intersection with the projected curb line of the intersecting street. Two-way drive access shall be a minimum of 24 feet and one-way drive access shall be a minimum of 16 feet.
 - – * (b) Industrial drive access widths shall be a maximum of 35 feet measured at the inside edge of the drive access extended, at its intersection with the projected curb line of the intersecting street. Two-way drive accesses shall be a minimum of 24 feet and one-way drive accesses shall be a minimum of 16 feet.
 - – * (c) All commercial centers or industrial drive accesses shall be set back a minimum of 15 feet from the adjacent property line unless such drive access is approved as a shared drive access.
 - – * (d) Drive accesses to drive-in theaters, stadiums, racetracks, funeral homes, or uses generating very heavy periodic traffic conflicts shall be located not closer than 200 feet to any pedestrian or vehicular entrance or exit to a school, college, university, church, hospital, public emergency shelter or other place of public assembly.
 - – * (e) All commercial and industrial drive accesses on arterial streets shall have fifteen-foot return radii unless otherwise approved by the Town Engineer. All commercial and industrial drive accesses on other streets may have either return radii or depressed curbs. The minimum radius allowed is four feet.
- D. Distance from intersection. Driveway access distance from street intersections for all lots created after the effective date of this chapter shall be subject to the following minimum dimensions, unless otherwise approved by the Town Engineer as part of an approved site plan.

Table 12-7 - Driveway Access Distance From Nearest Intersection	Arterial	Collector	Commercial	Residential	Industrial	Residential	Industrial	Street Type
(feet)	100	150	150	200	40	150	150	(feet)
(feet)	100	150	150	200	40	150	150	(feet)
- NOTE: All distances shall be measured from the inside edge of the drive access, extended, at its intersection with the projected curb line of the intersecting street.
- E. Drive access spacing. The distance between drive accesses on a public street, except for single-, twofamily and townhouse dwellings, shall be measured from inside of drive to inside of drive according to the following specified distances, unless otherwise approved by the Director of Public Services as part of an approved site plan.

Table 12-8 Driveway Access Spacing	Collector Streets	Arterial Streets	Commercial	Commercial	Residential	Industrial	Residential	Industrial	Street Type
(feet)	40	100	100	100	200				(feet)
(feet)	40	100	100	100	200				(feet)

(feet) Partial access * 60 80 80 150 Full access** 100 150 100 150 Minimum 60 80 60 100 separation
 NOTES: * Partial access includes right turn in and out only. ** Full access allows all turn movements, in and out.

Table 12-6 - Government, Institutional and Educational

Type of Use	Minimum Parking Spaces Required
Sanitariums, homes for the aged, nursing homes, asylums and similar uses	1 for each 4 beds, plus 1 for every 2 employees
Libraries, museums, art galleries	1 for each 400 square feet of GFA for public use
Elementary schools	2 spaces for each classroom plus one for every 100 students
High schools	1 for every 10 students, plus 1 for every employee
Business, technical and trade schools	1 for each 2 students
Colleges, universities	1 for each 4 students
Kindergartens, child-care centers, nurseries, etc.	1 for each employee, plus 1 for every 10 students

§ XIII. Residential Cluster Development

ARTICLE XIII Residential Cluster Development⁸

§ 255-1300. Purpose.

§ 255-1300. Purpose.

A residential cluster development (RCD) may be permitted by the Planning Commission for the purpose of providing attractive neighborhoods that maintain the rural character of Coventry, reducing sprawl, promoting the conservation of open space and other environmental and cultural features, and the efficient use of land in harmony with its natural features. Moreover, this article is designed to encourage creative developments by allowing some flexibility in site design and establish incentives to develop a RCD. All proposals for an RCD shall conform to Coventry's subdivision regulations.

§ 255-1310. Development parameters.

§ 255-1310. Development parameters.

- A. The minimum size for a RCD shall be as set forth on Table 13-1 below, not including land deemed unsuitable for development pursuant to Subsection C. Table 13-1 Minimum RCD Acreage Minimum Acreage Zoning District (acres) RR-5 20 RR-2 10 R-20 5
- B. The maximum number of dwelling units in a RCD shall not exceed the number computed as follows:
 - (1) Land unsuitable for development, as herein defined, shall first be deducted from the tract proposed for development.
 - (2) The remaining land in the tract shall be divided by the minimum lot size for the applicable zoning district. Proposed tract of land - Unsuitable land = Maximum number of dwelling units Minimum Lot Size (3) In no case shall the number of dwelling units permitted in the RCD exceed the number of which would have been permitted in the Zoning District(s) in which the tract lies if developed in the conventional manner.
- C. The following land shall be deemed unsuitable for development and shall be subtracted from the total parcel in order to determine the maximum number of dwelling units:
 - (1) Wetlands as defined in R.I.G.L. 2-1, as amended. For the purpose of this section, the setback Commission adopts amendments to the subdivision and land development regulations incorporating these residential cluster development regulations. At such time, this article shall expire. The purpose of relocating the residential cluster development regulations to the subdivision and land development regulations is to consolidate all of the land development regulations, including

the regulations governing residential cluster development, into one document. Nothing herein shall prevent the Planning Commission from altering or amending the regulations set forth below. requirements as set forth in R.I.G.L. 2-1 shall be considered wetlands.

- – (2) Land located within Zone A as shown on the Federal Emergency Management Administration Flood Insurance Rate Maps for the Town of Coventry.
- – (3) Street allowance which shall be that area actually occupied for public and/or common vehicular and pedestrian access and egress.
- – (4) Land containing steep slopes in excess of 15%.
- D. The following uses shall be permitted in a RCD:
 - – (1) Single-family dwellings.
 - – (2) Two-family dwellings.
 - – (3) Uses customarily accessory to residences.
 - – (4) Uses permitted in the open space.
 - – (5) Community centers, recreation facilities and similar structures designed for the use of the residents of the development.
- E. Restrictions on location of structures.
 - – (1) If any part of a single-family dwelling or accessory building in a RCD is proposed to be located within 100 feet of the perimeter of such development, such building(s) shall be located so as to comply with the minimum yard dimensions for principal and accessory buildings for the applicable zoning district.
 - – (2) If any part of a two-family dwelling or accessory building in a RCD is proposed to be located within 100 feet of the perimeter of such development, such building shall be located so as to comply with 1 1/2 times the minimum yard dimensions for principal and accessory buildings for the applicable zoning district. No two-family dwelling shall be built in a RCD within the R-20 District.

§ 255-1320. Dimensional regulations.

§ 255-1320. Dimensional regulations.

- A. Public water and sewer.
 - – (1) Where a public water and/or sewer system is connected to each principal structure in a RCD, the minimum area of each building lot shall be:
 - – * (a) Fifteen thousand square feet for a single-family dwelling.
 - – * (b) Twenty thousand square feet for a two-family dwelling or duplex.
 - – (2) Where neither a public water or sewer system is connected to each principal structure in a RCD, the minimum area of each building lot shall be as follows:
 - – * (a) One acre (43,560 square feet) for a single-family dwelling.
 - – * (b) Sixty thousand square feet for a two-family dwelling or duplex.
- B. Except as specifically provided in this article, structures developed in an RCD shall be in accordance with Tables 13-2 and 13-3. Table 13-2 Cluster Development Dimensional Regulations with Water or Sewer Minimum Yard Maximum Minimum Lot Minimum Lot Front Side Rear Lot Maximum Size Width Frontage (feet) (feet) (feet) Coverage Building Height Single-family 15,000 100 25 15 30 25 35 Two-family 20,000 125 25 15 30 25 35 Table 13-3 Cluster Development Dimensional Regulations with no Water or Sewer Minimum Yard Minimum Maximum Minimum Lot Lot Width Front Side Rear

Maximum Building Size	Frontage (feet)	(feet)	(feet)	Lot Coverage	Height	Single-family	43,560	150	25		
35	40	25	35	Two-family	60,000	175	40	50	60	25	35

§ 255-1330. Application requirements.

§ 255-1330. Application requirements.

- A. All RCD plans shall contain, at a minimum, the following information:
 - – (1) Locus of the proposed development;
 - – (2) Location, boundaries, and dimensions of each lot;
 - – (3) Property lines, showing directional bearings and distances, location with reference to identifiable street intersection, land uses, directional arrow, scale, assessor map identifying number(s) of the parcel(s) involved, and zoning district in which located;
 - – (4) Identification of all abutting property owners;
 - – (5) Dimensions of property line setbacks to, and dimensions between, each building, structure, or use;
 - – (6) Location of all proposed and existing as well as adjacent public and private ways;
 - – (7) Location of all easements on, over, and adjacent to the site, including the location of all existing and proposed utility lines and fire hydrants;
 - – (8) Existing and proposed topography at two-foot contours;
 - – (9) Location and description of all natural features including but not limited to wetlands and their one-hundred-foot buffer zones, rivers, streams, lakes, ponds, areas subject to flooding, existing vegetation and proposed removal of vegetation;
 - – (10) Description of watershed boundaries, aquifer locations, public water supply sites, and onehundred-year floodplain as defined by the Federal Emergency Management Agency maps;
 - – (11) Location and description of proposed open space and recreation areas;
 - – (12) Location and description of cultural features such as old trails, agricultural fields, and historic buildings and sites;
 - – (13) Location and description of all existing structures and buildings, including those to be demolished, and proposed new structures and buildings showing ground and final elevation(s);
 - – (14) Location and description of parking and loading areas, driveways, walkways, points of access and egress, traffic safety devices, and general circulation patterns;
 - – (15) Location and description of the proposed wastewater disposal systems, water supplies, stormwater drainage systems, temporary or permanent erosion control structures, utilities, and any solid and hazardous waste disposal systems;
 - – (16) Proposed landscaping plans in compliance with Article XVII, showing buffer areas, screening, fencing and plantings, and schedule for landscaping; and (17) Location, dimensions, height and characteristics of proposed signs.
- B. The Commission may request a fee for the review of the application in accordance with § 255-1330A, Table 3-1.

§ 255-1340. General requirements.

§ 255-1340. General requirements.

- A. Cluster developments are permitted only in residential districts. The Commission shall not approve a cluster development in an established single-family neighborhood where in their determination, such land use will be inconsistent with or will have a detrimental effect upon the surrounding property. If the Commission denies a cluster development based on this section, they shall identify this as the reason for denial.
- B. The minimum frontage of the parcel for development proposals shall be at least 75 feet per ingress and egress in all residential districts. Said frontage shall be landscaped in accordance with Article XVII. Additional frontage may be required if more than one access road is deemed necessary by the Commission.
- C. Each lot shall have adequate access on a public or private way.
- D. Each lot shall be of a size and shape to provide a building site which shall be in harmony with the natural terrain and other features of the land.
- E. There shall be an adequate, safe, and convenient arrangement of pedestrian circulation, facilities, roadways, driving, and parking.
- F. Streets, driveways and other paved areas intended to remain in private ownership shall be approved as to design and construction standards by the Commission. At the discretion of the Commission, private roads serving cluster developments may be owned in common by the homeowners and maintained as private rights-of-way, provided that such roads at the time of approval are bonded to guarantee all construction standards as required for public improvements.
- G. A written agreement or contract to be executed between the developer and the Town of Coventry shall be submitted at the final stage of the review process stating:
 - – (1) That the owner or developer will construct the development and install improvements both public and private in accordance with the approved plan. A performance bond shall be posted to guarantee completion in an amount to be set by the Commission.
 - – (2) That in the event of failure of the owners, successors, or assigns to maintain any common open space, recreation areas, landscaping features or other required improvements, the Town may enter said development and perform such necessary maintenance work and charge the cost, including attorney fees, to the owner, successor, or assigns.
 - – (3) That this contract shall be binding upon the heirs, assigns, successors or receivers of the development and shall constitute a lien on the property in the development.
 - – (4) Any other conditions required by the Commission.
- H. A site plan shall be recorded after the RCD is approved.

§ 255-1350. Criteria for approval.

§ 255-1350. Criteria for approval.

- A. The proposed project shall, in the opinion of the Commission, provide benefits that cannot have been derived from a conventional subdivision with a similar number of dwelling units. The Commission shall have the authority and flexibility to approve a RCD that provides useful and valuable open space and minimizes impervious surfaces. To gain approval, the developer shall configure lots, and streets, and parking areas to achieve those objectives. The Commission may suggest modifications to the plan if deemed necessary. In reviewing a proposal, the Commission shall consider the following criteria:
 - – (1) Individual lots, buildings, streets, and parking areas shall be designed and situated to minimize alteration of the natural site features to be preserved.
 - – (2) The usability of the open space intended for recreation or public use shall be determined by the size, shape, topographic, and location requirements of the particular purpose proposed for the site.

- – (3) The open space shall include irreplaceable natural features located in the tract (such as, but not limited to stream beds, significant stands of trees, individual trees of significant size, and rock outcroppings).
- – (4) The open space intended for recreation or public use shall be easily accessible to pedestrians, which accessibility shall meet the needs of the handicapped and elderly.
- – (5) The suitability of the open space intended for scenic value purposes shall be determined by its visibility from a significant number of units or buildings or length of public or private streets.
- – (6) Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationship between development and the land.
- – (7) Individual lots, buildings, and units shall be arranged and situated to relate to surrounding properties, to improve the view from and the view of buildings, and to lessen area devoted to motor vehicle access.
- – (8) Individual lots, buildings, units, and parking areas shall be situated to avoid the adverse effects of shadows, noise, and traffic on the residents of the site.
- – (9) The open space shall, where applicable, encourage agricultural and forest management activities so long as impacts to the residential community are minimized. Areas in which prime agricultural soils are located shall be preserved to the greatest extent possible.
- B. The applicant shall demonstrate compliance with Section IX (Residential Cluster Development General, Articles A-G) of Appendix B, Subdivision Regulations, of the Code of Ordinances of the Town.

§ 255-1360. Common open space requirements.

§ 255-1360. Common open space requirements.

- A. All land not devoted to dwellings, accessory uses, roads, or other development shall be set aside as common land for recreation, conservation, or agricultural uses which preserve the land in essentially its natural condition.
- B. Further subdivision of common open land or its use for other than recreation, conservation, or agriculture, except for easements for underground utilities and septic systems, shall be prohibited. Structures or buildings accessory to recreation, conservation, or agricultural uses may be erected but shall not exceed 5% coverage of such common open land.
- C. All common open land shall be either:
 - – (1) Conveyed to a community association owned or to be owned by the owners of lots within the development. If such a community association is utilized, ownership thereof shall pass with conveyances of the lots in perpetuity;
 - – (2) Conveyed to a nonprofit organization, the principal purpose of which is the conservation or preservation of open space;
 - – (3) Conveyed to the Town, at no cost, and be accepted by it for a park or open space use. Such conveyance shall be at the option of the Town and shall require the approval of the Town Council; or (4) If the parcel is located in an agricultural district, farmland owners are not required to convey the part of their property which is to become permanent agricultural open space, provided that they convey the development rights of that open space in a conservation easement prohibiting future development of the property in accordance with § 255-1360C(1) through (3).
- D. In any case where such land is not conveyed to the Town, a restriction enforceable by the Town shall be recorded to ensure that such land shall be kept in an open or natural state and not be built for residential use or developed for accessory uses such as parking or roadways. Such restrictions shall

further provide for maintenance for the common land in a manner which will ensure its suitability for its function, appearance, cleanliness, and proper maintenance of drainage, utilities, and the like.

§ 255-1370. Incentives.

§ 255-1370. Incentives.

At the discretion of the Commission, density bonuses may be permitted which allow projects to be developed at a density greater than permitted by the underlying zoning for the appropriate zoning district. The Commission may grant such a bonus, not to exceed 20%, if any of the following criteria are met:

- A. A minimum set aside of 50% of the land as open space in accordance with § 255-1360.
- B. Preservation of valuable historical, cultural, or environmental resources, and visual or aesthetic features.

§ 255-1380. Approval required before improvements.

§ 255-1380. Approval required before improvements.

No street and no public water supply or other improvement shall be constructed and no building permit shall be issued for the construction of any building within any cluster development unless a plat of such development has been approved by the Commission and all infrastructure improvements have been completed, or a security/performance bond has been posted pursuant to § 255-13100, prior to recording the plat in the office of the Town Clerk.

§ 255-1390. Previously approved developments.

§ 255-1390. Previously approved developments.

Nothing herein contained shall effect the validity of any cluster development which was given final approval by the decision of the Commission prior to the effective date of this chapter.

§ 255-13100. Security/performance bond.

§ 255-13100. Security/performance bond.

A performance bond, letter of credit or other form of surety shall be posted in an amount to be determined by the Commission to ensure proper development of the project in accordance with this article. After evidence of the nonconformance or nonperformance of the applicant, the Commission will recommend that the bond be defaulted and measures taken to accomplish necessary work in fulfillment of the intent of the regulations. Upon satisfactory completion of the project, the Commission shall issue a written certification that the above requirements have been met. The performance bond letter of credit or other surety shall be released to the landowner upon receipt of the written certification from the Commission.

§ XIV. Land Development Projects

ARTICLE XIV Land Development Projects [Amended 11-28-2023 by Ord. No. 2023-4]

§ 255-1400. Definition.

§ 255-1400. Definition.

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

- **LAND DEVELOPMENT PROJECT**
A project in which one or more lots, tracts, or parcels of land or a portion thereof are to be developed or redeveloped as a coordinated site for one or more uses, units, or structures, including, but not limited

to, planned development or cluster development for residential, commercial, institutional, recreational, open space, or mixed uses pursuant to R.I.G.L. § 45-23-32. The Land Development and Subdivision Regulations contain all the requirements, procedures, standards, and classification for land development projects.

§ 255-1410. Purpose.

§ 255-1410. Purpose.

The purpose of this article is to authorize the creation of land development projects that shall be reviewed in accordance with the procedures established in the Subdivision and Land Development Regulations pursuant to R.I.G.L. Title 45, Chapter 23.

§ 255-1420. Permitted uses.

§ 255-1420. Permitted uses.

Uses in a land development project are governed by the Schedule of Zoning District Use Regulations in Article VI, § 255-600, which is based upon the underlying zoning district.

§ 255-1430. Procedure.

§ 255-1430. Procedure. [Amended 3-25-2025 by Ord. No. 2025-08]

- 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, planned business park district, or Residential Mobile Home District in accordance with R.I. Gen. Laws § 45-23-61(b). 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. Gen. Laws § 45-23-56. The TRC is responsible for conducting technical reviews of all applications subject to the jurisdiction delegated under the Land Development and Subdivision Regulations.
 - – (2) The TRC shall consist of the following members:
 - – * (a) Planning Commission Chairperson, or designee of the Chairperson, from the Planning Commission.
 - – * (b) Police Chief or designee.
 - – * (c) Applicable Fire Marshal(s) or designee(s).
 - – * (d) Department of Public Works Director or designee.
 - – * (e) Principal Planner or designee.
 - – * (f) Planning Director or designee (serving as administrative officer).

- – * (g) Zoning Official or designee.
- – * (h) Town Engineer or designee.
- – (3) The TRC membership may also include:
- – * (a) Member(s) of the public with expertise and/or experience in one or more of the following: engineering, architecture, and/or land use planning. Such appointment(s) will be made by the Town Council at the recommendation of the Planning Director.
- – (4) The Planning Commission shall adopt written rules and procedures for the organization and conduct of the TRC. These rules and procedures shall contain information specific to terms, quorums, meeting schedules, submission deadlines, and other administrative functions necessary to organize and facilitate the operation and duties of the TRC.
- – (5) The administrative officer shall serve as Chair of the TRC.
- – (6) The TRC shall review development applications and provide guidance to an applicant at a meeting of the TRC with regard to procedure, technical requirements, public safety, and overall project design.
- – (7) Recommendations of the TRC to the permitting authority shall be in writing and kept as part of the permanent record of the development application. The recommendation of the TRC shall be made available to the applicant prior to a decision by the permitting authority.
- – (8) Review of applications in an advisory capacity. The TRC may review the following types of applications in an advisory capacity:
 - – * (a) Minor and major land development projects and subdivisions: advisory to the permitting authority as designated in the Land Development and Subdivision Regulations.
 - – * (b) Administrative subdivisions at the request of the administrative officer: advisory to the administrative officer.
 - – * (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.

§ 255-1440. Modifications and amendments.

§ 255-1440. Modifications and amendments.

- A. Modifications and amendments shall be in accordance with the Town of Coventry Subdivision and Land Development Regulations.
- B. Amendments to increase the size of a land development project, including but not limited to land area, number of units, or building size, shall be viewed as a new application.

§ XV. Signs

ARTICLE XV Signs

§ 255-1500. Findings and purpose.

§ 255-1500. Findings and purpose.

- A. It is determined that the number of signs in Coventry is excessive and is unduly distracting to motorists and pedestrians, creates a traffic hazard, and in some places reduces the effectiveness of signs needed to direct the public; that the appearance of Coventry is marred by the excessive number of signs; that the number of distracting signs ought to be reduced in order to minimize the aforementioned effects.
- B. The purpose of this article is to minimize traffic hazards, protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community and preserve the scenic and natural beauty of designated areas.

§ 255-1510. Standard sign use regulation.

§ 255-1510. Standard sign use regulation.

- A. The following signs are allowed without permits provided they conform to all applicable regulations, and are not illuminated:
 - – (1) Name and address of resident. One per residence not to exceed 1 1/2 square feet in area.
 - – (2) No trespassing signs.
 - – (3) Bulletin boards. Not to exceed 12 square feet for public or religious institutions when located on the property thereof, provided there is no commercial advertising.
 - – (4) For sale signs. Not to exceed six square feet in a residential zone and 32 square feet in a commercial or industrial zone.
 - – (5) Instructional or directional signs. Identifying on-premises traffic, parking or other functional activity bearing no commercial advertising.
 - – (6) Signs erected by the Town of Coventry, the State of Rhode Island or by the United States of America.
 - – (7) Memorial signs or tablets. Denoting the date of erection of buildings.
 - – (8) Identification signs. Places of worship or certified nonprofit educational institutions when located on the property thereof and not to exceed 15 square feet in area.
 - – (9) Election signs and/or political signs. Shall not be attached to any tree or utility pole within the public right-of-way and shall be removed within 10 days after the election.
 - – (10) Accessory signs denoting as hours of operation, credit cards, business affiliations, and the like.
 - – (11) The following signs customary and necessary to the operation of gasoline filling stations:
 - – * (a) One wall-mounted sign over each garage, not larger than 10 inches in height consisting of words like "washing," "lubrication," and "repair."
 - – * (b) Signs and insignias on gas pumps such as brand name, lead warning sign and one price sign per pump not exceeding 2 1/2 square feet per side which is attached to the pump.
 - – * (c) One price per gallon sign not larger than 12 square feet per side, using numbers no larger than 18 inches in height. This sign shall be freestanding and shall have a clearance of at least seven feet from the ground.
 - – (12) Time and temperature devices. Which contain no advertising and do not exceed 20 square feet.
 - – (13) Awning signs. Less than 10 square feet in area, not to exceed one such awning sign per use.

- – (14) Sale of produce raised on land signs, the total of which shall not exceed 12 square feet in area.
- B. The following signs shall not be permitted:
 - – (1) Signs which have any visible moving parts, whether mobile, revolving or animated, which motion or animation is achieved by wind, motors or flashing lights, unless permitted by another section of this chapter.
 - – (2) Flashing or animated signs.
 - – (3) Any sign or sign support, which for any reasons constitutes a hazard by obstructing the vision of a driver; detracting from the vision of a driver; detracting from the visibility or effectiveness of any traffic sign or device; obstructing free ingress or egress from a fire escape, door, window or other required exit; or make use of words such as "stop," "look," "one way," "danger," "yield," or any similar words or characters, so as to interfere with, mislead or confuse traffic.
 - – (4) String lights. Strung light bulbs, searchlights, streamers, pennants, banners, spinners, or other devices strung across, upon, over or along any structure or building in conjunction with a commercial or industrial use. A temporary sign permit may be issued for 30 days to allow such uses in conjunction with special events, but no more than three temporary sign permits may be issued for every twelve-month period to the same person, as defined in § 255-200A.
 - – (5) Projecting signs. Erected so as to project approximately perpendicular from the exterior of any building or wall and which exceed 16 square feet in area, unless otherwise stated in this chapter, or which project more than four feet from the exterior of said building or wall or are less than 10 feet above sidewalk grade. Nothing herein shall be construed to permit the erection of any projecting sign over a public way without the approval of the Building Inspector or Zoning Enforcement Officer.
 - – (6) Roof-mounted signs. Any sign that projects more than two feet above the roof parapet of a building or mounted upon any roof, parapet or ridge line of a building.
 - – (7) Billboards. Or other off-premises signs.
 - – (8) Portable signs. Defined as a metal or plastic framed, freestanding portable sign with or without changeable lettering, with or without illumination shall be prohibited. However, a portable Aframe sign with no interchangeable lettering, up to six square feet, shall be permitted as a temporary sign with the appropriate permit.
- C. Signs: area, height, setback and number:
 - – (1) The area of a sign is the total area within a line drawn around all surfaces or structures of the sign including spaces between or within letters and/or pictorial matter, slates, panels, and major supports or frames if designed as an integral part of the sign, but specifically excluding the spaces between major supports required for clearance between sign and the ground.
 - – (2) The height of a sign shall be the vertical distance measured from the ground at the base of the sign to the highest point of any portion of the sign or supporting structure.
 - – (3) Permitted signs shall be placed five feet back from front, side and rear lot lines except when the sign is located on the building. Such signs shall be located 50 feet away from any residential district boundary. The setback for a freestanding sign shall be measured from the lot line to the outermost edge of the sign or supporting structure, whichever is closer to the lot line.
- D. Sign permits:
 - – (1) A sign permit, issued by the Building Inspector or Zoning Enforcement Officer, shall be required for all permanent and temporary signs hereafter erected, installed or replaced, unless specifically exempted by this chapter. Any sign erected without a sign permit may be removed by the Building Inspector, Zoning Enforcement Officer or a designated representative. The Town,

Building Inspector, Zoning Enforcement Officer or representative shall not be held liable for any damage to the sign as a result of such sign's removal or storage. The owner may claim the sign after paying any fees that result from the sign's storage and/or removal.

- – (2) Application for a sign permit.
- – * (a) The following information shall be provided with the application for a sign permit:
 - – * · [1] The size of the proposed sign, area, height, width, thickness, illumination and material of which it is to be constructed.
 - – * · [2] A detailed drawing showing the construction details of the sign, position of lighting or other extraneous devices, and support structures.
 - – * · [3] A plot plan showing the location of the sign in relation to the building and all property lines and streets.
- – * (b) The Building Inspector or Zoning Enforcement Officer may require additional information or specify the location of the sign on the lot for safety purposes.
- E. Temporary sign permits. The following temporary signs are permitted provided that they are not illuminated and a sign permit has been obtained.
 - – (1) Signs in connection with construction work. One sign per project not to exceed 32 square feet.
 - – (2) Signs advertising auctions and special events conducted by nonprofit organizations. Not to exceed 20 square feet and not to be in place for more than 30 days. No more than three signs advertising any such event shall be erected at any one time.
 - – (3) Supplemental commercial advertising sign. Not to be in place for more than 30 days and no more than one sign per commercial establishment. There shall be no more than three temporary sign permits for every twelve-month period per establishment. Such signs shall be placed 10 feet back from property lines and shall not be located in any required parking space or access road. Where an existing building is located on the property line, such sign may be located on the sidewalk adjacent to the building.
- F. A temporary permit shall be valid for no more than six months, unless otherwise specified in this chapter, and shall not be extended. The sign must be removed at the expiration of the permit period or within 10 days after the completion of the advertised activity, whichever is sooner. A cash bond of \$25 shall be posted with the Building Inspector for each temporary sign. This sum will be returned upon removal of the temporary sign. If the sign is not removed when the permit expires, the Building Inspector or Zoning Enforcement Officer shall cause the sign to be removed and the cash bond shall be forfeited to the Town's General Fund to help defray the cost of removal.

§ 255-1520. Signs in residential zoning districts.

§ 255-1520. Signs in residential zoning districts.

All signs in residential zoning districts shall be at least five feet from the front lot line, except when the sign is located on the building; shall be placed no closer than 15 feet to a side or rear lot line; shall not extend over the public right-of-way; shall not extend more than six feet above the ground; and shall conform to the following regulations:

- A. There shall be no more than one sign for a residential lot which may identify the premises and/or identify a permitted customary home occupation. Such sign shall not exceed 1 1/2 square feet.
- B. The sign shall not be illuminated.
- C. Permanent signs identifying residential developments at major entrances are permitted but shall bear no commercial advertising, and shall not exceed 15 square feet in area per side.

§ 255-1530. Signs in commercial and industrial districts.

§ 255-1530. Signs in commercial and industrial districts.

- A. Signs in commercial and industrial districts.
 - – (1) Signs in commercial and industrial districts may be either wall-mounted, freestanding or projecting and may be illuminated, except as provided for elsewhere in this chapter.
 - – (2) In commercial and industrial districts, except shopping centers [§ 1530A(2)], there may be one wall-mounted sign for each main building or use as follows: Table 15-1 Distance of Sign from Nearest Public Maximum Permitted Area of Wall Street Line Mounted Sign Less than 200 feet 1 square feet per lineal foot of building frontage. Maximum area: 60 square feet 200 to 299 feet 1 square feet per lineal foot of building frontage. Maximum area: 100 square feet 300 to 399 feet 1 square feet per lineal foot of building frontage. Maximum area: 150 square feet 400 to 499 feet 1 square feet per lineal foot of building frontage. Maximum area: 200 square feet 500+ feet 1 square feet per lineal foot of building frontage. Maximum area: 250 square feet (3) Additionally, one freestanding sign for each main building not to exceed 48 square feet per side may be allowed. The sign shall not exceed 20 feet in height above the finished grade and shall be erected so that it does not impede vision or obstruct access to any street, sidewalk, driveway, off-street parking or loading facility or any other required access. Where two or more structures are located on the same or contiguous lots, owned and operated as a unit, or where a number of commercial or industrial uses share the same entrance, a sign plaza in conformance with § 255-1530B(2) may be required. In place of any allowable wall-mounted or freestanding sign, a projecting sign in accordance with § 255-1510B(5) is permitted.
- B. Signs in shopping centers.
 - – (1) There may be one wall-mounted sign for each use or establishment, not to exceed one square foot for each lineal foot of the portion of the building's wall containing the use or establishment. Such sign shall be located in accordance with Table 15-1. The measurement shall be taken along the building frontage.
 - – (2) In addition to such wall-mounted signs, there shall be permitted in shopping centers one common freestanding sign identifying all uses. Such freestanding signs shall conform to the following: Table 15-2 Freestanding Signage Maximum Area of Freestanding Maximum Height of Sign Freestanding Sign Zoning District (square feet) (feet from ground level) Village Commercial 12 6 Zones GB and I 2.5 per 1,000 G.F.A (Maximum 150) 20 (3) Signs in shopping centers may be illuminated.
 - – (4) A freestanding sign shall not be erected so as to impede the vision or obstruct access to or from any street, sidewalk, driveway, off-street parking or loading facility, or any other access required.

§ 255-1540. Village commercial sign regulations.

§ 255-1540. Village commercial sign regulations.

- A. Notwithstanding the provisions of §§ 255-1520 through 255-1530, there shall be established village commercial sign regulations. The purposes of these regulations are to preserve the integrity of the village and rural neighborhoods that contain commercial buildings and structures. All signs erected within the zone shall conform to the regulations set forth in this section of the Ordinance.
- B. The boundaries of the zone shall include all lots as delineated on the Coventry Zoning Map.
- C. In addition to the prohibited signs delineated in § 255-1510B, the following signs shall be prohibited in the zone:
 - – (1) Any interior illuminated sign or awning.
- D. It is the intent that structural signs shall include incidental decorative trim and framework in addition to the message and lettering.

- E. The following signs shall be permitted providing they meet the standards set forth in this section of the Ordinance.
 - – (1) Wall-mounted or painted signs.
 - – * (a) Limited to one primary identification sign per business.
 - – * (b) The sign shall be affixed to the front facade of the building, and shall project outward from the wall to which it is attached no more than four inches.
 - – * (c) The area of the sign board shall not exceed 24 square feet.
 - – * (d) The wall sign shall not extend above the base of the second floor window sill, parapet, eave, or building facade.
 - – * (e) The height of the lettering and numbers shall not exceed 10 inches.
 - – * (f) Businesses located in corner buildings are permitted one sign for each street frontage.
 - – (2) One wall-mounted sign, not exceeding six square feet in area, shall be permitted on any side or rear building facade. Such wall signs may only be lighted during the operating hours of the business.
 - – (3) Wall-mounted building directory signs identifying the occupants of a commercial building, including upper story business uses.
 - – * (a) The sign shall be located next to the entrance.
 - – * (b) The sign shall project outward from the wall to which it is attached no more than four inches.
 - – * (c) The area of the sign board shall not exceed three square feet.
 - – (4) Applied letters may substitute for wall-mounted signs, if constructed of painted wood, painted cast metal, bronze, brass or black anodized aluminum. Applied plastic letters shall not be permitted. The height of applied letters shall not exceed eight inches.
 - – (5) Projecting signs, including graphic or icon signs, mounted perpendicular to the building wall.
 - – * (a) Limited to one sign per business.
 - – * (b) The signboard shall not exceed an area of six square feet.
 - – * (c) The distance from the ground to the lower edge of the signboard shall be 10 feet or greater.
 - – * (d) The height of the top edge of the sign board shall not exceed the height of the wall from which the sign projects, if attached to a single-story building, or the height of the sill or bottom of any second-story window, if attached to a multistory building.
 - – * (e) The width of the signboard shall not exceed three feet.
 - – * (f) The height of the lettering, numbers, shall not exceed eight inches.
 - – (6) Painted or applied letter signs on window.
 - – * (a) Limited to one sign per business, painted or applied to the window, not to exceed 30% of the total glass area of the building front.
 - – * (b) May be in addition to only one of the following: a wall-mounted sign, a freestanding sign, a projecting sign or a valance awning sign.
 - – (7) Awning signs.
 - – * (a) Shall be permitted for ground-floor level uses only.
 - – * (b) Limited to two such signs per business.

- – * (c) Lettering or graphics shall not exceed 10 square feet in area, and the height of the lettering, numbers, or graphics shall not exceed eight inches.
- – * (d) Shall not be in addition to a wall-mounted sign.
- – (8) Freestanding signs.
- – * (a) Limited to one freestanding sign per building.
- – * (b) The sign shall be set back a minimum of five feet from the street line.
- – * (c) The area of the sign board shall not exceed 12 square feet.
- – * (d) The height of the lettering and numbers shall not exceed six inches.
- – * (e) The height of the top of the sign board shall not exceed six feet from the ground.
- – * (f) The sign boards shall be architecturally compatible with the style, composition, materials, colors, and details of the building where applicable.
- – * (g) No plastic signs shall be permitted.
- – * (h) The sign board shall be exterior lit only.
- – * (i) The sign shall not interfere with pedestrian or vehicular circulation.
- – * (j) The area around the sign shall have a minimum landscaped area equal to twice the square footage of the sign.
- – (9) Directional signs. Limited to one directional sign, facing a rear parking lot. This sign may be either wall-mounted or freestanding on the rear facade, but shall be limited to three square feet in area.
- – (10) In addition to other signage, restaurants and cafes shall be permitted the following, limited to one sign per business:
 - – * (a) A wall-mounted display featuring the actual menu as used at the dining table, to be contained within a shallow wood or metal case, and clearly visible through a glass front. The display case shall be attached to the building wall, next to the main entrance, at a height of approximately five feet, shall not exceed a total area of two square feet, and may be lighted.
 - – * (b) A portable A-frame board sign, as follows:
 - – * · [1] The area of the sign board shall not exceed five square feet per side.
 - – * · [2] The sign board shall be constructed of wood, chalkboard, and/or finished metal.
 - – * · [3] Letters can be painted or handwritten.
 - – * · [4] The sign shall be located within four feet of the main entrance to the business and its location shall not interfere with pedestrian or vehicular circulation.
 - – * · [5] The information displayed shall be limited to daily specials and hours of operation.
 - – * · [6] The sign shall be removed at the end of the business day.
 - – * · [7] The sign shall not have plastic interchangeable letters.
- – (11) Each business shall identify the number of its address within the sign board with a minimum of one sign facing each street or parking lot.

§ 255-1550. Hazardous or obsolete signs.

§ 255-1550. Hazardous or obsolete signs.

No sign shall be erected or altered except in conformance with this article. All signs must be kept clean, neatly maintained and free from all hazards and must be maintained in a safe condition. No sign shall be

maintained which advertises a product or use of activity no longer available or in existence. Such obsolete signs shall be removed within 30 days after the date they become obsolete. If a sign is hazardous or obsolete, the Building Inspector or Zoning Enforcement Officer shall give written notice to the owner of the sign and to the owner of the land upon which the sign is erected directing that the sign be brought into conformance or removed within 30 days from the date of said notice.

§ 255-1560. Abatement and removal of unlawful or unsafe signs.

§ 255-1560. Abatement and removal of unlawful or unsafe signs.

Upon failure to comply with the notice specified in § 255-1550, the Building Inspector or Zoning Enforcement Officer shall notify the Town Solicitor of such violation and request appropriate legal action. When a sign is considered to be an immediate hazard and peril to the public safety or to property, the Building Inspector or Zoning Enforcement Officer is authorized to cause such sign to be removed without notice.

§ 255-1570. Exemptions for signs.

§ 255-1570. Exemptions for signs.

The following exemptions may be granted by the Board in accordance with the appropriate provisions of Article IV of this chapter, provided that they do not impair the intent and purpose of this chapter.

- A. Off-street directional signs where the location of a use requires such signs in order to avoid confusion, traffic congestion or similar inconveniences, and to facilitate travel to such location. The Zoning Board may permit up to two signs for each establishment. Such sign shall be no greater than four square feet and may be illuminated.

§ 255-1580. Nonconforming signs.

§ 255-1580. Nonconforming signs.

- A. Any sign legally existing at the time of the passage of this chapter which violates any provision thereof shall be deemed a nonconforming use and may be continued as may be permitted by law and may continued onto in accordance with this chapter.
- B. Repairs to nonconforming signs. Reasonable repairs and alterations may be made to nonconforming signs. However, in the event any nonconforming sign is damaged after the effective date of this article and the cost of repair exceeds 50% of the cost to replace it, such cost to be determined by a competent appraiser, or in the event such sign is removed by any means, including an act of God, the nonconforming sign may be restored, reconstructed, altered or repaired only with the provisions of this chapter.

§ XVI. Development Plan Review

ARTICLE XVI Development Plan Review [Amended 6-26-2017 by Ord. No. 02-17-314; 11-28-2023 by Ord. No. 2023-4]

§ 255-1600. Uses requiring development plan review.

§ 255-1600. Uses requiring development plan review.

There shall be development plan review for uses that are permitted by right under the Zoning Ordinance. Applicable uses for review by development plan review are as authorized in the Land Development and Subdivision Regulations.

§ 255-1610. Permitting authority.

§ 255-1610. Permitting authority.

The permitting authority shall be as designated in the Land Development and Subdivision Regulations.

§ 255-1620. Specific and objective guidelines.

§ 255-1620. Specific and objective guidelines.

Design of all projects under this section shall be consistent with the provisions of the Land Development and Subdivision Regulations for site design.

§ 255-1630. Waivers.

§ 255-1630. Waivers.

The authorized permitting authority may grant waivers of the design standards as they are set forth in the Land Development and Subdivision Regulations.

§ 255-1640. Appeal.

§ 255-1640. Appeal.

A rejection of the decision shall be an appealable decision pursuant to R.I.G.L. § 45-23-71.

§ XVII. Landscaping

ARTICLE XVII Landscaping

§ 255-1700. Purpose.

§ 255-1700. Purpose.

The purpose of this article is to protect the health, safety, morals and welfare of the public by ensuring that there are properly vegetated and maintained landscaped buffers between potentially incompatible land uses in order to minimize and mitigate the potential impacts of noise, lighting, stormwater runoff, and air pollution. These regulations will also serve to enhance and preserve the rural and visual character of Coventry by promoting high-quality development projects. Minimum standards are established for the installation and maintenance of vegetative and standard landscaping.

§ 255-1710. Applicability.

§ 255-1710. Applicability.

This article applies to all new nonresidential and multifamily residential projects. Expansions of any nonresidential or multifamily residential project which exceed 10% of the existing gross floor area or 5,000 square feet, whichever is less, shall comply with these regulations. Projects which are fully permitted as of the effective date of this chapter shall be exempt.

§ 255-1720. Plan submittal requirements.

§ 255-1720. Plan submittal requirements.

- A. A landscape plan shall be submitted for all projects delineated in § 255-1710 in conjunction with any other submittals required for a special use permit, development plan review, or building permit.

- § 255-1730. Minimum landscaped buffer.

[illegible]

- § 255-1740. Landscape standards and specification.

Page 99 of 122

- – (2) Plant materials shall conform to the requirements described in the latest edition of American Standard for Nursery Stock, published by the American Association of Nurserymen. Plants shall be nursery grown.
- – (3) Plants shall conform to the measurements specified in the plant schedule.
- – * (a) Caliper measurements shall be taken six inches above grade for trees under four inches in diameter and 12 inches above grade for trees four inches in diameter and larger.
- – * (b) Minimum branching height for all shade trees shall be six feet.
- – * (c) Minimum size for shade trees shall be between 2 1/2 and three inches in diameter, and 12 feet to 14 feet in height.
- – * (d) Minimum size for evergreen trees shall be between six feet to eight feet in height.
- – * (e) Minimum size for shrubs shall be three feet in height.
- – (4) A professional horticulturist/nurseryman shall be consulted to determine the proper time to move and install plant material so that stress to the plant is minimized. Planting of deciduous material may be continued during winter months provided there is no frost in the ground and frost-free topsoil planting mixtures are used.
- – (5) A landscape contractor shall excavate all plant pits, vine pits, hedge trenches, and shrub beds as follows:
 - – * (a) All pits shall be generally circular in outline, with vertical sides. The tree pit shall be deep enough to allow 1/8 of the ball to be above the existing grade. Plants shall rest on undisturbed existing soil or well-compacted backfill. On every side, the tree pit must be a minimum of nine inches larger than the ball of the tree.
 - – * (b) If areas are designated as shrub beds or hedge trenches, they shall be cultivated to at least 18 inches in depth. Areas designated for ground covers and vines shall be cultivated to at least 12 inches in depth.
- – (6) Each tree, shrub, or vine shall be pruned in an appropriate manner, in accordance with accepted standard practice.
- – (7) All trenches and shrub beds shall be edged and cultivated to the lines shown on the drawing. The areas around isolated plants shall be edged and cultivated to the full diameter of the pit. Sod that has been removed and stacked shall be used to trim the edges of all excavated areas to the neat lines of the plant pit saucers, the edges of shrub areas, hedge trenches, and vine pockets.
- – (8) After cultivation, all plant materials shall be mulched with a layer between two inches and three inches deep of tan bark, peat moss, or another material over the entire area of the bed, or saucer.
- – (9) Earthen berms shall only be used in conjunction with vegetative planting.
- B. Existing trees and woodlands shall be preserved to the greatest extent possible. Factors to be considered shall include the size, age, condition, habitat, or historical significance of the tree. Trees to be preserved shall be selected early in the project planning process prior to establishing the site layout. Site grading shall be minimized in those areas to prevent damage to the preserved trees. Efforts shall be undertaken to protect the trees during construction.
- C. Vegetation in floodplains, steep slopes, and wetlands areas shall remain undisturbed to the greatest extent possible. Any alteration of these areas shall be in conformance with applicable local, state, and federal regulations.
- D. Landscape plans shall provide for a mix of evergreen, ornamental, shade trees, and shrubs to provide adequate visual and noise buffer between adjacent land uses. Fences, berms, and other structural features may also be used to provide an adequate buffering between the land uses.

- – (1) Shrubs shall form a continuous visual screen of at least three feet in height at the time of planting.
- – (2) Berms shall be at least 2 1/2 feet high and shall have a minimum two to one side slope.
- – (3) Every 35 linear feet of landscaping shall contain one shade tree and five shrubs. Two ornamental or two evergreen trees may substitute for one shade tree.
- E. Perimeter landscapes shall be provided to separate commercial, office, and industrial uses from the street. At least a ten-foot strip shall be landscaped with trees, shrubs, fences, berms or other means deemed acceptable by the Commission.
- F. Preservation of existing large trees can be used to reduce new plantings required by this article and the Commission. Existing woodlands can also provide buffers that conform with § 255-1730A.

§ 255-1750. Parking lots.

§ 255-1750. Parking lots.

- A. When a parking lot is located adjacent to a public street, alternatives should be considered to reduce the visual impact of the parking lot. Some alternatives are:
 - – (1) Landscape setbacks. Provide at least a ten-foot-wide landscaped area exclusive of that required for sidewalks or utility easements between the street and the parking lot, to be planted with shade or ornamental trees, and at least a three-foot-high evergreen hedge, wall, or fence.
 - – (2) Grade changes. In cases where substantial grading is necessary and results in a parking lot lower in elevation than the surrounding or adjacent right-of-way, the resulting embankment should be planted with low shrubs and shade or ornamental trees. A minimum of 10 feet of landscaping should be provided between the street and the parking lot.
 - – (3) Landscape berms. Where feasible, create a berm at least 2 1/2 feet high with slopes not to exceed three to one for planting lawn, ground cover, or shrubs.
 - – (4) Existing woodlands. In cases where quality woodland exists, preserve existing trees between the parking lot and the right-of-way. Provide additional evergreen shrubs if needed to achieve an effective visual buffer. The vegetation should be preserved.
- B. Along the perimeter of the parking lot, to reduce its visual impact:
 - – (1) Provide a landscape strip around the perimeter of the lot, to be planted with shade trees and low shrubs in compliance with § 255-1730A. Provide a minimum of one shade tree per every 40 feet of lot perimeter. Additional shade trees may be necessary to effectively shade/screen the parking lot.
 - – (2) In cases where quality woodland exists, preserve it to provide the minimum buffers set forth in § 255-1730A. Provide additional shrubs if needed.
- C. Provide a minimum of 5% interior landscaping for the purpose of planting shade trees. The following alternatives should be considered:
 - – (1) Provide a continuous landscape strip between every four rows of parking. This should be a minimum of eight feet in width to accommodate a low hedge and shade trees.
 - – (2) Create large planting islands (over 600 square feet) to be located through the lot and planted with shade trees, low shrubs, and/or ground cover. These should preferably be located at the ends of parking rows.
 - – (3) Provide planting islands (a minimum of nine feet wide) between every 10 to 15 spaces to avoid long rows of parked cars. Each of these planting islands should provide at least one shade tree having a clear trunk height of at least six feet.

- D. Within the interior of the parking lot, landscaping should be used to delineate vehicular and pedestrian circulation patterns. Clear and legible signs, different color and texture paving materials, raised areas, and other techniques should be used to further direct the flow of both vehicular and pedestrian traffic within the lot. Mechanical equipment, trash, and loading areas shall be screened by walls, fences, or landscaping.

§ 255-1760. Maintenance of landscaped buffers.

§ 255-1760. Maintenance of landscaped buffers.

- A. To ensure the implementation and long-term maintenance of landscaping plans and requirements, the Commission may require one or more of the following:
 - (1) A two-year guarantee on all new plant material. If any required tree or shrub dies within this period of time, it shall be replaced.
 - (2) Require the developer to post a performance or maintenance bond conditioned upon satisfactory implementation of the landscape plan.
- B. Failure to comply with this article may result in enforcement and penalties pursuant to Article III.

§ XVIII. Adoption and Amendment

ARTICLE XVIII Adoption and Amendment

§ 255-1800. Procedure.

§ 255-1800. Procedure.

- A. The regulations, restrictions, and boundaries set forth in this chapter may from time to time be amended, supplemented or repealed by the Town Council. Any person may petition the Town Council for an amendment.
- B. Proposals for the adoption, amendment, or repeal of this chapter or the Zoning Map shall be made to the Town Council.
- C. Immediately upon receipt of the proposal, the Council shall refer the proposal to the Commission for study and recommendation. The Commission shall, in turn, notify and seek the advice of the Coventry Department of Planning and Development, and shall report to the Town Council within 45 days after receipt of the proposal with its findings and recommendations as prescribed in § 255-1810.
- D. Where a proposal for adoption, amendment, or repeal of this chapter or the Zoning Map is made by the Commission, the requirements for study by the Board may be waived, provided that the proposal by the Commission include its findings and recommendations pursuant to § 255-1810.
- E. The Town Council shall hold a public hearing within 65 days of receipt of a proposal, giving proper notice as prescribed in § 255-1820. The Town Council shall render a decision on any proposal within 45 days after the date of completion of the public hearing.
- F. The provisions of this section pertaining to deadlines shall not be construed to apply to any extension consented to by an applicant.

§ 255-1810. Review by Planning Commission.

§ 255-1810. Review by Planning Commission.

Among its findings and recommendations to the Town Council with respect to a proposal for adoption, amendment, or repeal of this chapter or the Zoning Map, the Commission shall:

- A. Include a statement on the general consistency of the proposal with the Coventry Comprehensive Plan, including the goals and policies statement, the implementation program, and all other applicable elements of the Comprehensive Plan; and
- B. Include a demonstration of recognition and consideration of each of the applicable purposes of zoning, as presented in § 255-110.

§ 255-1820. Notice and hearing requirements.

§ 255-1820. Notice and hearing requirements. [Amended 3-25-2025 by Ord. No. 2025-03]

- 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 local circulation within the Town at least once each week for three (3) 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 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 Town's website for at least fourteen (14) days prior to the hearing. The notice 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 once in its entirety, or summarize and describe the matter under consideration as long as the intent and effect of the proposed ordinance is expressly written in that notice;
 - (4) Advise those interested where and when a copy of the matter under consideration may be obtained or examined and copied; and (5) State that the proposals shown thereon may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the hearing.
- B. Where a proposed general amendment to this chapter includes changes to the Zoning Map, public notice shall be given as required by § 255-1830A of the Code.
- C. Where a proposed general amendment to an existing zoning ordinance includes changes in an existing zoning map, public notice shall be given as required by Subsection A of this section.
- D. Where a proposed amendment to this chapter includes a specific change in a zoning district map, but does not affect districts generally, public notice shall be given as required by Subsection A of this chapter and section, with the additional requirements that:
 - (1) Notice shall include a map showing the existing and proposed boundaries, zoning district boundaries, existing streets and roads and their names, and Town boundaries where appropriate; and (2) Written notice of the date, time, and place of the public hearing and the nature and purpose thereof shall be sent to all owners of real property whose property is located in or within not less than 200 feet of the perimeter of the area proposed for change, whether within the Town or within an adjacent city or town. The notice shall be sent by USPS first-class mail to the last known address of the owners, as shown on the current real estate tax assessment records of the city or town in which the property is located; provided, for any notice sent by USPS first-class mail, the person sending the notice shall prepare and submit an affidavit in which they swear and attest to mailing the notice.
- E. Notice of the public hearing shall be sent by first class mail to the city or town council of any city or town to which one or more of the following pertain.

- – (1) Which is located in or within not less than 200 feet of the boundary of the area proposed for change; or (2) Where there is a public or quasi-public water source, or private water source that is used or is suitable for use as a public water source, within 2,000 feet of any real property that is the subject of a proposed zoning change, regardless of municipal boundaries.
- F. Notice of a public hearing shall be sent to the governing body of any state or municipal water department or agency, special water district, or private water company that has riparian rights to a surface water resource and/or surface watershed that is used or is suitable for use as a public water source and that is within 2,000 feet of any real property which is the subject of a proposed zoning change; provided that the governing body of any state or municipal water department or agency, special water district, or private water company has filed with the Building Inspector a map survey, which shall be kept as a public record, showing areas of surface water resources and/or watersheds and parcels of land within 2,000 feet thereof.
- G. Where a proposed text amendment to an existing zoning ordinance would cause a conforming lot of record to become nonconforming by lot area or frontage, written notice shall be given to all owners of the real property as shown on the current real estate tax assessment records of the Town. The notice shall be given by USPS first-class mail at least two (2) weeks prior to the hearing at which the text amendment is to be considered, with the content required by Subsection A of this section. If the zoning ordinance contains an existing merger clause to which the nonconforming lots would be subject, the notice shall include reference to the merger clause and the impacts of common ownership of nonconforming lots. For any notice sent by USPS first-class mail, the sender of the notice shall submit a notarized affidavit to attest to such mailing.
- H. No defect in the form of any notice under this section shall render this chapter or amendment invalid, unless the defect is found to be intentional or misleading.
- I. Any actual costs of newspaper notices/advertising as well as the cost of mailing notices required under this chapter and section shall be due from and payable by the applicant.

§ 255-1830. Change of zone; limitations and restrictions.

§ 255-1830. Change of zone; limitations and restrictions.

- A. In granting an amendment to this chapter the Town Council may limit the change to one of the permitted uses in the zone to which the subject land is rezoned, and may impose such limitations, conditions, and restrictions, including, without limitation:
 - – (1) Requiring the applicant to obtain a permit or approval from any and all state or local governmental agencies or instrumentalities having jurisdiction over the land and use which are the subject of the zoning change;
 - – (2) Those relating to the effectiveness or continued effectiveness of the zoning change; and/or (3) Those relating to the use of the land, as it deems necessary.
- B. The responsible Town official shall cause the limitations and conditions so imposed pursuant to § 255-1830A to be clearly noted on the Zoning Map and recorded in the land evidence records of the Town, provided, however, in the case of a conditional zone change, that the limitations, restrictions, and conditions shall not be noted on the Zoning Map until the zone change has become effective.
- C. If the permitted use for which the land has been rezoned is abandoned or if the land is not used for the requested purpose for a period of two years or more after the zone change becomes effective, the Town Council may, after a public hearing as set forth in § 255-1820, change the land to its original zoning use before the petition was filed.
- D. If any limitation, condition, or restriction in this chapter imposed pursuant to § 255-1830 is held to be invalid by a court in any action, that holding shall not cause the remainder of this chapter to be invalid.

§ 255-1840. Review by Planning Commission.

§ 255-1840. Review by Planning Commission.

This chapter shall be reviewed periodically by the Commission. When the Commission deems necessary, it shall recommend changes to the Town Council. This review shall be made at least once every two years.

§ 255-1850. Adverse decision.

§ 255-1850. Adverse decision.

Where a request for an amendment is denied, the Town Council may not consider another application requesting the same action for a period of one year from the date of such denial, unless the Council in its discretion votes affirmatively to reconsider a request for an amendment.

§ 255-1860. Fees.

§ 255-1860. Fees.

The fee for each application for an amendment shall be paid by the applicant and shall be \$250, plus the advertising costs. The fees shall be waived for any application submitted on behalf of any Town agency.

§ 255-1870. Amendment to Zoning Map.

§ 255-1870. Amendment to Zoning Map.

Amendments or changes to zoning district boundaries shall be made to the Zoning Map within 10 working days after their adoption by the Town Council.

§ 255-1880. Appeal of enactment of or amendment to zoning ordinance.

§ 255-1880. Appeal of enactment of or amendment to zoning ordinance.

An appeal of an enactment of or an amendment to this chapter may be taken to the Kent County Superior Court in accordance with R.I.G.L. § 45-24-71 by filing a complaint in accordance therewith within 30 days after the enactment or amendment has become effective. The appeal may be taken by an aggrieved party or by any legal resident or landowner of the Town or by any association of residents or landowners of the Town. The appeal shall not stay the enforcement of this chapter, as enacted or amended, but the court may, in its discretion, grant a stay on appropriate terms, which may include the filing of a bond, and make such other orders as it deems necessary for an equitable disposition of the appeal.

§ XIX. Legal Status

ARTICLE XIX Legal Status

§ 255-1900. Conflict with other ordinances.

§ 255-1900. Conflict with other ordinances.

All sections or portions of sections of the prior Zoning Ordinance are hereby repealed. Wherever the terms of this chapter are more restrictive of development or use than other ordinances or regulations with respect to lot area, yard dimensions, percent of lot coverage or other requirements, the more stringent statute, ordinance or regulation shall govern.

§ 255-1910. Severability.

§ 255-1910. Severability.

If any section, clause, or provision, of this chapter or determination made thereunder, or the application thereof to any person or circumstance, shall be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of this chapter as a whole or any other section, clause, provision or portion thereof, other than the part deemed invalid or unconstitutional, shall not be affected thereby.

§ 255-1920. Minimum requirements.

§ 255-1920. Minimum requirements.

In their interpretation and application, the provisions of this Zoning Ordinance shall be construed to be minimum requirements for promotion of the public health, safety, morals and general welfare.

§ 255-1930. When effective.

§ 255-1930. When effective.

This amendment to the Zoning Ordinance of the Town of Coventry and any future amendments shall take effect upon passage.

§ XX. Special Regulations for Wind Energy Facilities

ARTICLE XX Special Regulations for Wind Energy Facilities

§ 255-2000. Wind energy facilities.

§ 255-2000. Wind energy facilities.

The purpose of this article is to establish protocols for the construction and operation of wind-powered electrical generating stations in the Town of Coventry, subject to reasonable conditions that will protect the public health, safety, and welfare.

§ 255-2010. Definitions.

§ 255-2010. Definitions. [Amended 3-25-2025 by Ord. No. 2025-17] As used in this article, the following terms shall have the meanings indicated:

- **APPLICANT**
Is the legal entity, including successors and assigns that files an application under this article.
- **APPURTENANT STRUCTURE**
Includes those elements or components of a wind-powered electrical generating station other than the tower, nacelle, and blades that are necessary to the proper operation and maintenance of the wind turbine, including but not limited to buildings, access roads and substations.
- **GENERATING FACILITIES**
Wind turbines and electrical lines that are immediately associated with wind turbines.
- **HISTORIC SITE**
Any site, structure, district or archaeological site which has been officially included on the National Register of Historic Places, or which is established by qualified testimony as being of historic significance.
- **MUNICIPAL REVIEWING AUTHORITY**
The Zoning Board of Review.

- **NACELLE**
The frame and housing at the top of the tower that encloses the gearbox and generator.
- **NON-PARTICIPATING LANDOWNER**
Any landowner other than a participating landowner whose land is located within the Town of Coventry or in an adjoining municipality adjacent to the proposed wind energy facility site.
- **OCCUPIED BUILDING**
A residence, school, hospital, house of worship, public library or other building that is occupied or in use as a primary residence or is customarily frequented by the public at the time when the permit application is submitted.
- **PARTICIPATING LANDOWNER**
One or more persons that hold title in fee or a leasehold interest with sublease rights to property on which Generating Facilities or Associated Facilities are proposed to be located pursuant to an agreement with the Applicant or an entity that has entered into an appropriate agreement with the Applicant allowing the Applicant to demonstrate the requisite right, title, and interest in such property.
- **PERSON**
An individual, corporation, partnership, firm, organization or other legal entity.
- **RESIDENCE**
A building or structure, including manufactured housing, maintained for permanent or seasonal residential occupancy providing living, cooking and sleeping facilities and having permanent indoor or outdoor sanitary facilities, excluding recreational vehicles, tents, and watercraft.
- **SHADOW FLICKER**
Alternating changes in light intensity caused by the movement of wind turbine blades casting shadows on the ground or a stationary object.
- **SIGHT LINE REPRESENTATION**
A profile drawing showing prominent features, including but not limited to topography, buildings, and trees, along and in relation to a line of sight extending from an observer's eye to the lowest point visible on a proposed tower.
- **SMALL-UNIT TURBINE**
A wind energy facility that is no more than 36 feet tall and that generates no more than 100 kw of electricity and where said electricity is used exclusively for the power needs of the individual homeowner who is also the applicant. Small-unit turbine applications shall be exempt from the requirements of this article; however, small-unit turbines must apply for and satisfy all conditions of a use variance obtained from the Zoning Board of Review (or, in the case of Unified Development Review, the Planning Commission) and may not produce more than 40 dB of noise during the day (as measured from 6:00 a.m. to 6:00 p.m.) and no more than 35 dB of noise during the evening (as measured from 6:00 p.m. to 6:00 a.m.). Small-unit turbines that exceed 36 feet in height shall be evaluated at the pre-application meeting with consultation from the Zoning Board of Review. Depending on how significant the requested variance is, the Zoning Board of Review (or, in the case of Unified Development Review, the Planning Commission) may require the applicant to meet the conditions of this article. An application for a smallunit turbine shall comply with the three-hundred-radius notification area, unless an additional notification area is required by the Zoning Board of Review.
- **SUBSTANTIAL START**
That construction shall be considered to be substantially commenced when any work beyond excavation, including, but not limited to, the pouring of slab or footings, the installation of piles, the construction of columns, or the placement of a Town on a foundation has begun.
- **TOWER**
The freestanding structure on which a wind measuring or energy conversion system is mounted.
- **TURBINE HEIGHT**

The distance measured from the finished grade surrounding the tower to the highest point of any turbine rotor blade measured at the highest arc of the blade.

- **WIND ENERGY FACILITY**

A facility that uses one or more wind turbines to convert wind energy to electrical energy. A wind energy facility includes generating facilities and associated facilities.

- **WIND TURBINE**

A system for the conversion of wind energy into electricity which is comprised of a tower, generator, nacelle, rotor and transformer.

§ 255-2020. Applicability.

§ 255-2020. Applicability. [Amended 3-25-2025 by Ord. No. 2025-17]

- A. Effective January 1, 2024, Code § 255-600, Table 6-1 was amended to make wind energy facilities a prohibited use in all zoning districts. New wind energy facilities are authorized through use variances. Wind energy facilities that were lawfully permitted prior to January 1, 2024, shall be subject to applicable zoning regulations.
- B. This article shall not apply to small-unit turbines, except to require the applicant requesting a smallunit turbine to apply for a use variance for said small-unit turbine from the Zoning Board of Review (or, in the case of Unified Development Review, the Planning Commission). The small-unit turbine must also meet the definition and standards of such as set forth herein.

§ 255-2030. Conflict and severability.

§ 255-2030. Conflict and severability.

- A. If there is a conflict between provisions in this article and any other applicable state or local ordinance, the more stringent provision shall apply. If there is a conflict between a provision of this article and that or another provision of the Zoning or Subdivision Ordinance, the provision of this article shall apply.
- B. The invalidity of any part of this article shall not invalidate any other part of this article provision.

§ 255-2040. Administration.

§ 255-2040. Administration.

- A. Review and approval authority. The Zoning Board of Review is authorized to review all applications for wind energy facilities and may approve, deny, or approve such applications with conditions in accordance with this article.
- B. Permit required. No wind energy facility shall be constructed, located, nor an existing wind energy facility be modified, within the Town of Coventry, without a permit issued in accordance with this article, nor shall any wind turbine be permitted where a historic structure is located in the proposed fall zone.
- C. Permit applications; fees.
- – (1) A wind energy facility permit application shall consist of the application form, application fee, and supporting documents, as described below. The municipality shall provide the application form which shall be signed by: 1) a person with right, title and interest in the subject property; and 2) the builder/developer of the wind energy facility. The signatures shall be dated and the signatory shall certify that the information in the application is complete and correct and that the proposed facility will be constructed and operated in accordance with the standards of this article and all approval and permit conditions, if any.

- – (2) The application fee shall be \$500, which represents the cost reviewing the application by the Zoning Official and the cost of advertising of the application. All application fees shall be assessed and paid upon submission of the application.
- – (3) The application shall include all additional documents necessary to satisfy the applicable submission requirements under § 255-2050 of this article.
- – (4) The applicant shall submit its application for a wind energy facility permit to the Zoning Official who shall note on the application the date on which it was received. The applicant shall promptly notify the Zoning Official and the Zoning Board of Review of any changes the applicant proposes to make to information contained in the application. All changes shall require proper notification, including a renewed public hearing.
- – (5) Within 10 days after receiving an application, the applicant shall be notified of a preapplication meeting, involving the Zoning Official, the Chairman of the Zoning Board of Review or his/her designee, and the Town Solicitor. The purpose of the preapplication meeting is to explain the article's provisions, application forms, and submission requirements. The preapplication meeting shall be had within 20 days of the receipt of an application, unless the applicant requests a preapplication meeting with the Zoning Board of Review. The applicant may request the preapplication meeting be held at a regularly scheduled meeting of the Zoning Board of Review, provided that the applicant submits the request in the regular manner proscribed for Zoning Board of Review agenda postings, prior to the meeting. At the preapplication meeting, the applicant shall provide photos of the proposed site and written descriptions of the proposed facility and the proposed site, including its location and lot area.
- – (6) Within 30 days after receipt of the application by the Zoning Official, the Zoning Board of Review shall notify the applicant in writing either that the application is complete or, if the application is incomplete, the specific additional material needed to complete the application.
- D. Professional services. In reviewing the application for compliance with this article, the Zoning Board of Review and/or the Planning Commission may retain professional services, including but not limited to those of an attorney or consultant, to verify information presented by the applicant. The attorney or consultant shall first estimate the reasonable cost of such review and the applicant shall deposit with the municipality the full estimated cost which the municipality shall place in an escrow account and reimburse the applicant if funds remain after payment.
- E. Expiration of permits. Permits issued under this article shall expire within one year after the date of approval unless a substantial start on construction has occurred.
- F. Access. The Zoning Official, or his/her designee, shall have access to the site at all times to review the progress of the work and shall have the authority to review all records and documents directly related to the design, construction and operation of the facility.

§ 255-2050. Application submission requirements.

§ 255-2050. Application submission requirements.

General submission requirements.

- A. A completed application form including:
 - – (1) The applicant and participating landowner's name and contact information;
 - – (2) The address, Tax Map number, zone, and owner(s) of the proposed facility site and any contiguous parcels;
 - – (3) The Tax Map number, zone, current use, owner(s) and addresses of owner(s) of parcels that abut the proposed facility site or abut parcels of participating landowners that are contiguous with the proposed facility site;

- – (4) An affirmation signed and dated by the applicant, that the information provided in the application is correct and that the proposed wind energy facility, if approved and built, shall be constructed and operated in accordance with the standards of this article and all conditions of approval, if any;
- – (5) All submissions required under this section shall be signed and stamped by the appropriate licensed professional who prepared the submission.
- B. Receipt showing payment of application fee.
- C. A copy of a deed, easement, purchase option or other comparable documentation demonstrating that the applicant has right, title or interest in the proposed facility site.
- D. Location map showing the boundaries of the proposed facility site and all contiguous property under total or partial control of the applicant or participating landowner(s) and all property within 2,500 feet of the proposed development, and showing all historic sites within said boundaries.
- E. Description of the proposed wind energy facility that includes the number and aggregate generating capacity of all wind turbines, the turbine height and manufacturer's specifications for each wind turbine (including but not limited to the make, model, maximum generating capacity, sound emission levels and types of overspeed controls) and a description of associated facilities. Certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, or other similar certifying organizations.
- F. Site plan showing the proposed location of each wind turbine and associated facilities and all the following features located within 500 feet of the fall zone, whichever is larger, of any wind turbine: parcel boundaries, required setbacks, topographic contour lines (maximum ten-foot interval), roads, rights-of-way, overhead utility lines and connections, buildings (identified by use), land cover, wetlands, streams, water bodies, areas proposed to be regraded or cleared of vegetation, the location and average height of tree cover to be retained and the location, variety, planting height and mature height of proposed trees, if any. The plan shall also include the location of any other wind energy facilities within a five-mile radius.
- G. Written evidence that all applicable state and federal regulatory authorities have been notified of the pending application and the location and turbine height of all proposed wind turbines.
- H. Written evidence that the provider of electrical service to the property has been notified of the intent to connect an electric generator to the electricity grid, if such connection is proposed.
- I. Complete description of emergency and normal shutdown procedures.
- J. Photographs of existing conditions at the site. Site line representations of each wind turbine from the nearest occupied building and from abutting properties located within 500 feet of the wind turbine shall be provided. Each site line representation shall be drawn at a scale sufficiently large to make it legible. If screening is proposed, the proposed screening device, such as trees, shrubs or fencing, shall be depicted on the drawing along with the sight line as altered by the screening. Current color photographs of the proposed site of the wind turbine(s) taken from viewpoints corresponding to each of the sight line representations shall also be submitted.
- K. The application shall also include structural drawings of the tower foundation and anchoring system: a) prepared by the wind turbine or tower manufacturer; b) prepared in accordance with the manufacturer's specifications; and c) stamped by a Rhode Island-licensed professional engineer.
- L. Decommissioning plan.
- M. Written summary of operation and maintenance procedures for the wind energy facility and a maintenance plan for access roads, erosion and sedimentation controls and stormwater management facilities.
- N. Sound level analysis and shadow flicker analysis prepared by a qualified engineer(s), which satisfy the standards of this article. Any other relevant studies, reports, certifications and approvals as may

be reasonably requested by the Zoning Board of Review to ensure compliance with this article.

- O. Documentation verifying that there will be no interference with neighboring radio, TV, satellite, or other signal communications.

§ 255-2060. General standards.

§ 255-2060. General standards.

- A. Fall zone. The minimum fall zone shall be 200% of the height of the tower, plus one rotor length, or the manufacturer's recommendation, whichever is greater. The minimum fall zone and safety setback shall be contained within the applicant's property and/or property under control of applicant which is dedicated to the exclusive use of a fall zone by easement or other property interest which said property interest has a duration of least 20 years after the installation of the turbine. Easements and other instruments evidencing property interests are subject to the approval of the Town Solicitor.
- B. Noise and sound level. Noise levels shall not exceed a five dB increase over the ambient levels at the applicant's property boundary lines. The ambient sound shall be determined with preapplication acoustical testing of said sound levels at the property boundary lines, said testing to account for day and evening levels. If additional turbines are proposed on the same property in the future, the previously installed turbine noise levels shall not be included to raise the background and ambient noise levels for the new turbine evaluation. Said testing shall be at the applicant's expense pursuant to § 255-2040D of this article.
- C. Shadow flicker. During the time of shadow flicker, the wind energy facility shall be shut down so as to eliminate any shadow flicker issues. The presence of shadow flicker effect shall be measured at the property boundary lines and at locations within 2,500 feet of the wind energy facility. Wind energy facilities shall be sited in a manner that minimizes shadowing or flicker impacts. The applicant has the burden of proving that this effect will not have significant adverse impact on neighboring or adjacent uses.
- D. Overspeed controls, brakes, ice detection. All wind turbines shall be equipped with an overspeed control system, braking mechanism, and ice detection sensors (or heated blades, as the case may be). These systems shall be of the latest proven technology available.
- E. Wildlife, bird migratory patterns to remain unaffected. The wind energy facility shall not have an unreasonable adverse effect on birds, migratory patterns, rare, threatened, or endangered wildlife, significant wildlife habitat, rare, threatened, or endangered plants and rare and exemplary plant communities. In making its determination under this subsection, the Zoning Board of Review shall consider pertinent application materials and the written comments and/or recommendations, if any, of the Coventry Conservation Commission of Land Trust.
- F. Electrical components and interconnections. All electrical components of the wind energy facility shall conform to relevant and applicable local, state, and national codes, laws and regulations.
- G. Access. All ground-mounted electrical and control equipment and all access doors to a wind turbine shall be labeled and secured to prevent unauthorized access. A wind tower shall not be climbable up to a minimum of 15 feet above the ground surface.
- H. Co-location of external cellular and wireless equipment prohibited. To the extent that wind energy facility shall co-locate cellular or wireless communication equipment, said equipment shall be enclosed within the tower and not mounted externally. The applications for such uses shall be submitted as two separate and independent projects.
- I. Incorporation of latest technology in testing parameters and studies. The applicant shall incorporate the latest technology, testing parameters, and best management practices, including preapplication testing, that meet or exceed accepted industry standards into all studies and technical submissions provided in the application process to the Zoning Board of Review.

§ 255-2070. Safety setback.

§ 255-2070. Safety setback.

Developer must provide calculations of potential hazards such as ice throw and blade throw in the event that such was to occur. These calculations shall be based on maximum governed speed of the blades releasing at the optimum angle for maximum distance. The Zoning Board of Review shall take these calculations into consideration on a case-by-case basis in determining appropriate locations for wind turbines within the community and must determine if the proposal is consistent with state guidelines.

§ 255-2080. Decommissioning and abandonment.

§ 255-2080. Decommissioning and abandonment.

- A. Prior to the issuance of a permit under this article, the applicant shall deposit, in the form of cash or a cash bond, with the municipality the full estimated cost of dismantling and removal of the wind energy facility, including the cost necessary to return the property to its pre-siting condition, which the municipality shall place in an escrow account. A wind energy facility that is not generating electricity for 12 consecutive months shall be deemed discontinued. In the event the facility has not generated electricity for a period of 12 months, the zoning official shall notify the owner or operator of the turbine that the turbine has been deemed abandoned. The owner/operator may then file an appeal of the zoning officer's decision to the Zoning Board and/or may request an extension of the period within which the facility must be dismantled. The filing of said appeal shall serve as a stay of the requirement to dismantle. The facility shall be removed from the property by the applicant/owner within 120 days of receipt of notice from the Zoning Official unless an appeal has been filed. If, however, the wind energy facility is not removed within this time period, the municipality may remove the turbine at the applicant's expense, using the escrowed funds. These funds shall be used to pay all site reclamation costs deemed necessary and reasonable to return the site to its preconstruction condition, including the removal of roads and reestablishment of vegetation. If funds remain after the necessary expenditures, the municipality shall reimburse the applicant.
- B. The amount of said decommissioning fund shall be calculated by an independent firm selected by the Town. The cost of this calculation shall be borne by the applicant. In the calculation of the decommissioning costs, a deduction of the overall cost shall not be reduced as a result of anticipated scrap metal recovery due to the volatility of the market.

§ 255-2090. Special standards for wind energy facilities.

§ 255-2090. Special standards for wind energy facilities.

- A. Use of public roads.
 - (1) The applicant shall identify all state and local public roads to be used within the Town of Coventry to transport equipment and parts for construction, operation or maintenance of the wind energy facility.
 - (2) The Town Engineer, or a qualified third-party engineer reasonably acceptable to both the Zoning Board of Review and the applicant and paid for by the applicant pursuant to § 255-2040D of this article, shall document road conditions prior to construction. The Town Engineer or third-party engineer shall document road conditions again 30 days after construction is complete or as weather permits. Any road damage caused by the applicant or its contractors shall be promptly repaired at the applicant's expense.
- B. Local emergency services.
 - (1) The applicant shall provide a copy of the project summary and site plan to the fire department(s) in the geographic area where the wind energy facility is located. The applicant, upon request, shall cooperate with emergency service providers to develop and coordinate implementation of an emergency response plan for the wind energy facility.

- – (2) A wind turbine shall be equipped with an appropriate fire suppression system to address fires within the nacelle portion of the turbine or shall otherwise address the issue of fire safety to the satisfaction of the Zoning Board of Review.
- – (3) The applicant shall submit an emergency plan for all contingencies (fire, medical emergency, and the like) that incorporates coordination and consultation with the fire department(s) in the geographic area where the wind energy facility is located.
- – (4) The applicant shall at its cost provide training, including the response to and handling of emergencies, for all contractors and construction crew(s) working on the construction of the wind energy facility. It is the applicant's responsibility to coordinate with the fire department(s) in geographic area where the wind energy facility is located to ensure adequate specialized emergency training is in place to deal with and respond effectively to wind energy facility emergencies and shall submit proof of the same to the Zoning Board of Review.
- C. Proper marketability study required. The applicant shall provide a study addressing the marketability of non-participating landowner property values pre- and post-siting of the wind energy facility. The extent of the neighboring area to be included in the study shall be determined in the preapplication meeting in consultation with the Zoning Board of Review.
- D. Notification area. The notification area shall be determined at the preapplication meeting and shall be based on the size and scope of the project. The notification area shall be determined at the preapplication meeting in consultation with the Zoning Board of Review, which shall consider the dimensions specific proposal; the zone within which the proposed siting is located; and the characteristics of the neighborhood within which the proposed siting is located; and, consideration of the general impact of the proposed siting on the neighborhood, but in no event shall the notification area for those abutters entitled to notice be less than 1,500 feet from the subject property line.
- E. Taxation provision. To the extent authorized by law, the Town Council shall set a tax rate for the electricity generated by wind energy facilities located within the Town of Coventry, where permissible. Small-unit turbines shall be exempt from this requirement. Nothing in this article shall prohibit or limit the Town Council's right to enter into any host or pilot agreement with the owner and/or developer of the project.
- F. Onsite inspections. Onsite inspection by a Rhode Island-licensed architect and/or engineer for as-built features shall be conducted on the developer's behalf.

§ 255-20100. Plan Commission approvals.

§ 255-20100. Plan Commission approvals.

Application. The Applicant shall submit its application to the Planning Commission for commercial site plan review as set forth in Article XVI and, in accordance with R.I.G.L. § 45-24-49, such review shall be advisory in the case of special use permits. Upon receiving Planning Commission advisory, the same shall be submitted to and/or referred back to the Zoning Board of Review for further action on the application. At the time of submission of the application, the applicant shall simultaneously file the application with all supporting documents to the Planning Commission.

§ 255-20110. Liability insurance.

§ 255-20110. Liability insurance.

The applicant or an applicant's designee acceptable to the Zoning Board of Review shall maintain a current general liability policy during the construction phase of the wind energy facility that covers bodily injury and property damage with minimum limits of \$2,000,000 per incident/per occurrence. The applicant shall provide the Zoning Board of Review with proof of such insurance. Upon the completion of the construction and the issuance of a certificate of occupancy, the applicant or operator of the wind energy facility shall file and maintain with the Zoning Board of Review or its designee a current general liability policy that

covers bodily injury and property damage with minimum limits of \$2,000,000 per incident/per occurrence. Certificates of insurance shall be made available to the Zoning Board of Review or the Zoning Official upon request.

§ 255-20120. Improvement guarantees.

§ 255-20120. Improvement guarantees.

- A. Definition and purpose.
 - – (1) An "improvement guarantee" is a security instrument accepted by the Town to ensure all improvements, facilities, or work required by this article or as a condition of approval of a wind facility will be completed in compliance with the approved plans and specifications.
 - – (2) Improvement guarantees shall be provided to ensure the proper installation and maintenance of required street, utility and other physical improvements and maintenance of other physical improvements and to ensure compliance with other nonstructural conditions of approval (if any). The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the developer.
- B. General procedures.
 - – (1) Before final plan approval of any wind facility, the developer must secure the agreement of the Zoning Board to approve agreements for the completion of all required improvements. Such agreements may take the form of cash or bond.
 - – (2) At the preliminary plan review stage, the developer shall submit a letter requesting that security sufficient to cover the cost of required improvements be established by the Board.
 - – (3) If improvements are to be guaranteed, the provisions of this section shall apply.
- C. Procedures for financial guarantees.
 - – (1) Amount.
 - – * (a) Improvement guarantees shall be in an amount and with all necessary conditions to secure for the Town the actual construction and complete installation of all of the required improvements, and the satisfactory completion of all conditions of final approval within the time periods required for completion provided therein.
 - – * (b) The amount shall be based upon actual cost estimates which would be required for the Town to complete all improvements required as a condition of final approval. These estimates shall be initially prepared by the Municipal Engineer and/or the Director of Public Works and submitted to the Administrative Officer, who shall review the estimates, if requested, with the developer. If the developer disagrees with the estimated amount, he/ she shall have the opportunity to submit a revised estimate along with supporting justification for the revisions.
 - – * (c) The Technical Review Committee shall review the Municipal Engineer's and the Director of Public Works' cost amount of the improvement guarantee, or the developer's revision, and make a recommendation to the Zoning Board, which shall review and set the final amount.
 - – * (d) The Zoning Board may set the guarantee in a reasonable amount in excess of the estimated costs in order to anticipate for increases in economic or construction conditions. However, the amount of such increase shall not exceed 120% of the estimated costs of improvements as recommended by the Technical Review Committee or as recommended by the Municipal Engineer and Director of Public Works.
 - – * (e) At the expiration of the approval period, if all required improvements are not complete, the Zoning Board shall review the status of improvements and may implement one of the following actions:
 - – * · [1] Require the developer to extend the duration of the entire improvement guarantee;

- – * · [2] Reduce the amount of the improvement guarantee to cover the estimated costs of remaining improvements; or
- – * · [3] Authorize the Administrative Officer to take the steps necessary to ensure completion of the remaining work by using the improvement guarantee funds.
- – * (f) If at any time during the guarantee period the procedures, implementation measures, methods, materials, and/or schedules of construction are determined by the Zoning Board not to be in compliance with the approved plans, the Board may, after proper notification to the developer, authorize the use of improvement guarantee funds to insure proper compliance.
- – (2) Form and amount of guarantee. The developer shall submit to the Zoning Board an improvement guarantee in the form required by the Zoning Board and based upon the recommendation of the Town Manager. Said guarantee shall be payable to the Town of Coventry.
- – (3) Conditions.
 - – * (a) Establishment of reliability. The Town Manager shall establish the reliability of the person, persons, or company furnishing the required improvement guarantee to the developer.
 - – * (b) Binding agreement. Acceptance of the required improvement guarantee by the Zoning Board, certification by the Town Treasurer of the receipt of such guarantee(s), and the recording of such action in the minutes of the Zoning Board meeting shall constitute a binding agreement between the principal, surety, and the Town of Coventry.
- – (4) Duration and release of guarantee.
 - – * (a) Term of duration of the required improvement guarantee shall begin with the date of acceptance of such instrument of guarantee by the Zoning Board.
 - – * (b) Expiration. The required improvement guarantee shall be condition on the faithful completion of construction and installation of required improvements to the land within a period of one year. Said guarantee shall have a minimum expiration date of one year after completion of said improvements as certified by the Municipal Engineer in coordination with the Director of Public Works and shall contain the provision that same may be released to the developer only upon the due authorization of the Coventry Town Council.
 - – * (c) Release of guarantee. At the end of the one-year period, the developer may apply to the Town Council at a regularly scheduled meeting for the release of the improvement guarantee. This application shall be accompanied by certificates from the Director of Public Works, Municipal Engineer, the Town Surveyor, and the Zoning Board that all required improvements have been installed, constructed, and completed within the specified time limit and in accordance with the specifications contained in these regulations.
 - – * (d) Approval of release. Certificates for release of the improvement guarantee shall be promptly executed by the Town Council upon receipt of the prescribed certificates of completion of required improvements from the Director of Public Works, Municipal Engineer, the Town Surveyor, and the Zoning Board.
- – (5) Extension of time. If, due to circumstances beyond the control of the developer, the construction or required improvements to the land cannot be completed in the prescribed time, the Zoning Board may grant a one-time extension for a period not to exceed 90 days. During such time extension, the guarantees shall remain in full force.
- – (6) Default.
 - – * (a) Conditions of default.
 - – * · [1] The Town of Coventry shall hold the developer and surety in default of guarantee should the developer:
 - – * · [a] Fail to meet all specifications for construction of required improvements to the land.

- – * · [b] Fail to properly notify the Director of Public Works and the Municipal Engineer of the beginning and completion of all phases of construction of required improvements to the land.
- – * · [c] Fail to protect existing improvements and/or properly repair such improvements should damage occur during construction of the development.
- – * · [d] Fail to clean debris from the site and adjacent areas upon completion of construction within the development.
- – * · [e] Fail to complete required improvements to the land within the time prescribed.
- – * · [f] Fail to correct improvement deficiencies evident within one year of the completion of said improvement.
- – * · [g] Fail to correct improvement deficiencies evident within one year of the completion of said improvement.
- – * · [2] Within the time periods of the improvement guarantee, the Zoning Board shall make any and all tests and inspections necessary to determine if any conditions of default exist. The Board shall require the developer to pay any inspection fee.
- – * (b) Certification of default.
- – * · [1] Should any of the conditions cited above occur, the Municipal Engineer and agents retained by the Zoning Board shall certify in writing to the Zoning Board that the developer has not complied with the requirements of these regulations, the Municipal Engineer shall further certify the extent of noncompliance and the conditions thereof.
- – * · [2] The Zoning Board shall submit in writing to the Town Council its concurrence with or disapproval of the determination of the Municipal Engineer.
- – * (c) Execution of guarantee. The Town Council shall, under the provision to Title 45, Chapter 23-46-11 of the General Laws of Rhode Island (1956 as amended), execute only that portion of the guarantee which shall be necessary to correct the deficiency for which the developer and surety are held in default.
- – * (d) Payment of surety. Upon notification to the surety by the Town Council that the developer has been held in default of guarantee, the surety shall promptly pay to the Town of Coventry that portion of the guarantee which shall be necessary to correct the deficiency for which the developer and surety are held in default.
- – (7) Partial releases. Partial releases or reductions in the guarantee amount may also be authorized at any time prior to the expiration of final approval. A written request for release or reduction of any improvement guarantees shall be made to the Town Council, which shall act thereon upon receipt of a recommendation from the Zoning Board.

§ 255-20130. Public inquiries and complaints.

§ 255-20130. Public inquiries and complaints.

The applicant or its designee shall maintain a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the wind energy facility. The applicant or its designee shall make reasonable efforts to respond to the public's inquiries and complaints and shall provide written copies of all complaints and the company's resolution or response to the Zoning Board of Review or the Zoning Official upon request.

§ 255-20140. When effective.

§ 255-20140. When effective.

This article shall become effective upon passage.

§ XXI. Special Regulations - Solar Power Generators

ARTICLE XXI Special Regulations - Solar Power Generators [Amended 7-24-2017 by Ord. No. 03-17-315]

§ 255-2100. Purpose.

§ 255-2100. Purpose.

The purpose of this article is to establish protocols for the construction and operation of solar installations in the Town of Coventry, subject to reasonable conditions that will protect the public health, safety, and welfare and meet the goals set forth in the Comprehensive Community Plan.

§ 255-2110. Definitions.

§ 255-2110. Definitions.

Except as otherwise stated herein, the following definitions shall apply to all solar installations in the Town of Coventry.

- **AREA**
The total ground surface area occupied by a solar installation's solar energy collection components (i.e., solar panels), including any spaces between that equipment. Where a security fence is required, the area will be construed to be the area enclosed by the security fence.
- **GROUND-MOUNTED**
A solar installation that is structurally mounted to the ground and is not roofmounted; may be of any size (minor, medium or major).
- **MAJOR SOLAR INSTALLATION**
A ground-mounted solar installation designed primarily to generate and sell electricity to a utility company for resale to consumers that occupies an area of 40,000 square feet or more.
- **MEDIUM SOLAR INSTALLATION**
A ground-mounted solar installation that occupies an area of more than 1,750 square feet but less than 40,000 square feet.
- **MINOR SOLAR INSTALLATION**
A ground-mounted solar installation designed to primarily service the property on which it is located and that occupies an area of 1,750 square feet or less.
- **ROOF-MOUNTED**
A solar installation that is structurally mounted to, or structurally ballasted on, the roof of a building or structure, including solar shingles.
- **SOLAR ACCESS AREA**
The area around a solar installation that is required to be free of structures and vegetation in order to insure that the area receives direct, unobstructed sunlight without shading.
- **SOLAR INSTALLATION**
A device, system or other structural feature designed, in whole or in part, to collect, convert, store or distribute solar radiation as electrical, chemical, mechanical or thermal energy. A solar installation shall include any structural support, framework, scaffolding, footings, foundations or other systems used to mount components to the ground or to another structure and any ancillary wiring, transformers, inverters or other equipment associated with the collection or distribution of energy generated by the installation.

§ 255-2120. General requirements.

§ 255-2120. General requirements.

Unless otherwise specified herein, the following general requirements apply to all solar installations located in the Town of Coventry except that land owned by the municipality shall be exempt from the requirements of the provisions of this Article XXI:

- A. All electrical components used in a solar installation shall be UL-listed or equivalent.
- B. A building permit shall be required for all solar installations to review and approve the system's components, layout and design.
- C. All solar installations shall be installed by a licensed electrician in compliance with all local and state building and electrical codes.
- D. Any memorandum of lease, easement, or utility agreement associated with a solar installation shall be submitted to the Coventry Planning Department for review and recorded in the Land Evidence Records in the Town of Coventry upon approval.
- E. Solar installations proposed within any historic district established pursuant to Coventry's Historical Area Zoning Ordinance and on any property or structure registered, or proposed for registration, on the National Register of Historic Places shall be forwarded to the Coventry Historic District Commission for review and approval in accordance with applicable historic standards and guidelines.
- F. All properties on which solar installations are located shall be accessible by emergency vehicles.
- G. All solar installations shall include a well-marked and easily accessible emergency cut-off designed to stop power generated by the installation from being distributed to the structure or utility connection serviced by the installation.
- H. Solar installations shall be cleaned and maintained using only nontoxic, biodegradable substances.

§ 255-2130. Roof-mounted solar installations.

§ 255-2130. Roof-mounted solar installations.

Roof-mounted solar installations are permitted in all zones subject to the following requirements:

- A. The solar installation shall not exceed the dimensions of the plane of the roof to which it is mounted.
- B. The height of roof-mounted solar installations shall be limited in the same manner as chimneys, antennae or other roof-top mechanical equipment and appurtenances.
- C. The layout of roof-mounted solar installations shall allow for all proper clearances from other rooftop penetrations, equipment and structures and shall allow for safe access to the roof to inspect and maintain the roof, the solar installation components and other roof-mounted structures or equipment. In order to maintain this accessibility, solar installations mounted on top of an existing roof (i.e., solar panels) shall not be located within three feet of any peak, eave or valley of the roof. Solar installations that also serve as primary roofing materials (i.e., solar shingles) shall conform to the manufacturer's installation instructions.
- D. Solar installations mounted on pitched roofs shall be mounted flush to the roof.
- E. Solar installations mounted on flat roofs may be angled to a maximum of 30° from the plane of the roof. Where an angled installation is visible to surrounding properties such that it significantly detracts from the aesthetic values of the structure to which it is mounted, the Planning Department may require the addition of reasonable architectural screening elements to reduce the visibility of the solar installation from neighboring properties and roads.
- F. The maximum size/area of roof-mounted solar installations must be approved by the Building Official based on the dimensional and structural limitations of the roof to which it is attached.

- G. The Building Official may require a structural analysis of the roof prepared by a registered professional engineer to establish that the roof is able to support the additional weight of the solar installation and that the mounting system/structure will adequately anchor the solar installation to the roof.

§ 255-2140. Ground-mounted solar installations.

§ 255-2140. Ground-mounted solar installations. [Amended 3-25-2025 by Ord. No. 2025-18]

- A. Minor solar installations. Minor solar installations are permitted in all zones as an accessory use. Minor solar installations shall comply with all dimensional requirements for accessory structures as required by Article IX of this chapter.
- B. Medium and major solar installations.
 - – (1) All medium and major solar installation require the issuance of a use variance pursuant to Article IV of this chapter.
 - – (2) Medium solar installations covering more than 20,000 square feet of area shall require minor land development approval from the Planning Commission pursuant to Coventry's Subdivision and Land Development Regulations.
 - – (3) Unless otherwise specified by this article, medium solar installations shall meet all applicable zone requirements for accessory structures, including but not limited to lighting, and signage.
- C. Major solar installations.
 - – (1) All major solar installations require the issuance of a use variance pursuant to Article IV of this chapter and major land development approval from the Planning Commission pursuant to Article V of the Coventry Subdivision and Land Development Regulations.
- D. General design standards for all ground-mounted solar installations.
 - – (1) Ground-mounted solar installations shall not exceed 12 feet in height as measured from the original grade of the ground surface to the highest point of the solar installation, including the top of any support structure or panel. The Planning Commission may allow heights exceeding 12 feet in nonresidential zones for solar parking lot canopies.
 - – (2) No removal of topsoil or unnecessary grading/disturbance of the ground is permitted as part of the installation or maintenance of a ground-mounted solar installation. Any topsoil that must be moved shall be stored and stabilized on-site for future use.
 - – (3) To the maximum extent practicable, all ground-mounted solar installations shall be located so as to take advantage of existing cleared land. Clearing of forest or woodland shall be avoided to the greatest extent practicable.
 - – (4) To the maximum extent practicable, all cleared areas below and surrounding a ground-mounted solar installation shall be maintained in a vegetated state to stabilize soils and prevent erosion.
 - – (5) To the maximum extent practicable, all electrical connection and distribution lines shall be located entirely within the structure of the solar installation, underground, or within the structure to which the installation is supplying energy. Electrical equipment between the installation and the utility connection may be above-ground if required by the utility.
- E. Supplemental design standards and requirements for major and medium solar installations.
 - – (1) Whenever development plan review is required for a major or medium solar installation, the application shall include:
 - – * (a) The proposed site layout detailing any landscape changes, including but not limited to any clearing of trees or forest that has occurred during the 24 months prior to application;
 - – * (b) A diagram of all electrical components;

- – * (c) A description of the major system components to be used;
- – * (d) An operation and maintenance plan including measures for maintaining safe access to the installation, stormwater controls, as well as general procedures for operational maintenance of the installation;
- – * (e) A decommissioning plan in conformance with this chapter, including proof of financial surety for the removal of the solar installation;
- – * (f) Proof that the appropriate utility company authority has been notified of the applicant's intent to construct a solar distributed generation facility and to submit an interconnection application (required with initial submission at pre-application or master plan phase);
- – * (g) Proof of utility interconnection approval (required not later than preliminary plan phase);
- – * (h) Any memorandum of lease, easement, or utility/distribution agreements;
- – * (i) Proof of liability insurance;
- – * (j) The contact information for the project contractors;
- – * (k) A shading analysis;
- – * (l) A viewscape analysis demonstrating that the reasonable steps have been taken in the siting of the proposed solar installation to reduce negative impacts on rural and forested viewscales;
- – * (m) A landscape plan (where required); and, (n) Additional documents may be required by the Planning Commission. The Planning Commission may waive requirements of the land development review process upon written request of the applicant at pre-application.
- – (2) Setbacks and coverage. All medium and major solar installations shall maintain the property line setbacks for nurseries or greenhouses as set forth in dimensional regulations (Code § 255-610 of this chapter). Maximum lot coverage shall be 15%.
- – (3) Buffers. All medium and major solar installations shall maintain a vegetated buffer between the installation and all property boundaries to screen the solar installation from view from abutting properties and roads. Buffers may be incorporated into the required setback area.
 - – * (a) Medium solar installations in residential zones shall maintain a vegetated buffer of not less than 20 feet.
 - – * (b) Major solar installations in residential zones shall maintain a vegetated buffer of not less than 40 feet. A buffer plan prepared by a registered landscape architect and incorporating native species from the Rhode Island Native Plant Database shall be submitted as part of the project's application for major land development.
 - – * (c) All access roads through the buffer shall be angled or curved to obstruct views of the solar installation.
 - – * (d) Existing vegetation shall be supplemented with additional native species where necessary to ensure that the buffer adequately screens the solar installation from view beyond the property boundaries on a year-round basis.
 - – * (e) Medium and major solar installations in industrial, commercial and business zones may request permission from the Zoning Board of Review or, in the case of a Unified Development Review, the Planning Commission to use a reduced ten-foot hybrid buffer that combines a vegetated buffer with solid or slatted security fencing to both secure and obscure view of the panels. The ten-foot hybrid buffer shall be extended to 20 feet where the solar installation abuts a residential zone.
- – (4) Security. A fence shall surround the perimeter of a major or medium ground-mounted solar installation of no less than seven and no more than 10 feet in height.

- – (5) Emergency services. The owner or operator shall provide a copy of the project summary, electrical schematic and site plan to the local fire chief. Upon request, the owner or operator shall cooperate with the local emergency services in developing an emergency response plan. Upon request, the owner or operator shall cooperate with the local emergency services to conduct basic on-site safety and operational training. The owner or operator shall identify a responsible person for public inquiries throughout the life of the solar installation.
- – (6) Signage. No signs are allowed on the security perimeter fencing except for a sign displaying the installation name, address and emergency contact information, and trespassing/warning/danger signs to ensure the safety of individuals who may come in contact with the installation. No sign shall exceed four square feet in area. Externally lit signs must be orientated such that the light is directed away from any adjacent properties and traffic arteries.
- – (7) Lighting. Lighting of solar installations shall be consistent with local, state and federal law and shall be limited to that required for safety and operational purposes. Light fixtures shall either be approved by the International Dark-Sky Association (IDA) or meet the criteria for such approval and shall be both fully shielded and full cut-off. All lighting fixtures shall be shielded so as to prevent light from being directed onto neighboring properties.
- – (8) Removal of solar installations. The property owner and the owner/operators of the solar installation shall be jointly and severally responsible for removing all obsolete, abandoned or unused equipment within 12 months after a solar installation has ceased operations. Removal shall include:
 - – * (a) Physical removal of all systems, structures, equipment, wiring and security from the site both above and below ground.
 - – * (b) All removed components shall be recycled whenever feasible.
 - – * (c) Disposal of all solid and hazardous waste in accordance with local, state and federal waste disposal regulations; and (d) Stabilization or revegetation of the site as necessary to minimize erosion. The Town may allow the owner or operator to leave landscaping or designated below grade foundations in order to minimize erosion and disruption to vegetation.
- – (9) Decommissioning. Unless otherwise approved in writing by the Planning Commission, all major and medium solar installations shall be removed in accordance with their approved decommissioning plan. Prior to beginning decommissioning operations, the owner or operator shall notify the Building Official by USPS certified mail of the proposed dates for discontinuing operation of the installation and commencing removal activities, and the anticipated date for completing the decommissioning.
- – (10) Abandonment. Absent prior written approval from the Planning Commission extending the time for removal of a solar installation for extenuating circumstances, a solar installation shall be considered abandoned when it has been nonoperational for more than one year. If an owner or operator fails to remove a solar installation within 150 days of abandonment, the Town may take unilateral action to remove the solar installation without further notice at the owner's or operator's expense.
- – (11) Financial security. Applicants shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the installation and restore the landscape. The amount and form of said surety shall be determined by the Planning Commission with review and input by the Town Engineer, Town Finance Director and Town Solicitor and such other Town officials as deemed necessary. As part of any lease agreements, the applicant shall submit a fully inclusive estimate of the costs associated with removal. The surety amount established by the Planning Commission shall include a mechanism for calculating increased removal costs due to inflation and any expected salvage or resale value. Such surety will not be required for municipally or state-owned installations.

- – (12) Modifications. All material modifications to a solar installation made after issuance of the required building permit shall require approval by the Planning Department. Any addition to the size of the area will require a new application.

§ 255-2150. Construction and application.

§ 255-2150. Construction and application.

The requirements and standards set forth in this article are in addition to the requirements of this chapter except where stated.