

# ORDINANCE OF THE TOWN COUNCIL

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

## Ordinance No. 2025-11

*Passed:*

\_\_\_\_\_  
Hillary V. Lima, *Council President*

*Approved:*

\_\_\_\_\_  
Daniel O. Parrillo, *Town Manager*

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

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

### **Article II, Chapter 255 – Zoning**

#### **§ 255-200. Standard Interpretations.**

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

C. Where used in this Chapter ~~the Ordinance~~, 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.**

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 STRUCTURE—**~~

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

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

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

### **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.

~~ADMINISTRATIVE VARIANCE~~

~~Permission granted and administered by the Building Inspector or the Zoning Enforcement Officer of Coventry, and pursuant to the provisions of this chapter contained herein, 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.~~

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.G.L. Title 45, Chapter 24~~ R.I. Gen. Laws § 45-24-1 et seq.

AGRICULTURAL LAND

"Agricultural land" as defined in ~~R.I.G.L.~~ 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.

123 BASEMENT  
124 That portion of a building that is partly or completely below grade.

125 BED-AND-BREAKFAST INN  
126 An owner-occupied dwelling where short-term lodging rooms and meals are provided for a fee.  
127

128 BERM  
129 An earthen mound designed to provide visual interest, screen undesirable views, and/ or decrease  
130 noise.

131 BOARD  
132 The Zoning Board of Review.

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

136 BUFFER, PERIMETER LANDSCAPE  
137 A continuous area of land set aside along the perimeter of a lot in which landscaping is used to  
138 provide a transition between and to reduce the environmental, aesthetic, and other impacts of one  
139 type of land use upon another.

140 BUILDING  
141 Any structure used or intended for supporting or sheltering any use or occupancy.

142 BUILDING ENVELOPE  
143 The three-dimensional space within which a structure is permitted to be built on a lot and which  
144 is defined by regulations governing building setbacks, maximum height, and bulk; by other  
145 regulations; and/or any combination thereof.

146 BUILDING HEIGHT  
147 The vertical distance from grade plane, as defined by the Rhode Island Building Code Rules,  
148 ~~determined by the Town,~~ to the average height of the highest roof surface ~~top of the highest point~~  
149 ~~of the roof or structure.~~ The distance shall exclude spires, chimneys, flagpoles, and the like.

150 BUILDING HEIGHT IN A BUSINESS PARK  
151 The vertical distance from grade, as determined by the location of the main entrance to the  
152 structure, to the top of the highest point of the roof or structure. The distance shall exclude spires,  
153 chimneys, flagpoles and the like.

154 BUSINESS PARK or PLANNED BUSINESS PARK  
155 The purpose of this district is to denote major commercial and employment centers for the town.  
156 Land uses in this district include all commercial uses other than heavy industrial and certain other  
157 uses specifically prohibited. Business parks and development plans therefor, and land  
158 development projects in Business Park Districts, shall be approved, upon review and  
159 recommendation by the Planning Commission, administered and developed by the Town Council  
160 under the provisions of Article XIV of this chapter, to the extent such provisions are deemed  
161 necessary and appropriate by the Council.

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. ~~Assessory~~ 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.G.L.~~ 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.G.L.~~ 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.G.L.~~ 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) ~~60~~ days nor more than two years. Residents will have access to and use of all common areas, including eating areas and living rooms, and will receive appropriate social services for the purpose of fostering independence, self-sufficiency, and eventual transition to a permanent living situation.

#### COMPREHENSIVE PLAN

The comprehensive community plan adopted by the Town of Coventry and approved pursuant to ~~R.I.G.L.~~ 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.

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

279 DWELLING, SINGLE-FAMILY  
 280 A building used exclusively for occupancy by one family.

281 DWELLING, TWO-FAMILY  
 282 A building used exclusively for occupancy by two families living independently of each other.

283  
 284 EARTH REMOVAL  
 285 The extraction of minerals and mining of materials from the ground to include quarrying, milling,  
 286 crushing, screening, washing, and flotation of earthen materials, and other preparation  
 287 customarily done at the extraction site or as a part of the extractive activity.

288 EXCAVATION, EXTRACTION, or MINING  
 289 The mechanical removal of rock, sand, gravel, clay, and similar materials for commercial  
 290 purposes.

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

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

297 FEDERALLY INSURED OR ASSISTED HOUSING  
 298 A. Low-income housing units insured or assisted under Sections 221(d)(3) and 236 of the  
 299 National Housing Act [12 U.S.C. § 1701 et seq.].  
 300 B. Low-income housing units produced with assistance under Section 8 of the U.S. Housing Act  
 301 of 1937 [42 U.S.C. § 1401 et seq.]; and  
 302 C. Rural low-income housing financed under Section 515 of the Housing Act of 1949 [12 U.S.C.  
 303 § 1715Z].

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

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

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

317 GARAGE  
318 A building or structure, or part thereof, used or intended to be used for the storage of vehicles.  
319 GRADE  
320 The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within  
321 the area between the structure and the property line.  
322 GROCERY STORE  
323 A commercial establishment that sells food, food kindred products, and household goods, and  
324 that has a gross floor area of 10,000 square feet or less.  
325 GROSS FLOOR AREA  
326 The sum of the total horizontal areas of the several floors of all buildings on a lot, measured from  
327 the interior faces of the exterior walls, but shall not include floor space that provides less than six  
328 feet of structural headroom, interior parking spaces, or loading areas for motor vehicles.  
329 GROUNDWATER  
330 "Groundwater" and associated terms, as defined in ~~R.I.G.L.~~ R.I. Gen. Laws § 46-13.1-3.  
331 HALFWAY HOUSES  
332 A residential facility for adults or children who have been institutionalized for criminal conduct  
333 and who require a group setting to facilitate the transition to a functional member of society.  
334  
335 HARDSHIP  
336 A set of unique characteristics of land or structures that result in an inability to conform with the  
337 standards and requirements of this chapter. Hardship shall not include consideration of the  
338 characteristics of surrounding land, or physical or economic disability of an applicant.  
339 HAZARDOUS WASTE  
340 A waste or combination of wastes of a solid, liquid, contained gaseous, or semisolid form which  
341 because of its quantity, concentration or physical, chemical or infectious characteristics may:  
342 A. Cause or significantly contribute to an increase in mortality or an increase in serious  
343 irreversible or incapacitating reversible illness; or  
344 B. Pose a substantial present or potential hazard to human health or the environment; or such  
345 wastes which include, but are not limited to, those which are toxic, corrosive, flammable,  
346 irritants, strong sensitizers, substances which are assimilated or concentrated in and are  
347 detrimental to tissue, or which generate pressure through decomposition or chemical reaction.  
348 HISTORIC DISTRICT or HISTORIC SITE  
349 As defined by ~~in R.I.G.L.~~ R.I. Gen. Laws § 45-22.2-4, "Historic historic district" means one or  
350 more historic sites and intervening or surrounding property significantly affecting or affected by  
351 the quality and character of the historic site or sites, and has been registered, or is deemed  
352 eligible to be included, on the state register of historical places pursuant to ~~R.I.G.L.~~ R.I. Gen.  
353 Laws § 42-45-5, "Historic historic site" means any real property, man-made structure, natural  
354 object, or configuration or any portion or group of the foregoing which has been registered, or is

deemed eligible to be included, on the state register of historic places pursuant to ~~R.I.G.L.~~ 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.

393 LAND DEVELOPMENT PROJECT

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

398 LANDSCAPING

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

402 LODGING HOUSE

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

405

406 LOT

407 Either:

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

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

413 LOT AREA

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

416 LOT COVERAGE

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

419 LOT DEPTH

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

422 LOT LINE

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

425 A. FRONT

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

427

428

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

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

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

439

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

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

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

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

455

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

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

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

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.

509 OWNER

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

513 PERFORMANCE STANDARDS

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

516 PERIODIC NOISE

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

518 PERMITTED USE

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

520 PLANNED UNIT DEVELOPMENT (PUD)

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

523 PREAPPLICATION CONFERENCE

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

527 RECREATIONAL, HOBBY, EDUCATION FARM ANIMAL RAISING

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

530 REPAIR GARAGE

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

533 RESIDENTIAL MOBILE HOME DISTRICTS

534

535 Residential Mobile Home Districts ("RMD") are floating zones limited to mobile home parks  
536 and accessory uses, based on an approved comprehensive site plan as set forth in Article XI of  
537 this chapter. The minimum gross land area, excluding swamps, ponds, streams, unsuitable soils  
538 and other unusable land under single ownership, shall be 10 acres. All RMDs shall adhere to the  
539 regulations of Article XI and Chapter 11 of the Code.  
540

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

544 SCREEN

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

548

549	SERVICE STATION
550	Any premises where gasoline and other petroleum products are sold and/ or light maintenance
551	activities such as engine tune-ups, lubrication, minor repairs, and carburetor cleaning are
552	conducted. Service stations shall not include premises where heavy automobile maintenance
553	activities such as engine overhauls, automobile painting, and body fender work are conducted.
554	SETBACK LINE OR LINES
555	A line or lines parallel to a lot line at the minimum distance of the required setback for the zoning
556	district in which the lot is located that establishes the area within which the principal structure
557	must be erected or placed.
558	SHADE TREE
559	Usually a deciduous tree planted primarily for its high crown of foliage or overhead canopy.
560	SHOPPING CENTER
561	A group of three or more contiguous commercial establishments, planned, developed, owned,
562	and managed as a single unit with off-street parking provided on the same lot.
563	SHRUB
564	A woody plant, smaller than a tree, consisting of several small stems from the ground or small
565	branches near the ground which can be either deciduous or evergreen.
566	SIGN
567	A structure or device designed or intended to convey information to the public in written or
568	pictorial form.
569	SITE PLAN
570	The development plan for one or more lots on which is shown the existing and/or the proposed
571	conditions of the lot.
572	SPECIAL USE
573	A regulated use which is permitted pursuant to the special use permit issued by the Coventry
574	Zoning Board of Review. Formerly referred to as a special exception.
575	STORY
576	That portion of a building between the surface of any floor and the surface of the floor next
577	above it or, if there is no floor above it, then the space between the highest floor and the top of
578	the roof beams. A basement shall be counted as a story.
579	STRUCTURE
580	A combination of materials to form a construction for use, occupancy, or ornamentation, whether
581	installed on, above, or below the surface of land or water.
582	SUBSTANDARD LOT OF RECORD
583	Any lot lawfully existing at the time of adoption or amendment of this chapter and not in
584	conformance with the dimensional and/or area provisions of the Ordinance.
585	SUPERMARKET
586	A commercial establishment that sells food, food kindred products, and household goods, and
587	that has a gross floor area in excess of 10,000 square feet. Such an establishment shall also be

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.G.L.~~ 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.

626 WATERS

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

628 WETLAND, FRESHWATER

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

633 WOODLANDS

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

636 YARD

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

639 YARD, FRONT

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

644 YARD, REAR

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

648 YARD, SIDE

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

653 ZONING CERTIFICATE

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

658 ZONING ENFORCEMENT OFFICER

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

661 ZONING MAP

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

664 ZONING USE DISTRICTS

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

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

Positive Endorsement:

Negative Endorsement: (Attach reasons)

\_\_\_\_\_  
Town Solicitor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Solicitor

\_\_\_\_\_  
Date

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

Referred to/for:

Planning Commission on February 19, 2025

First Reading on \_\_\_\_\_, 2025

Public Hearing on \_\_\_\_\_, 2025