

TOWN OF COVENTRY

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF CHAPTER 255 OF THE CODE OF ORDINANCES OF THE TOWN OF
COVENTRY, ENTITLED “Zoning”

Ordinance No. 2024-X

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

It is Ordained by the Town of Coventry Town Council as follows:

Note: Words set as ~~strikeover~~ are to be **deleted** from the ordinance; words set in **underline/bold** are to be **added** to the ordinance.

Chapter 255-1820. Notice and hearing requirements.

A. This chapter shall not be adopted, repealed, or amended until after a public hearing has been held upon the question before the Town Council.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

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

40 printed once in its entirety, or summarize and describe the matter under
41 consideration **as long as the intent and effect of the proposed ordinance is**
42 **expressly written in that notice;**

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

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

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

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

54 ~~E~~D. Where a proposed amendment to this chapter includes a specific change in a zoning
55 district map, but does not affect districts generally, public notice shall be given as
56 required by ~~§ 255-1830A~~ **subsection A of this section**, with the additional requirements
57 that:

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

61 (2) Written notice of the date, time, and place of the public hearing and the nature and
62 purpose thereof shall be sent to all owners of real property whose property is
63 located in or within not less than 200 feet of the perimeter of the area proposed for
64 change, whether within the Town or within an adjacent city or town. The notice
65 shall be sent by ~~registered or certified~~ **first-class** mail to the last known address of
66 the owners, as shown on the current real estate tax assessment records of the city
67 or town in which the property is located; **provided, for any notice sent by first-**
68 **class mail, the sender of the notice shall submit a notarized affidavit to attest**
69 **to such mailing.**

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

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

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

78 ~~E~~F. Notice of a public hearing shall be sent to the governing body of any state or municipal
79 water department or agency, special water district, or private water company that has

80 riparian rights to a surface water resource and/or surface watershed that is used or is
81 suitable for use as a public water source and that is within 2,000 feet of any real property
82 which is the subject of a proposed zoning change; provided, ~~however,~~ that the governing
83 body of any state or municipal water department or agency, special water district, or
84 private water company has filed with the Building Inspector a map survey, which shall
85 be kept as a public record, showing areas of surface water resources and/or watersheds
86 and parcels of land within 2,000 feet thereof.

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

98 **FH.** No defect in the form of any notice under this section shall render this chapter or
99 amendment invalid, unless the defect is found to be intentional or misleading.

100 **GI.** Costs of **newspaper and mailing notices** ~~any notice~~ required under this section shall be
101 borne by the applicant.