

MEMORANDUM

TO: Coventry Planning Commission

FROM: Weston & Sampson

DATE: September 15, 2026

SUBJECT: Alternative Residential Development in the R-20 District

This memorandum follows the Planning Commission discussion on August 26, 2026. During that discussion, the Planning Commission agreed to consider a density neutral approach to allowing multifamily dwellings in the R-20 District (also known as the “Even-Steven approach”). Below, we provide proposed text for revisions to the Coventry Zoning Ordinance and the Land Development and Subdivision Regulations to allow for the Even-Steven approach.

Additionally, we provide our findings on the question of whether the Even-Steven approach is being used by other municipalities in Rhode Island as well as our understanding of the implications for comprehensive permitting.

R-20 Residential District

Zoning Article IX, § 255-930

H. Alternative Residential Development in the R-20 District

Two or more contiguous lots in the R-20 District may be combined for purposes of calculating permitted dwelling-unit yield and developed with one or more residential building types, including single-family dwellings, two-family dwellings, townhouses, and multifamily dwellings, or a combination thereof, provided that each lot shares at least 50 continuous linear feet of common lot line with at least one other lot included in the development.

No residential building shall contain more than six dwelling units.

The total number of dwelling units permitted on the combined lots shall not exceed the equivalent of two dwelling units per acre, nor shall it exceed the number of single-family dwellings that could otherwise lawfully be developed on the combined land under the R-20 District requirements.

For purposes of determining permitted dwelling-unit yield, the applicant shall submit a conceptual subdivision plan demonstrating the maximum number of single-family dwelling lots that could be developed on the combined land. The conceptual subdivision plan may include existing lots having a lawful right to development as a single-family dwelling under this chapter and conforming R-20 lots that could be established through reconfiguration of the combined land, irrespective of existing lot lines. Each resulting lot shall meet the applicable minimum lot area, frontage, and dimensional requirements of the R-20 District, except where an existing lot is lawfully developable pursuant to the nonconforming lot provisions of this chapter, and shall constitute a buildable lot as defined in the Land Development and Subdivision Regulations.

Development pursuant to this subsection shall comply with all other applicable provisions of this chapter, including Article XII, Parking; Article XIV, Land Development Projects; Article XVI, Development Plan Review; and Article XVII, Landscaping, and with the applicable provisions of the Land Development and Subdivision Regulations.

Nothing in this subsection shall be construed to limit or supersede the rights, procedures, adjustments, or density incentives applicable to a comprehensive permit pursuant to R.I. Gen. Laws Chapter 45-53.

Zoning Article VI, Table 6-1 — Schedule of District Use Regulations

New table note:

Residential building types authorized as part of an Alternative Residential Development pursuant to § 255-930.H shall be permitted in the R-20 District, subject to the requirements of that subsection.

Subdivision Regulations, Article XIII

2. Standards for multifamily buildings.

For an Alternative Residential Development pursuant to § 255-930.H of the Zoning Ordinance, the dimensional requirements of subsections a through c shall not apply. Such development shall instead comply with the applicable dimensional requirements of the R-20 District.

Optional Design Standard for Planning Commission Consideration

The Planning Commission may wish to consider whether an additional roof-form standard is appropriate for Alternative Residential Development in the R-20 District. If desired, the following could be added to § 255-930.H:

Residential buildings containing three or more dwelling units shall have a predominantly pitched roof. Flat or low-slope roofs may be incorporated as subordinate architectural elements.

A prohibition on metal roofing is not recommended. Metal roofing, particularly standing-seam roofing, is commonly used on residential buildings and does not inherently result in a commercial or institutional

appearance. If the Commission's objective is to maintain a predominantly residential building form within the R-20 District, regulation of roof form would more directly address that objective than regulation of roofing material. In our opinion, however, no additional roof-form standard is necessary to implement the proposed Alternative Residential Development provisions.

Rhode Island Precedents for the “Even-Steven” Approach

At the Planning Commission hearing, a question was raised as to whether other Rhode Island municipalities use an approach similar to the proposed “Even-Steven” concept. A review of several Rhode Island zoning ordinances indicates that the underlying methodology is already well established in the state, although we have not identified another municipality that applies it in precisely the same manner proposed for Coventry.

The closest example identified is the Town of Cumberland. Cumberland’s Conservation Development ordinance allows residential development to consist of detached dwellings, attached single-family units, or multifamily dwellings while maintaining an overall density equal to that which would otherwise be permitted under conventional development. The applicant is required to submit a conventional yield plan demonstrating the number of lots or dwelling units that could otherwise be developed on the property. Cumberland, therefore, uses essentially the same underlying principle proposed for Coventry, i.e., establish the conventional residential yield first, then allow greater flexibility in the form and arrangement of those dwelling units without increasing overall density (Town of Cumberland, 2009a, 2009b).

Other Rhode Island communities use comparable conventional-yield or density-neutral approaches, primarily in connection with cluster or conservation development. Johnston limits the number of dwelling units in a conservation development to the number of single-family lots or dwellings that could reasonably be developed under a conventional yield plan (Town of Johnston, 2011). North Smithfield similarly limits conservation-development density to the number of single-family lots that could be developed under a conventional yield plan (Town of North Smithfield, n.d.). Westerly uses a conventional-development calculation to establish the maximum number of dwellings permitted within a cluster residential development (Town of Westerly, n.d.).

Coventry itself already employs the same basic density-neutral principle in its Residential Cluster Development provisions. The ordinance provides that the number of dwelling units in an RCD may not exceed the number that would have been permitted if the tract were developed conventionally. Coventry’s Land Development and Subdivision Regulations likewise require an applicant proposing an RCD to provide an alternative conventional subdivision plan for comparison (Town of Coventry, 2024; Town of Coventry, n.d.).

Accordingly, the proposed Alternative Residential Development provision does not introduce a new method for calculating residential development yield. Rather, it extends an established Rhode Island planning technique to a somewhat different purpose. Instead of using conventional yield primarily to determine the number of units permitted within a cluster or conservation development, the proposed Coventry provision would use conventional R-20 yield to establish a density-neutral ceiling while allowing greater flexibility in residential building type.

The Cumberland precedent is particularly relevant because it demonstrates that conventional-yield limitations can be coupled with flexibility in housing type, including attached and multifamily housing. The principal distinction is that Cumberland provides this flexibility through its conservation-development regulations, whereas Coventry would make a similar density-neutral housing-form option available through the proposed Alternative Residential Development provisions in the R-20 District.

In short, the conventional-yield and density-neutral methodology is well established in Rhode Island; the proposed application of that methodology to provide broader housing-form flexibility in Coventry's R-20 District appears to be a more tailored application of that established approach.

References

Town of Coventry. (2024). Land development and subdivision regulations (Article IV, Residential Cluster Developments). Town of Coventry, Rhode Island.

Town of Coventry. (n.d.). Code of Ordinances, Chapter 255, Article XIII: Residential cluster development. Town of Coventry, Rhode Island.

Town of Cumberland. (2009a). Code of Ordinances, Article 11, § 11-3: Permitted uses. Town of Cumberland, Rhode Island.

Town of Cumberland. (2009b). Code of Ordinances, Article 11, § 11-4: Density regulations. Town of Cumberland, Rhode Island.

Town of Johnston. (2011). Code of Ordinances, Chapter 340, Article XXII, § 340-148: Maximum number of units. Town of Johnston, Rhode Island.

Town of North Smithfield. (n.d.). Zoning Ordinance, Article XVI, § 340-4.52: Maximum density for conservation development. Town of North Smithfield, Rhode Island.

Town of Westerly. (n.d.). Code of Ordinances, Chapter 260, Article IX: Special regulations. Town of Westerly, Rhode Island.

Potential Implications of Comprehensive Permits

A question was raised regarding how Rhode Island's comprehensive permit requirements could affect the proposed Alternative Residential Development provisions.

The proposed "Even-Steven" approach would establish the density and development standards applicable to conventional Alternative Residential Development in the R-20 District. It would not, however, supersede the separate rights and procedures established under the Rhode Island Low and Moderate Income Housing Act (R.I. Gen. Laws Chapter 45-53).

A qualifying comprehensive permit applicant may request adjustments from the literal use and dimensional requirements of the Zoning Ordinance and from design standards or requirements contained in the Land Development and Subdivision Regulations. State law also establishes minimum densities applicable to certain comprehensive permit developments. Accordingly, the dwelling-unit yield and six-unit-per-building

limitations proposed under § 255-930.H should not be assumed to limit development otherwise entitled to relief or additional density through the comprehensive permit process (R.I. Gen. Laws §§ 45-53-3, 45-53-4).

This does not appear to warrant changing the underlying Alternative Residential Development concept. The two provisions serve different purposes. Section 255-930.H would establish Coventry's generally applicable, density-neutral option for alternative residential development in the R-20 District, while qualifying affordable housing developments would remain subject to the separate requirements and procedures of Chapter 45-53.

To avoid ambiguity, the Town may wish to add the following savings provision to § 255-930.H:

Nothing in this subsection shall be construed to limit or supersede the rights, procedures, adjustments, or density incentives applicable to a comprehensive permit pursuant to R.I. Gen. Laws Chapter 45-53.

This approach would preserve the simplicity and intent of the proposed Alternative Residential Development provisions while making clear that they neither expand nor restrict rights independently provided through the state comprehensive permit process.

Legal Considerations

The discussion above is provided as a planning and zoning policy analysis and is not intended to constitute a legal opinion or interpretation of Chapter 45-53. Rhode Island's comprehensive permit statutes have undergone substantial recent amendments, and the administrative and judicial history interpreting several of the newer provisions remains limited. Accordingly, the precise interaction between the proposed Alternative Residential Development provisions and a future comprehensive permit application may depend upon the particular facts of the application and subsequent interpretation of state law. The Town Solicitor should review the proposed ordinance language, including the savings provision above, for consistency with Chapter 45-53 and other applicable state law.