

ORDINANCE OF THE TOWN COUNCIL

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

Ordinance No. 2025-03

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

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

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

Article XVIII, Chapter 255 – Zoning

§ 255-1820. Notice and hearing requirements.

A. This chapter shall not be adopted, repealed, or amended until after a public hearing has been held upon the question before the Town Council.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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

110
111 Positive Endorsement: _____ Negative Endorsement: (Attach reasons)
112
113
114
115 _____
116 Town Solicitor Date Town Solicitor Date
117

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

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