

# ORDINANCE OF THE TOWN COUNCIL

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

## Ordinance No. 2025-04

*Passed:*

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Hillary V. Lima, *Council President*

*Approved:*

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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 VIII:

**Article VIII, Chapter 255 – Zoning**

**§ 255-870. Single nonconforming lots of record.**

- A. ~~A lot or parcel of land having a lot width or area which is less than required by Article VI may be considered buildable for single-family residential purposes regardless of the lot width or area, provided such lot or parcel of land was duly recorded prior to the effective date of this chapter, and further provided that at the time of the recording said lot or parcel of land so created conformed in all respects to the minimum requirements of the Zoning Ordinance in effect at the time of such recording, and did not adjoin other land of the same owner on the effective date of this chapter or at any time after such lot or parcel of land was rendered substandard by the provisions of any prior Zoning Ordinance. Any lot meeting the requirements of a single nonconforming lot of record for single family purposes shall be governed by the requirements of § 255-890 for determination of setbacks for principal structures.~~ 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:

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

66 ~~B. Nothing in this section shall be construed as exempting single nonconforming lots of record~~  
67 ~~from complying with the maximum percentage of lot coverage of principal and accessory~~  
68 ~~buildings, maximum building height and accessory building setback requirements, as~~  
69 ~~required by § 255-600.~~

70 **§255-880. Adjacent nonconforming lots of record under same ownership.**

- 71 ~~A. Generally, If two or more adjacent nonconforming lots of record or parcels of land are under~~  
72 ~~the same ownership on the effective date of this chapter, such lots shall be considered to be~~  
73 ~~an undivided parcel of land for the purpose of this chapter, and no single lot or portion~~  
74 ~~thereof shall be used in violation of the requirements of § 255-600 as to lot width and area. If~~  
75 ~~the total lot width or lot area of such adjacent merged lots of record is less than required by §~~  
76 ~~255-600, such lots may be considered as a single nonconforming lot of record for single-~~  
77 ~~family residential purposes and shall be governed by the provisions of § 255-870.~~ The merger  
78 of lots shall not be required when the substandard lot of record has an area equal to or greater  
79 than the area of fifty percent (50%) of the lots within two hundred feet (200 ft) of the subject  
80 lot, as confirmed by the zoning enforcement officer, which shall be supported by the  
81 submission of a Compilation Survey of the property as prepared by a Rhode Island  
82 Registered Professional Land Surveyor, as submitted by and at the expense of the property  
83 owner.
- 84 B. Adjacent nonconforming lots of record under common ownership in Rural Residential Zone;  
85 exemption from merger provision. Two or more adjacent nonconforming lots of record or  
86 parcels of land under the same ownership on the effective date of this subsection, June 26,  
87 2000, in an RR-2, RR-3, or RR-5 Zone shall not be merged for the purpose of this chapter  
88 pursuant to § 255-880A of the Code, provided that the adjacent nonconforming lots of record

89 or parcels of land conformed to the minimum two-acre dimensional requirements in effect  
 90 after May 4, 1981, and provided that they were lawfully created and recorded.

91 C. Nothing in this section shall be construed as exempting such adjacent nonconforming lots of  
 92 record from complying with the maximum percentage of lot coverage of principal and  
 93 accessory buildings, maximum building height and accessory building setback requirements,  
 94 as required in § 255-600 of the Code for the zoning district in which such lot is located. Any  
 95 lots meeting those requirements shall be considered as a conforming lot of record for single-  
 96 family residential purposes.

97 **§255-890. Nonconforming lots of record, building setback requirements in residential**  
 98 **zones.**

**Table 8-1**

<b>Minimum Depth of Lot (feet)</b>	<b>Minimum Front Yard Setback (feet)</b>			<b>Minimum Rear Yard Setback (feet)</b>		
	<b>RR5</b>	<b>RR3, RR2</b>	<b>R20</b>	<b>RR5</b>	<b>RR3, RR2</b>	<b>R20</b>
Up to 125	25	25	25	30	30	30
126 to 150	35	35	35	40	40	40
151 to 175	40	40	35	50	50	40
176 to 200	40	40	35	90	70	40
201 to 275	45	45	35	90	90	40
276 to 300	45	45	35	90	90	40
301 and up	45	45	35	90	90	40

**Table 8-2**

<b>Lot Width Measured at Building Setback Line Not Less Than (feet)</b>	<b>Minimum Side Yard for: RR5, RR3, RR2, R20 (feet)</b>
50	10
60	11
70	12
80	13
90	14
100	15
120	20
130	22
140	26
150	30
160	35
170	40
180	45
190	50
200+	50

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

Positive Endorsement:

Negative Endorsement: (Attach reasons)

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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