

ORDINANCE NUMBER:

DATE ADOPTED:

AN ORDINANCE IN AMENDMENT OF THE CODE OF THE
TOWN OF EAST GREENWICH, RHODE ISLAND

AN AMENDMENT OF AN ORDINANCE ENTITLED "TOWN OF EAST
GREENWICH, RHODE ISLAND ZONING ORDINANCE:
ADOPTED JULY 25, 2000, AS AMENDED."

The Town Council of the Town of East Greenwich hereby ordains the following is proposed for amendment to the Town of East Greenwich Zoning Ordinance within the Municipal Code.

Section 1: Article II, Definitions, of the Zoning Code, being Section 260-6 of the Town Code shall be changed in the following way:

A. BUILDING HEIGHT:

~~The height of a building as measured from the average elevation of the finished grade at the foundation on the front and two sides of the structure to the highest point of the roof. On a lot where a property has two front setbacks, the height of a building shall be measured from the average elevation of the finished grade at the foundation on the two fronts and one side. The measurement shall be taken at the center of each elevation. (Refer to building height illustration.) Illustration also to be stricken.~~

B. Per Rhode Island General Laws § 45-24-31. "Definitions." [Effective March 1, 2019]:

"Building Height. For a vacant parcel of land, building height shall be measured from the average, existing-grade elevation where the foundation of the structure is proposed. For an existing structure, building height shall be measured from average grade taken from the outermost four (4) corners of the existing foundation. In all cases, building height shall be measured to the top of the highest point of the existing or proposed roof or structure. This distance shall exclude spires, chimneys, flag poles, and the like. For any property or structure located in a special flood hazard area, as shown on the official FEMA Flood Insurance Rate Maps (FIRMs), building height shall be measured from base flood elevation, and where freeboard, as defined in this section, is being utilized or proposed, such freeboard area, not to exceed five feet (5'), shall be excluded from the building height calculation; provided, however that the Rhode Island Coastal Resources Management Council design elevation maps may be used by an owner or applicant to establish a base flood elevation for a property that is higher than the official FEMA FIRMs."

C. *Freeboard.* A factor of safety expressed in feet above the base flood elevation of a flood hazard area for purposes of floodplain management. Freeboard compensates for the many unknown factors that could contribute to flood heights, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Section 2. “Attachment 2” of Chapter 260, Zoning, of the Town Code, *Table 2: Table of Dimensional Regulations by Zone* (last amended 5-9-11 by Ordinance No. 814) shall be changed in the following way:

~~Footnote 4: Height of main structure refers to a principal structure's average height. Church spires, towers and belfries, as well as towers erected by the Town, water towers, flagpoles, radio/television antennas, telecommunications towers, chimneys, elevator or air conditioning penthouse, weathervanes and silos, are exempted from the height requirement.~~

Footnote 4: Height of main structure refers to a principal structure's height as defined in Section 260-6 of this Code. For any property or structure located in a special flood hazard area, as shown on the official FEMA Flood Insurance Rate Maps, the maximum allowable building height shall be reduced by eight (8) feet. Church spires, towers and belfries, as well as towers erected by the Town, water towers, flagpoles, radio/television antennas, telecommunications towers, chimneys, elevator or air-conditioning penthouse, weathervanes and silos, are exempted from the height requirement.

Section 3. This Ordinance shall be effective upon passage.