

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2007-25

No. 274

AN ORDINANCE AMENDING THE CITY OF PROVIDENCE COMPREHENSIVE PLAN, CHAPTER 1994-52, APPROVED DECEMBER 27, 1994, AS AMENDED

Approved MAY 14, 2007

Be it ordained by the City of Providence:

Section 1. *Providence 2000: The Comprehensive Plan* of the City of Providence, Ordinance 1994-52, approved December 27, 1994, as amended, is hereby further amended by consolidating all amendments made to the plan since May 2, 2002, incorporating them into the plan, and renaming the document "*Providence 2000: The Comprehensive Plan – Five Year Update*". The following three amendments, attached hereto, are hereby incorporated into the renamed plan:

1. Map Change for Manton Avenue, approved April 7, 2004 (Ord. 2004-13).
2. Map Change for South Angell Street, approved February 10, 2006 (Ord. 2006-15), and amended March 7, 2007 (Ord. 2007-19).
3. Text Change for Historic Waterfront Structures, approved April 17, 2006 (Ord. 2006-21).

Section 2. This ordinance shall not become effective for the purposes of guiding state agency actions until it is approved by the State of Rhode Island pursuant to Section 45-22.2 of the Rhode Island General Laws.

Section 3. This Ordinance shall take effect upon passage and publication as prescribed by law.

IN CITY COUNCIL
APR 19 2007
FIRST READING
READ AND PASSED

Ann M. Steer CLERK

IN CITY
COUNCIL

MAY 3 2007
FINAL READING
READ AND PASSED

Robt. Mancini

Ann M. Steer CLERK

MAYOR

5/14/07

No.

CHAPTER
AN ORDINANCE

MAR 31 2007
IN CITY COUNCIL
FIRST READING
REFERRED TO COMMITTEE ON
ORDINANCES
Ann M. State CLERK

THE COMMITTEE ON
Ordinances
Recommends
Ann M. State
3-26-07 CLERK
4-11-07 P.H.

THE COMMITTEE ON
ORDINANCES
Approves Passage of
The Within Ordinance
Ann M. State
4-11-07 Clerk As Amended

Council President Mancini & Councilman Salomon

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2004-13

IN CITY COUNCIL

RECEIVED
FIRST READING

No. 120

AN ORDINANCE

AMENDING PROVIDENCE 2000: THE COMPREHENSIVE PLAN

Approved April 7, 2004

Be it ordained by the City of Providence:

Section 1: Providence 2000: The Comprehensive Plan is hereby amended as follows:

The map entitled "Proposed Land Use: Non-Residential" is modified to change the land use designation for the area surrounding the intersection of Manton Avenue and Fruit Hill Avenue, as shown on the accompanying map, from Neighborhood Commercial to Limited Commercial.

Section 2: This Ordinance shall take effect upon passage.

IN CITY COUNCIL
MAR 18 2004
FIRST READING
READ AND PASSED

Michael B. Clement
CLERK

IN CITY COUNCIL

APR 1 2004
FINAL READING
READ AND PASSED

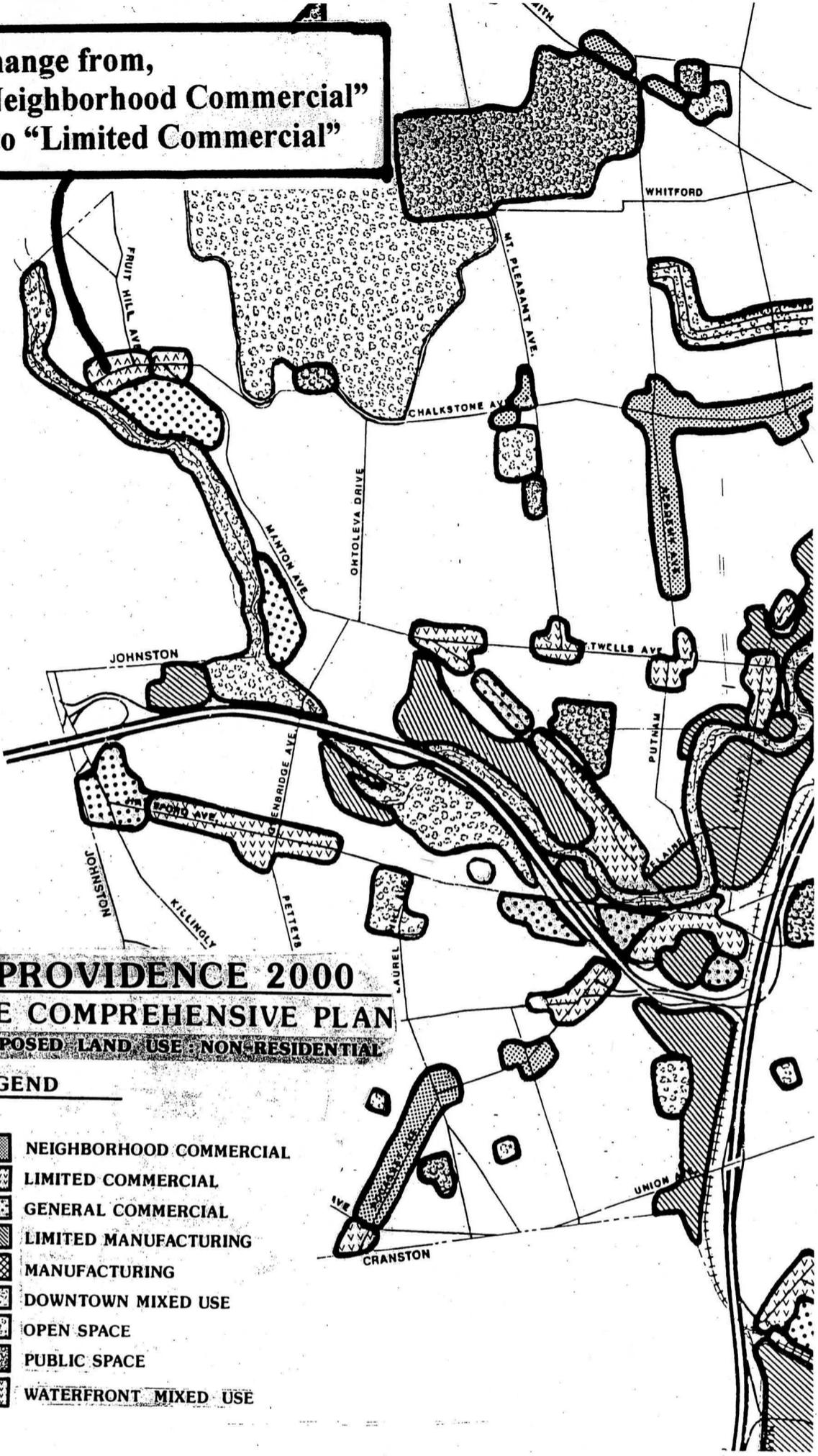
[Signature]
PRESIDENT
Michael B. Clement
CLERK

APPROVED

[Signature]
MAYOR 4/7/04

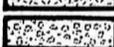
RECEIVED
OFFICE OF THE CLERK
CITY OF PROVIDENCE
APR 1 2004

**Change from,
"Neighborhood Commercial"
to "Limited Commercial"**



**PROVIDENCE 2000
THE COMPREHENSIVE PLAN
PROPOSED LAND USE - NON-RESIDENTIAL**

LEGEND

-  NEIGHBORHOOD COMMERCIAL
-  LIMITED COMMERCIAL
-  GENERAL COMMERCIAL
-  LIMITED MANUFACTURING
-  MANUFACTURING
-  DOWNTOWN MIXED USE
-  OPEN SPACE
-  PUBLIC SPACE
-  WATERFRONT MIXED USE

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2006-15

No. 37

AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF PROVIDENCE ZONING ORDINANCE CHAPTER 1994-24 No. 365, APPROVED JUNE 27, 1994, AS AMENDED, AND THE COMPREHENSIVE PLAN, APPROVED DECEMBER 1994, AS AMENDED

Approved February 10, 2006

Be it ordained by the City of Providence:

SECTION 1. That the Zoning Map accompanying and made a part of Chapter 27 of the Code of Ordinances of the City of Providence, entitled "The City of Providence Zoning Ordinance", as adopted June 27, 1994, as amended, is hereby further amended as follows:

The Zoning District designation for Lot 370 of Tax Assessor's Plat 15 located at 61-77 South Angell Street/178 Butler Avenue shall be changed from a RESIDENTIAL R-3 DISTRICT to a RESIDENTIAL R-M DISTRICT.

SECTION 2. That the following conditions be imposed upon Lot 370 of Tax Assessor's Plat 15 located at 61-77 South Angell Street/178 Butler Avenue in connection with the proposed future use of multifamily residential; shall be recorded by the petitioner, Angell Way LLC, in the land evidence records; and shall appear as a footnote upon the official zoning map:

- a. No more than 11 residential units.
- b. Height no more than forty-seven (47') feet above the average grade.
- c. Front Yard Setback no less than 8' 0" along South Angell Street and 14' 0" along Butler Avenue.
- d. Rear Yard Setback of no less than 20' 0" and 17' 6".
- e. The buildings located on the subject property will rise 3 stories on the south side facing Medway Manor, with a height of not more than 37 feet

above the underground garage, and will have 4 stories on the South Angell Street side with a height of not more than 47 feet above the top of the underground garage.

- f. The site will provide at grade parking for at least 2 cars (for guest parking and for deliveries).
- g. The west end of the building will be located not less than 42 feet from the west property line.
- h. The buildings will be set back at least 17.6 feet from the property line with Medway Manor.
- i. The owners of the subject property will re-landscape the "rear yard" area on the north side of Medway Manor in accordance with a landscaping plan prepared in cooperation with and approved by the residents of Medway Manor.
- j. The HVAC condenser units will be located in the center of the roof in an area not visible from the ground. Any condenser units located at ground level will not be near the driveway.
- k. The exterior lighting on the south side of the buildings (the side facing Medway Manor) will be directed downward so as to light the driveway, not upward, and will be located below the level of the top of the existing fence such the source of the light will not be visible from the north facing windows of the residences in Medway Manor.
- l. The first three floors of the buildings will have a brick exterior; the buildings will be trimmed and finished with high quality materials, as determined by the Building Inspector of the City of Providence.
- m. Trees planted off-site to meet the requirements of Section 425 of the Zoning Ordinance shall, to the extent possible, and with the concurrence of the City Forester, be planted within 200 feet of the subject lot.
- n. Prior to and during construction, the owner of the subject lot shall maintain the property in conformance with all city ordinances, including minimum building codes and sidewalk clearing.

- o. The fourth floor of the building shall be set back no less than 3 feet from the cornice line of the façade facing South Angell Street.
- p. Lighting for the driveway shall not exceed a luminosity of 0.5 foot-candles
- q. The massing of the building shall be broken up to achieve the appearance of it being two buildings. This shall be accomplished by setting back the face of the lobby/elevator core not less than 6 feet from the face of the bays on the South Angell Street façade and by utilizing floor to ceiling glass windows and doors on both sides of the lobby to achieve maximum transparency.
- r. Within 30 feet of the sidewalk, all paving shall be of the decorative type, consisting of stamped concrete, cobblestones, or brick pavers.

SECTION 3. That the Comprehensive Plan of the City of Providence, approved December, 1994, as amended, is hereby further amended by deleting therefrom the designation "Single Family Residential" on the plan entitled "Proposed Land Use: Residential" from the area of said map including and surrounding the location of that real property located located at 61-77 South Angell Street/178 Butler Avenue on Tax Assessor's Plat 15, Lot 370, and by adding thereto the designation "High Density Residential."

SECTION 4. This Ordinance shall take effect upon passage and publication as prescribed by law.

IN CITY COUNCIL
JAN 19 2006
FIRST READING
READ AND PASSED

Casey B. Burt
CLERK

IN CITY COUNCIL
FEB 2 2006
FINAL READING
READ AND PASSED

[Signature]
PRESIDENT
[Signature]
CLERK

APPROVED

[Signature]
2/10/06

MAYOR

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2007-19

No. 161

AN ORDINANCE

AN ORDINANCE AMENDING THE
CITY OF PROVIDENCE ORDINANCE CHAPTER 2006-15
No. 37, APPROVED FEBRUARY 10, 2006

Approved MARCH 7, 2007

Be it ordained by the City of Providence:

SECTION 1. That the Zoning Map accompanying and made a part of Chapter 27 of the Code of Ordinances of the City of Providence, entitled "The City of Providence Zoning Ordinance", as adopted June 27, 1994, as amended, is hereby further amended as follows:

The Zoning District designation for Lot 370 of Tax Assessor's Plat 15 located at 61-77 South Angell Street/178 Butler Avenue shall be changed from a RESIDENTIAL R-3 DISTRICT to a RESIDENTIAL R-M DISTRICT.

SECTION 2. That the following conditions be imposed upon Lot 370 of Tax Assessor's Plat 15 located at 61-77 South Angell Street/178 Butler Avenue in connection with the proposed future use of multifamily residential; shall be recorded by the petitioner, Angell Way LLC, in the land evidence records; and shall appear as a footnote upon the official zoning map:

- a. No more than 11 residential units.
- b. Height no more than forty-seven (47') feet above the average grade.
- c. Front Yard Setback no less than 8' 0" along South Angell Street and 14' 0" along Butler Avenue.
- d. Rear Yard Setback of no less than 20' 18' 0" and 17' 15' 6".
- e. The buildings located on the subject property will rise 3 stories on the south side facing Medway Manor, with a height of not more than 37 feet above the underground garage, and will have 4 stories on the South Angell

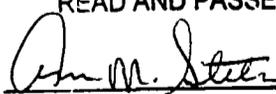
Street side with a height of not more than 47 feet above the top of the underground garage.

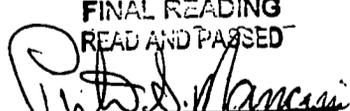
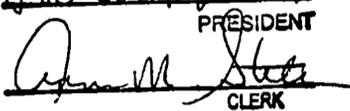
- f. The site will provide at grade parking for at least 2 cars (for guest parking and for deliveries).
- g. The west end of the building (excluding the patio and structure underneath) will be located not less than 42 feet from the west property line.
- h. The buildings will be set back at least 17'6" feet and the bay windows will be set back at least 15'6" from the property line with Medway Manor.
- i. The owners of the subject property will re-landscape the "rear yard" area on the north side of Medway Manor in accordance with a landscaping plan prepared in cooperation with and approved by the residents of Medway Manor.
- j. The HVAC condenser units will be located in the center of the roof in an area not visible from the ground. Any condenser units located at ground level will not be near the driveway.
- k. The exterior lighting on the south side of the buildings (the side facing Medway Manor) will be directed downward so as to light the driveway, not upward, and will be located below the level of the top of the existing fence such the source of the light will not be visible from the north facing windows of the residences in Medway Manor.
- l. The first three floors of the buildings will have a brick exterior; the buildings will be trimmed and finished with high quality materials, as determined by the Building Inspector of the City of Providence.
- m. Trees planted off-site to meet the requirements of Section 425 of the Zoning Ordinance shall, to the extent possible, and with the concurrence of the City Forester, be planted within 200 feet of the subject lot.
- n. Prior to and during construction, the owner of the subject lot shall maintain the property in conformance with all city ordinances, including minimum building codes and sidewalk clearing.

- o. The fourth floor of the building shall be set back no less than 3 feet from the cornice line of the façade facing South Angell Street.
- p. Lighting for the driveway shall not exceed a luminosity of 0.5 foot-candles.
- q. The massing of the building shall be broken up to achieve the appearance of it being two buildings. This shall be accomplished by setting back the face of the lobby/elevator core not less than 6 feet from the face of the boys on the South Angell Street façade and by utilizing floor to ceiling glass windows and doors on both sides of the lobby to achieve maximum transparency.
- r. Within 30 feet of the sidewalk, all paving shall be of the decorative type, consisting of stamped concrete, cobblestones, or brick pavers.

SECTION 3. That the Comprehensive Plan of the City of Providence, approved December, 1994, as amended, is hereby further amended by deleting therefrom the designation "Single Family Residential" on the plan entitled "Proposed Land Use: Residential" from the area of said map including and surrounding the location of that real property located located at 61-77 South Angell Street/178 Butler Avenue on Tax Assessor's Plat 15, Lot 370, and by adding thereto the designation "High Density Residential."

SECTION 4. This Ordinance shall take effect upon passage and publication as prescribed by law.

IN CITY COUNCIL
DEC 21 2006
 FIRST READING
 READ AND PASSED
 CLERK

IN CITY COUNCIL
COUNCIL
MAR 1 2007
 FINAL READING
 READ AND PASSED
 PRESIDENT
 CLERK

APPROVED

MAYOR 3/7/07

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2006-21

No. 157 **AN ORDINANCE** IN AMENDMENT OF CHAPTER 27 OF THE
CODE OF ORDINANCES OF THE CITY OF PROVIDENCE ENTITLED "THE CITY OF
PROVIDENCE ZONING ORDINANCE" APPROVED JUNE 27, 1994, AS AMENDED.

Approved April 17, 2006

Be it ordained by the City of Providence:

Section 1: The Comprehensive Plan of the City of Providence, approved December, 1994, as amended, is hereby further amended by changing the following text in Section 4 (the text to be removed is crossed out; the new text is underlined):

A. In Section 4:

4.5.1, A4 Policy D : Protect and preserve the waterfront by ensuring that all new development is in compliance with the historic character of the waterfront- ~~and by encouraging the rehabilitation of existing historic structures along the shoreline.~~

Section 2: Chapter 27 of the Ordinances of the City of Providence, entitled "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended, is hereby amended as follows (the text to be removed is crossed out; the new text is underlined):

A. Amend Article III, Section 303, Table 1.0 as follows:

1.0 RESIDENTIAL

Use Code	Use	R-1	R-2	R-3	R-G	R-M	C-1	C-2	C-4	D-1	D-2	W-1	W-2	W-3	M-1	M-2	I-1	I-2	I-3	RP	PS	OS	CD
14.2	Live-Work Space-Low Intensity ⁷	N	N	N	N	N	S	S	S	Y	Y	S	Y	NY ⁸	Y	Y	N	N	Y	S	N	N	N
14.3	Live-Work Space-High Intensity ⁷	N	N	N	N	N	N	N	N	Y	Y	N	N	NY ⁸	Y	Y	N	N	Y	N	N	N	N
14.3 14.4	Apartment Dormitory	N	N	N	N	N	N	N	N	Y	Y	N	N	N	N	N	N	Y	Y	N	N	N	N

FOOTNOTE:

8. These uses shall only be permitted in a designated historic building.

B. Amend Article III, Section 303, Table 4.0 as follows:

4.0 GENERAL SERVICES

Use Code	Use	R-1	R-2	R-3	R-G	R-M	C-1	C-2	C-4	D-1	D-2	W-1	W-2	W-3	M-1	M-2	I-1	I-2	I-3	RP	PS	OS	CD
43	Limited Business Service	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y ^{2,6}	Y	Y	N	N	N	S	N	N	N

FOOTNOTE:

2. Provided that such uses are part of a marine enterprise or are dependent on access to the Port of Providence

6. Such uses shall be permitted when supporting art related uses of Live-Work Space and Arts and Crafts Manufacturing in designated historic buildings. If this criteria is met, Footnote 2 does not apply.

C. Amend Article III, Section 303, Table 5.0 as follows:

5.0 TRADE

Use Code	Use	R-1	R-2	R-3	R-G	R-M	C-1	C-2	C-4	D-1	D-2	W-1	W-2	W-3	M-1	M-2	I-1	I-2	I-3	RP	PS	OS	CD
56	Retail Trade Neighborhood Establishments, 2,500 GFA or Less	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y ^{2,3}	Y	Y	N	N	Y	N	N	N	N

FOOTNOTE:

2. Provided that such uses are part of a marine enterprise or are dependent on access to the Port of Providence

3. Such uses shall be permitted when supporting art related uses of Live-Work Space and Arts and Crafts Manufacturing in designated historic buildings. If this criteria is met, Footnote 2 does not apply.

D. Amend Article III, Section 303, Table 7.0 – 8.0 as follows:

7.0 – 8.0 MANUFACTURING

Use Code	Use	R-1	R-2	R-3	R-G	R-M	C-1	C-2	C-4	D-1	D-2	W-1	W-2	W-3	M-1	M-2	I-1	I-2	I-3	RP	PS	OS	CD
85	Arts and Crafts Manufacturing	N	N	N	N	N	S ⁴	Y ⁴	Y ⁴	Y ⁴	Y ⁴	S ⁴	S ³	NY ⁴ ₅	Y ⁴	Y ⁴	N	N	N	N	N	N	N

FOOTNOTES:

- 4. Arts and crafts manufacturing may be combined with ~~commercial artist's lofts~~ Live-Work Spaces. See Use Code 14.2 and 14.3.
- 5. These uses shall only be permitted in a designated historic building.

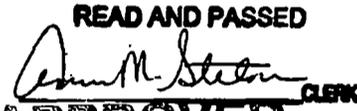
E. Amend Article IV, Section 426, Regulations for Live Work Space, as follows:

- C) *Restrictive Covenant – M-1 and M-2 and W-3 Districts* – Dwellings shall not be located where they may restrict or disrupt industrial activity. As such, the owner(s) of a building seeking such a Live-Work Space use in an M-1 or M-2 or W-3 District must sign and record a covenant and equitable servitude, on a form acceptable to the director, that acknowledges that the owner(s) and occupants of the building accept the industrial character of the neighborhood and agree that existing or permitted industrial uses do not constitute a nuisance or other inappropriate or unlawful use of land. Such covenant and equitable servitude must state that it is binding on the owner(s)' successors, heirs, and assigns, including any lessees of the Live-Work space.

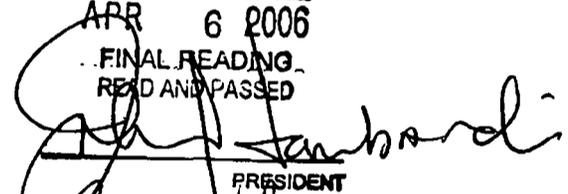
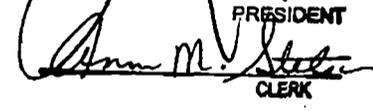
F. Amend Appendix A by changing the use code number for Apartment Dormitory from 14.3 to 14.4.

Section 3: If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

Section 4: This Ordinance shall take effect upon passage and publication as prescribed by law.

IN CITY COUNCIL
 MAR 16 2006
 FIRST READING
 READ AND PASSED

 CLERK
APPROVED

 4/17/06
MAYOR

IN CITY COUNCIL
 APR 6 2006
 FINAL READING
 READ AND PASSED

 PRESIDENT

 CLERK