

# City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## CHAPTER 2008-20

No. 162

**AN ORDINANCE** IN AMENDMENT OF CHAPTER 27 OF THE CODE OF ORDINANCES ENTITLED: "THE CITY OF PROVIDENCE ZONING ORDINANCE, APPROVED JUNE 27, 1994, AS AMENDED

Approved APRIL 11, 2008

***Be it ordained by the City of Providence:***

### ARTICLE X. DEFINITIONS

The following Section is hereby amended by adding the following:

#### **Sec. 1000. Terms defined.**

1000.157. *Neighborhood Restaurant / Spa* is a lunch room, luncheonette, restaurant, cafeteria, spa, or other place for the service or sale of food or drinks for on-premises consumption with a seating capacity of no more than 20 (twenty) patrons at a counter and/or at tables, and whose principal business is the sale of foods, frozen desserts or beverages to the customer in a ready-to consume state and whose design or principal method of operation is such that customers may be served their foods, frozen desserts or beverages by a restaurant employee at the same table or counter at which said items are consumed. Such establishments may also sell foods, frozen desserts or beverages that are usually served in edible containers, or paper, plastic or other disposable containers, for carry out or delivery purposes, provided that neither food nor drink is served to, or consumed by, persons while seated in motor vehicles.

### APPENDIX A

- 56 Retail Trade, Neighborhood Establishments, 2,500 Sq. Ft. GFA or less apparel and accessories; household appliances; art supply; bakeries; books, newspapers and periodicals (new or used); cameras and photographic supplies (new or used); confectionary; coin or stamp shop (new or used); custom tailoring; dairy products; drug store; fabric store; floor covering - retail; florist; fruits and vegetables - retail; gift shop; groceries and delicatessens - retail; hobby shops; home furnishings and equipment; jewelry - retail; liquor store; meat and fish - retail; musical instruments and supplies - - retail; neighborhood restaurant / spa; office supplies or equipment, stationary or art supplies; pet store; radio, television, audio / video and computer equipment, sales and/or rental; shoe store; sporting goods and bicycles; variety store.

**IN CITY COUNCIL**

MAR 20 2008  
FIRST READING  
READ AND PASSED

*Ann M. Steen* CLERK

**IN CITY**

**COUNCIL**

APR 3 2008

FINAL READING  
READ AND PASSED

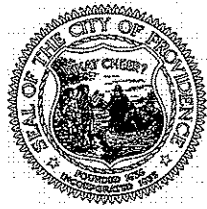
*Paul J. Mancini*  
PRESIDENT

*Ann M. Steen*  
CLERK

**APPROVED**

*[Signature]* 4/11/08

**MAYOR**



## Providence City Plan Commission

DAVID N. CICILLINE  
Mayor

March 19, 2008

Councilman Michael Solomon  
Chair, Ordinance Committee  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Attn: Anna Stetson, City Clerk

**Re: CPC Referral 3301: Proposed Ordinance to Change Zoning Ordinance Text for  
Neighborhood Restaurant/Spa Definition**

Dear Councilman Solomon:

At a regular meeting of the City Plan Commission (CPC) on February 26, 2008, and pursuant to Section 1100 of the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, as amended, the Commission reviewed a proposal to amend Use Code 56 to include neighborhood restaurants or "spas." The Commission voted unanimously as described below to make certain findings of fact and to advise the City Council to adopt the change as presented, with one condition.

### **Findings of Fact**

Article XI of the Zoning Ordinance requires that in order for the CPC to make a positive recommendation on amendments to the Ordinance, it must demonstrate consistency with the Comprehensive Plan and with the purposes of zoning as listed in Section 100 of the Ordinance.

This proposal is consistent with the comprehensive plan and zoning ordinance in that it consistently implements state law and protects public health, safety and welfare.

### **Recommendation**

The Commission voted to advise the City Council to adopt the change as presented, with the provision that the Planning Department work with Councilman Aponte on using a different word than "spa" for this definition.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris J. Ise".

Christopher J. Ise  
Administrative Officer

cc: Councilman Luis Aponte