

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):

NOV 3 2005
IN CITY COUNCIL
FIRST READING
REFERRED TO COMMITTEE ON
ORDINANCES
Craig E. Bestach CLERK
Justus

THE COMMITTEE ON
Ordinance
Recommends Be Continued
1-9-06-SETUPP CLERK
1-26-06

THE COMMITTEE ON
Ordinance
Public Hearing Held
2/23/06-cont. CLERK
3/1/06-ceb

THE COMMITTEE ON
ORDINANCES
Approves Passage of
The Within Ordinance ^{AS AMENDED}
Craig E. Bestach CLERK
3/1/06

Councilman Aponte

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 ₂ | 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

Ann M. Steen
CLERK

APPROVED

MAYOR

IN CITY

COUNCIL

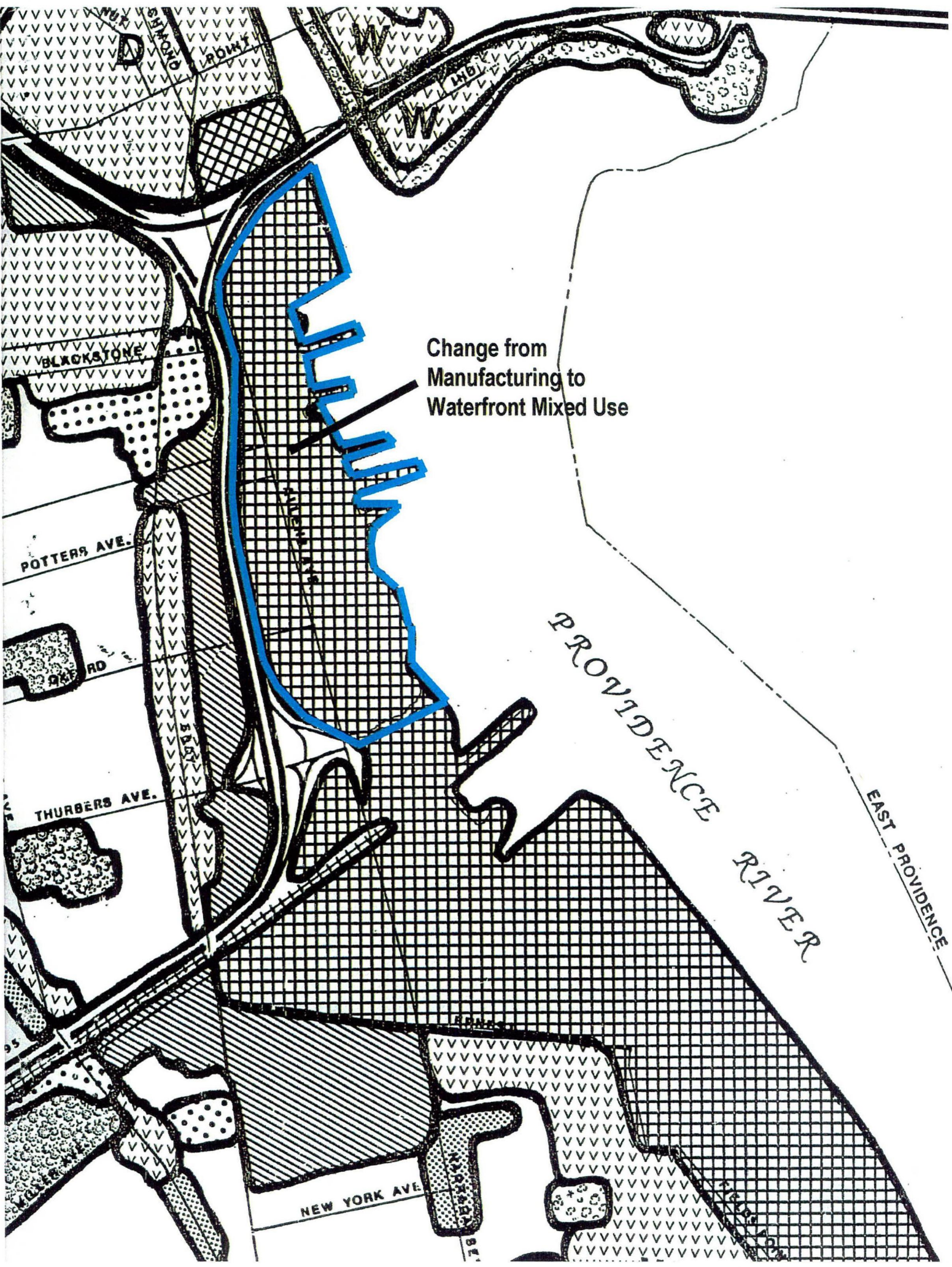
APR 6 2006

FINAL READING

READ AND PASSED

Ann M. Steen
PRESIDENT

CLERK



Change from
Manufacturing to
Waterfront Mixed Use

PROVIDENCE
RIVER

EAST PROVIDENCE

NEW YORK AVE.

POTTERS AVE.

THURBERS AVE.

BLACKSTONE

SHAW
POINT