

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2006-50

No. 495 **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 December 15, 2006

Be it ordained by the City of Providence:

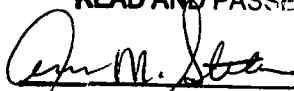
Section 1: Chapter 27 of the Code of Ordinances of the City of Providence is further amended by changing the zoning district designation of Lot 284 on Zoning District Map 117 of the Official Zoning Map from R-2 to RP.

Said zone change shall permit on Lot 284, Zoning District Map 117, without any further approvals, a Hair Salon and a One (1) Family Dwelling. This limitation shall be noted on the face of the official zoning map and recorded on the property records along with the following limitations:

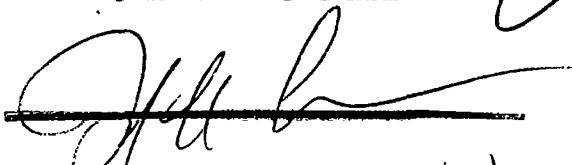
- a) Parking shall be located to the side or rear of said property.
- b) Site plan, construction plans and parking/paving plans shall be submitted to the Department of Inspection and Standards for approvals.
- c) The paving shall be reduced to conform to the rear yard standards as detailed in the zoning ordinance.
- d) Landscaping shall be installed in accordance with Section 425 of the Zoning Ordinance.

Section 2: This Ordinance shall take effect upon passage.

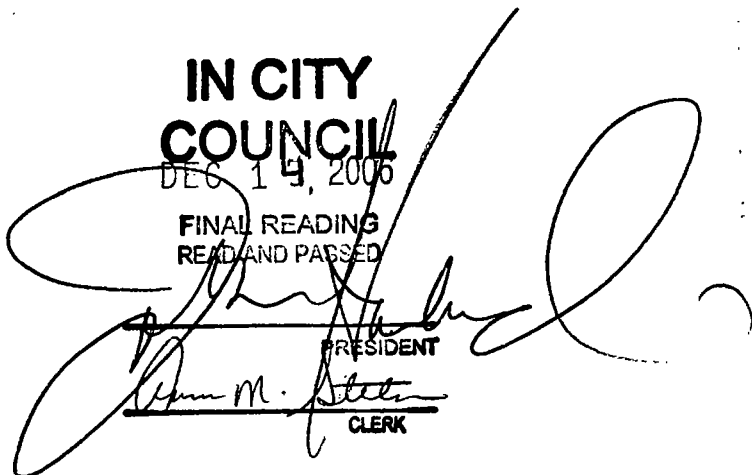
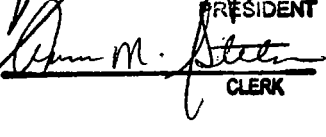
IN CITY COUNCIL
DEC 7 2006
FIRST READING
READ AND PASSED

 CLERK

APPROVED


MAYOR 12/15/06

IN CITY COUNCIL
DEC 14, 2006
FINAL READING
READ AND PASSED

 PRESIDENT
 CLERK

SEP 21 2006
IN CITY COUNCIL
FIRST-READING
REFERRED TO COMMITTEE ON
ORDINANCES
Ann M. Steen CLERK

THE COMMITTEE ON
Ordinances Continued &
Recommendations - Public Hearing
Ann M. Steen
November 9, 2006 CLERK
Public Hearing
held 12/4/06

THE COMMITTEE ON
ORDINANCES
Approves Passage of
The Within Ordinance, as amended
Lori L. Dager
12-4-06
Second Deputy Clerk

Councilman Butler by Request



Providence City Plan Commission

DAVID N. CICILLINE
Mayor

December 1, 2006

Honorable Rita Williams, Chair
Ordinance Committee
Providence City Hall
25 Dorrance Street
Providence, RI 09203

Attn: Anna Stetson, City Clerk

Re: Petition to change zoning designation of 888 Smith Street, Assessor's Plat 117, Lot 284, from Residential Two-Family District (R-2) to a Limited Commercial District (C-1) with conditions

Dear Councilwoman Williams:

At a regular meeting of the City Plan Commission (CPC) on November 21, 2006, and pursuant to Section 1100 of the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, as amended, the Commission reviewed a proposal for the above-captioned amendment to the Ordinance. The Commission voted unanimously as described below to make certain findings of fact and to recommend that the petition be approved with conditions.

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.

Comprehensive Plan

The Comprehensive Plan map designates this area for low-density residential uses. For this zoning change to be consistent with the Comprehensive Plan, the designation for this area on the Comprehensive Plan's Proposed Residential Land Use Map would have to be changed to allow for commercial zoning.

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Zoning

A change to C-1 would not be consistent with the purposes of zoning as listed in Section 100 of the Ordinance in that it would be an inconsistent implementation of the Comprehensive Plan.

The area to the west of the subject property is zoned R-P (Residential Professional District). Since this building already contains a nonconforming use, a change to R-P would make the lot conforming. It would also allow for the hair salon, would avoid spot zoning, and would be consistent with the Comprehensive Plan. Therefore, staff recommends that the property be rezoned R-P and not C-2 as petitioned by the petitioner.

Recommendation

The CPC recommends to the Committee on Ordinances that the petition for rezoning be approved subject to the following conditions:

1. The zoning shall be changed from R-2 to R-P.
2. The subject property shall be limited to a Hair Salon and a One (1) Family Dwelling.
3. Parking shall be located to the side or rear of said property.
4. Site plan, construction plans and parking/paving plans shall be submitted to the Department of Inspection and Standards for approval.
5. The paving shall be reduced to less than 50% of the rear yard and landscaping shall be installed in accordance with Section 425 of the Zoning Ordinance.
6. The above listed conditions shall be recorded in the official property records and noted on the face of the Official Zoning Map.

Sincerely,



Christopher J. Ise
Administrative Officer

cc: Michael Gillis, Petitioner