

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Providence S.C.

PUBLIC HEARING

re:

MODEL CITIES PLAN

FOR YEAR TWO

HEARD BEFORE COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND  
PLANNING

JOSEPH F. PRETE, CHAIRMAN  
ROBERT F. LYNCH, VICE CHAIRMAN

EDWARD XAVIER

LAWRENCE BROWN

THOMAS W. PEARLMAN

April 6, 1971

PROVIDENCE REDEVELOPMENT AGENCY

CITY CLERK VINCENT VESPIA: Ladies and gentlemen, may we have your attention, please?

This is a Public Hearing conducted before the Committee on Urban Redevelopment, Renewal and Planning of the City Council and for the purposes of identification, ladies and gentlemen, the gentleman on the rostrum in the center is Councilman Joseph Prete who is the Chairman of the Committee. To his immediate left is Councilman Xavier and to his immediate right is Councilman Lynch. To Councilman Lynch's right is Councilman Brown and Councilman Jerry Lorenzo to his immediate right.

The matter is concerned with the following:

Pursuant to the requirements of Sections 4 and 11 of Chapter 32, Title 45 of the General Laws of Rhode Island, 1956, as amended, entitled the "Redevelopment Act of 1956," as amended, the Committee on Urban Redevelopment, Renewal and Planning of the City Council of the City of Providence will conduct a Public Hearing in the Chamber of City Council, City Hall, Providence, Rhode Island on Tuesday, April 6, 1971, at 7:30 p.m. (E.S.T.)

This hearing will be concerned with the Urban Renewal Plan for the MODEL CITIES PROJECT

(NDP Urban Renewal Area (2) as proposed by the Providence Redevelopment Agency in a report dated 1971-1972. The Agency's proposal with respect to the relocation of families within the proposed project area will be open for discussion at the hearing.

The Project Area is that tract of land located on the southern outskirts of downtown Providence. In general, the area is bounded by Eddy Street to the east; Thurbers Avenue to the south; Ocean Street to the west; and Oxford Street to the north.

The purpose of this hearing is to consider a proposal for the undertaking of a project under State and local law with the financial assistance under Title I of the Housing Act of 1949 (Public Law 171-81st Congress) as amended by the Housing Act of 1954, and amendments thereto, to acquire land in the Project Area, to demolish and remove buildings and improvements; to undertake rehabilitation of acquired structures; to install, construct or reconstruct streets, utilities and other site improvements; and to make the land available for redevelopment by private enterprise or public agencies as authorized by law.

All persons or agencies interested in the above-listed project area will have an opportunity to be heard and/or submit communications in writing. Copies of the proposed redevelopment plan and information thereon may be obtained prior to said hearing at the

Providence Redevelopment Agency, 6th floor, 40 Fountain  
Street, Providence, Rhode Island.

BY ORDER:

Councilman , Joseph F. Prete,

Chairman

Committee on Urban Redevelopment  
Renewal and Planning

VINCENT VESPIA,

City Clerk

March 13, 1971

CHAIRMAN PRETE: The Chair recognizes  
Councilman Lorenzo from the Thirteenth Ward.

COUNCILMAN LORENZO: Mr. Chairman,  
members of the Committee: I appreciate the opportunity given  
to me tonight. Last night I sat here not as a member of the  
Committee but as an elected official of the Thirteenth Ward.  
I became so engrossed as to what the people were saying that  
I did not have a chance to give you my sentiments as to the  
West Broadway Project.

After listening to the people last night,  
and before going any further, I do hope that the people who  
are here tonight will forgive me to take just one minute of  
their time. I want to congratulate Mr. Pallozzi and his staff  
for the work they have done in the West Broadway Project. I

think it is a wonderful job and I do hope that the three parcels of land that were discussed last night for the Ebenezer Baptist Church will not hold up the West Broadway Project. If the three buildings that exist on this land are in the condition that the people said they were last night, then I feel that the people should bring it before Mr. DiMase and have Mr. DiMase decide whether the three buildings should come down.

Again, I want to congratulate Mr. Fallozzi and his staff for the wonderful work they have done in the West Broadway Project. One woman last night said she was treated kind of cruelly and she was not too happy with some member of the staff, but I also was happy with some members of the staff. I do realize they have such a tremendous job that they are on edge every minute of the day and I was treated that way on many occasions. I had to forgive them. I know the work they are doing.

Thank you very much, Mr. Chairman.

CHAIRMAN PRETE: Thank you very much, Councilman Lorenzo.

I am in receipt of a letter over the signature of William Cooley. Mr. Vespia, will you please read this?

CITY CLERK VESPIA: This is a communication addressed to the Honorable Joseph Prete, Chairman, Committee on Urban Redevelopment, Renewal and Planning, City Council, City Hall, Providence, Rhode Island.

"Dear Councilman Prete: The Model Cities Citizens Planning Committee, Inc. would like to advise the Committee on Urban Redevelopment, Renewal and Planning of its endorsement of the Model Cities Neighborhood Development Plan for Year Two.

"We are in agreement with the activities as outlined in the Plan and the overall goals of the Plan. However, we are very disappointed concerning the HUD policy not to approve any new or expanded NDP Areas. There is a definite need in the Model Neighborhood for the expansion of NDP activities into new areas. It is our hope that all is being done by the Providence Redevelopment Agency and the City of Providence to change this stated HUD policy.

Sincerely, William Cooley, Chairman."

CHAIRMAN PRETE: Thank you. The Chair and the Committee will have everyone who wishes to speak -- we will extend the courtesy to them to speak. The Chair recognizes, first of all, Mr. Vincent Pallozzi, Director.

VINCENT PALLOZZI: Mr. Chairman,

Council members, my name is Vincent Pallozzi and I am the Executive Director of the Providence Redevelopment Agency.

Before we give the presentation of the Model Cities Plan for NDP Year Two, I would like to re-acquaint you with the workings of the Neighborhood Development Program, under which this plan was assembled. The basis of the NDP is the Annual Application for Funds to carry out a yearly program. In other words, we plan ahead for one year in advance. We are funded by the Federal Government on a yearly basis. We must execute whatever activities we propose within the following year; and there is no guarantee of successive yearly funding.

Essentially, NDP is a continuous, on-going process of both Planning and Execution. During the past Year we have been carrying out the approved activities for this year and at the same time we have been planning new and expanded activities for the up-coming year. It was our intention to expand the NDP area into the entire Lower South Providence Area. However, in early December HUD notified us that no new or expanded NDP areas would be approved by their Department. Therefore, the Model Cities Plan for NDP Year Two must be limited to the area approved in Year One.

During the past twelve months, we have successfully undertaken the rehabilitation of many basically sound homes, in Model Cities. We have also studied the Area to determine how best to implement site improvements and other renewal activities. One purpose for this hearing tonight is to show where we plan to expand these activities during our Second Action Year.

In Model Cities, the Citizens Planning Committee serves as the Project Area Committee in our NDP activities. This committee has worked with our Planning Staff toward the common goal of a good Second Year Plan. We are here tonight seeking City Council approval of this Second Year Urban Renewal Plan.

Mr. Richard Harrall will discuss activities in the 19-acre Model Cities Area, for Year Two. He will be followed by Mr. Anthony Meleo, Chief of Community Services, who will discuss the Relocation procedures and Plans for Year Two in Model Cities.

Thank you very much.

I would like to present to you at this time Mr. Richard Harrall, who will explain the Year Two proposals for the Model Cities Area.



RICHARD HARRALL: As Mr. Vespia described before, the boundaries on the area are basically Oxford Street on the westerly side, the rear lot line of Thurbers Avenue, the rear lot line of Eddy Street and Oxford Street on the northerly side. This first map as shown here depicts the proposed land use for this area. This land use is generally residential and that is shown by the yellow color on this map. The red spot on this map shows institutional use of an existing church. This proposed land use is the ultimate plan for this area showing, as I mentioned before, to be predominantly residential.

The second map outlines proposed acquisition for the Second Year. The yellow areas depict those properties to be acquired and the land to be disposed of for residential use. The one parcel shown in green is to be acquired and disposed of for a tot lot use. The basic proposal of this plan is to acquire substandard structures and remove them as a blighting influence within the neighborhood and, secondly, to remove a commercial-industrial use that is now existing in the neighborhood which would be in conformance with the outline of the plan being to make this a residential area. Thirdly, to provide sites for badly needed housing in the Model Cities Area.

This chart basically outlines the activities. These activities would entail the acquisition of twelve parcels and the relocation of five families and the disposition of nine parcels for the use as outlined previously and also the continuation of rehabilitation activities within this 19-acre area and the continuation of planning for the Year Three activities.

The second chart outlines the cost of this project as currently estimated. The gross program cost will be \$270,807. Land proceeds from sales of this land to be acquired will be \$10,269, for a net program cost of \$260,538. This will be broken down to a Federal Program Capital Grant of \$195,404 and a local share of \$65,134.

MR. PALLOZZI: Mr. Chairman, I would like to present at this time Mr. Anthony Meleo, Chief of Community Services, who will outline the relocation plan.

ANTHONY MELEO: My name is Anthony N. Meleo. I am Chief of Community Services, Department of Planning and Urban Development.

Mr. Chairman, Honorable Members of the Committee on Urban Development, Renewal and Planning, Ladies and Gentlemen:

We appreciate this opportunity to meet with you to discuss the Relocation Plan for the Neighborhood Development Program Urban Renewal Area A2-2. This public hearing presents an excellent opportunity to discuss the aims and objectives of the Relocation Plan.

In the way of background, the Family Relocation Service has assisted some 6,100 families who have faced displacement by governmental action over a period of 21 years. To date, no family has been forcibly moved from their home due to circumstances inconsistent with the relocation schedule.

During this long experience, we have developed a program which has demonstrated an awareness of the multiple problems of people facing relocation.

At this point, I would like to relate, in capsule form, the specific services to be rendered by the Relocation Service. According to the survey conducted by the Relocation Service, there are approximately 5 families residing in the proposed clearance area of the project. In taking on this serious task, the Relocation Service is prepared to uphold the dignity of all people, regardless of their race, creed or color.

It is our basic objective to provide

decent, safe and sanitary housing within the economic reach of residents in a location convenient to public utilities and transportation. This phase of activity will be handled through our central listings program. With the assistance of trained social caseworkers, all families will be provided understanding and direct aid in utilizing the various social services which are available in the realm of private and public health, social, welfare and employment agencies.

For the elderly residents, special services will be provided by a trained social case worker who is qualified to deal with those special problems which are common to many of our senior citizens.

It is interesting to note, that approximately 6,100 rental, 960 sales properties and some 744 units in public housing will be available during the next year within the Providence Housing Market Area to meet relocation needs.

You may be interested to know that the Federal Government will soon increase relocation moving expenses up to \$500.00 per unit for eligible displacees. Additional Relocation Payments will be available up to \$4,000 over a four-year period. Also, Replacement Housing Payments will be available to qualified owner-occupants who meet certain

federal regulations with a payment up to a maximum of \$15,000. Further details will be made available to you as soon as we receive complete instructions regarding these new payments.

Please feel assured that the Relocation Plan takes into consideration every reasonable contingency based on long experience. It is our earnest desire to minimize hardship while bringing about the successful relocation of the families and individuals involved.

Therefore, Mr. Chairman, I am pleased to present to you and the Committee, for your consideration, a copy of my statement.

CHAIRMAN PRETE: Thank you,

Mr. Meleo.

MR. PALLOZZI: Mr. Chairman, members of the Committee, that concludes the presentation by the Providence Redevelopment Agency.

CHAIRMAN PRETE: Thank you,

Mr. Pallozzi.

Is there anyone else who would like to be heard? Would you step forward and identify yourself, please.

MARY RYAN: I am Mrs. Ryan, Mary

Ryan. I live at 112 Briggs Street in the South Providence area, in the NDP Area, and I believe that you have a scale map of some of the property that is going to be acquired in the area.

Now, we do have a Citizens Planning Committee. I don't know if our representatives are here tonight, but we have been asking Mr. Harrall and some of the other members of the staff to acquire two other pieces of property. Now, I think Mr. Pallozzi has listened to some of our comments about the particular real estate agent operating in this area. I am not going to mention his name because I have been called into Court and cross-examined and my family has been put on the line and I myself have put myself on the line in regard to getting this real estate agent who is exploiting poor people in the neighborhood to be disclosed and this is a definite fact. This man is being allowed to buy up properties in this NDP Area. I don't know what influence he has. I don't know who he knows, but he says that he can own The Courts eventually. These are his comments to me.

Now, I think that your staff, whoever is here tonight, should really seriously take into consideration the comments that I am making here tonight and do what the

people are asking. The plans sound wonderful, you know, when you read them off, but are they actually benefiting the people? Are they benefiting the people who will suffer serious financial hardships by being forced out of their homes by unscrupulous people who are coming into this NDP Area to make money and our staff, our people that are representing us, are allowing it.

I would like, you know, comments from the staff or whoever can answer me. Who can answer me in regard to this.

CHAIRMAN PRETE: I don't think the Committee can answer that. I am not even cognizant of whom you are talking about, the realtor. I don't think anyone here can answer that question.

MRS. RYAN: I do think you should have an investigation into this before he goes any further. He just bought a house recently for \$6,000 and he has advertised it for \$9,500. He bought the house I am living in for \$2500 and he has it advertised for \$7500. He finances them through a private finance company at 18 per cent interest and if you call the Better Business Bureau they will tell you to proceed with him with extreme caution. Now, he is being allowed to operate in the NDP Area.

CHAIRMAN PRETE: I don't know who you are talking about.

MRS. RYAN: I have his name here but, as I said before, I have been in Court because as soon as he found out that I began to question his practices through our group, through the community organization, he came and bought my house and asked, you know, if I was involved in this particular group.

CHAIRMAN PRETE: I don't think this Sub-Committee has the jurisdiction, but if you have any grievance, I think you should go before the Real Estate Board, of which I happen to be a member, but I do not think it pertains to this Committee.

MRS. RYAN: I think it definitely pertains to this NDP Program. I think that the Model Cities Program or the Planning and Urban Development Program should be acquiring the property that this real estate agent has. He does not fix them up before he resells them and I think we have told you, and we have said this sincerely time and time again, Mr. Harrall will know --

CHAIRMAN PRETE: May I say one thing? How long has it been since he bought the home?

MRS. RYAN: He had it since



September. He not only bought my home, but I wish Mrs. Pontes would stand up and tell her situation because she happens to be the home between two particular pieces of property that he has bought and he claims that, you know, he will fix them up but he doesn't and this is going on in the NDP Area. He has just bought another house recently. He has another one on Trask Street. I don't know how many pieces of property he owns in this area.

CHAIRMAN PRETE: The only thing I can say is that we can take your remarks under advisement. I do not know if this Committee has any jurisdiction.

COUNCILMAN PEARLMAN: We can take it under advisement and look into it.

MRS. RYAN: I think before you accept this NDP Plan that these pieces of property that this construction company owns should be acquired under this plan because people are so desperate for housing they will buy property at 18 per cent interest. I think that it should be agreed and it should be settled tonight. There shouldn't be any more investigations because we have talked about it and they should be acquired. The plan should be changed so they can be acquired in this NDP Second-Year Program and let's stop exploiting the people. Let's get the facts straight and let's

listen to what people are saying.

CHAIRMAN PRETE: Thank you.

Your marks are recorded verbatim.

COUNCILMAN LYNCH: I just want to interject a thought that the reason that we are sitting here tonight as a Council Committee is to determine whether or not you people are in favor of this plan as it is being proposed.

VOICE FROM THE AUDIENCE: Not as proposed.

COUNCILMAN LYNCH: The point is, we would like to know if you are opposed to it, why you are opposed to it. If you are in favor of it, mention it.

BEATRICE PONTES: I am the party she spoke about that lives between 112 Briggs and 17 Wyatt St. The party she was speaking about is Derby Construction. I am not afraid to mention his name. I would like to one day meet him and find out just what he has proposed to do with these two pieces of property. When I bought my property two years ago I was given thirty days in which to take care of two violations. This man has been given one year and I was told that he can get another year continually without doing any one single thing to the property.

Now, what I would like to know is why?

I find that living close to this property, I know the condition of it and I am in favor of them being taken down if there is a possibility of both pieces of property being demolished because that is all they are good for.

CHAIRMAN PRETE: Could you tell me who owns the Derby Construction Company, are you aware of the name?

MRS. PONTES: Charles Byrnes, one son, and Howard Alan Byrnes is the other son.

CHAIRMAN PRETE: Thank you very much.

EVELYN SILVIA: Mr. Chairman and Committee members: my name is Evelyn Silvia. I live at 145 Briggs Street and I am here to represent the Block Club of South Providence in the NDP Area.

I am here to sponsor Mrs. Ryan's complaint. What she is trying to say is they don't approve of this plan for the simple reason that they would like to know if these two pieces of property can be acquired through the NDP Program. It did state they would acquire property that was substandard and as Mr. Harrall, I think, stated not too long ago -- they have acquired some property and I think what she wants is to have an amendment to see if these two pieces of land could be

acquired now.

I happen to live on the Street and I feel that someone that purchases this home with no down payment is not in the financial predicament to do anything to rebuild it and I figure they are going to move into it as is and they are not going to be able to renovate it because they won't have the funds. If they had the funds, they would be able to put something down. I wanted to know if it could be investigated and perhaps added to these other structures, you know, being taken down. We don't know and this is why we came to find out if it is possible to add these structures.

Also, I am going to ask a question to Mr. Pallozzi. This is something I don't know. I want to know if I could be told what areas, what streets are going to be getting sidewalks in the NDP Area?

MR. PALLOZZI: Stan, would you respond to that question, please?

STANLEY BERNSTEIN: The Redevelopment Agency's Engineering Consultants at this time are preparing preliminary cost estimates and specifications for all sidewalks within the Model Cities Area and we expect within the next two to three months to be advertising for bids for their construction which should take place prior to the end of the

summer.

MRS. SILVIA: Now, I think it was last year around this time that we met with Mr. Pallozzi. We asked him the same question in regard to sidewalks and he told us that it would go up for bid but by the time everything came through it would be cold weather and they wouldn't be able to do anything and that perhaps around the first part of April we would see that something was being done. Now, I am only asking because I am interested in this NDP Area getting their sidewalks first and I just wanted to know if this meant another program and by the time the bids are in will it again be too late to put in the sidewalks? This is what I want to know. Will they be in this year or next year, how long do these bids take to come? I don't know how long. You say it is going out for bid. You have to give prices.

MR. PALLOZZI: I think they should be in before the summer is out, every street, Stan, am I correct?

MR. BERNSTEIN: Within the NDP Area, not the Model Cities Area.

MRS. SILVIA: I am not asking about the Model Cities.

Thank you. You will please take into consideration Derby Construction and see if it is not possible

to acquire these two parcels of land. We have pictures here. I don't want to take the whole show, but they can tell you what the property is. I know if somebody buys at this rate and has two mortgages there is no way to paint the outside and fix the ceilings and it is just going to be a slum. I understand the whole reasoning and objectives of this NDP Area is to renew and to bring up the status of the neighborhood and I feel these two pieces of property won't bring it up by any means. Please think about it.

PHYLLIS ROBINSON: I am connected with Head Start Classroom, also have to live in an environment such as this. This is why my concerns are such since I deal with children from both upper and lower South Providence. I came to represent the claim this woman presented. I have in my possession pictures that were taken recently of the kind of structure inside. The structure is not, you know, adequate for human beings to live in unless it is properly repaired.

I would call this guy a shyster where he would come into an area such as this and buy low-priced housing and then in turn sell it and look at the condition it's in. I don't know if you gentlemen would like to pass it on down to one another. This is my presentation. This is 112 Briggs Street. These are most recent photos and I want

you to know the nerve of these guys. After they came along and buy this house they have them up for sale. So I will present Item Number Two as evidence.

Gentlemen, this is my first time playing lawyer so I would say that my case -- my plea is for the children that exist in these homes. That's my primary concern, and their parents. I would say to you to take a close look at what is happening in South Providence before you make your decisions, gentlemen.

I have to say on my own behalf that I live in upper South Providence and I would like to see something happen up there with the Martin Luther King Shopping Center.

Thank you.

MRS. RYAN: May I say something else?

CHAIRMAN PRETE: I am sorry but you already spoke. If no one else wants to speak, the Committee will go along with you and would be glad to hear you.

Is there anyone that would like to speak?  
Please come forward.

ALFONSO PAGNOZZI, 22 Wyatt St.:

I would like to have an amendment made tonight for this land to be acquired. I live diagonally across. Mrs. Pontes lives between two thorns in a rose. She's all by herself with her children and she worked on that house. Now, I would like to direct my question to Mr. Pallozzi: when these sidewalks go in, Mrs. Pontes at one time talked to you about sidewalks, will she get a rebate for putting her sidewalk in ahead of time?

MR. PALLOZZI: No.

CHAIRMAN PRETE: Thank you very much.

MR. PAGNOZZI: Thank you, sir.

CHAIRMAN PRETE: Is there anyone else who would like to be heard?

COUNCIL DONALD MCKIERNAN: I am one of the Councilmen from the Tenth Ward, the area of this NDP Program. I think that the sheet that the ladies and gentlemen gave the Committee pretty well sums up what the practices of Derby Construction are. The reason they are able to do what they are doing is they are purchasing these houses for \$2000 and \$2500, I understand, not just in this area, but in other areas, if my memory is correct.



They have worked out some arrangement where apparently they can offer this credit. The fact is, there are many people in South Providence desperate for housing. There is insufficient housing, but the banks -- it is simply impossible in South Providence and the banks will tell you they will not go along with a mortgage for one reason or another, either because of the age of the property or because of the neighborhood or because of the fact that the person who wishes to purchase doesn't have enough income coming in that would cover 25 per cent. I believe they figure 25 per cent of your income for rent and it would exceed that for some of these people who are so poor.

Of course, this City Council and this Committee has no control over the practices of the banks. I think it is more of a moral obligation than anything else on the part of these banks. Also, as listed in the article, either those people who can obtain a bank mortgage, they often are unable to come up with the 20 to 25 per cent down payment that the bank demands.

Derby, as I say, gets around this by reason of the fact Mr. Byrnes holds half or more than half of the mortgages himself and the other \$5000 comes from AVCO Finance Company. Apparently the 18 per cent interest is legal

under the laws of the State of Rhode Island. I think you can charge up to 30 per cent.

I think this was the hope of Model Cities and the City Council that some of these non-profit corporations could move in there like Cure and build adequate housing and provide close to the same financing for the poor people. Whether they're adequate, I don't know.

I have asked, on some of this housing that Mr. Byrnes owns and I have been assured that the Department of Minimum Housing is on top of it. I understand he was in Court today for some of his property. I don't know, of course, what happened today. However, if the property is in the condition that people say and it is deteriorating this way, I would hope that the Committee would amend this plan and if the property is truly substandard, take this property, not the \$7500, of course, but close to what its true worth is as a substandard and run-down house.

My only fear is we as a City and as a Redevelopment Agency can't run around after people like Mr. Byrnes purchasing their property off them every time they buy. I don't know what we can do to handle unfair business practices like this, but I certainly think, Mr. Prete, perhaps privately as a realtor this should be brought up before the

Board of Realtors because I certainly felt that it brings an awful view, you know, from the people on the entire profession of realtors, most of whom, I am sure, wouldn't even think of engaging in a thing like this.

Thank you.

CHAIRMAN PRETE: Thank you very much for your remarks, Councilman.

Mrs. Ryan, would you like to say a few more words?

MRS. RYAN: I would like to reinforce what Mr. McKiernan was saying and ask if you do amend your plan tonight to take the two particular pieces of property that we showed in the pictures and, you know, let this be a first step in placing some pressure on Mr. Byrnes and showing him, you know, that the Model Cities Plan is a unique plan and that he's not going to come in and, you know, perform these business transactions that he does. Whether the Planning and Urban Development can do something else in regards to other properties that he owns in the Model Cities area, I don't know, but at least this could be a beginning in this NDP Area and if any properties that he owns could be acquired, that would put him out of business in this particular 19-acre plat. This is where all the action is supposed to be taking place.

I am asking if the Planning and Urban Development will acquire these two pieces of property and amend their plan tonight and take these two pieces of property. It would be a beginning.

CHAIRMAN PRETE: You will be the last one to be repetitious and speak once more.

MRS. ROBINSON: I won't be repetitious in this fact -- yes, I will be. What I wanted to say is that, you know, you guys are doing so much great for the City, okay. Now, please don't forget upper South Providence. We need some housing there.

Thank you very much.

MRS. PONTES: I have spoken once before. I notice you were looking at the pictures of both houses that are on either side of me. Now, if it is not possible for the NDP Area to maintain both these properties, do you think it is possible for them to be demolished?

CHAIRMAN PRETE: I can't answer that. I don't think any member of the Committee can.

MRS. PONTES: Will he be allowed to continue to go on and on with these pieces of property and not do anything about it?

CHAIRMAN PRETE: I honestly can't answer that question.

MRS. PONTES: Where will we find the answer?

CHAIRMAN PRETE: Being a private acquisition. I don't think this Committee could give you an answer, but we will look into the matter.

MRS. PONTES: Mr. Pallozzi will be able to give us an answer.

CHAIRMAN PRETE: If he has got the answer, he will give it to you.

MRS. PONTES: May I ask him?

CHAIRMAN PRETE: We are overextending ourselves. It is the policy of this Committee to have people only speak once. We have no rebuttal and there are no questions that are asked.

MRS. PONTES: I understand, but if you were between these two houses, you would understand how hard you would fight.

CHAIRMAN PRETE: I know it. I agree with you, but it is the policy that this Committee does not have rebuttal.

MRS. PONTES: As long as we are able to fight, we are going to.

CHAIRMAN PRETE: Mr. Pallozzi can

be reached at 40 Fountain Street.

MRS. PONTES: I will talk to him  
on the way out.

CHAIRMAN PRETE: That's better, I  
agree.

I want to take this opportunity to  
thank the people for coming here. This concludes the hearing.  
Thank you very much.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Providence S.C.

I hereby certify that the foregoing is a true and  
accurate transcript according to my shorthand notes.

# The City of Providence

2

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## CHAPTER 1971-25

No. 245 **AN ORDINANCE** APPROVING AND ADOPTING THE OFFICIAL  
REDEVELOPMENT PLAN FOR MODEL CITIES NDP URBAN RENEWAL  
AREA (2) [FORMERLY AREA 3a ]

*Approved* May 10, 1971

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

WHEREAS, the Providence Redevelopment Agency (hereinafter sometimes called "Local Public Agency") pursuant to the provisions of Title 45, Chapters 31-33 (inclusive) of the General Laws of Rhode Island, 1956, as amended, entitled "Redevelopment Act of 1956", has formulated and submitted to the City Council on **March 4, 1971** for its consideration, an Urban Renewal Plan approved by the Local Public Agency, for an Urban Renewal Area, which said Urban Renewal Plan is entitled, "Model Cities, Redevelopment Plan, 1971-1972, N.D.P. Urban Renewal Area (2)" and comprises a report consisting of 24 pages of text 3 exhibits and 4 maps; and

WHEREAS, a general plan has been prepared by the City Plan Commission and is recognized and used as a guide for the general development of the City of Providence as a whole; and

WHEREAS, the said Urban Renewal Plan concerns itself with areas which have been designated Redevelopment Areas by the City Council of the City of Providence by Chapter 103 of the Ordinances of the City of Providence, approved July 6, 1948, as amended by Chapter 69-44 of the Ordinances of the City of Providence, approved November 28, 1969, in conformity with the provisions of Section 22 of Chapter 1802 of the Public Laws of Rhode Island 1946, as amended, and Title 45, Chapter 32, Section 4 of the General Laws of Rhode Island, 1956, as amended.

WHEREAS, a copy of said Urban Renewal Plan was transmitted to the City Plan Commission on **December 9, 1970** ; and

WHEREAS, the City Plan Commission, which is the duly designated and acting official planning body for the City, has submitted to the City Council its report and recommendations respecting the Urban Renewal Plan for NDP Urban Renewal Area (2) and has certified that said Urban Renewal Plan conforms to the said general plan for the City as a whole, and the City Council has duly considered said report,



No.

CHAPTER

AN ORDINANCE

recommendation and certification of the planning body; and

WHEREAS, the plan indicates that an inspection of the dwelling units in the Area by trained housing inspectors, using the "Appraisal Method for Measuring the Quality of Housing" developed by the American Public Health Service and supplemented by the Providence Building Code for all residential buildings, and an evaluation of non-residential structures performed by the inspectors of the Providence Building Inspection Department indicate that the Area is a deteriorated blighted area under the provisions of Title 45, Chapter 31, Section 8 (4).

WHEREAS, the plan indicates that a survey, based upon a detailed inspection of 30 of the 140 structures (a 20% sample) within the said Urban Renewal Area (2) was made.

(1) Of the 137 residential structures within the area, 30 or 21.8% were inspected. These inspections revealed the following basic exterior deficiencies: 93.0% of the total number of the dwelling units inspected were found to have at least one basic deficiency in essential dwelling facilities. Basic deficiencies include serious deterioration, serious overcrowding, lack of dual egress, lack of sanitary facilities and serious inadequacies in lighting and ventilation. A basic deficiency indicates a serious violation of minimum standards for continued dwelling occupancy and building safety which ordinarily would justify removing occupants from the dwelling until the violation was corrected.

(2) Surveying the non-residential structures were investigators who were either inspectors of the Providence Department of Building Inspection and/or professional architects or engineers. In both instances, the same method of evaluation was employed.

Of the total number of 30 residential structures in Area (2), 10 or (33.3%) were found to be substandard, seriously deficient or unsafe.

WHEREAS, the plan as submitted contains a finding that the area included in the proposed Urban Renewal Plan qualified as a deteriorated area under the provisions of Title I of the United States Housing Act of 1949, as amended, (hereinafter sometimes called "Housing Act") and as a deteriorated blighted area within the meaning of the "Redevelopment Act of 1956" as amended to date, because there exist in the area buildings or improvements, used or intended to be used for living, commercial, industrial or other purposes, which by reason of (1) dilapidation, deterioration, age or obsolescence, (2) inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities, (3) defective design or unsanitary or unsafe character or condition or physical construction, (4) defective or inadequate street and lot layout, (5) mixed character, deterioration or shifting of uses to which they are put, or any combination of such factors and characteristics are conducive to the further deterioration and decline of the area and injuriously affect the entire area.

The NDP Urban Renewal Area (2) is not restricted to, nor does it consist entirely of, lands, buildings, or improvements which of themselves are detrimental, but is an area in which such conditions exist, and injuriously affect the entire area.

WHEREAS, the Providence Redevelopment Agency has prepared a plan for the relocation of families that may be displaced as a result of carrying out the Project in accordance with said Urban Renewal Plan and has submitted to the City Council a Relocation Plan for the Project, identified as "Model Cities NDP Urban Renewal Area (2)"; and

WHEREAS, there have also been presented to the City Council information and data respecting the Relocation Plan which have been prepared by the Providence Redevelopment Agency as a result of studies, surveys and inspections in NDP Urban Renewal Area (2) and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS, the members of this Body have general knowledge of the conditions prevailing in NDP Urban Renewal Area (2) and of the availability of proper housing in the locality for the relocation of families that may be displaced from NDP Urban Renewal Area (2) and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such Relocation Plan; and

WHEREAS, under the provisions of Title I of the Housing Act of 1949, as amended, the United States Department of Housing and Urban Development is authorized to provide financial assistance to local public agencies for undertaking and carrying out of urban renewal projects; and

WHEREAS, the Providence Redevelopment Agency has applied for financial assistance under said Housing Act and has entered into a planning contract for financial assistance under said Act with the United States of America, acting by and through the Secretary of the Department of Housing and Urban Development, pursuant to which Act Federal funds have been provided for the project; and

WHEREAS, the Providence Redevelopment Agency has applied for additional financial assistance under the Housing Act and proposed to enter into an additional contract or contracts with the Department of Housing and Urban Development for the undertaking of, and for making available additional financial assistance for NDP Urban Renewal Area (2); and

WHEREAS, it is provided in said Act that contracts for financial aid under the Housing Act shall require that the Urban Renewal Plan for NDP Urban Renewal Area (2) be approved by the Governing Body of the locality in which the Project is situated and that such approval include findings by the Governing Body that (1) the financial aid to be provided in the contract is necessary to enable the land within NDP Urban Renewal Area (2) to be redeveloped in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plans for the Urban Renewal Areas in the locality as a whole, for the redevelopment of such areas by private enterprise; and (3) the Urban Renewal Plan conforms to a general plan for the development of the locality as a whole; and

WHEREAS, there has also been presented to the City Council information and data respecting Urban Renewal Plans for the Urban Renewal Areas in the City of Providence including the following: Capital Improvement Programs for 1950-1956, 1951-1957, 1952-1958, 1953-1959, 1954-1960, 1955-1961, 1956-1962, 1957-1963, 1958-1964, 1959-1965, 1960-1966, and 1961-1967, 1962-1968, 1963-1969, 1964-1970, 1965-1971, 1966-1972, 1967-1973, 1968-1974, and the Annual Reports of the Providence Redevelopment Agency for 1948 through 1967 (inclusive); and

WHEREAS, at a public hearing held on **April 6, 1971**, following notice of the date, time, place and purpose of such hearing, the City Council Committee on Urban Redevelopment, Renewal and Planning duly considered the Urban Renewal Plan, and all evidence and testimony for and against the adoption of such Plan, in accordance with the provisions of the "Redevelopment Act of 1956;" and

WHEREAS, said Urban Renewal Plan for the Project Area prescribes certain land uses for NDP Urban Renewal Area (2), and will require, among other things, but not by way of limitation, the widening, vacation and removal of streets, the construction and installation of streets, curbing and sidewalks, grading and other public facilities and other public actions; and

WHEREAS, it is necessary that the City Council take appropriate official action respecting the Relocation Plan and said Urban Renewal Plan for NDP Urban Renewal Area (2), in conformity with the requirements of the "Redevelopment Act of 1956" and the contract or contracts for financial assistance between the Providence Redevelopment Agency and the United States of America acting by and through the Secretary of Housing and Urban Development;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PROVIDENCE:

1. The Project is hereby designated as "Model Cities NDP Urban Renewal Area (2)".

2. It is hereby found and determined that for the purposes of the Urban Renewal Plan the Model Cities NDP Urban Renewal Area (2) comprises that certain tract of land situated in the City of Providence and State of Rhode Island, which is bounded as described in Exhibit A, which is attached hereto and made a part hereof as if more fully set forth herein.

3. It be and hereby is found and determined in relation to the Model Cities NDP Urban Renewal Area (2) on the basis of the facts set forth in the reports and documents mentioned in the Preamble of this Ordinance and upon the basis of evidence and testimony presented at the public hearing on said Plan:

(a) That within the Model Cities NDP Urban Renewal Area (2):

(1) 33.3% of the structures are substandard or seriously deficient or unsafe in that these structures contain serious deterioration, lack of dual egress, lack of sanitary facilities, serious inadequacies in lighting and ventilation, serious overcrowding.

(b) That within the Model Cities NDP Urban Renewal Area (2):

(2) There exists the following environmental deficiencies:

- a. Defective or Inadequate Street and/or Lot Layout.
- b. Incompatible or Shifting Uses.
- c. Obsolete or Aged Buildings, Not Suitable for Improvement or Conversion.
- d. Inadequate Provision for Ventilation, Light, Sanitation, Open Space and Recreation Facilities.
- e. Defective Design or Unsanitary or Unsafe Character or Condition of Physical Construction.

4. It be and hereby is found and determined that because of a predominance of conditions of dilapidation, deterioration, obsolescence, inadequate provision for light and sanitation, unsanitary and unsafe character and condition of physical construction, mixed character of uses which injuriously affect the entire Area and constitute a menace to the public health, safety and welfare of the inhabitants of the Area and of the community generally, said Urban Renewal Area is a deteriorated and blighted area within the meaning of Sections 2-8 inclusive of Chapter 31 of the

"Redevelopment Act of 1956," as amended, and that said Model Cities NDP Urban Renewal Area (2) is hereby determined to be a deteriorated blighted area.

5. It be and hereby is found that the Model Cities NDP Urban Renewal Area (2) requires clearance, replanning, redevelopment, and improvement and rehabilitation under the provisions of the "Redevelopment Act of 1956".

6. It be and hereby is declared to be the purpose and intent of this Body to eliminate the deteriorated and substandard conditions existing in the Model Cities NDP Urban Renewal Area (2) and the replacement of such conditions by a well-planned area in accordance with and by the means provided in the "Redevelopment Act of 1956".

7. It is hereby found, declared and determined that:

(a) The Urban Renewal Plan for Model Cities NDP Urban Renewal Area (2) will redevelop said Urban Renewal Area in conformity with the provisions of the "Redevelopment Act of 1956"; will effectuate the purposes and policy of said Act; and will promote the public health, safety, morals and welfare of the City of Providence.

(b) The Urban Renewal Plan for said Urban Renewal Area conforms to the general or master plan for the City of Providence as a whole.

(c) The Urban Renewal Plan for said Urban Renewal Area is feasible and the financial aid provided pursuant to the contract or contracts for financial assistance pertaining to Area (2) between the Providence Redevelopment Agency and the Secretary of the Department of Housing and Urban Development under provisions of Title I of the United States Housing Act of 1949, as amended, is necessary to enable the land in the Urban Renewal Area to be redeveloped in accordance with the Urban Renewal Plan for the Urban Renewal Area.

(d) The acquisition of the real property in accordance with the said Plan for the Model Cities NDP Urban Renewal Area (2) is in the public interest.

(e) Adequate provision for payment for property which may be acquired by the exercise of eminent domain has been made in the Urban Renewal Plan.

(f) The Urban Renewal Plan contains adequate safeguards to assure the carrying out of the work of redevelopment in accordance with the Urban Renewal Plan.

(g) The Urban Renewal Plan provides for the retention of controls and the establishment of restrictions and covenants which may run with the land.

(h) The Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of other areas of the City by private enterprise.

8. The Providence Redevelopment Agency shall sell, lease or dispose of land in the Project Area only in accordance with the terms of the Redevelopment Plan and subject to the restrictions, covenants and conditions set forth therein and which are hereby found and declared to be necessary to effectuate the purposes of the "Redevelopment Act of 1956".

9. In enacting this Ordinance, the City Council intends to comply with the provisions of the "Redevelopment Act of 1956" which relate to adoption of an Urban Renewal Plan for an approved Urban Renewal Area so that the blighted and substandard conditions in this Urban Renewal Area can be eliminated and the Urban Renewal Area can be redeveloped in accordance with the Urban Renewal Plan to attain the public purposes and policy of the "Redevelopment Act of 1956" and thereby to protect and promote and be in the interest of the public health, safety, morals and general welfare of the people in the State as a whole and particularly the people of this City.

10. The Urban Renewal Plan for Model Cities NDP Urban Renewal Area (2) consisting of a booklet containing a table of contents, 24 pages of text, 3 exhibits and 4 maps is hereby approved, adopted and designated as the Official Urban Renewal Plan for Model Cities NDP Urban Renewal Area (2) and is herein incorporated by reference, made a part hereof and designated as "Exhibit B".

11. The Providence Redevelopment Agency is hereby fully authorized to carry out this Official Urban Renewal Plan. Provided, however, that the Agency shall not enter into any contracts for disposition of property in the Urban Renewal Area until at least ten days after the City Council of the City of Providence has received at a regular or special meeting a report from the Providence Redevelopment Agency concerning the proposed sale or lease.

12. In order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference to, among others, the vacation and removal of streets, the relocation of sewer and water mains and other public facilities and, accordingly, this Body hereby:

(a) Pledges its cooperation in helping to carry out said Official Urban Renewal Plan;

(b) Requests the various officials, departments, boards and agencies of the City of Providence having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with said Urban Renewal Plan;

(c) Declares that it will institute proceedings for the opening, closing, widening or changing the grade of streets and other modifications of the street layout as set forth in the Official Urban Renewal Plan;

(d) Declares that it will provide the City's share of the Net Project Cost of the redevelopment of the Urban Renewal Area, and hereby allocates a cash contribution of \$65,134.00 representing the estimated amount of its share of Net Project Cost;

(e) Authorizes the Mayor, upon the execution of a Loan and Grant contract between the Providence Redevelopment Agency and the Department of Housing and Urban Development to convey to the Agency all of its rights, title and interest in the parcels of land or any building or structure thereon described below and shall receive credit on its obligations hereunder for the full and fair market value thereof as approved by the Government.

(f) Declares that in addition it will furnish \$1,640.00, which sum represents real estate taxes on unimproved land.

(g) Declares that after completion of all street construction, and facilities, water lines, storm and sanitary sewer construction as indicated in the Urban Renewal Plan, all ways within the Urban Renewal Area scheduled to become public ways and all the aforementioned facilities and utilities shall be dedicated by the Agency to the public and the City shall accept such dedication.

(h) Stands ready to consider and take appropriate action upon any other proposals and measures designed to effectuate said Urban Renewal Plan.



13. It is further found and determined that the method and means set forth in the Urban Renewal Plan for relocating families who are to be displaced by the Urban Renewal Plan is feasible; and that the proposals set forth in the Relocation Plan for the proper relocation of the families displaced in carrying out the Urban Renewal Plan in decent, safe, and sanitary dwellings in conformity with acceptable standards are feasible and can be reasonably and timely affected to permit the proper prosecution and completion of the Urban Renewal Plan; and that such dwellings or dwelling units available or to be made available to such displaced families are at least equal in number to the number of displaced families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced families in the Urban Renewal Area, are available at rents or prices within the financial means of the displaced families, and are reasonably accessible to their place of employment.

14. It is hereby found and determined that the Official Redevelopment Plan gives due consideration to the provision of adequate park and recreational areas and facilities as may be desirable for neighborhood improvement with special consideration for health, safety and the welfare of children residing in the general vicinity of the site covered by said Plan.

15. It is hereby found and determined that there are educational institutions and a hospital located in or near the area covered by the Plan, and it is further found and determined that in addition to the elimination of slums and blight from such area, the undertaking of the Redevelopment Plan in such area will further promote the public welfare and the proper development of the community (1) by making land in such area available for disposition, for uses in accordance with the Official Redevelopment Plan, to such educational institutions or hospital for redevelopment in accordance with the use or uses specified in the Official Redevelopment Plan, (2) by providing, through the redevelopment of the Area in accordance with the Official Redevelopment Plan, a cohesive neighborhood environment compatible with the functions and needs of such educational institutions or hospital, or (3) by any combination of the foregoing.

16. It is hereby further found and determined that consideration has been given in the Official Redevelopment Plan for the Project Area to the development of a sewer system to serve the Project Area which will, to the maximum extent feasible, provide for effective control of storm and sanitary wastes.

17. To obtain the additional financial assistance under the provision of Title I of the "Housing Act of 1949", as amended, necessary to carry out the Official Redevelopment Plan for said Urban Renewal Area, the filing by the Providence Redevelopment Agency of any application or applications for such additional financial assistance under Title I of the "Housing Act of 1949", as amended, is hereby approved.

18. This Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy of this Ordinance to the Providence Redevelopment Agency.

IN CITY  
COUNCIL  
APR 15 1971  
FIRST READING  
READ AND PASSED  
*William T. Vesper*  
CLERK

APPROVED  
MAY 16 1971  
*Joseph H. Bradley Jr.*  
MAYOR

IN CITY  
COUNCIL  
MAY 6 - 1971  
FINAL READING  
READ AND PASSED  
*Robert J. Hutton*  
PRESIDENT  
*William T. Vesper*  
CLERK

IN CITY  
COUNCIL

MAR 4 - 1971

FIRST READING  
REFERRED TO COMMITTEE ON URBAN REDEVELOPMENT  
RENEWAL & PLANNING

*Vincent Vespas*  
CLERK

THE COMMITTEE ON

*Urban Redevelopment, Renewal  
and Planning*  
Approves Passage of  
The Within Ordinance

*Vincent Vespas*  
April 7, 1971  
Chairman  
Clerk

*Councilman Sciarretta  
and Councilman Lynch, by request*

FILED  
FEB 25 5 14 PM '71  
DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

EXHIBIT A

LEGAL DESCRIPTION OF THE BOUNDARIES OF N.D.P. URBAN RENEWAL AREA (2) [FORMERLY AREA (3a) ]

Beginning at the most westerly corner of Area (2), herein described, at the intersection of the centerlines of Ocean Street and Oxford Street;

Thence, running generally northeasterly along the centerline of Oxford Street to its intersection with the northerly projection of the westerly lot line of Lot 768, Assessor's Plat 47;

Thence, turning and running generally southerly along said westerly lot line of Lot 768, Assessor's Plat 47, and continuing southerly along the westerly lot line of Lot 779, Assessor's Plat 47, to its projected intersection with the centerline of Ashmont Street;

Thence, turning and running generally northeasterly along said centerline of Ashmont Street to its intersection with the northerly projection of the westerly lot line of Lot 701, Assessor's Plat 47;

Thence, turning and running generally southerly along said westerly lot line of Lot 701, Assessor's Plat 47, and continuing generally southerly along the westerly and northerly lot lines of Lot 780, Assessor's Plat 47, to its projected intersection with the centerline of Briggs Street;

Thence, turning and running generally northeasterly along said centerline of Briggs Street to its intersection with the northerly projection of the westerly lot line of Lot 39, Assessor's Plat 54;

Thence, turning and running generally southerly along said westerly lot line of Lot 39, Assessor's Plat 54, to its projected intersection with the centerline of Wyatt Street;

Thence, turning and running generally northeasterly along said centerline of Wyatt Street to its intersection with the northerly projection of the westerly lot line of Lot 41, Assessor's Plat 54;

Thence, turning and running generally southerly along the westerly lot lines of Lots 41, 42, 119 and 120, Assessor's Plat 54, continuing across Autumn Street to its intersection with the westerly lot line of Lot 846, Assessor's Plat 54, and continuing along said westerly lot line of Lot 846, Assessor's Plat 54, to its intersection with the northerly lot line of Lot 225, Assessor's Plat 54;

Thence, turning and running generally southerly along the northerly and westerly lot lines of Lots 225, 847, 354, 292, 293, and 294 in Assessor's Plat 54, to its projected intersection with the centerline of Rachel Street;

Thence, running generally southerly along said centerline of Rachel Street to its intersection with the centerline of Thurbers Avenue;

Thence, turning and running generally westerly along said centerline of Thurbers Avenue to its intersection with the centerline of Rugby Street;

Thence, turning and running generally northerly along said centerline of Rugby Street to its intersection with the easterly projection of the northerly lot line of Lot 300, Assessor's Plat 54;

Thence, turning and running generally westerly along the northerly and easterly lot lines of Lots 300, 301, 817, 816, 802, 302, 305, 306, 307, and 843, Assessor's Plat 54, to its projected intersection with the centerline of Ocean Street;

Thence, turning and running generally northerly along said centerline of Ocean Street to the point and place of beginning.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

1. He is the duly qualified and acting City Clerk of the City Council of the City of Providence (hereinafter called the "Governing Body") and the custodian of the records of the Governing Body, including the Journal of the Proceedings of the City Council, and is duly authorized to execute this certificate.
2. Attached hereto is a true and correct copy of a resolution, including the WHEREAS clauses, adopted at a meeting of the Governing Body held on the                      day of                      , 19     .
3. Said resolution has been duly recorded in the minutes of said meeting and is now in full force and effect.
4. Said meeting was duly convened and held in all respects in accordance with law and the by-laws of the City Council of the City of Providence. To the extent required by law or said by-laws, due and proper notice of said meeting was given. A legal quorum of members of the Governing Body was present throughout said meeting and a legally sufficient number of members of the Governing Body voted in the proper manner for the adoption of said resolution. All other requirements and proceedings under law, said by-laws, or otherwise, incident to the proper adoption of said resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.
5. If the seal appears below, it constitutes the official seal of the City Council of the City of Providence and was duly affixed by the undersigned at the time this certificate was signed. If no seal appears below, the City Council of the City of Providence does not have and is not legally required to have an official seal.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand  
this                      day of                      , 19     .

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CITY CLERK

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List of Attached Maps:      Urban Renewal Area (2)

- Map No. 1    -   Existing Land Use & Zoning
- Map No. 2    -   Proposed Land Use
- Map No. 3    -   Proposed Acquisition
- Map No. 6    -   Disposition Map



Urban Renewal Plan for NDP Area (2)1971-1972

## INTRODUCTION

1. Urban Renewal Area (2) Background

The 19.6 acre Urban Renewal Activity Area (2) is a portion of the 700 acre Model Cities Area. The Model Cities Area was approved in late February, 1968, prior to which a field office was opened and began operating. 1. An NDP project rehabilitation and planning office was opened in July, 1970. Area (2) is a deteriorated, blighted area, within the meaning of the Redevelopment Act of 1956, as amended to date, because there exist in the area buildings or improvements used or intended to be used for living, commercial, or other purposes, which by reason of (1) dilapidation, deterioration, age or obsolescence, (2) inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities, (3) high density of population and overcrowding, (4) defective design or unsanitary or unsafe character or conditions of physical construction, (5) defective or inadequate street and lot layout, (6) mixed character, shifting or deterioration of uses to which they are put, or any combination of such factors and characteristics, are conducive to the further deterioration and decline of such area to the point wherein may become a slum blighted area. Area (2) is not restricted to, nor does it consist entirely of, lands, buildings, or improvements which of themselves are detrimental, but is an area in which such conditions exist, and injuriously affect the entire area. The Agency's exterior APHA Inspection of all structures in the overall Model Cities Area which was completed in December, 1967, indicated that of the 2,724 structures inspected 1,410 or 52% were substandard on the basis of observable exterior deficiencies. On the basis of the Agency's complete APHA inspection - a 20% sample of Area (2) - 10 structures or 33.3% were found to be substandard. On the basis of the complete interior/exterior APHA inspection in December, 1968 - a 20% sample of Area (2) - 21 structures or 70.0% were found to be deficient.

2. Abbreviations

- |  |            |
|--|------------|
| 1.) City of Providence   | -City      |
| 2.) Providence Redevelopment Agency  | -Agency    |
| 3.) Zoning Ordinance of the City of Providence approved September 21, 1951, and as amended to the date of approval of this Urban Renewal Plan-Zoning Ordinance |            |
| 4.) Urban Renewal Plan   | -Plan      |
| 5.) NDP Urban Renewal Area No. (2)   | -Area (2)  |
| 6.) Local Planning Agency Block  | -L.P.A. BK |

- |                                |          |
|--------------------------------|----------|
| 7.) Census Tract and Block     | -CT & BK |
| 8.) Assessor's Plat Number     | -AP#     |
| 9.) Model Cities Agency        | -MCA     |
| 10.) Model Cities Neighborhood | -MCN     |

### 3. Definitions

- |                              |   |
|------------------------------|---|
| 1.) <u>Lot Coverage-</u>     | The percentage of the entire parcel covered by the ground floor areas of all structures.  |
| 2.) <u>Maximum Density-</u>  | The total number of dwelling units allowed within a given parcel or area.   |
| 3.) <u>Building Height-</u>  | The vertical distance measured from the average elevation of the finished lot grade at the front of the building to the highest point of ceiling of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the mean height level between the eaves and ridge of a gable, hip or gambrel roof. |
| 4.) <u>Parking Space-</u>    | An area, interior or exterior, of not less than 200 sq. ft., net, when considered separate from access thereto and screening and landscaping thereof; and not less than 360 sq. ft. when considered in conjunction with access thereto and screening and landscaping thereof.   |
| 5.) <u>Parking Area-</u>     | That portion of a parcel of land which is required either by the Zoning Ordinance or by the controls of this plan to be allocated, utilized and/or reserved for the parking of vehicles.  |
| 6.) <u>Gross Floor Area-</u> | Gross floor area shall include total floor area in a given unit or structure which is devoted to the use in question, but not to include floor area devoted to interior parking or cellar, providing the cellar is used only for the storage of mechanical equipment.   |

#### A. Description of NDP Urban Renewal Area (2)

1. Similar to the Model Cities Neighborhood, of which it is a part, Urban Renewal Area (2) is a potpourri of social and physical deterioration, such as:
  - a. lower market value of residential structures than the city-wide average

- b. loss of a substantial number of its dwelling units
- c. of the 155 lots in Area (2), 119 or 76.7% are under 5000 sq. ft.; and 34 or 22% are under 3200 sq. ft.
- d. Gross mixing of residential and non-residential land uses which constitute a blighting influence on the neighborhood - of the 12 blocks in Area (2), 5 blocks have one or more mixed-use structures
- e. adjacent and abutting incompatible land uses not buffered one from another
- f. poorly designed, inadequate vehicular and pedestrian circulation systems
- g. a high number of absentee landlords, whose properties coincide with locations of substandard structures
- h. of the 140 buildings in Area (2), 45 or 32.1% are within 10 feet of an adjacent building
- i. 51% of the buildings have one or more yard deficiencies

Residential structures, in general, are characterized by numerous minor defects which collectively cause many structures to have a deteriorating effect on the surrounding area.

2724 structures were included in the APHA Exterior Inspection of Area (2), which was completed in December, 1967. Structures were placed in one of the three grading categories in the following percentages: "Good" - 382 or 15%; "Fair" - 932 or 33%; "Poor" - 1410 or 52%.

The APHA inspection of Structures and Units for Area (2) was completed in December, 1968, and represented a 20% sampling of all structures in Area (2). 21 or 70.0% of the structures had at least one basic deficiency in essential dwelling facilities. The specific breakdown of the 20% sampling into APHA grading categories was as follows:

Category A - Excellent	- 0
Category B - Good	- 9
Category C - Intermediate	- 11
Category D - Substandard	- 8
Category E - Slum	- 1
- Not available for Occupancy - 1	

Basic deficiencies include serious deterioration, serious overcrowding, lack of dual egress, lack of sanitary facilities and serious inadequacies in lighting and ventilation. A basic deficiency indicates a serious violation of Minimum Standards

for continued dwelling occupancy and building safety, which ordinarily would justify removal of occupants from the dwelling until the violation was corrected. Of the 30 structures from the 20% sampling within Area (2), 10 or 33.3% are substandard. And of the 140 structures in the complete Area (2), 140 or 100.0% have one or more environmental deficiencies.

2. Boundaries of Urban Renewal Area (2)

Area (2) is located within the HUD-approved Model Cities Area. In general, Area (2) lies within an area bounded by Ocean Street, Oxford Street, Eddy Street and Thurbers Avenue. The boundaries of this area have been established without regard to the race, religion, national origin or color of skin of any residents of the area. The boundaries of Area (2) are as shown on Map No. 1, Land Use and Zoning. A legal description of the Area (2) boundary is attached herewith as Exhibit A.

B. STATEMENT OF DEVELOPMENT OBJECTIVES

1. Local Objectives to be achieved through renewal are the removal of substandard structures; the rehabilitation of all remaining structures; the prevention of new slums and deterioration; the provision of new housing units throughout the area; the relief of congestion and the centralization of non-residential uses; the provision of new active and passive recreation areas; the provision of appropriate community facilities; the modernization of public utilities; the improvement of pedestrian and vehicular circulation patterns; and the provision of a decent, safe and sanitary home for every citizen of the community.

2. Urban Renewal Plan Objectives

- a. Improvement of structural condition and maintenance throughout the area by providing for the intensification of enforcement of all City Code standards and the encouragement of the attainment of higher-than-code standards in the rehabilitation of structures.
- b. Spot clearance of those deteriorated structures not rehabilitated.
- c. Relocation of habitable or standard structures where necessary and feasible.
- d. Disposition by the Agency for private rehabilitation of deteriorated residential and non-residential structures.
- e. Provision of improvements in traffic circulation.
- f. Maintenance of the present variety of physically adequate housing in residential sections.
- g. Minimization of displacement of as many of the cur-

rent residents as possible, except when clearance is necessary for elimination of deteriorated structures which are not rehabilitable, or the provision of public facilities, necessary commercial or institutional uses, new residential development or other project improvements.

- h. Establishment of public recreational facilities.
- i. Promotion of sound development in the area by the provision and enforcement of controls governing the use and maintenance of the land.
- j. Improvement of physical environment of the area by the separation of the incompatible land uses and, where necessary, by the removal of incompatible land uses.
- k. Provision of a substantial number of low or moderate cost housing units, such that a minimum of 20% of all the dwelling units permitted by this Plan on land disposed of for residential construction or residential rehabilitation shall be of low or moderate cost.
- l. Provision of sites for the expansion or development of necessary public facilities and private institutional facilities.
- m. Provision of adequate relocation sites for existing non-residential uses serving the neighborhoods involved, wherever possible.
- n. Provision of sites for all types of new development replacing inadequate or inappropriate existing development.
- o. Improvement of residential properties by the elimination of environmental deficiencies.
- p. Use of vacant land acquired, or of other sites cleared by the Agency, for off-street parking, open space, or relocated structures.
- q. Provision of street trees and public green spaces.
- r. Separation of storm and sanitary sewer lines.
- s. Repaving and replacing of streets and sidewalks throughout the Area, where necessary.
- t. All properties not designated for acquisition in Area (2) will be subject to the controls for rehabilitation.
- u. Improvement of tenant-landlord communication as well as establishment and clarification by each of

the other's responsibilities in the maintainance of the structure.

3. The physical character of the area will be basically an orderly arrangement of land uses, such that residential uses will not be adversely affected by non-residential uses. The residential areas will be less congested and therefore will provide yard space to accommodate off-street parking and on-site play areas for small children. The non-residential areas will be arranged to provide a more functional and less congested operation of the businesses involved.
4. Basic amenities to be provided by this plan are more functional recreation areas within each neighborhood; centralization of commercial areas which will allow for neighborhood shopping and, at the same time, relieve the residential areas of the mixed land uses; and better traffic circulation which will help to relieve congestion on the neighborhood streets thereby allowing for a better flow of thru-traffic.
5. Social and economic objectives within Area (2) are to be brought about primarily in the following ways. First, the physical environment of the Area will be uplifted through the provision of new, public, active and passive recreational areas; the elimination of blighting influences caused by the incompatible mixing of residential and non-residential land uses; the elimination of sub-standard structures which are infeasible for rehabilitation; and rehabilitation of remaining structures. Second, a substantial effort by various city agencies will be made to upgrade the quality of education within the area; to encourage the continuance of existing public and private day-care centers, drop-in centers, and other general social service centers, as well as to provide similar, new facilities, as needed; to provide new job opportunities through the centralization and revitalization of existing industry, and to encourage the location of new industrial uses within the new industrial areas.

C. General Land Use Plan

1. Land Use Map (See Map No. 2, Proposed Land Use) for Area (2), showing the predominant land uses including public uses and other uses, and the major circulation routes.
2. Description of Proposed Predominant Land Use Categories
  - a. Residential Land Use is broken down into the following categories:

1.) Medium Density Residential

- a. having a maximum of one dwelling unit per 1200 square feet of lot area
- b. incidental uses see below

b. Other Uses

- (1) Uses incidental to and compatible with residential areas, such as parks, playgrounds, churches, etc., will also be allowed.
- (2) Those commercial uses deemed necessary to serve the needs of the Area Residents, will also be allowed.

c. Commercial and Industrial Sections

There are no new commercial or industrial sections proposed for Area (2).

3. Planning Criteria to be Used to Determine:

a. Type, Intensity and Location of other uses Permitted within Predominant Land Use Categories:

- (1) Standards governing the type, intensity and location of secondary or auxiliary uses within predominant land use categories are contained in the Zoning Ordinance. In some instances the standards of the Urban Renewal Plan are more restrictive than the Zoning Ordinance.
- (2) Criteria used to determine the type, intensity and location of auxiliary uses (such as public or institutional) within predominant land use categories are:
  - a. Demonstration that there is a need for such facility to serve the neighborhood.
  - b. Compatibility between auxiliary use and predominant land use.

(c) Economic feasibility and availability of land for provision of adequate off-street parking, loading, etc.

(d) Applicable Zoning Restrictions.

b. Type, Location and Other Characteristics of the Internal Circulation System.

(1) Guided by the City's Master Plan for Circulation, alterations to the existing internal circulation system within the NDP will be determined by the following criteria:

(a) Proposed intended use, whether:

-Primarily Residential, with infrequent Commercial

-Residential equally mixed with Commercial

-Primarily Commercial and/or Industrial;

(b) Estimated Traffic Volume;

(c) Existing or Planned access to major thoroughfares.

(2) The internal circulation system will insure an effective separation between neighborhood traffic and through or transient traffic, and at the same time allow for a smooth transition between internal streets and major perimeter streets.

c. Other Public Improvements and facilities not identified on the land use map:

(1) Separation of storm and sanitary sewers as required by federal regulations;

(2) Parks and recreation areas as indicated by population studies;

(3) Other site improvements as dictated by right-of-way adjustment plan;

(4) Other public facilities as indicated in the City's Master Plan.

D. URBAN RENEWAL TECHNIQUES TO BE USED TO ACHIEVE PLAN OBJECTIVES shall include:

1. Rehabilitation

a. A sample of structures typical of those in Area (2) was inspected. Economic feasibility was determined



with use of estimates of before and after value, and costs of work to be done.

- b. In cases where a property owner is unable or unwilling to undertake rehabilitation of his property or where non-compliance with a request to rehabilitate will result in severe blighting influence, the Agency may acquire by eminent domain or purchase said property or, as a final alternative, acquire said property for clearance.

- c. Property Rehabilitation Standards

- (1) Residential Rehabilitation Standards

- (a) Minimum Housing Standards

- Minimum Housing Standards for acceptable dwelling rehabilitation within rehabilitation sections of Area (2) shall consist of legal requirements contained in an ordinance of the City of Providence entitled "An Ordinance Providing Minimum Standards for Housing", Chapter 1040, approved July 9, 1956, as amended to date, and the code of the State of Rhode Island entitled "The Rhode Island Maintenance and Occupancy Code," approved May 7, 1970, as amended to date.

- (b) Residential Area Standards

- In addition to the minimum legal requirements for rehabilitation set forth above, voluntary project standards for desirable dwelling rehabilitation and improvements shall consist of those standards which the Federal Housing Administration has established for eligibility for FHA Financing. These standards as adapted from the Department of Housing and Urban Development publication HUD PG-50, as amended, entitled "Minimum Property Standards for Rehabilitation," shall be applicable to the Area. They are attached as Exhibit C.

- (c) In addition, buildings and uses proposed for rehabilitation shall be subject to compliance with those controls for open space, off-street parking facilities and screening, landscaping, etc. which are set forth in Section E, "Land Disposition Supplement," and are applicable to residential properties. Provided, however, that waiver or modification to the strict application of these controls may be granted by the Agency and by the Zoning Board of Review, when

necessary, due to the location of structure on the land, lack of available open space, adverse topography, or other conditions, where the objectives of the Plan are not abrogated by such action.

(2) Non-Residential Rehabilitation Standards

(a) Minimum Non-Residential Standards

The Building Ordinance and the Zoning Ordinance shall control all matters concerning the construction, alteration, addition, repair removal, demolition, use, location, occupancy, and maintenance of all buildings and other structures and their service equipment.

- (b) Buildings and uses proposed for rehabilitation shall be subject to compliance with those controls for open space, off-street parking and loading, screening, and buffering, etc. which are set forth in Section E, "Land Disposition Supplement," and are applicable to non-residential properties. Provided, however, that waiver or modification to the strict application of these controls may be granted by the Agency, and by the Zoning Board of Review, where necessary, due to location of structure on the land, lack of available open space, adverse topography, or other conditions, where the objectives of the Plan are not abrogated by such action, and where such action is not in violation of the Zoning Ordinance or the Building Code.

(c) Non-Residential Area Standards

Owners of all non-residential properties shall be encouraged to undertake:

- 1-The cleaning or repainting of all exterior and interior metal, masonry, glass and woodwork where required;
- 2-The provision of off-street parking and loading spaces relative to the type of establishment;
- 3-The screening, from the view of adjoining residential uses and rights-of-way, of all outdoor parking areas, loading areas and storage spaces, by use of a uniform appearing, adequate, year-round screen;

- 4-The replacement of all broken, loose, or unsafe fenestration of all windows, doors, and store fronts;
- 5-The grading or regrading of all lots in such a manner as to provide a satisfactory drainage of water runoff away from buildings and from the lot to a public street or drainage easement;
- 6-The suitable surfacing or resurfacing of all driveways, parking areas, walks and plazas so as not to constitute a nuisance to the surrounding areas;
- 7-The proper landscaping of all other open areas;
- 8-Either the replacement of existing undesirable signs or the placement of new signs which in either case are to be:
  - a-Neither flashing nor animated
  - b-Integrated with the overall appearance of the structure to which the signs are affixed;
- 9-The placement and shielding of any spotlight or similar source of illumination so that the light source is not visible from the right-of-way or from adjacent properties;
- 10-The repair, painting or replacement of fencing, walls and screening as required.

The implementation of rehabilitation standards as well as the execution of rehabilitation activities outlined above will involve essentially; (a) the enforcement by the City of its Minimum Standards Housing Ordinance; (b) the enforcement by the City of its Zoning Ordinance; (c) the enforcement by the City of its Building Ordinance; (d) the enforcement by the City and State of all other applicable ordinances; (e) the provision by the Agency of technical assistance to property owners and other private persons to implement and to facilitate the voluntary rehabilitation and improvement of property up to project standards; and (f) the exercise, from time to time and as necessary, by the Agency of its power of selective clearance in order to secure the acquisition of single or scattered parcels of real property within the area,

through purchase, condemnation or otherwise; and the demolition and the removal of buildings or improvements thereon where necessary.

(d) Performance Standards (See Exhibit B)

2. Acquisition and Clearance\*

a. The major Urban Renewal treatment for Area (2) is rehabilitation rather than clearance. Nevertheless, treatment through rehabilitation will be supported by acquisition and clearance in instances where:

- (1) There exist substandard buildings which are economically infeasible of rehabilitation; or
- (2) There is a need to remove blighting influences such as:
  - (a) Overcrowding or improper location of structures on the land.
  - (b) Excessive dwelling-unit density.
  - (c) Conversion to incompatible types of uses, such as rooming houses among family dwellings.
  - (d) Obsolete building types.
  - (e) Detrimental land uses or conditions, such as incompatible uses, structures in mixed use, or adverse influences from noise, smoke or fumes.
  - (f) Unsafe, congested, poorly designed or otherwise deficient streets.
  - (g) Inadequate public utilities or community facilities contributing to unsatisfactory living conditions or economic decline.
  - (h) Other equally significant environmental deficiencies.
- (3) There is a need to provide land for public facilities or improvements to such existing facilities; or
- (4) Such clearance is needed to promote historic or architectural preservation; or
- (5) There is a need to provide land for Plan objectives.

b. Properties within the rehabilitation areas not now identified for acquisition may be acquired during sub-

\*All properties to be acquired are identified on Map No. 3, Proposed Acquisition, for Area (2).

sequent years, in accordance with the law, after proper notice to the owner involved and after a public hearing, if:

- (1) They do not meet the standards of this Plan and are found to be economically infeasible for rehabilitation,
  - (2) They would impede the proposed land use objectives for public facilities within this Urban Renewal Area, or
  - (3) The owner of such properties is unwilling or unable to undertake rehabilitation of said properties up to the standards for rehabilitation established in this Plan.
- c. Properties within rehabilitation areas designated for acquisition may be subsequently exempted from acquisition if they have in the interim been demolished or rehabilitated as set forth in this Plan.
- d. Under the provisions of the Redevelopment Act of 1956, as amended, the Agency is empowered to undertake all redevelopment functions, including:
- (1) Acquisition
  - (2) Clearance
  - (3) Relocation
  - (4) Installation and construction of site improvements
  - (5) Desposition
  - (6) Rehabilitation
  - (7) Acceptance from the City of donations of land, site improvements, supporting facilities, cash grants-in-aid, services, and other cooperative activities necessary to the execution of this Plan which the City, under the terms of the same statute, is empowered to contribute, with or without consideration to the program undertaking.

E. Land Disposition Supplement

1. Land Use Designations, Controls and Standards to be imposed on land to be offered for sale or lease.
  - a. Statement of Uses to be Permitted and Controls

In order to achieve the objectives of this Urban Renewal Plan, the following controls shall restrict the use and development of those areas acquired for redevelopment. The various permitted land use cate-

gories, will be

(1) R-3 General Residence Zone

(a) Permitted Uses:

R-3 General Residence uses of the Zoning Ordinance shall be permitted in this Area (2) except for: Apartment Hotel or Hotel, Fraternity or Sorority House, Rooming House, Community Center, Crop or Tree Farming, Club or Lodge, or Golf Course.

(b) Development Controls for Residential Uses:

(Within the permitted R-3 General Residence Zone) in Area (2), which shall apply, are as follows:

- 1-Maximum Density, Minimum Lot Size, Lot Coverage, Building Setback, and Building Height shall be governed by applicable provisions of the Ordinance entitled "Zoning Ordinance of the City of Providence", approved September 21, 1951, and as amended to date.
- 2-Building Construction: The construction of buildings shall conform to the regulations set forth in chapter 1079 of the Ordinances of the City of Providence known as the "Building Ordinance of the City of Providence" adopted December 21, 1956, as amended to date.
- 3-Dwelling Accomodations: All living units shall be full-family dwelling accomodations, having separate and private access, complete bathroom and kitchen, and shall be otherwise in full conformity with the requirements of Chapter 1040, Ordinances of the City of Providence, entitled: "The Ordinance Providing Minimum Standards for Housing", as approved July 19, 1956 and as amended to date.
- 4-Name Plate or Sign: For each dwelling unit, one name plate not exceeding  $\frac{1}{2}$  square foot in area, shall be permitted, indicating the name and/or address of the occupant or any permitted occupation, and must be suitably integrated with the architectural design of the structure. The size, design, placement, number, replacement or addition of any sign during the duration of the Plan must be approved by the Agency. The Agency in its

sole and absolute discretion shall have the final right of approval.

-5-Off-Street Parking: One off-street parking space for each dwelling unit, plus additional spaces equal in number to one quarter of the number of dwelling units in excess of three dwelling units shall be provided. Any fraction of a required parking space shall mean an additional required whole parking space. The Agency in its sole and absolute discretion shall have the final right of approval.

-6-Screening: Except for that portion of a driveway or accessway which opens directly into a public right-of-way the following screening shall be provided: Off-street parking for residential uses shall be screened from the street by a strip, at least four (4) feet wide, densely planted with evergreen shrubs or trees which are at least four (4) feet high at the time of planting and which are of a variety that will attain a height of at least six (6) feet; or a continuous wooden fence of uniform appearance, at least four (4) feet high but not more than five (5) feet high above the finished grade, the linear surface of which may be solid or perforated but said perforation shall not exceed 25% of the total linear surface of the fence, except that wherever permanent outdoor parking facilities are to be established for four or more vehicles no portion of the required screening may be perforated. The Agency in its sole and absolute discretion shall have the final right of approval.

-7-Overnight Off-Street Parking: In residential zones overnight off-street parking shall be specifically prohibited except for pleasure vehicles.

-8-Landscaping, On-Site Improvements and Maintenance: All sites shall be properly graded and drained. All unbuilt areas of the site shall be provided, where needed, with suitable, properly designed and constructed walks and access drives. All unbuilt and unpaved areas of the site shall be suitably planted and permanently maintained with grass, shrubs, and trees; except where Agency approves, an area not in excess of 20% of the un-

built and unpaved area may be landscaped with another material for decorative purposes and/or a garden only. After being fully developed, the land, buildings and other improvements within Area (2) shall be maintained in good repair and in clean and sanitary condition.

Sufficient and suitable refuse and garbage storage and disposal facilities, including structural enclosures where appropriate, shall be provided and properly maintained. The Agency in its sole and absolute discretion shall have the final right of approval.

-9-Additional applicable controls are listed below under the headings:

-a-"Other conditions, covenants, restrictions and provisions controlling the development and use of acquired land and improvements."

-b-"Miscellaneous Provisions."

E.1.b. Additional Regulations to be Imposed

1. Other conditions, covenants, restrictions and provisions controlling the Development and Use of Acquired Land and Improvements

- (a) With respect to those provisions of the Plan which exceed local law, redevelopers will be required to agree, in the event of any questions regarding the meaning of the standards and controls or other provisions of this Plan, that the interpretation of the Agency shall be final and binding.
- (b) A report concerning the proposed sale or lease of any land within Area (2) shall be submitted to the City Council at a regular or special meeting at least ten (10) days prior to the execution of said sale or lease agreement.
- (c) No building except those approved by the Agency shall be erected on any parcel of land sold to an adjoining property owner for the purpose of increasing his lot for residential yard space. Moreover, a plan of any proposed building shall be submitted to the Agency for its approval to insure its conformance to the provisions and objectives of this Plan. The required building setback for any proposed garage to be erected on the above des-



cribed land shall be twenty (20) feet from any right-of-way line, and shall be properly graded and drained and shall be suitably planted and permanently maintained with grass, shrubs and trees, in conformance with paragraphs "f", Screening, and "h", Landscaping and On-Site Improvements and Maintenance, above, of all sections dealing with residential zones in this Plan. In addition, each and every parcel of land shall be maintained in safe, clean and sanitary condition at all times.

- (d) The following controls of this Plan shall obligate and bind all redevelopers and their successors in interest, lessees or assigns. The controls, covenants, and restrictions incorporated in this Plan shall be in effect for a period of forty (40) years extending from the date of approval of this plan by the City Council, except that the control stated in paragraph E.1.b. (1)(d)(3) below, shall run for a perpetual period of time. In addition, the following restrictive covenants or controls running with the land shall be inserted in and made an effective part of all agreements and conveyance for the disposition of any part or parcel of land in the Area to require said redevelopers:

- (1) To use and devote such real property only for the purpose and in the manner stated in the Plan;
- (2) To comply with such terms and conditions relating to the use and maintenance of real property as in the opinion of the Agency are necessary to carry out the provision of this Plan;
- (3) To provide that at no time shall the acquisition, use, disposal or conveyance of land or improvements within Area (2) to or by any persons be denied, restricted or abridged, nor occupancy or possession thereof preferred, segregated or refused because of race, color, creed, or nationality of ancestry. Further, all redevelopers shall comply with all Federal, State and Local Laws, in effect from time to time, prohibiting discrimination or segregation by reason of race, religion, color, or national origin, in the sale, lease or occupancy of any project property;
- (4) To begin and complete the building of improvements within a period of time deemed by the Agency to be reasonable, subject to any provisions which may be made for the extension of the time limit with the approval of the Agency;

- (5) To comply with such terms and conditions specified by the Agency which will prevent holding of land for speculative purposes; and
- (6) To submit to the Agency architectural and landscaping plans and specifications, as well as any other information, required by the Agency, for its approval prior to the time of transfer of title to the redeveloper to insure their conformance with the provisions of this Plan.

## 2. Miscellaneous Provisions

- (a) Whenever the controls in this Plan restricting the use and development of areas acquired for redevelopment conflict with the Zoning Ordinance, the higher standards of this Plan or of the Zoning Ordinance shall govern. Provided, however, that the written consent of the Department of Housing and Urban Development, the Agency may, at its discretion, when it deems it advisable and in the best interest of the successful accomplishment of the purposes of this Plan, and when it is demonstrated that Urban Renewal Objectives will not be adversely affected, waive the controls or provisions of this Plan.
- (b) The Agency may, when it deems it advisable, file a petition with the Zoning Board for exceptions or variances to the Zoning Ordinance.
- (c) Only those signs or plaques approved by the Agency shall be permitted.
- (d) Land sold to an adjoining owner shall first be utilized to satisfy requirements of this plan with respect to his adjoining non-acquired property.
- (e) The purchaser of land from the Agency obligates himself to provide the necessary rehabilitation of his adjoining non-acquired property, such rehabilitation to meet the standards established by this Plan (see Exhibit C). After receipt of notice from the purchaser to the Agency that he has complied with the standards established by this plan, and after the Agency has made a finding of such fact, he will be tendered a certificate of completion suitable for recording with the Recorder of Deeds.
- (f) The scattered sites made available by the Agency shall be utilized:
  - (1) As sites for sale to adjoining owners;
  - (2) As sites for off-street parking;

- (3) As sites to be developed for public open spaces;
- (4) As sites for residential structures relocated from within Area (2);
- (5) As sites for new residential construction.
- (g) Required front yards of building sites shall be maintained in grass except for walks, drives, planting, and flag poles. Suitable planting shall be provided and maintained in front of the building or be related to the architecture of the structure. No driveway parallel to the street shall be permitted in the required minimum front yard.
- (h) All areas subject to wheeled traffic shall be paved with bituminous or cement concrete or other permanent paving material and shall have appropriate bumper or wheel guards where, in the opinion of the Agency, it is determined that they are needed.
- (i) Any area not paved shall be landscaped.
- (j) All buildings and improvements in the project area shall be maintained in good repair and in safe, clean and sanitary condition.
- (k) Sufficient and suitable refuse and garbage storage facilities, including structural enclosures where appropriate, shall be provided and properly maintained.
- (l) Wherever screening of uses is provided, it shall be a uniform appearing, adequate year-round type, and subject to the approval of the Agency.
- (m) All mechanical equipment, whether located on the roof of a structure or on the ground or at any other location on a site shall be totally and effectively screened from view - within the limits of safety and good design with respect to any given mechanical system - and said screening shall be integrated with the architectural design, style and facade of the building(s). The Agency in its sole and absolute discretion shall have the final right of approval.
- (n) The Agency in its sole and absolute discretion shall have the final right of approval and interpretation of development proposals.

## E.2 Circulation

- a. See Map No. 1, Existing Land Use and Zoning, for Area (2) for layout of major perimeter streets.
- b. The internal circulation system will be geared to:

- (1) The prevention of excessive use of internal residential streets by through traffic.
- (2) The provision of smooth transition between internal streets and major perimeter streets.
- c. See Map No. 6, Disposition, for Area (2) for relationship between Proposed Land Uses and the internal circulation system.

E.3 Obligations to be Imposed on Redevelopers

- a. The redevelopers, their successors in interest, lessees, or assigns, will be required, as an effective part of all agreements and conveyances for the disposition of any part of parcel of land in the project area, to observe all provisions of the Urban Renewal Plan and to assure construction of all required and/or necessary improvements in conformity with the Plan within a reasonable length of time, which shall be determined by the Agency, in its sole and absolute discretion.
- b. See Section E.1b. "Additional Regulations to be Imposed".

E.4 Commitments to Provide the Stipulated Percentage of Low-and-Moderate-Income Housing

- a. There are at least twelve low-income housing units planned for completion in the First Action Year, and long-term proposals would provide 30 new housing units, all of which would be of low or moderate income type.
- b. See Item k of Paragraph B.2 "Urban Renewal Plan Objectives."

E.5 Statement of Urban Design Objectives or Controls

Refer to Sections E.1a. and E.1.b. of this Plan.

E.6 Duration and Effective Date of Regulations and Controls

The foregoing regulations and controls contained in this Plan will be binding, effective by deed or by contract containing restrictive covenants running with the land, upon all purchasers or contractors and their assigns of the land in the area of the City of Providence, Rhode Island, covered in this plan. The regulations and controls incorporated in this Plan will be effective from the date of approval of this Plan by the City Council of the City of Providence, Rhode Island for 40 years; except that the provisions with respect to non-discrimination in sub-paragraph E.1.b.(1)(d)(3), page 17 shall run for a perpetual length of time and shall apply to any facilities outside Area (2) utilized as non-cash grants-in-aid for the project.

F. Other Provisions necessary to Meet Local Requirements or Local Law

1. Conformity to General Plan and Workable Program for Community Improvement

This Urban Renewal Plan is in conformity with all elements of the Master Plan of the City of Providence, which includes Land Use Plan, Major Thoroughfare Plan, Population and Density Plan, Master Plan for Public Schools, Master Plan for Recreation, and Zoning Plan, as well as with the City's Workable Program for Community Improvement.

Proposed redevelopment activity in Area (2) is intended to implement (a) definite local objectives for planning action and (b) definite local objectives for community rebuilding as set forth in the Workable Program.

The Plan is consistent with local objectives for appropriate land use, improved traffic, recreational and community facilities and other public improvements. Moreover, the Plan adheres to the objectives of the Workable Program which are (1) to prevent new slums and deterioration; (2) to eradicate the deterioration of the past; (3) to conserve what is strong, and to rehabilitate what is weak; (4) to renew the city's housing; (5) to provide a decent, safe and sanitary home for every citizen of the community.

2. The execution activities proposed above will be undertaken by the Providence Redevelopment Agency and the City of Providence.

a. Providence Redevelopment Agency

Under the provisions of the Redevelopment Act of 1956, as amended, the Agency is empowered to undertake all clearance and redevelopment functions including (a) the acquisition and clearance of any and all land and buildings in blighted and sub-standard areas; (b) the relocation of occupants therein; (c) the installation and construction of site improvements; (d) the disposition of land for re-use in accordance with the Plan; (e) acceptance from the City of any and all donations of land, site improvements, supporting facilities, grants-in-aid, services and other cooperative activities necessary to the execution of this plan which the City by the terms of the same statute is empowered to contribute with or without consideration to the project undertaking; (f) the rehabilitation of structures; (g) the periodic inspection of the Area to insure compliance with the provisions of this Plan; and (h) the investigation of complaints by industrial occupants of the area or by owners

of property adjacent to the industrial section of the area. In cases of such investigation, the Agency shall: (1) find that the industrial operations do conform to the performance standards in Exhibit B; or (2) confer with the management of the plant to affect such changes as are necessary for compliance with performance standards; or as a final alternative, (3) refer the complaint to one or more expert consultants selected by the Agency.

In the event that the measurements indicate actual violation of the performance standards, the cost of such consulting services shall be assumed by the management of the defective plant. When the measurements do not indicate violation of performance standards, the Agency shall assume the aforementioned expense.

b. City of Providence

Under the terms of the ordinance approving and adopting this Plan, the City commits itself to: (a) the vacation and acceptance of right-of-way easements dedicated for street purposes; (b) changes in zoning district designations; (c) the provision of municipal improvements designed to support the private reuses of land in the area; (d) the donation of real property; (e) a systematic and intensified enforcement of laws and ordinances relating to the use, occupancy, maintenance and repair of buildings and other improvements; and (f) the provision of local grants-in-aid.

3. Method of Relocation

Families and individual householders who are to be displaced by Agency action within Area (2) will have the service of the Family Relocation Services made available to them. Suitable accommodations of adequate size in the private housing market, at a rental a family can afford, and certified as decent, safe, and sanitary by a trained housing inspector, will be offered to any eligible family in the Area. This Relocation Service will continue functioning until all eligible families and individual householders living in the area have been satisfactorily relocated into acceptable housing. Families eligible for public housing will receive priority in the low-rent developments of the Providence Housing Authority.

Businesses displaced by Agency action will be offered the business relocation services of the Department of Planning and Urban Development.

Financial assistance for relocation purposes shall be made by the Agency to families and businesses displaced from Area (2) under the terms of Federal parti-

cipation in the Project undertaking, and Section 106 (f) of Title I of the Housing Act of 1949, as amended, as well as rules and regulations of the U.S. Department of Housing and Urban Development. Such payments shall be consistent with amounts authorized by law.

#### 4. Method of Financing

This Plan is to be financed under the provisions of the Housing Act of 1949 as amended, and the Plan shall not become effective until approval in its entirety by the Department of Housing and Urban Development, and provided further, that during the term of any contract to finance the carrying out of this plan executed by the Agency and the Department of Housing and Urban Development, and provided further, that during the term of any contract to finance the carrying out of this plan executed by the Agency and the Department of Housing and Urban Development any substantial modification shall be submitted to said Administrator for determination by him that such modification meets the terms and requirements of the contract for Federal Financial Assistance.

The estimated costs of carrying out all NDP Activities for the current Action Year are as follows:

##### ELIGIBLE PROGRAM COSTS FOR COMPUTING FEDERAL AID

GROSS PROGRAM COST	\$270,807
LAND PROCEEDS	<u>-10,269</u>
NET PROGRAM COST	\$260,538
FEDERAL PROGRAM CAPITAL GRANT	\$195,404
LOCAL SHARE	\$ 65,134

##### Additional City Costs

Real Estate Tax Payments \$1,640

##### Provisions of Federal Grant

The estimated Federal Grant of \$195,404 will be provided under the terms and conditions of a Loan and Grant Contract between the Providence Redevelopment Agency and the Department of Housing and Urban Development which will provide either for direct borrowing from the Federal Government or the issuance of preliminary loan notes secured by the Federal Government in the amount necessary to pay project expenditures.

#### Provisions of Local Grant

The local Grant will be met by a cash contribution of \$65,134.

#### Provisions of Additional City Costs

Additional City Costs of \$1640 for real estate tax payments will be provided from funds to be set aside for this purpose.

#### G. Procedure for Changes in Approved Plan

The Providence City Council at its own discretion or upon recommendation of the Providence Redevelopment Agency may modify this plan at any time subject to Department of Housing and Urban Development concurrence. The City Council may at its discretion hold a public hearing on such proposed modification, provided that if the Plan is modified after lease or sale by the Providence Redevelopment Agency of real property in the project area such modification shall be subject to such rights of law and in equity as the lessee or purchaser or his successor or successors in interest may be entitled to assert.



EXHIBIT A

LEGAL DESCRIPTION OF THE BOUNDARIES OF N.D.P. URBAN RENEWAL AREA (2) [FORMERLY  
AREA (3a)]

Beginning at the most westerly corner of Area (2), herein described, at the intersection of the centerlines of Ocean Street and Oxford Street;

Thence, running generally northeasterly along the centerline of Oxford Street to its intersection with the northerly projection of the westerly lot line of Lot 768, Assessor's Plat 47;

Thence, turning and running generally southerly along said westerly lot line of Lot 768, Assessor's Plat 47, and continuing southerly along the westerly lot line of Lot 779, Assessor's Plat 47, to its projected intersection with the centerline of Ashmont Street;

Thence, turning and running generally northeasterly along said centerline of Ashmont Street to its intersection with the northerly projection of the westerly lot line of Lot 701, Assessor's Plat 47;

Thence, turning and running generally southerly along said westerly lot line of Lot 701, Assessor's Plat 47, and continuing generally southerly along the westerly and northerly lot lines of Lot 780, Assessor's Plat 47, to its projected intersection with the centerline of Briggs Street;

Thence, turning and running generally northeasterly along said centerline of Briggs Street to its intersection with the northerly projection of the westerly lot line of Lot 39, Assessor's Plat 54;

Thence, turning and running generally southerly along said westerly lot line of Lot 39, Assessor's Plat 54, to its projected intersection with the centerline of Wyatt Street;

Thence, turning and running generally northeasterly along said centerline of Wyatt Street to its intersection with the northerly projection of the westerly lot line of Lot 41, Assessor's Plat 54;

Thence, turning and running generally southerly along the westerly lot lines of Lots 41, 42, 119 and 120, Assessor's Plat 54, continuing across Autumn Street to its intersection with the westerly lot line of Lot 846, Assessor's Plat 54, and continuing along said westerly lot line of Lot 846, Assessor's Plat 54, to its intersection with the northerly lot line of Lot 225, Assessor's Plat 54;

Thence, turning and running generally southerly along the northerly and westerly lot lines of Lots 225, 847, 354, 292, 293, and 294 in Assessor's Plat 54, to its projected intersection with the centerline of Rachel Street;

Thence, running generally southerly along said centerline of Rachel Street to its intersection with the centerline of Thurbers Avenue;

Thence, turning and running generally westerly along said centerline of Thurbers Avenue to its intersection with the centerline of Rugby Street;

Thence, turning and running generally northerly along said centerline of Rugby Street to its intersection with the easterly projection of the northerly lot line of Lot 300, Assessor's Plat 54;

Thence, turning and running generally westerly along the northerly and easterly lot lines of Lots 300, 301, 817, 816, 802, 302, 305, 306, 307, and 843, Assessor's Plat 54, to its projected intersection with the centerline of Ocean Street;

Thence, turning and running generally northerly along said centerline of Ocean Street to the point and place of beginning.

## EXHIBIT B

### PERFORMANCE STANDARDS FOR THE REGULATION OF INDUSTRIAL PROCESSES

Noise shall be measured at any property line. At the specified points of measurement the sound-pressure level of noise radiated continuously from a facility at night time shall not exceed the values given in Table I in any octave band of frequency. The sound-pressure level shall be measured with a Sound Level Meter and an Octave Band Analyzer that conform to specifications published by the American Standards Association. (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z 24.3-1944, American Standard Specification for an Octave-Band Filter Set for the analysis of Noise and Other Sounds, Z 24.10-1953, American Standards Association, Inc., New York, New York, shall be used).

TABLE 1

Maximum permissible sound-pressure levels at specific points of measurement for noise radiated continuously from a facility between the hours of 11 P.M. and 7 A.M.

Frequency Band: Cycles per second	Sound Pressure Level: Decibels <sup>a</sup>
20-75 .....	69
75-100 .....	54
150-300 .....	47
300-600 .....	41
600-1,200 .....	37
1,200-2,400 .....	34
2,400-4,800 .....	31
4,800-10,000 .....	28

<sup>a</sup>According to the following formula

Sound Pressure Level  
In Decibels

equals  $10 \log \frac{P}{P_2}$

$\frac{P}{P_2}$

Where  $P_2$  equals 0.0002 dynes/cm<sup>2</sup>

If the noise is not smooth and continuous and is not radiated between the hours of 11 P.M. and 7 A.M., one or more of the corrections in Table II below shall be added to or subtracted from each of the decibel levels given above in Table I.

TABLE II

Type of Operations or Character of Noise	Correction in Decibels
Daytime operation only	plus 5
Noise source operates less than 20% of any one-hour period	plus 5*
Noise source operated less than 5% of any one-hour period	plus 10*
Noise source operated less than 1% of any one-hour period	plus 15*
Noise of impulsive character (hammering, etc.)	minus 5
Noise of periodic character (hum, screech, etc.)	minus 5

\*Apply one of these corrections only.

#### Vibration

1. Vibration shall be measured at any property line.
2. No vibration is permitted which is discernible to the human sense of feeling for three minutes or more duration in any one hour of the day between the hours of 7 A.M. and 7 P.M., or of 30 seconds or more duration in any one hour between the hours of 7 P.M. and 7 A.M. No vibration at any time shall produce an acceleration of more than 0.1g or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U.S. Bureau of Mines Bulletin No. 442, "Seismic Effects of Quarry Blasting," on any structure. The methods and equations of said Bulletin No. 442 shall be used to compute all values for the enforcement of this regulation.

### Smoke

Measurement shall be taken at the point of emission. The Ringelmann Smoke Chart published by the U.S. Bureau of Mines in August 1955 as Information Circular 7718 (Revision of I.C. 6888) shall be used for the measurement of smoke. Gray smoke not darker than No. 1 on said charts may be emitted, except that gray smoke not darker than No. 2 on said charts may be emitted for periods aggregating not longer than 4 minutes in any 30 minutes. These provisions shall apply also to smoke of a different color but of equivalent apparent opacity.

### Liquid or Solid Wastes

1. Effluent from any plant which is discharged into the ground shall at all times comply with the following standards:

Maximum 5 day biochemical oxygen demand - 20 parts per million.

Maximum total solids - 5,000 parts per million

Maximum phenol - 0.01 parts per million.

2. No liquid or solid wastes treated or untreated shall be emptied into any stream, river, pond or other body of water.

3. A septic tank, tile field or other disposal place for any wastes shall be located at least 150 feet from the nearest point of any river, pond, swampy area, or any district boundary of a residential, agricultural, or commercial zone, or any drinking water supply.

4. No effluent shall contain any other acids, oils, dust, toxic metals, corrosive or other toxic substance in solution or suspension which would create odors, discolor, poison, or otherwise pollute any stream or water shed in any way.

5. Uncontaminated cooling water shall not be considered a waste product.

### Odors

Odors shall be measured at any lot line. No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or that are a detriment to the property of others or that are a nuisance to any persons beyond lot lines of owner. Table III (Odor Thresholds) in Chapter 5, "Air Pollution Abatement Manual," copyright 1951 by Manufacturing Chemists Association, Inc., Washington, D.C. shall be used as a standard. In each case, the smallest value given shall be the maximum odor permitted.

## Fly, Ash, Dust, Fumes, Vapors, Gases and other Forms of Air Pollution

Measurement shall be taken at the point of emission. No emission shall be permitted which can cause any damage to health, to animals or vegetation, or other forms of property, or which can cause any excessive soiling. In no event shall any emission be allowed of any solid or liquid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas or air at any point. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to correct to a stack temperature of 500 degrees Fahrenheit and to correct to the assumption that 50% excess air is present at the time of measurement and should be deducted from the measured volume before computing the grains per cubic foot to compare with the standard.

### Toxic Gases

Industrial uses shall emit no noxious toxic or corrosive fumes or gases in excess of maximum allowable concentrations listed in the following source:

"Table I, Industrial Hygiene Standards, Maximum Allowable Concentration," Chapter 5 of the Air Pollution Abatement Manual Manufacturing Chemists' Association, Washington, D.C., 1951

Where minimum allowable concentrations of toxic gases are lower than the odor threshold, then the company at its expense, must provide continuous checks at its property lines.

### Heat and Glare

No industrial use shall carry on any operation that would produce heat or glare beyond the property line that will cause injury or discomfort to human beings, fish and wild life, or vegetation.

A copy of each reference work mentioned in these standards shall be kept on file in the office of the Department of Building Inspection of the City of Providence.

## EXHIBIT C

### MINIMUM PROPERTY STANDARDS FOR REHABILITATION

All properties in the Action Area, shall comply with the standards set forth in all applicable statutes, codes, and ordinances as amended from time to time, relating to the use, maintenance, facilities, and occupancy of property, including but not limited to, the building, plumbing, heating, electrical, and housing codes. These code standards are hereby incorporated by reference and made a part of these Property Rehabilitation Standards.

In addition to compliance with local statutes, codes, and ordinances, all properties in the West Broadway Project (Neighborhood Development Program Area (1) ) devoted in whole or in part to residential uses shall conform to the following standards:

#### OPEN SPACE

Every residential building shall have sufficient open space to permit convenient access for maintenance, fire protection, adequate light and ventilation of habitable rooms and reasonable indoor privacy.

#### SITE IMPROVEMENTS

The open space of each property shall provide (a) for the immediate diversion of water away from buildings and disposal from the lot, (b) prevent soil saturation detrimental to structures and lot use, and (c) where needed, appropriate paved walks, parking areas, driveways, exterior steps and landscaping.

Provide each living unit with space necessary for suitable living, sleeping, cooking and dining accommodations, storage, laundry and sanitary facilities; also, provide space of such size and dimensions so as to permit placement of furniture and essential equipment.

#### Room sizes

The size of rooms shown in Table R4-1 shall be the minimum for the sub-dividing of existing spaces or for the construction of new rooms. Unremodeled existing rooms where considered of adequate size and arrangement for the intended function by the proper authority are acceptable.

TABLE R4-1

ROOM SIZES

Name of Space(1)	Minimum area (Sq. Ft.) (2)			Least Dimension (2)
	O-BR LU	1 & 2 BR LU	3 or more BR LU	
LR	NA	140	150	10'-0"
DR	NA	80	100	7'-8"
K	NA	50	60	5'-4"
K'ette	20	25	40	3'-6"
BR (Double)	NA	110	110	8'-8"
BR (Single)	NA	70	70	7'-0"
LR-DA	NA	180	200	(3)
LR-DA-K	NA	220	250	(3)
LR-DA-SL	220	NA	NA	(3)
LR-SL	190	NA	NA	(3)
K-DA	80	80	110	(3)
K'ette-DA	60	60	90	(3)

NOTES

## (1) Abbreviations:

LU - Living Unit  
 LR - Living Room  
 DR - Dining Room  
 DA - Dining Area  
 K - Kitchen

K'ette - Kitchenette  
 BR - Bedroom  
 SL - Sleeping Area  
 NA - Not Applicable  
 O-BR - No separate Bedroom

(2) Variations to these areas and dimensions may be permitted when existing partitions preclude precise compliance, and the available area or dimensions do not hinder furniture placement and the normal use of the space.

(3) The least dimension of each room function applies, except for the overlap or double use of space and combination rooms.



### Privacy and Arrangement

A degree of privacy shall be provided commensurate with suitable living conditions by means of the proper location of exterior openings to exterior conditions, and by the interior arrangement of rooms.

Access to all parts of a living unit shall be possible without passing through a public hall.

A bathroom shall not be used as a passageway to a habitable room, hall, basement or to the exterior.

### Bath Facilities

Arrangement of fixtures shall provide for the comfortable use of each fixture and permit at least a 90 degree door swing. Wall space shall be available for a mirror or medicine cabinet and for towel bars.

### Space for Laundry Facilities

Adequate space shall be provided for laundry equipment within each living unit, off of a public corridor, or in a basement or other suitable public space for the use of all occupants of a building. Where nearby public commercial laundries are available, consideration may be given as to the extent residents of the project can be expected to use them in determining laundry space needs.

### Closets and General Storage

Clothes closet space shall be provided within bedrooms or conveniently located nearby. In addition, each living unit shall have a suitable space within the unit or a locked space elsewhere within the building for general storage.

### DOORS AND ACCESS OPENINGS

Provide openings adequate in size to admit furniture and equipment to all spaces and to permit inspection for repair and maintenance.

### Interior Doors

Provide a door for each opening to a bedroom, bathroom or toilet compartment, with a locking device on bath and toilet compartment doors.

## INTERIOR FIRE PROTECTION

### Firewall, Party or Lot Line Wall

Firewall, Party or Lot Line Walls shall be continuous from foundation to the underside of, or through, the roof, with openings in firewalls only in corridors and where properly protected with appropriate automatic fire doors. There shall be no openings in party or lot line walls. All such walls shall effectively prevent the passage of fire at every floor-ceiling intersection with the wall.

### INTERIOR FIRE PROTECTION-MATERIALS

Interior finish materials of walls, partitions (either fixed or moveable), ceilings, and other decorative treatment, and interior trim materials shall be appropriate to the location and conditions of service and not aid the surface flame spread, nor in burning give off excessive amounts of smoke or objectionable gases.

Exterior stairs and landings shall be of non-combustible materials except on buildings 3 stories or less in height.

New roof coverings on buildings of fire resistive, non-combustible and exterior protected construction having more than two living units shall provide a fire resistance equivalent to a Class A or Class B roof according to U.L. classification, except that where the roof area of property is less than 3000 sq. ft. and is well separated from adjacent properties the roof covering may be Class C.

## FIRE PROTECTION EQUIPMENT

### Fire Alarm System

Buildings more than 3 stories in height, except those with fire resistive and protected non-combustible construction, having twelve or more living units per floor shall be equipped with either an automatic fire detection or manually operated fire alarm system.

Buildings of fire resistive construction seven or more stories in height having fifteen or more living units per floor shall be equipped with an automatic fire detection system.

Fire alarm system, where required, shall be installed in accordance with the appropriate National Fire Protection Association Standard Nos. 71, 72a, b or c.

### Sprinkler System

An automatic sprinkler system where used shall be of a standard approved type, and installed to provide coverage of all portions of the building designated for protection. The installation shall conform to NFPA No. 13 "Standards for the Installation of Sprinkler Systems."

### PARTITIONS, COLUMNS AND POSTS

Partitions and other vertical supports which are to be continued in use shall be free of excessive splits, lean, buckling, or other defects.

### FLOOR CONSTRUCTION

#### General

All floor construction shall provide safe and adequate support for all existing or probable loads and shall be reasonably free of objectionable vibration. A suitable surface for finish flooring shall exist or be provided.

### BASEMENT OR CELLAR FLOORS

The floor of all basement or cellar furnace rooms, or basements containing habitable space, shall be paved in an acceptable manner, except under the following condition. Where the basement or cellar has existing wood floor construction and it is in a structurally sound condition it may remain.

### WINDOWS, DOORS AND OTHER-OPENINGS

Defective glass or locking mechanisms shall be replaced or corrected.

#### GENERAL

All mechanical equipment shall be installed so that maintenance and replacement can be performed without the removal of other equipment.

### Prohibited Locations

No gas or oil fired water heater shall be located in a bedroom, bathroom, clothes closet, under any stairway, or in a confined space with access only to the above locations.







