

City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2019-19

No. 297 **AN ORDINANCE IN AMENDMENT OF CHAPTER 27 OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE, ENTITLED "THE CITY OF PROVIDENCE ZONING ORDINANCE," APPROVED NOVEMBER 24, 2014, AS AMENDED, TO CHANGE CERTAIN TEXT IN ARTICLE 5 RELATING TO GROUND FLOOR USES**

Approved May 30, 2019

Be it ordained by the City of Providence:

SECTION 1: Chapter 27 of the Code of Ordinances of the City of Providence, entitled "The City of Providence Zoning Ordinance," approved November 24, 2014, as amended, is hereby further amended by making the following text changes to Article 5, Section 503, with additions underlined:

ARTICLE 5. COMMERCIAL DISTRICTS

503 DESIGN STANDARDS

A. C-1 and C-2 District Design Standards

8. Ground Floor Uses

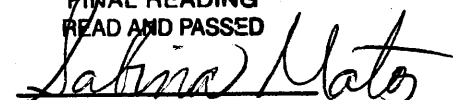
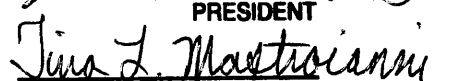
For a building that fronts on a Main Street in a C-1 or C-2 District, residential and parking uses are prohibited on the ground floor of the building within 20 feet of the Main Street. Lobbies and common spaces associated with residences are permitted within this area. This requirement shall be considered a design standard, and not a use regulation. The following streets are Main Streets: Atwells Ave., Broadway, Westminster St., Washington St., Cranston St., Elmwood Ave., Broad St., North Main St., South Main St., Wickenden St., Thayer St., Hope St., Wayland Ave., Branch Ave., Charles St., Brook St. between Cushing St. and Waterman St., Angell St. between Thayer St. and Brook St., Waterman St. between Thayer St. and Brook St., and Chalkstone Ave.

SECTION 2: This ordinance shall take effect upon passage.


IN CITY COUNCIL
MAY 16 2019
FIRST READING
READ AND PASSED

 CLERK

IN CITY
COUNCIL
MAY 23 2019
FINAL READING
READ AND PASSED

 PRESIDENT
 ACTING CLERK

I HEREBY APPROVE.



Mayor
Date: 5/30/19



City Plan Commission
Jorge O. Elorza, Mayor

April 26, 2019

Councilwoman Jo-Ann Ryan, Chair
Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Shawn Selleck, City Clerk

Re: Referral 3449-Petition to amend Section 503.A.8 of the zoning ordinance

Petitioner: Thayer Street District Management Authority c/o Paul Griesinger

Dear Chairwoman Ryan,

The City Plan Commission (CPC) reviewed the petition for a text change to the zoning ordinance that would amend section 503.A.8 of the zoning ordinance. The CPC voted as described below to make certain findings of fact and to recommend that the petition be granted.

FINDINGS OF FACT

Section 503.A.8 of the zoning ordinance prohibits residential and parking uses on the ground floor of a building within 20 feet of a main street in a C-1 or C-2 district. The section lists the streets that are considered main streets which are busy thoroughfares located throughout the City. The petitioner is proposing to further amend this section to include portions of certain streets where the restriction would apply. They include Brook Street between Cushing and Waterman Streets, Angell Street between Thayer and Brook Streets and Waterman Street between Thayer and Brook Streets.

The areas proposed for inclusion are adjacent to Thayer Street, which is already designated a main street, and developed with a mix of commercial and residential uses typically seen on main streets. The CPC found that it would be appropriate to apply the design standards for main streets to these areas as they serve as an extension of the development pattern seen on Thayer Street.

The proposed change is a text change which does not require notice to affected owners. However, the CPC found it would be similar to a map change as it would affect the ways that owners can develop their property. The CPC required that the applicant conduct outreach to all affected property owners to inform them of the effects of the change, when they first considered the change at a special meeting on April 3, 2019.

DEPARTMENT OF PLANNING AND DEVELOPMENT
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The Department of Planning and Development (DPD) conducted an open meeting that was attended by four affected community members who were in favor of the change. The CPC found that the meeting conducted by the DPD satisfied their condition that public outreach be conducted prior to the public hearing before the council. The CPC also took further public comment at its meeting on April 23, 2019.

The CPC found the change to be in conformance with the zoning ordinance and comprehensive plan. Defined main streets are mostly coincident with growth corridors and the areas proposed for inclusion are in proximity to Thayer Street, which is considered a growth corridor. The CPC found that this conforms to objective LU-2 of the plan which encourages development in growth corridors which are described as areas best suited to provide access to jobs, housing and transit. The CPC found that the change to the ordinance is not expected to negatively affect health, safety and welfare and is consistent with the purposes of zoning in Section 101 of the Zoning Ordinance.

RECOMMENDATION

Based on the foregoing discussion, the CPC found the proposed change to be in conformance with the comprehensive plan and purposes of zoning. The CPC unanimously voted as follows to recommend that the City Council approve the proposed change:

N. Verdi AYE; C. West AYE; M. Gazdacko AYE; J. Opton-Himmel AYE; L. Torrado AYE; J. Elliott AYE

Sincerely,



Choyon Manjrekar
Administrative Officer