

CHAPTER

AN ORDINANCE

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1986-43

No. 384

AN ORDINANCE Amending Chapter 544 of the Ordinances of the City of Providence, Entitled "An Ordinance Zoning the City of Providence and Establishing Use, Height and Area Regulations" as Amended, by Adding Article IV-A, Entitled "Institutional Zone Regulations", as Amended

Approved July 10, 1986

Be it ordained by the City of Providence:

Section 1 Chapter 544 of the Ordinance of the City of Providence, entitled "An Ordinance Zoning the City of Providence and Establishing Use, Height and Area Regulations" approved September 21, 1951, as amended, is hereby further amended as follows:

- I. Article IV-A is hereby established following Article IV, Residential Zone Regulations, as follows: Article IV-A Institutional Zone Regulations

Section 1 - Institutional Zones

The following regulations and the regulations contained in Article II General Provisions shall apply in the I-1 and I-2 Institutional Zones.

A. Permitted Uses

1. In any I-1 or I-2 Zone:

The existing residential zone designation shall not change as a result of the adoption of the Ordinance. Only those residential uses previously permitted shall be allowed provided that said residential uses shall be subject to the same limitations and controls as to use, height and area specifically set forth in the respective residential zoning category.

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2. In any I-1 Zone, Health Care Facilities including the following:

- (a) Hospital: Any hospital other than an animal hospital;
- (b) Clinic for medical, dental, surgical or psychiatric treatment of disease and disability, whether on an in-patient or out-patient basis;
- (c) Centers for occupational and physical therapy, physical fitness, and drug and alcohol rehabilitation facilities (provided such drug or alcohol rehabilitation facilities are owned by or operated in conjunction with a hospital);
- (d) Medical diagnostic or treatment facilities;
- (e) Medical or dental research, medical or dental laboratory and educational facilities;
- (f) Medical or dental office building occupied by physicians, surgeons, dentists or other medical, paramedical and paradental personnel;
- (g) Day care, extended care, convalescent or congregate housing, rest home or nursing home facilities;
- (h) Health Maintenance Organizations;
- (i) Any use accessory to any of the foregoing as defined in this Ordinance.

3. In any I-2 Zone, Educational Institutions as defined in Section 21.

B. Height

1. The allowable height for any building in an institutional zone shall be a function of the open space between the proposed building and the applicable property and street lines. The allowable height for the entire building shall be determined in accordance with the most restrictive height calculated in accordance with the following requirements:

- (a) Building height shall be limited to thirty (30) feet whenever an institutional building is located on a front lot line and the property on the opposite side of the street is in an R-Zone and shall increase by one foot for every one foot setback up to a maximum height of seventy-five (75) feet.

- (b) Building height shall be limited to forty (40) feet whenever a building is located thirty (30) feet from the property line of a lot in an R-Zone and shall increase by one foot for every additional one foot setback up to a maximum of seventy-five (75) feet.

- (c) In all other cases building height shall not exceed seventy-five (75) feet.

2. Exceptions to height regulations are provided for in Sections 72B, 72C, and 72D.

C. Areas

1. Front Yard: Where the block frontage is located partly in an I-Zone and partly in an R-Zone, or where the property on the opposite side of the

street from the proposed building is in an R-Zone the front yard requirements of the R-Zone shall apply in the I-Zone. In all other cases, an institutional building must be set back sufficiently to provide a twelve (12) foot open space between the curb and said institutional structure or use.

2. Side and Rear Yards: 30 feet for any yard which abuts a lot line of a lot in an R Zone.
3. Off-Street Loading: In place of the provisions of Section 24D, the following provisions shall prevail: There shall be provided and maintained for any institutional building or structure erected subsequent to the adoption of this Ordinance requiring routine receipt or distribution of materials by commercial vehicles in the ordinary course of business, adequate space for standing, loading and unloading in order to avoid undue interference with public use of the street. Such space shall be located within the Institutional Zone for the institution. Such space, except to the extent provided for within a building, shall include a 10 foot by 25 foot loading space with a 14 foot height clearance for the first 50,000 square feet of floor area or a fraction thereof in excess of 25,000 square feet and one additional space for every additional 100,000 square feet of floor area or fraction thereof in excess of 50,000 square feet with access provided not less than 50 feet from any intersection. The dimensions of off-street loading

berths shall not include driveways or entrances to or exits from such off-street loading berths and shall not be counted as off-street parking space.

4. Screening: Outdoor parking and loading areas shall be screened from the view of all adjoining residential uses by the method as stated in Section 24E of this Ordinance, or landscaped earthen berms.

5. Landscaping:

- (a) Outdoor parking and loading areas shall be landscaped as follows:

- (1) Street Frontage: Five (5) foot landscaping strip with one shade tree for every forty (40) feet of frontage.

- (2) Perimeters: Five (5) foot landscaping strip with one shade tree for every fifty (50) feet of perimeter. Compact evergreen screening shall be considered as meeting the landscaping strip requirement.

- (3) Interior: Landscaping areas totalling two (2) percent of the lot area must be provided or one interior shade tree for every 200 square feet of required landscaping area. Parking areas with a capacity of twenty (20) cars or less and loading areas are exempt from interior landscaping requirements.

- (b) Unbuilt and unpaved areas shall be landscaped as follows:

- (1) All sites shall be properly graded and drained.
- (2) All unbuilt areas of the site shall be provided, where needed, with suitable, properly designed and constructed walks and access drives.
- (3) All unbuilt and unpaved areas of the site shall be suitably planted and permanently maintained with grass, shrubs and trees.

6. Exceptions to yard regulations are provided in Sections 73A, 73B, 73C, 73I, and 73J2, 73J3, 73J4, 73J6.

II. Section 22 of Article II entitled "Buildings and Uses Not Affected by Zoning" of the Zoning Ordinance of the City of Providence, Chapter 544, approved September 21, 1951, as amended, is hereby deleted and replaced with the following:

Buildings housing religious bodies, churches, (except rescue or temporary revival missions), convents, libraries and museums, whenever such libraries or museums are operated on a nonprofit basis, are exempt from the provisions of this Ordinance.

Other than aforesaid, no building or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless in conformity with the regulations of this Ordinance.

III. Add at the end of subparagraph (b) of sub-section 1 of Section 23B entitled "Non-Conforming Use of Buildings or Structures" the following:

Provided, however, that the non-conforming use of a building or structure which would be a permitted use in an I-1 Zone may be changed only to a use permitted in that zone or to a use permitted in the zone in which it is located; and provided further that a non-conforming use of a building or structure which would be a permitted use in an I-2 Zone may be changed only to a use permitted in that zone or to a use permitted in the zone in which it is located.

IV. Add the following paragraph following paragraph (f) of sub-section 2 of Section 24C of Article II entitled "Automobile Parking Space":

(g) Educational institutions shall provide parking spaces in accordance with the following requirements whenever any building is erected or added to subsequent to the adoption of this Ordinance:

- One parking space per 3 employees and staff (calculated according to the largest number in attendance for any work shift during an average day), plus
- One parking space per 8 noncommuting students who are over the driving age, plus
- One parking space per 2 commuting students for colleges and universities (calculated according to the largest number in attendance for any work shift during an average day), plus
- One parking space per 4 students in high school and other secondary educational institutions over the driving age.

- One parking space for every ten (10) seats for all auditoriums, skating rinks, stadiums or other buildings with provision for exhibitions or athletic events. Parking spaces provided for other purposes which are available at the time of the exhibition or athletic event may be counted towards the parking required herein.
- (h) Health care facilities shall provide parking spaces in accordance with the following requirements whenever any building is erected or added to subsequent to the adoption of this Ordinance:
- One parking space per four (4) patient beds, plus
 - One parking space per each staff or visiting doctor (calculated according to the largest number in attendance at any hour during an average day), plus
 - One parking space for each three (3) employees, including nurses (calculated according to the largest number in attendance for any work shift during an average day), plus
 - Adequate number of spaces for hospital ambulances and similar vehicles.
- (i) Parking spaces required for an Educational Institution or Health Care Facility need not be on the same lot with the main building or structure, so long as they are within an I-Zone or any other zone permitting commercial parking. The number of insufficient parking

spaces for Educational Institutions and Health Care Facilities calculated in accordance with the requirements as stated herein at the time of the adoption of this Ordinance shall be permitted under the terms of this Ordinance but shall not be allowed to be increased.

V. Add the following sentence following Paragraph 4. of Section 26 of Article II entitled "Only One Main Building on a Lot": Institutional buildings in the Institutional Zone shall not be restricted by this regulation.

VI. Article II entitled "Special Exceptions" of the aforesaid Zoning Ordinance is hereby amended by adding the following new Section 28:

Section 28 - Special Exceptions for Institutional Uses
Institutions as outlined in Subparagraph A(2) and A(3) of Article IV-A shall be permitted within any R-Zone with the approval of the Board as provided for in Sections 91 and 92 whenever the Board finds such uses essential and desirable to the public convenience and welfare and finds such uses in conformance with the objectives of the Providence Comprehensive Plan; and the Board, in addition, shall find out the following criteria have been met:

- (a) The proposed institutional use must meet the criteria of Section 1B and 1C of Article IV-A.
- (b) The proposed institutional use cannot be reasonably located on any existing property of the institution within a zone in which the use is permitted.

- (c) That parking is provided for the proposed institutional use in accordance the parking requirements outlined in Section 24 of this Ordinance for institutional uses.
- (d) The proposed use is in conformmance with the Institution's Master Plan on file with the City Clerk's Office of the City of Providence.

VII. Section 31 of Article III entitled "Establishment of Zones"

is hereby amended to read as follows:

For the purpose of this Ordinance, the City of Providence is hereby divided into thirteen (13) zone designations as follows:

- R-1 One Family Zone
- R-2 Two Family Zone
- R-3 General Residence Zone
- R-4 Multiple Dwelling Zone
- R-5 Downtown Apartment Dwelling Zone
- I-1 Health Care Facilities Zone
- I-2 Educational Institutions Zone
- C-1 Limited Commercial Zone
- C-2 General Commercial Zone
- C-3 Downtown Commercial Zone
- C-4 Heavy Commercial Zone
- M-1 General Industrial Zone
- M-2 Heavy Industrial Zone

The above zones and the boundaries of such zones are hereby established as shown on the maps entitled "Providence Zoning Map" dated April 5, 1951, as amended to date, which accompanies this Ordinance and is on file in the office of the City Clerk. Said map and all explanatory matter thereon are hereby adopted and made a part of this Ordinance.

Section 2 There is hereby created Institutional I-1 and I-2 Zones, the zoning boundaries of which are shown on the attached maps which are incorporated and made part of this Ordinance.

Section 3 Any use permitted in the I-1 and I-2 Zones pursuant to Article IV-A Section 1A2 and 1A3 shall be a permitted use in a R-5, C-1, C-2, C-3, C-4, M-1 and M-2 Zone.

Section 4 This Ordinance shall take effect upon its passage by the City Council and its approval by the Mayor.

IN CITY COUNCIL
JUN 5 1986
FIRST READING
READ AND PASSED, as amended

Rose M. Mendonca CLERK

IN CITY COUNCIL
JUL 3 1986
FINAL READING
READ AND PASSED, as amended
Walter W. E. E. E. PRESIDENT
Richard R. Clement CLERK
First Deputy City

APPROVED
JUL 10 1986
John L. Parry
MAYOR

**THE COMMITTEE ON
ORDINANCES**

**Approves Passage of
The Within Ordinance**

Rose M. Mendonca
Clerk ~~Chairman~~

May 28, 1986

IN CITY COUNCIL

JUN 19 1986

Second **FIRST READING
REFERRED TO COMMITTEE ON ORDINANCES**

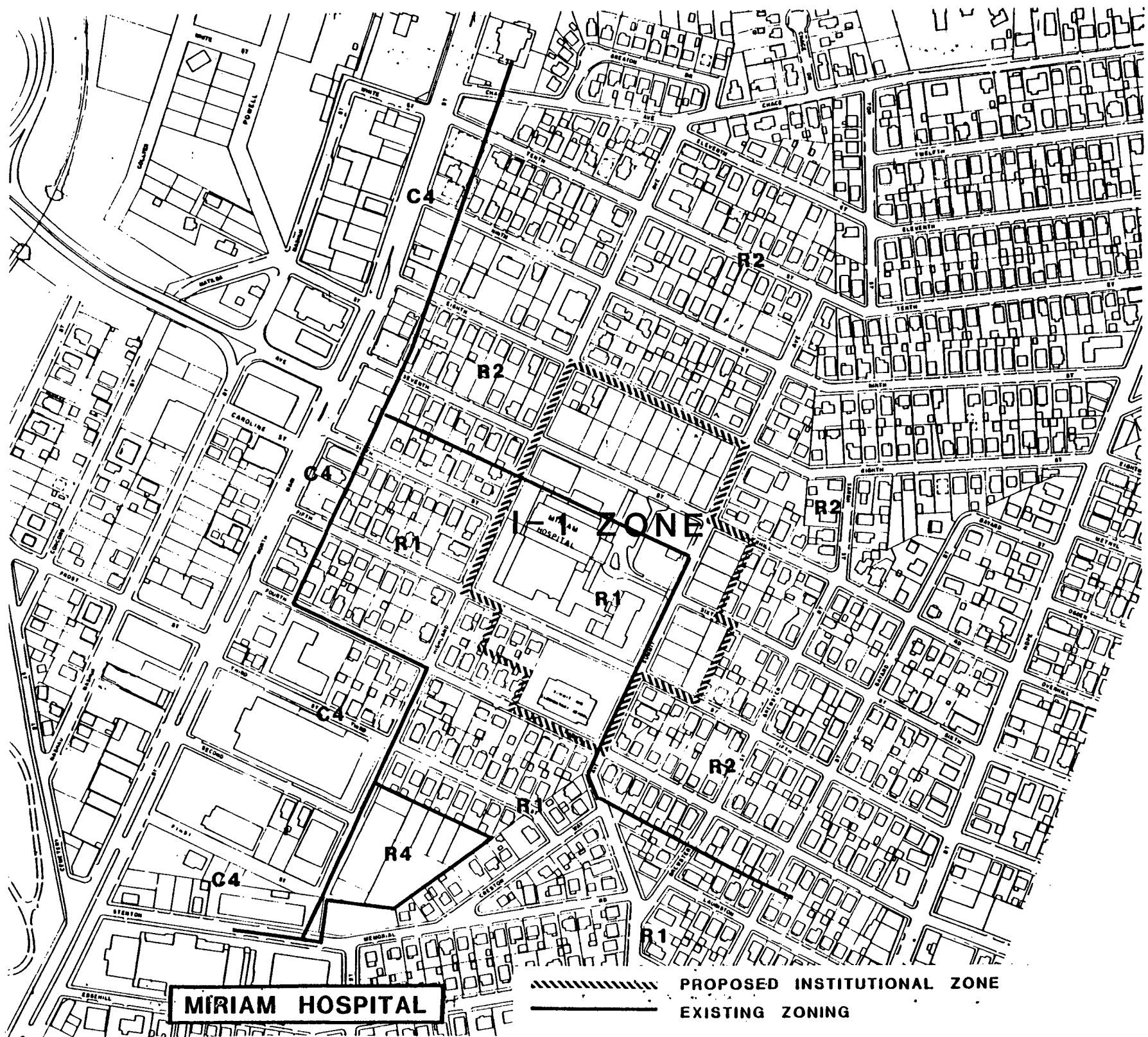
Rose M. Mendonca CLERK

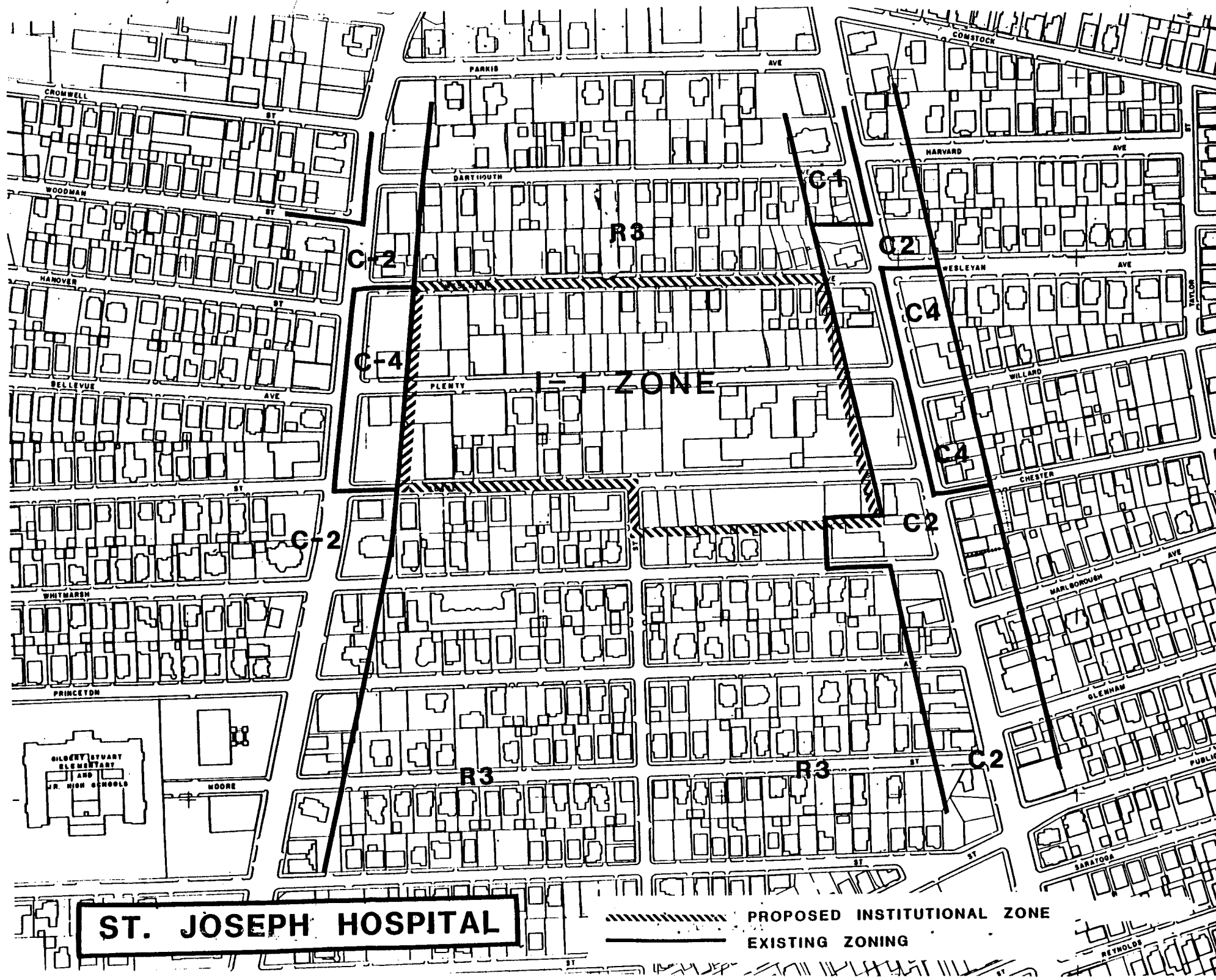
**THE COMMITTEE ON
ORDINANCES**

**Approves Passage of
The Within Ordinance**

Michael R. Clement
Chairman

June 30, 1986

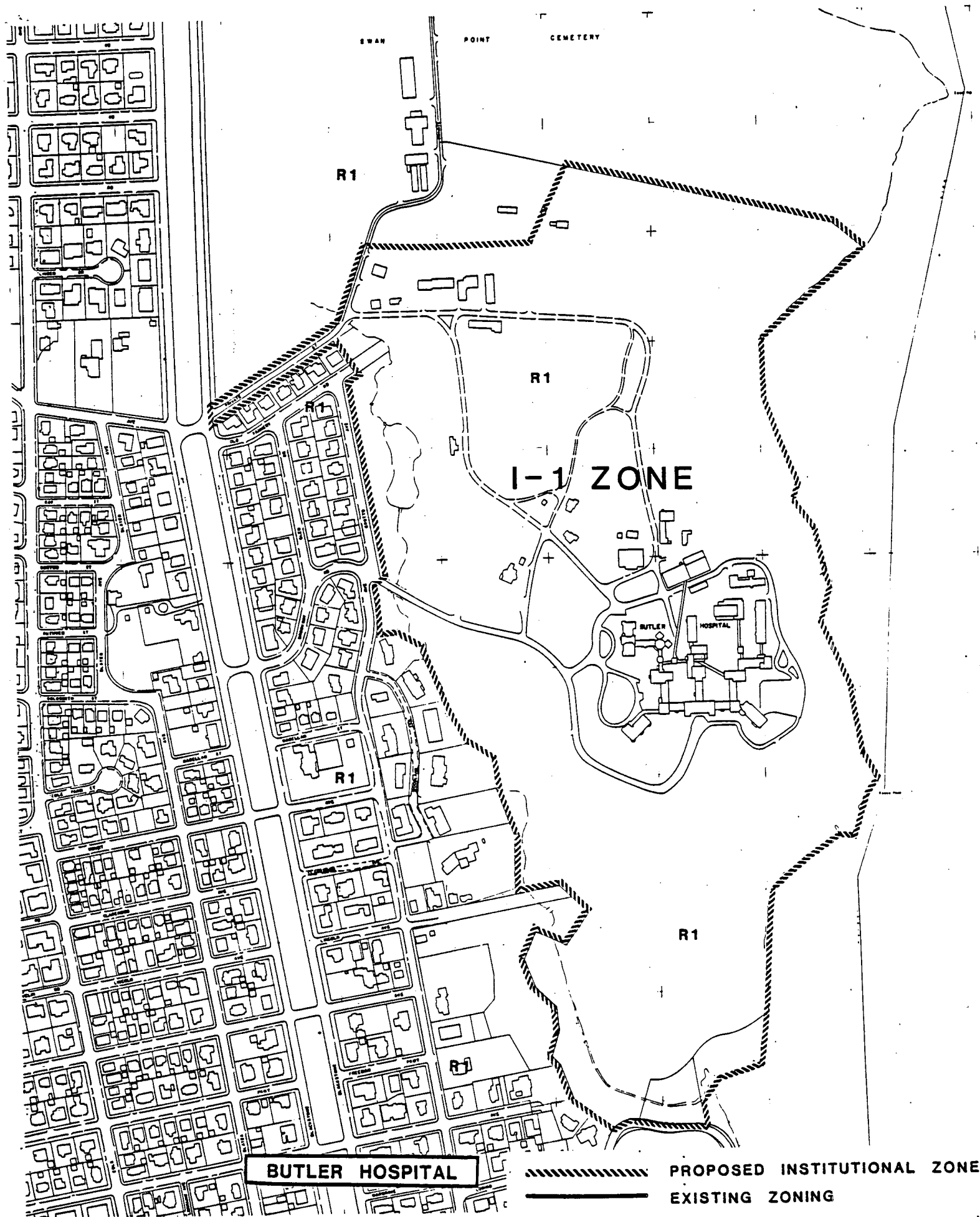






ROGER WILLIAMS HOSPITAL

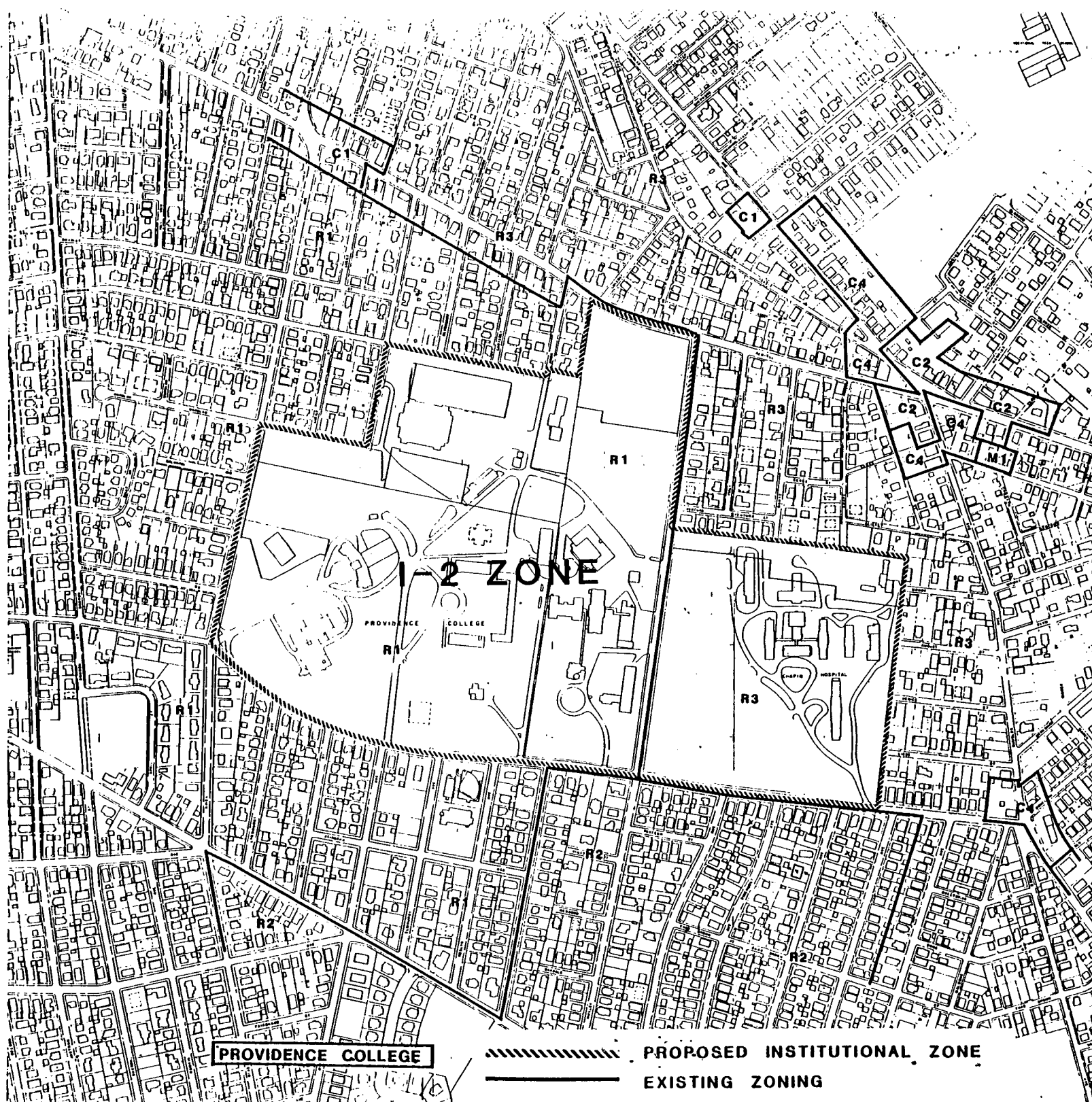
PROPOSED INSTITUTIONAL ZONE
EXISTING ZONING



BUTLER HOSPITAL



PROPOSED INSTITUTIONAL ZONE
EXISTING ZONING



PROVIDENCE COLLEGE



PROPOSED INSTITUTIONAL ZONE



EXISTING ZONING



