

**CITY OF EAST PROVIDENCE  
CITY COUNCIL  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the East Providence City Council at East Providence City Hall, 145 Taunton Avenue, East Providence, RI, on **Tuesday, December 19, 2023, at 6:30PM** to amend the City Code of Ordinances – Chapter 19 Zoning Ordinance. **The majority of these changes are being made in order to conform to new State laws 2023-H6059A, 2023-H6090A, 2023-H6058A, 2023 H-6061A and 2023 H-6086A, which require municipalities to amend certain aspects of their Zoning Ordinances by January 1, 2024.**

Major changes to the Zoning Ordinance required by state law include the following:

- Amends, eliminates, and/or adds definitions to Article I, as per 2023 H-6059A, 2023 H-6061A, and 2023 H-6090A.
- Amends language in Article II, Sec. 19-45, regarding dimensional modifications that may be administratively approved by the Zoning Officer; the maximum deviation of such modifications is proposed to be increased from 10% to 25%, with abutter notification and opportunity for objection required for deviations over 5%, as per 2023 H-6059A.
- Amends Zoning Board appointment and quorum requirements to conform to prior amendments to General Laws § 45-24-57, Article II, Sec. 19-36 & 19-37.
- Creates process for certain uses not mentioned in the ordinance to be allowed by Special Use Permit after a positive determination from the Zoning Officer, Article II, Sec. 19-40, as per 2023 H-6059A.
- Amends the procedures and standards for granting dimensional variances, Article II, Sec. 19-45, as per 2023 H-6059A.
- Amends language regarding public hearing notice requirements, Article II, Sec. 19-48, as per 2023 H-6086A.
- Amends language regarding the appeals process, article II, Sec. 19-51 to 55, as per 2023 H-6059A.
- Adopts Unified Development Review which empowers the Planning Board to grant zoning relief and Special Use Permits for land development under its purview, Article II, Sec. 19-55.1, as per 2023 H-6061A.
- Amends the Use Table to conform to state law regarding Special Use Permits. Amendments include changes to the districts in which the following uses are either permitted, prohibited or allowed by Special Use Permit: mixed-use, three family dwelling and multi-family dwelling, hotel, short term rental, public utility, cigar lounge, restaurant-including live entertainment, marina, yacht club, dry cleaning drop-off and pick-up location with dry cleaning/laundry done on premises, data processing facilities, billboards, trailer courts, gasoline filling stations, amusement game centers, development of new drive-through, amusement park, boat, kayak or canoe rental, driving range or miniature golf facility, fencing establishment, indoor recreation/athletic facility, swimming or tennis facility, black box theater, design studio, film studio, gallery, communication services and broadcasting offices, Article III, Sec. 19-89 as per 2023 H-6059A.
- Creates new Special Use Permit criteria for various uses including gasoline filling stations, care facilities, child day care centers, sportsmens' clubs, nonprofit club; civic, social or

fraternal, bulk petroleum storage, drive-through facilities and alteration of non-conforming use, Article IV, Divisions 5 – 23 & Article VI, Sec. 19-413. As per 2023H-6059A.

- Redefines what type of relief is required for substandard lots of record and amends when substandard lots of records merge, Article IV, Sec. 19-132 & 19-133, as per 2023 H-6059A.
- Creates and defines a new class of projects known as Adaptive Reuse Projects and adopts standards for these projects for the City in Article IV, Sec. 19-360.3, and the Waterfront Special Development Districts in Article IX, Sec.19-481, as per 2023 H-6090A.
- Amends language regarding Land Development Projects, Article V, as per 2023 H-6058A
- Amends language regarding Development Plan Review process and eliminates formal Development Plan Review Committee, Article VIII, Sec. 19-448, as per 2023 H-6061A.
- Amends language regarding Affordable / Inclusionary Zoning in the Waterfront Special Development Districts, increasing the minimum requirement from 10% to 25% of proposed units that are to be designated as affordable, and modifying regulations regarding density bonuses and fee-in-lieu payments, article IX, Sec. 19-485, as per 2023 H-6058A.

Proposed changes that are *not* required by state law include the following:

- Amends language related to restaurants offering outdoor dining. Changes include parking relief and creation of safety and other standards for permitting outdoor dining, Article IV, Sec. 19-284 and 19-360.4.
- Amends language in the Schedule of Area Requirements to increases the maximum allowed impervious coverage in the Open Space (OS-1) district from 10% to 20% for educational institutions only, Article IV, Sec. 19-145.

Specifically, the following will be amended, altered, changed, or created in Chapter 19 Zoning:

- Article I, Sections 19-1 to 19-2
- Article II, Sections 19-5 to 19-74
- Article III, Section 19-98
- Article IV, Section 19-132 to 19-360.8
- Article V, Section 19-361 to 19-370
- Article VI, Section 19-413
- Article VII, Section 19-438 to 19-443
- Article VIII, Section 19-448 to 19-469
- Article IX, Section 19-471 to 19-485

Anyone wishing to be heard on the proposed matter should be present at the aforementioned date and time. At the public hearing, opportunity shall be given to all persons interested to be heard upon the matter of the proposed amendments. The amendments in their entirety can be requested by contacting the East Providence Planning Department at [planning@eastprovidenceri.gov](mailto:planning@eastprovidenceri.gov) or (401) 654-4288 or at City Hall, 145 Taunton Avenue, East Providence, RI 02914 room 309. The proposed amendments to the Zoning Ordinance may be altered or amended prior to the close of the public hearing without further advertising as a result of further study or because of the views expressed at the public hearing. Individuals requesting interpreter services for the hearing impaired or needing other special services must call (401) 435-7500 or (401) 431-1633 (v/tdd) forty-eight (48) hours in advance of the meeting date.