

# Providence City Plan Commission

July 21, 2020



## AGENDA ITEM 2 ■ NOTICE OF REQUIREMENTS

### OVERVIEW

<b>SPONSORS:</b>	Councilwoman Carmen Castillo, Councilwoman Helen D. Anthony, Councilman Pedro J. Espinal	<b>RECOMMENDATION:</b>	Recommend approval of the proposed amendment
<b>CASE NO./PROJECT TYPE:</b>	CPC Referral 3476 Zoning Ordinance Amendment		
<b>PROJECT DESCRIPTION:</b>	Amendment of zoning ordinance to require translation of notices for certain public bodies	<b>PROJECT PLANNER:</b>	Choyon Manjrekar

#### Discussion

The sponsors are proposing to amend Section 1801.D of the zoning ordinance pertaining to noticing requirements for the Zoning Board of Review, Downtown Design Review Committee and the I-195 Redevelopment District Commission. The section will be amended to require that the City Sergeant deliver notice to City Councilors. All notices shall be translated in accordance with section 2-15 of the City Code of Ordinances.

It is the DPD's opinion that the changes would have a positive effect in increasing public participation as they would ensure that councilors receive notices and that notices are accessible to non-English speakers.

The amendment would enhance community engagement, which is identified as a guiding principle of the comprehensive plan. The change would also be in conformance with section 101.L and N of the purposes of zoning which promote implementation of the comprehensive plan and efficient review of development proposals.

#### Recommendation

Based on the foregoing discussion, the DPD recommends that the CPC recommend approval of the amendment, finding the change to be in conformance with the comprehensive plan and purposes of zoning.

**CHAPTER**

No. **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 18 REGARDING NOTICE OF REQUIREMENTS**

*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 changes:

**ARTICLE 18. APPLICATION AND NOTICE PROCEDURES**

**1801 NOTICE**

**D. Zoning Board of Review, Downtown Design Review Committee, and I-195 Redevelopment District Commission Public Hearing Notice**

1. Mailed notice shall be sent by first class mail at least two weeks prior to the hearing to the applicant and to the following:
  - a. All owners of real property as they appear in the current records of the City Assessor, whose property is located in or within not less than 200 feet of the perimeter of the lot(s) proposed for variance, special use permit, or development, whether within the City or within an adjacent city or town.
  - b. The City Council representative of the applicable ward, said notice to be delivered to the City Council representative by the City Sergeant.
  - c. The Office of the Superintendent of Schools.
  - d. The city or town council of any city or town which is located within 200 feet of the boundary of the area proposed for a variance, special use, or development.
  - e. Water authorities or where there is a public or quasi-public water source, or private water source that is used or is suitable for use as a public water source, within 2,000 feet of any real property that is the subject of a proposed variance, special use permit, or development, regardless of municipal boundaries.
  - f. Any neighborhood group that registers the name of the organization, its officers and mailing address with the public body's staff. Neighborhood group registration shall be renewed every year by July 1st. Failure to renew the registration relieves the staff of the responsibility of mailing out the agenda.
2. Public notice of the hearing shall be published at least fourteen days prior to the date of the hearing in a newspaper of general circulation in the city.

3. Mailed and newspaper notice shall include:
  - a. The location of the hearing and the date and time of its commencement.
  - b. The street address of the subject property.
  - c. A statement of the proposed variance, special use, or development under consideration.
  - d. Information for those interested where and when a copy of the matter under consideration may be obtained or examined and copied.
  - e. All mailed notices shall be translated in accordance with Section 2-15 of the City Code of Ordinances.
4. No defect in the form of any notice under this section will render any application for variance, special use permit, or development approval invalid, unless the defect is found to be intentional or misleading.
5. Costs of any notice required under this section are borne by the applicant.

**SECTION 2:** This ordinance shall take effect upon passage.