

Providence City Plan Commission

October 19, 2021



AGENDA ITEM 2 ■ AMENDMENT OF ORDINANCE

OVERVIEW

SPONSOR:	Councilman Pedro J. Espinal	RECOMMENDATION:	Recommend that the subject use operates through special use permit
CASE NO./ PROJECT TYPE:	CPC Referral 3501 Zoning Ordinance Amendment		
PROJECT DESCRIPTION:	Amendment of zoning ordinance to prohibit propane storage waste facility in all zones	PROJECT PLANNER:	Choyon Manjrekar

Discussion

The sponsor is proposing to amend the zoning ordinance, Section 1200—prohibited uses, and Section 1204—use definitions. The amendment would add bulk storage of liquid propane gas to the list of uses prohibited in all zones in section 1200.F.c. The definition of tank farm in Section 1204.Z would eliminate storage of propane products from the definition, effectively prohibiting it in all zones.

The DPD believes that the only bulk storage of liquid propane is in the W-3 zone along the Providence River waterfront. The fuel is transported from a large storage tank. Unlike other prohibited uses, such as petroleum refining and acid manufacture, this use doesn't involve processing on site.

The comprehensive plan and zoning ordinance stress the importance of compatibility of uses with the immediate surroundings. It is the DPD's opinion that rather than prohibited, this use could be subject to a Special Use Permit (SUP), with criteria to determine the appropriateness of their location. The SUP criteria would review a use for its effect on the value of surrounding property and the health and welfare of the community. Other criteria could be imposed, such as those related to fire safety or leak protection.

Recommendation

Based on the foregoing discussion, the DPD recommends that the CPC advise the City Council not to prohibit this use, but if it feels that further regulation is warranted, change the use to one permitted by special use permit.

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 12**

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, with deletions struck out and additions underlined:

ARTICLE 12. USES

1200 Prohibited Uses

F. The following uses are expressly prohibited in all districts.

- a. Billboard/outdoor advertising.
- b. Halfway house.
- c. Industrial uses of the following types: abrasive, asbestos and miscellaneous nonmetallic mineral product manufacture; acid manufacture; agricultural chemicals including fertilizer manufacture; bulk storage of liquefied natural gas; bulk storage of liquid propane gas; cement, lime, gypsum or plaster of paris manufacture; creosote manufacture or treatment; drop forge industries; glue manufacture; leather and fur tanning and finishing; manufacture and storage of explosives; manufacture of noxious or toxic gases and chemicals; nuclear industries manufacturing; petroleum refining; primary metal industries; processing of sauerkraut, vinegar or yeast; pulp mills and paper mills; rendering or refining of fats or oils; rubber or gutta percha manufacture or treatment; tobacco and tobacco products manufacture.
- d. Landfill and garbage dump including offal or dead animal.
- e. Prison/correctional institution.
- f. Racetrack.
- g. Slaughterhouse, excluding the killing of fowl.
- h. Stock yard/feeding pen
- i. Waste incineration facility

1204 Use Definitions

Z. Tank Farm. The storage of chemicals, petroleum products, ethanol products, ~~propane products~~, hazardous materials, and similar substances in aboveground or belowground storage containers designed for wholesale distribution. This does not include liquefied natural gas or liquified propane gas.

SECTION 2: This ordinance shall take effect upon passage.