

# Providence City Plan Commission

August 20, 2024



## AGENDA ITEM 2 ■ EXPANSION OF NONCONFORMING USES

### OVERVIEW

<b>PETITIONER:</b>	Nick Hemond	<b>RECOMMENDATION:</b>	Recommend approval of the proposed amendment
<b>CASE NO./ PROJECT TYPE:</b>	CPC Referral 3586 Amendment of ordinance pertaining to nonconforming uses		
<b>PROJECT DESCRIPTION:</b>	Amendment of Section 2001 pertaining to nonconforming uses	<b>PROJECT PLANNER:</b>	Choyon Manjrekar

### Discussion

The petitioner is proposing to amend Section 2001 of the ordinance pertaining to nonconforming uses. The amendment would allow for some expansion of nonconforming uses subject to obtaining a special use permit from the zoning board of review and fulfillment of certain conditions. Per the amendment, the gross floor area of a nonconforming use can be expanded by no more than 5%, all uses shall be brought into conformance with applicable use standards from section 12 of the ordinance, and the property shall be brought into conformance with the landscaping regulations of Article 15.

The amendment would allow for a degree of flexibility that may be required for nonconforming uses to modernize or to be brought into closer conformance with the ordinance. The requirements that any expanded uses be brought into conformance with the ordinance and meet the landscaping requirement, would offset the increase of 5% in area, which does not appear to be significant.

It is the DPD's opinion that the change would conform to the purposes of zoning outlined in section 101 of the zoning ordinance as the criteria include definition of a range of uses and allowable intensities appropriate to the City's character and providing efficient review of development proposals.

### Recommendation

Based on the foregoing discussion, the DPD recommends that the CPC make a positive recommendation to the City Council to approve the proposed amendment.