

DEPARTMENT OF CITY CLERK
CITY HALL
MARCH 19, 2003

The Committee on Ordinances meets this day Upon the Rise of the Public Hearing in the City Council Chambers, City Clerks' Department, City Hall.

PRESENT: Chairwoman Rita M. Williams, Vice-Chairman Patrick K. Butler, Councilwoman Balbina A. Young, Councilman Terrence M. Hassett and Councilman David A. Segal.

ALSO PRESENT: Adrienne Southgate, Senior Assistant City Solicitor, Law Department, Robert Azar, Senior Planner, Department of Planning and Development, Anna M. Stetson, Second Deputy City Clerk, and Deborah L. Hudson, Assistant Clerk.

AN ORDINANCE IN AMENDMENT OF CHAPTER 27 OF THE ORDINANCES OF THE CITY OF PROVIDENCE ENTITLED: "THE CITY OF PROVIDENCE ZONING ORDINANCE" APPROVED JUNE 27, 1994, AS AMENDED. (CREATION OF CONSERVATION DISTRICT)

CHAIRWOMAN WILLIAMS: We have just finished a Public Hearing on the three items that are before us this evening. The first item is the creation of a Conservation District and we have with us this evening City Solicitor Adrienne Southgate and Bob Azar from the Planning Department is here as well so looking at item number one. There are some changes, there are a couple of amendments that have to be made on the Zoning Ordinance before us. The new Conservation District Ordinance is being passed around right now by the Clerk or the amended one. We have a new department director and so he reviewed the Ordinances that have been pending and we have just had a Public Hearing and so he made some recommendations so Mr. Azar.

MR. AZAR: Yes. With this one it is relatively simple. He felt that the regulations for Conservation Districts would be more appropriately placed in Article 4 rather than in Article 3 and there is some minor changes and languages to eliminate redundancies but the actual and the other major change is that we would

be excluding that area of the playground on the corner of Patterson Street and Angel Street from the zoning map change.

CHAIRWOMAN WILLIAMS: Right.

MR. AZAR: That can be taken care, that is in the actual text that you have before you. That would have to be amended slightly in Section 2 where it starts with Section 2 where it designates the lots that have to be changed where it says Map 1, Lot 14. We would request the addition of language as follows:

“Except for the developing playground at the corner of Angel and Patterson Streets a rectangle measuring two hundred feet east of this corner along Angel Street and two hundred feet seventy-five feet south of the corner along Patterson Street”

CHAIRWOMAN WILLIAMS: Alright is that on Section 2, page 3 of the Ordinance, is that where it's going?

MR. AZAR: Actually be, the original Ordinance but of the...

CHAIRWOMAN WILLIAMS: Of the amended, okay. Let's get organized here. We have one in our packet, correct?

COUNCILMAN HASSETT: What number are you on Madam Chair?

CHAIRWOMAN WILLIAMS: Item number one, Conservation District and the new one has been passed around so let's just look at what is before us and look at the new one and let's look at the amendments then. It looks like the definition of the Conservation District has been reduced.

MR. AZAR: In fact what we did was this is not in Section 101.6, that's not our definition section. We've saved the definition of Conservation District for the Definitions Article. At the end of the Ordinance where is properly belonged. In Article 1, it's simply gives a brief description of what that descript is. So that's the first change. The second change is that as you can see on the original Ordinance where it proposes Section 308, restrictions, Conservation District, we propose changing that, putting those, in fact we thought instead of calling them restrictions,

we're calling them regulations. It's allowable uses and also restrictions. We proposed putting that Article 4, making a new section, 424 where these would be both of these.

ATTORNEY SOUTHGATE: Madam Chair. Does that also mean that Section 1 needs to be changed so that it should read changing the following text and articles 1, 3, 4, and 10, and appendix "A".

MR. AZAR: Yes, that's a good, yes, that's absolutely right. There would be articles 1, 4, and 10, I'm sorry 3, 4, and 10, yes, that's correct.

CHAIRWOMAN WILLIAMS: Wait a minute, so it's 1, 3, 4, and 10?

MR. AZAR: Yes.

CHAIRWOMAN WILLIAMS: 1, 3, 4, and 10.

MR. AZAR: And then basically we kept the same, we said where it says "the following uses are permitted". We change that to 424.1 and we kept all of those items a-j and then we, where it says "the bottom uses are prohibited" and changed that to "4.1 Uses not permitted in Conservation Districts" and kept all those in page but eliminated i., the hunting, the trapping of all animals since the hunting, trapping of animals is prohibited in the City anyway and we didn't want to be redundant.

CHAIRWOMAN WILLIAMS: Continuing on the definitions now.

MR. AZAR: When the definitions, instead of number it 1000.46.1, our Director suggested that we simply continue with our definitions in order so it would be 1000.155 with, this definition would be out of alphabetical order but we would assume that a later addition would correct that alphabetical order but the idea is that we don't want to adopt a convention of having another decimal point in our definitions. It's a style issue. Now the other suggestion that our Director made is the definition of natural woodland is unnecessary. That if we simply say Conservation areas are areas consisting of woodlands, that suffices. The key is that the Conservation Areas are to be preserved in their natural and scenic condition.

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CHAIRWOMAN WILLIAMS: So it's really been combined with the Zoning Ordinance that's in place toward a greater degree.

MR. AZAR: That's the intention, yes.

CHAIRWOMAN WILLIAMS: Okay. Are there any questions, I think, are there any questions about the changes that have been recommended? I think that maybe what we can do to simplify things is to adopt the advised and amended version of the Conservation District that has been presented to us by the Deputy Planning Director. Correct?

MR. AZAR: Principle Planner.

CHAIRWOMAN WILLIAMS: Principle Planner.

MR. AZAR: I'm not that important.

CHAIRWOMAN WILLIAMS: I just gave you a promotion. We need to amend what has been, first we'll accept what has been given to us with a motion.

On motion of Councilman Segal, seconded by Vice-Chairman Butler, it is voted to accept the amendment presented.

CHAIRWOMAN WILLIAMS: All those in favor.

COMMITTEE: Aye.

CHAIRWOMAN WILLIAMS: All those opposed.

Motion carries.

CHAIRWOMAN WILLIAMS: Now we need to amend this. Amend this one, Articles to add 3. Article 3, in the Section 1. We need to add, Article 4 rather. So it will 1, 3, 4 and 10. So Councilman Butler amends that.

On motion of Vice-Chairman Butler, seconded by Councilman Segal, it is voted to amend Section 1, Articles 1, 3, 4 and 10.

CHAIRWOMAN WILLIAMS: All those in favor.

COMMITTEE: Aye.

CHAIRWOMAN WILLIAMS: All those opposed.

Motion carries.

MR. AZAR: And then one other change to this. In Section 2.

VICE-CHAIRMAN BUTLER: Section 308.

MR. AZAR: Well, that's already. The vote is on the amended. It's on changing this.

CHAIRWOMAN WILLIAMS: So will you read what the Principle Planner has written into the record Councilman Butler?

CHAIRWOMAN WILLIAMS: At the Public Hearing, the Principle Planner, Mr. Azar indicated that there's a portion of the Blackstone Park area that is a playground and so we want to delete that from the Ordinance.

VICE-CHAIRMAN BUTLER: Madam Chair, second page, Section 2 where it reads Map 41, Lots 14, after that we're going to strike, except for, oh, we're going to add. "Except for the developed playground at the corner of Angel and Patterson Streets counter rectangle measure two hundred feet east of the this corner along Angel Street and two hundred seventy-five feet south of this corner along Patterson Street. We're going to add that.

CHAIRWOMAN WILLIAMS: We're going to add that and can take down.

On motion of Vice-Chairman Butler, seconded by Council Segal, it is voted to add the foregoing amendment to Section 2.

CHAIRWOMAN WILLIAMS: All those in favor.

COMMITTEE: Aye.

CHAIRWOMAN WILLIAMS: All those opposed.

Motion carries.

CHAIRWOMAN WILLIAMS: So we have amended this Ordinance and we'll make a motion. Is there a motion to pass this Conservation District Ordinance as amended.

On motion of Vice-Chairman Butler, seconded by Councilwoman Young it is voted to approve the foregoing Ordinance as amended.

CHAIRWOMAN WILLIAMS: Any discussion? Councilman Igliozi.

COUNCILMAN IGLIOZZI: Thank you Madam Chair. I just want to make sure I understand because this is going to have an impact on my Neutaconkanut Park, my area. Can you please just, how what because you have the entire area here. What about, we have a recreational center...

MR. AZAR: It's all up here.

COUNCILMAN IGLIOZZI: Okay.

MR. AZAR: This is the pool. This is the playing fields...

COUNCILMAN IGLIOZZI: Over there?

MR. AZAR: Yes, This only the wooded area. The road that comes up is around is over here.

COUNCILMAN IGLIOZZI: Now what happens on the hill because, did you count the hill because we've been doing clear cutting there to allow sledding and stuff like that.

MR. AZAR: That is not included.

COUNCILMAN IGLIOZZI: Are you sure?

MR. AZAR: Absolutely, positively. I went over this time and time again with Bob McMahon. We know that part of the Parks Departments Capital Improvement Plan Program to build a ski sloop and a sledding sloop that is further to the north. This is only wooded, always been wooded. It's not any of the areas that are now developed for recreation or proposed to have additional development are not included in this proposal.

COUNCILMAN IGLIOZZI: What happens if we have to take additional property? What if we need to say if we have to expand something?

MR. AZAR: Have to expand.

COUNCILMAN IGLIOZZI: What would happen?

MR. AZAR: If you can't do it, if you can't do it within the existing open space district. You know there's the possibility that there would have to be a zone change or something.

COUNCILMAN IGLIOZZI: I would have to amend the map.

MR. AZAR: That's a possibility, that's correct. Time being, there are additional wooded areas up here that are probably going to stay wooded but we felt that out of an abundance of caution that we wanted to make sure that these were areas that are not only undeveloped but where there is a very low likelihood that development could happen. It's mostly steep slope. A lot of ledge and so forth.

COUNCILMAN IGLIOZZI: Because up here, Madam Chair. Up in this area by the way is actually a street, you know that?

MR. AZAR: That's up here, that's further to the north. In here is nothing but...

COUNCILMAN IGLIOZZI: This is Union Avenue. It looks like to me this is...

MR. AZAR: These are houses right along here. The street does not...we

COUNCILMAN IGLIOZZI: So actually where the, you're talking about where the hill is and actually where...

MR. AZAR: Where the old ski slope is well to the north.

COUNCILMAN IGLIOZZI: All that area is not included?

MR. AZAR: Correct, that will remain zoned, open space.

COUNCILMAN IGLIOZZI: So this is where the tail end?

MR. AZAR: Absolutely.

COUNCILMAN IGLIOZZI: So this is Johnston?

MR. AZAR: That's exactly right.

COUNCILMAN IGLIOZZI: Okay, because I know we have a road up there. There's other things up there that eventually be re-hab'd and fixed, all that kind of stuff.

MR. AZAR: We knew that months ago. We made a consensus decision to keep those out.

COUNCILMAN IGLIOZZI: Okay.

CHAIRWOMAN WILLIAMS: Councilman, also if you wanted to for your own information look at map 111 and those are the lots that are included. You can look at the Zoning Map 111 and then look that the...

MR. AZAR: I'd be happy Councilman to show you some aerial photographs as well that...

COUNCILMAN IGLIOZZI: Just one other thing. What was the impetus to do this anyway? I'm just curious. What was the impetus to change, make these zoning changes?

MR. AZAR: The impetus came from the, an organization from the East Side that was interested in conserving open space in Blackstone Park and we felt that this could be more of a City wide initiative to other areas that were worthy and should be conserved.

COUNCILMAN IGLIOZZI: Is it because the present zoning doesn't give this area protection?

MR. AZAR: You could build a basketball court in the middle of that. You could put a bus terminal. You could put a skating rink. You could put baseball field, football field, stadium. You could do all kinds of things.

CHAIRWOMAN WILLIAMS: The environment, protecting the environment and having open space in the City is really a goal and so it initiated after I tried to put a dog park in Blackstone Park and so that will never happen. So, it's good though, I think it's a good initiative and it borders, it really delineates Providence from Johnson and preserves that forest. It gives the City a nice feel so that we don't feel like to urban. That's why people like Providence. We want to keep it that way.

COUNCILMAN IGLIOZZI: Thank you Madam Chair.

CHAIRWOMAN WILLIAMS: Your welcome. So is there a motion to...

VICE-CHAIRMAN BUTLER: There is already a motion and been seconded.

CHAIRWOMAN WILLIAMS: Right, so all those in favor.

COMMITTEE: Aye.

CHAIRWOMAN WILLIAMS: All those opposed.

Motion carries.

CHAIRWOMAN WILLIAMS: We need to continue the Ordinance before us. Continue it indefinitely. The one that we did not act on.

COUNCILWOMAN YOUNG: Number two.

CHAIRWOMAN WILLIAMS: No number one, we're still on number one. We just need.

VICE-CHAIRMAN BUTLER: Originally presented Ordinance that we will continue indefinitely. That's in the form of a motion.

On motion of Vice-Chairman Butler, seconded by Councilwoman Young, it is voted to continue indefinitely the foregoing Ordinance.

CHAIRWOMAN WILLIAMS: All those in favor.

COMMITTEE: Aye.

CHAIRWOMAN WILLIAMS: All those opposed.

Motion carries.

CHAIRWOMAN WILLIAMS: Thank you very much so this will go before the Council Meeting on April 3rd, I believe, to the full Council for those who are interested. Item number two is the:

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ORDINANCES OF THE CITY OF PROVIDENCE ENTITLED:
"THE CITY OF PROVIDENCE ZONING ORDINANCE"
APPROVED JUNE 27, 1994, AS AMENDED. (TECHNICAL
AMENDMENTS)**

CHAIRWOMAN WILLIAMS: This was also heard in Public Hearing and it is some technical amendments to the Zoning Ordinance. Were there some amendments to this one?

MR. AZAR: Not to this one.

CHAIRWOMAN WILLIAMS: Not to this one at all but there was a Public Hearing and there was support for most of this Ordinance but the modification at the end 801.1, there were some questions about that and some concerns about giving, internally giving the Director the flexibility of for those who weren't at the Public Hearing. The Director would be able to make a five percent flexibility so that a home owner wouldn't have to go before the Zoning Board of Review for a variance. Maybe you could explain that.

COUNCILMAN HASSETT: Which Director?

CHAIRWOMAN WILLIAMS: The Director of Inspections and Standards. Right now if someone has a lot that's less than five thousand square feet and it may just be slightly smaller, the applicant, they have to apply to the Zoning Board of Review and the Principle Planner, Mr. Azar presented to us that there are, frequently this happens that lots that are buildable and perhaps are grandfathered in maybe less than the new requirement of five thousand square feet because again, we trying to have less density in the City and so the Director would be able to do, give some, do some modifications in house rather than going to the Zoning Board of Review but we did have testimony that questioned that.

Mr. AZAR: Yes, this would give we believe a very small amount of flexibility and as I said this provision in allowed by the State Enabling Act. It has been used successfully in other jurisdictions in the State and I also mentioned there are safeguards that would allow any abutter who disagrees with the petition from modification to trigger an automatic referral to the Zoning Board and also the Director of Inspections and Standards can trigger a referral to the Zoning Board so we feel that there are enough safeguards built in here and it is such a small amount of discretion. Only five percent so in a hundred feet, you're only talking about five feet. We feel that its reasonable.

CHAIRWOMAN WILLIAMS: Councilman Butler.

VICE-CHAIRMAN BUTLER: Even though the Director has that capability of doing that are neighbors still informed that?

MR. AZAR: Absolutely.

VICE-CHAIRMAN BUTLER: Absolutely.

MR. AZAR: Absolutely, they have to be informed.

CHAIRWOMAN WILLIAMS: It would just be the abutter though. I wonder if you...draw your attention to page 5b. 801.1b, I wonder if we could amend this to make this two hundred feet rather than just call it the abutter because that will give it the latitude that is required now when there is change. Anyone who wants to...for most the people needs to be engaged for licenses and for zoning changes and so that might include people within two hundred feet and they would receive a letter so it's not the Director is doing this in house without the abutters knowing that this is going to be granted.

MR. AZAR: I believe that Zoning Enabling Act would certainly allow that. More notification rather than less would certainly be permitted.

CHAIRWOMAN WILLIAMS: Okay, yes.

VICE-CHAIRMAN BUTLER: So you're saying upon termination that the Director shall notify by registered or certified mail, all properties within two hundred feet. Is that where you want it?

CHAIRWOMAN WILLIAMS: Yes.

MR. AZAR: Strike abutting and...

ATTORNEY SOUTHGATE: Is there a definition of abutting early in the statute? If there is, it seems that we're gilding a lily here?

MR. AZAR: I can look in my, it would be in the definitions within the Zoning Ordinance. Abutting, it says having a common order where there'll be separated from such common border by a street right-of-way, alley or easement. That would not be, that would not include people within two hundred feet so you would have to say, you would have to strike abutting and say all property owners

within two hundred feet of the property which is the subject of the matter in order to make that provision.

VICE-CHAIRMAN BUTLER: Madam Chair, I'll make that in the form of a motion. Strike "abutting" and to add in "within two hundred feet" after owners and "two hundred" after the fourth.

On motion of Vice-Chairman Butler, seconded by Councilwoman Young it is voted to amend the foregoing Ordinance.

CHAIRWOMAN WILLIAMS: All those in favor.

COMMITTEE: Aye.

CHAIRWOMAN WILLIAMS: All those opposed.

Motion carries.

CHAIRWOMAN WILLIAMS: So that does answer that so it's similar to having...I mean there is the opportunity to have it go to the Zoning Board of Review if there are objections.

On motion of Vice-Chairman Butler, seconded by Councilwoman Young, it is voted to approve the foregoing Ordinance as amended.

CHAIRWOMAN WILLIAMS: All those in favor.

COMMITTEE: Aye.

CHAIRWOMAN WILLIAMS: All those opposed.

Motion carries.

AMENDMENT OF CHAPTER 27 OF THE ORDINANCES OF THE CITY OF PROVIDENCE ENTITLED "THE CITY OF PROVIDENCE ZONING ORDINANCE" APPROVED JUNE 27, AS AMENDED – (HISTORIC TREES) -

CHAIRWOMAN WILLIAMS: The last item is the tree preservation or the landscaping and tree preservation addition. The Clerk is passing out the amended version of the Chapter 27 of the Ordinances of the City of Providence entitled the City of Providence Zoning Ordinance. There are some major changes in terms of reducing the Ordinance by eliminating the preamble which gives the rationale for

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changing the Zoning Ordinance to add more landscaping and tree preservation and the changes I think are pretty clear. If the Committee just wants to take a minute to look. The numbering has been changed so that it fits more easily into the present Zoning Ordinance.

VICE-CHAIRMAN BUTLER: Madam Chair any other changes besides what's outlined in this document. Any that came out of the Public Hearing?

MR. AZAR: Nothing that...

COUNCILMAN HASSETT: Madam Chair, Legal Counsel has looked at this?

CHAIRWOMAN WILLIAMS: Yes.

ATTORNEY SOUTHGATE: Yes.

COUNCILMAN HASSETT: You're Legal Counsel?

ATTORNEY SOUTHGATE: I am, I'm sorry.

CHAIRWOMAN WILLIAMS: This is Adrienne Southgate, she is a new solicitor. Sorry, we introduced her in the beginning before you, you missed the beginning.

MR. AZAR: Madam Chair besides the renumbering the only change that we proposed is to exempt the D1 Zone from the requirements of this section. D1 would still be subject to its own landscaping...

CHAIRWOMAN WILLIAMS: and what is that?

VICE-CHAIRMAN BUTLER: Where is that?

MR. AZAR: In Section 502.2 of the Ordinance that is, I can read that to you. Section 502.2 is the Down City District. It's an overlay district, it's contiguous with the D1 zone, it's the Design District where development is subject to review by the Down City Design Committee. There are specific landscaping requirements in there and they recognize the fact that down city is very dense. That the encouraged density, encouraged building to the lot line and it recognizes the fact that there would be very little room for landscaping in down city. What it says in

this down city 502.2, it says that “landscaping shall be provided between the parking lots and any adjacent public street and that the landscaping strip shall be at least three feet wide” and our proposed Landscape Ordinance for other zones. We propose five feet wide. It also says that it shall contain a tree for thirty feet. Our Landscaping Ordinance, it says a tree for every twenty feet. It also, this is another requirement in this, it requires a street...which would be masonry type wall or shrubs or a combination of both to give a what we call urban design, or it’s a hard edge. That is something that is more appropriate in the downtown than in other areas so recognizing the extreme density of downtown and that there are not many locations for landscaping. We want to try and prevent having an Ordinance that sends every applicant to the Zoning Board so that’s where that’s coming from.

CHAIRWOMAN WILLIAMS: And there are strict design guidelines so they already have a review board that they have to go to in the downtown area.

MR. AZAR: That’s correct.

VICE-CHAIRMAN BUTLER: No changes.

MR. AZAR: No changes other than what...

VICE-CHAIRMAN BUTLER: Amend it.

CHAIRWOMAN WILLIAMS: So the...

COUNCILMAN HASSETT: Madam Chair. Page 3, it refers to the Director.

MR. AZAR: That’s the Director of the Department of Inspections and...

CHAIRWOMAN WILLIAMS: What line is that?

COUNCILMAN HASSETT: Page 3 under maintenance, 5th line, “necessary by the Director”. Can we define what the Director means in this?

MR. AZAR: In the Zoning Ordinance itself the Director is defined as the Director of the Department of Inspections and Standards.

COUNCILMAN HASSETT: Or like it’s stated as far as the Forester.

MR. AZAR: The Forester is called the Providence City Forester...

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CHAIRWOMAN WILLIAMS: And in fact he is mentioned in Section 425.6 under removal of significant trees. The City Forester is mentioned there so he will be working together with the Director of Inspections and Standards around the landscaping issues. There is no, the penalty is very clever that if replacement on page 4, replacement of canopy. Any person who removes a significant tree shall be required to replace the square footage of canopy lost due to the removal so that he has to work with City Forester and within a certain area another tree has to be planted because of the loss of the canopy so there is a replacement rather than being fined, he has to replace it with a tree which I think is a good way to continue the reforestation of the City.

COUNCILMAN HASSETT: Well the objective is good. I'm just saying the enforceability.

CHAIRWOMAN WILLIAMS: Right.

ATTORNEY SOUTHGATE: Are there not also other penalties for willfully violating a zoning or planting Ordinance. We can take them to court I believe.

COUNCILMAN HASSETT: Or willfully if it's not stated wouldn't it be generally the Ordinance, the Code of Ordinance of the City are violated therefore this penalty if it's not otherwise...

ATTORNEY SOUTHGATE: Right but here it says in 425.6, that you can't remove a significant tree without the City Forester's permission. So if someone removes it without permission. I would argue that that establishes that criteria for an enforcement action.

MR. AZAR: Article 8 of the existing Zoning Ordinance. Section 806 is entitled "Penalties and Enforcement" and...

COUNCILMAN HASSETT: The Ordinance is generally?

MR. AZAR: The Zoning Ordinance, okay.

CHAIRWOMAN WILLIAMS: And how does that read?

MR. AZAR: It says "any person or appropriation whether it's the principal agent, etc, etc. who's in violation of any of the provisions of the Ordinance shall be fined up to \$500.00 for each offense. Such fine to renew it to the City" and then it says "each day of the existence of any violation shall be deemed a separate offense" so this could, it could end up being costly.

COUNCILMAN HASSETT: One question that I have too Madam Chair. The definitions it says any tree that measures thirty-two inches or more. Compare that against age, how old would that tree be?

MR. AZAR: It depends on the species, the City Forester might be able to...

MR. CAMPANINI: It depends on the species.

COUNCILMAN HASSETT: How many of those are in the City?

MR. CAMPANINI: We believe that there is approximately between 1500 to 2000 trees.

CHAIRWOMAN WILLIAMS: One of the issues that, one of the comments, in one of the comments the question of how those trees, those significant trees will be identified was brought up and there isn't any provision for it in the Ordinance but for the record what are we going to be doing. This is a John Campanini?

MR. CAMPANINI: I believe with those regulating, we can start a tree steward rule. Basically we could ask each Council member to appoint a member from their community to serve on this task force and we could just do unregulated, informal so I plan to propose that to you and then you can introduce that as a Resolution to the Council.

CHAIRWOMAN WILLIAMS: Okay so we will be doing that. One of the other issues that came up around looking at landscaping was the possibility of putting grass strips between the sidewalk and the street and the planner had a response to that which is that the Zoning Ordinance does...we don't regulate public property rather we regulate private property...

MR. AZAR: We do regulate public property but not public rights of way.

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CHAIRWOMAN WILLIAMS: Not public rights of way.

MR. AZAR: So, it's certainly laudable to try and adopt an ordinance that we do that but if we improperly adopted in the Zoning Ordinance.

CHAIRWOMAN WILLIAMS: So how could...is that just a suggestion or a recommendation that...how can we make that a policy?

MR. AZAR: I would have to think about it. Probably an Ordinance directed to the Public Works Department. I'd have to think about it.

CHAIRWOMAN WILLIAMS: I think that's an important...I think as we're making improvements, infrastructure improvement incorporating that back into...especially residential areas but even commercial areas because we need to have more trees and continue to have that nice feel in the City that we want and protecting the environment so you know we do need to make that a policy that when sidewalks are replaced that the green strip is kept or returned if it has been taken away so I think that's really important for us to focus on.

COUNCILMAN HASSETT: Madam Chair it's safe to say that on page 4 then the replacement canopy is substantially different then it originally was. The original proposal.

CHAIRWOMAN WILLIAMS: This is absolutely.

COUNCILMAN HASSETT: When we say you had to do so many trees, so many square feet...

CHAIRWOMAN WILLIAMS: Right, this talks about canopy and this goes even further than we had hoped to go, I think in terms of being able to reforest the City. The landscaping requirements are much greater than they were previously as a result of this Ordinance but with these changes in the Ordinance. The Zoning Ordinance. Any other discussion or questions?

On motion of Vice-Chairman Butler, seconded by Councilwoman Young, it is voted to approve as amended the foregoing Ordinance.

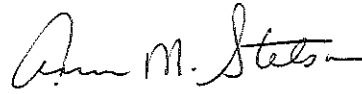
CHAIRWOMAN WILLIAMS: All those in favor.

COMMITTEE: Aye.

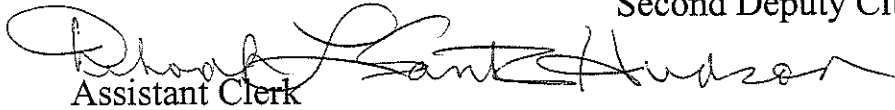
CHAIRWOMAN WILLIAMS: All those opposed.

Motion carries.

ADJOURNMENT: On motion of Vice-Chairman Butler, seconded by
Councilwoman Young it is voted to adjourn the meeting at 8:08 o'clock, P.M.



Second Deputy City Clerk



Assistant Clerk