

**THE CITY OF PROVIDENCE**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 175

EFFECTIVE ~~APRIL 13, 2008~~ APRIL 13, 2008

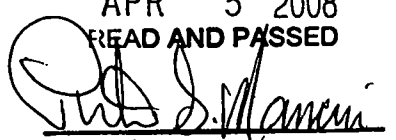
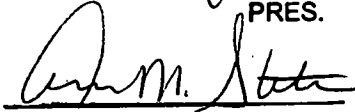
WHEREAS, The City of Providence has adopted an Interim Comprehensive Plan, and is presently in the process of conducting a series of Neighborhood Plans which will inform the final version of the Comprehensive Plan; and

WHEREAS, The timing of the charette previously scheduled for the waterfront area and residential neighborhoods adjacent to Interstate Highway I-195 between the Providence River and the Seekonk River has been postponed until late April, 2008; and


WHEREAS, Resolution No. 385, adopted by the Providence City Council on July 10, 2007, imposed a moratorium on development, construction and demolition within the so-called "moratorium area" for a period not longer than twelve months from the date of adoption; and

WHEREAS, It is foreseeable that the Neighborhood Plan for the Fox Point/College Hill/Wayland area and any Waterfront Vision Plan may not be completed and implemented prior to July 9, 2008;

NOW, THEREFORE, BE IT RESOLVED, That Resolution No. 385 shall be amended to extend the moratorium period to December 31, 2008, or such earlier period within which the City Council adopts and approves any proposed amendments to the City's Comprehensive Plan resulting from the adoption of a Neighborhood Plan for the moratorium area.

IN CITY COUNCIL  
APR 3 2008  
READ AND PASSED  
  
PRES.  
  
CLERK

Effective without the  
Mayor's Signature:

  
Anna M. Stetson  
City Clerk



**THE CITY OF PROVIDENCE**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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# **RESOLUTION OF THE CITY COUNCIL**

*No. 385*

*Approved JULY 10, 2007*

WHEREAS, the City of Providence is currently preparing and adopting an updated Comprehensive Plan as required by State law; and

WHEREAS, the City of Providence's draft Comprehensive Plan requires a series of Neighborhood Plans to be undertaken and adopted; and

WHEREAS, the City of Providence recognizes the unique nature of its waterfront, the importance of public access to the waterfront, and its potential economic benefit and historic significance to the City; and

WHEREAS, the City of Providence finds that the waterfront area and residential neighborhoods adjacent to Interstate Highway 1-195 between the Providence River and the Seekonk River have been and continue to be significantly affected by the ongoing 1195 relocation project; and

WHEREAS, the City of Providence has a compelling interest in the protection of the health and safety of all its residents, as well as a compelling interest in ensuring that the goals and policies contained within the City's soon-to-be-adopted Comprehensive and Neighborhood Plans are met; and

WHEREAS, without a moratorium, the City of Providence could, in the near future, receive applications for developments, additions or alterations in an area hereafter referred to as "the moratorium area" that would conflict with existing regulations and compromise the achievement of the long-range vision for this area as currently being developed within the Comprehensive and Neighborhood Plans; and

WHEREAS, a moratorium on new development and additions or alterations to existing developments in the moratorium area that is not consistent with the adopted Zoning Ordinance as may be amended from time to time, is required in order to allow sufficient time to undertake and complete the Comprehensive, Neighborhood and Special Area Plans and to draft and approve amendments to the Zoning Ordinance that implement the plan's long range vision.

NOW, THEREFORE, BE IT RESOLVED, that the City of Providence hereby declares that a moratorium shall be enacted with respect to the issuance or approval of any development plans, construction or demolition permits that do not comply with the adopted Zoning Ordinance for properties within the moratorium area, defined generally as follows: beginning at a point in the Seekonk River where the northerly edge of the right of way for 1-195 intersects; then running generally westerly along the northerly edge of the 1-195 right of way until it intersects with Benefit and Pike Streets; then northwesterly along Benefit Street until it intersects with the southerly property line with AP 16 Lot 529 but not including AP 16 Lots 137 and 577; then southwest and northwesterly along the property lines with lots 529, 135, 134, 142, 133, 129 and 81 on AP 16 until it intersects with Transit Street; then westerly along Transit Street until it intersects with South Main Street; then northerly along South Main Street until it intersects with James Street; then westerly along James Street until it intersects with the Providence River; then southerly in the Providence River and easterly along the Seekonk River to the point of beginning; meaning and intending to include all RIDOT 1-195 right of way lands and AP 16 lots 42, 43, 44, 145, 589, 629, and 631, and AP 17 lots 54, 69, 541, 616 and 633 and AP 18 lots 2, 3, 4, 8, 10, 12, 13, 15, 16, 18, 19, 20, 48, 72, 100, 119, 135, 149, 331, 332, 337, 343, 344, and 345.

BE IT FURTHER RESOLVED, that said moratorium shall be effective until the adoption and approval by the City Council of any proposed amendments to the City's Comprehensive Plan and Zoning Ordinance resulting from the adoption of the Fox Point/College Hill/Wayland Neighborhood Plan and any Waterfront Vision Plan for the moratorium area. Notwithstanding the foregoing, this moratorium shall not be effective for a period longer than twelve months from the date of adoption of this resolution.

BE IT FURTHER RESOLVED, that the moratorium shall not prohibit development or alterations to property undertaken in the moratorium area for health, safety or fire prevention/reparation purposes. However, said development and alterations must be approved by the Director of the Department of Inspection and Standards before being initiated.

BE IT FURTHER RESOLVED, that the moratorium shall not prohibit development in the affected area that conforms to the Zoning Ordinance in effect as of the date of adoption of this resolution; rather, the moratorium applies to development that would require any variance or special use permit from the Zoning Board of Review or otherwise fails to conform with the Zoning Ordinance in effect as of the date of the adoption of this resolution.

BE IT FURTHER RESOLVED, that the moratorium shall not prevent or otherwise affect the E 183 power line project.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to transmit a duly certified copy of this resolution to the City's Department of Planning and Development and Department of Inspection and Standards.

BE IT FURTHER RESOLVED, that the moratorium shall not apply to any permits applied for or obtained from the City prior to the enactment of this resolution, including for the I-195 project.

2007 JUL 5 2007  
 IN CITY COUNCIL  
 READ AND PASSED, *As Amended*  
*[Signature]*  
 PRES.  
*[Signature]*  
 CLERK

APPROVED  
*[Signature]*  
 MAYOR 7/10/07



Mayor of Providence

David N. Cicilline

April 14, 2008

The Honorable Peter S. Mancini  
Providence City Council President  
Providence City Hall  
25 Dorrance Street  
Providence, Rhode Island 02903

Dear Council President Mancini:

Please be advised that I am this day submitting, without my signature, the attached "Resolution of the City Council Amending Resolution No. 385, Approved July 10, 2007, to extend the moratorium period to December 31, 2008, or such earlier period within which the City Council adopts and approves any proposed amendments to the City's Comprehensive Plan resulting from the adoption of a Neighborhood Plan for the moratorium area."

On July 10, 2007, I signed into law the original resolution enacting a development moratorium for the waterfront area and residential neighborhoods adjacent to Interstate Highway I-195 between the Providence River and the Seekonk River. Given that the original Resolution is set to expire July 9, 2008, an extension of the moratorium period is appropriate so that the city's Neighborhood Charrette and Comprehensive Planning processes may proceed before any action is taken relative to the impacted area. However, the Resolution approved by the City Council during their April 3, 2008 meeting contains some ambiguities and requires further clarification.

Thomas Deller, Director of the Department of Planning and Development, has contacted Councilman Seth Yurdin, the sponsor of the Resolution extending the moratorium period. Director Deller has conveyed some of his recommendations for clarifying the moratorium extension.

I respectfully submit this Resolution without my signature so that Director Deller and Councilman Yurdin can further review the language in the document and make any necessary amendments for City Council consideration prior to the July 9, 2008 sunset.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Cicilline", is written over a horizontal line.

David N. Cicilline  
Mayor

City of Providence, Rhode Island 02903  
Phone (401) 421-7740 Fax (401) 274-8240