

## I-195 REDEVELOPMENT DISTRICT

### RESOLUTION REGARDING INTERIM DEVELOPMENT RULES AND REGULATIONS

August 28, 2019

- WHEREAS: The I-195 Redevelopment District (the “District”) was created and exists as a public corporation, governmental agency and public instrumentality of the State of Rhode Island and Providence Plantations under Chapter 64.14 of Title 42 of the General Laws of Rhode Island (the “Act”); and
- WHEREAS: The Act authorizes the District, acting through its Commission (the “Commission”) to oversee, plan, implement and administer the development of areas within the so-called I-195 Redevelopment District (the “I-195 District”); and
- WHEREAS: Pursuant to the Act, the property owned by the District has been designated as a special economic development district as contemplated by Chapter 24.6 of Title 45 of the General Laws of Rhode Island (the “Special Economic Development District Enabling Act”); and
- WHEREAS: Pursuant to the Special Economic Development District Enabling Act, the Commission is obligated to adopt at a public hearing a plan of development to regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land within the District; and
- WHEREAS: The Commission intends to develop rules and regulations in accordance with the provisions of the Special Economic District Enabling Act and adopt those rules and regulations at a public hearing as expeditiously as possible; and
- WHEREAS: The practical effect of the enactment of the Special Economic Development District Enabling Act is to supersede all municipal zoning rules and regulations with respect to land owned by the District or located within the I-195 District, including but not limited to the General Purposes of Zoning, the City of Providence Zoning Ordinance, and the City of Providence Comprehensive Plan; and
- WHEREAS: It is clear that the intent of the Special Economic Development District Enabling Act was to enhance and expedite, not to impede, development in the District; and
- WHEREAS: The Commission, through its implementation of the Special Economic Development District Enabling Act, has no desire to impede or in any way negatively impact present development and or development proposals within the District and, pursuant to its authority under R.I. Gen. Laws §45-24.6-12(b), wishes to adopt a single and comprehensive set of interim regulations for all parcels in the I-195 District to prevent any such negative impact; and

WHEREAS: Pending adoption by the Commission of permanent rules and regulations in accordance with the provisions of the Special Economic Development District Enabling Act, and until such time in order to continue to support and encourage the growth of “knowledge based” jobs and industries as contemplated by the Act, the Commission believes it necessary and appropriate to adopt interim rules and regulations with respect to any and all developments or proposals for development within the I-195 District and for which application for Level I Approval was made or which is the subject of an purchase and sale agreement executed, in each case, on or before July 1, 2019; and

WHEREAS: The District acknowledges the role of the Rhode Island State Historic Preservation Officer (RISHPO) under the Act and pursuant to Section 4A of the “Amended Memorandum of Agreement Hurricane Barrier Alignment Improvements to I-195 Providence, RI” as executed in 2000 by the Federal Advisory Council for Historic Preservation, the Federal Highway Administration, the RISHPO, the Rhode Island Department of Transportation, the Blackstone River Valley National Heritage Corridor and the City of Providence; and

Whereas: The District has submitted these interim rules and regulations to the RISHPO for review and the RISHPO has advised the District that these interim rules and regulations will pose no adverse effect on historic resources.

NOW, THEREFORE, acting by and through its Commissioners, the District hereby resolves as follows:

RESOLVED: Pursuant to the Special Economic Development District Enabling Act, the District does hereby, on an interim basis, adopt the text of the City of Providence Zoning Ordinance (the “Ordinance”) and Zoning Map (the “Map”) as its plan of development with respect to any and all developments or proposals for development within the I-195 District and for which application for Level 1 Approval was made or which is the subject of a purchase and sale agreement executed, in each case, on or before July 1, 2019 (the “Interim Plan of Development”). Provided, however, that wherever such text may designate any authority, body, board or person to interpret, administer or enforce the provisions thereof, all such designations are replaced with the “District”, such that all authority set forth in this Interim Plan of Development for the interpretation, administration and/or enforcement of the Ordinance and/or the Map shall rest solely with the District and no other party. Any approval or other entitlement issued or adopted under the Ordinance and/or the Map for such a project, whether issued or adopted by the District, the City of Providence or any other governmental entity, shall be treated as having been issued or adopted by the District under the Interim Plan of Development. Any application made in accordance with the Ordinance shall be treated as an application for a certificate of approval under the Interim Plan of Development.

RESOLVED: Any party to whom the Interim Plan of Development applies, may elect, by written notice to the District, to be subject to the terms of the final plan of development for the District as and when the District adopts the same.