

EXHIBIT F: ZONING ORDINANCES

Below is an excerpt from the City's Zoning Ordinances for the Districts related to the subject parcels in this RFP. Respondents are required to refer to Zoning Ordinances in their entirety, as currently existing. City's Zoning Ordinances are available online at the following link: <https://ecode360.com/8132886>

The selected Respondent is expected to conduct a zoning analysis to understand applicable density and necessary approvals needed to proceed with the proposed design. The current zoning should be seen as a guideline for the proposals, however respondents may propose rezoning in proposals if required.

Riverfront Development Districts

[Amended 12-19-2003 by Ch. No. 2709]

The Pawtucket Riverfront Commission (hereinafter called the "Riverfront Commission" or the "Commission") is hereby established in accordance with the Subdivision Review Enabling Act of 1992, R.I.G.L. 45-23, as amended, as a technical review committee to review and regulate all structures and uses of land or structures within the RD1, RD2, **RD3** Zoning Districts (hereinafter sometimes collectively referred to as the riverfront districts). The purpose of such review shall be the reasonable application of the police power of the City to protect the public from possible detrimental impacts of certain types of development and certain large-scale development while at the same time reasonably accommodating the goal of economic development within the City. The purpose is also to apply urban design principles that are respectful of the river by sustaining public access, maintaining view corridors, regulating height and bulk of structures, and permitting a diversity of uses.

§ 410-13.2 Authority of Commission.

[Amended 12-20-2023 by Ch. No. 3287]

A. The Commission shall be the review body for all formal development plan review of development that is permitted by right within the riverfront districts, pursuant to Article **IIIA** of this chapter.

B. Where development within the riverfront districts requires either a special-use permit, a variance, a zoning ordinance amendment, and/or a zoning map change, or where a land development project is proposed within the riverfront districts or the development applies for but does not receive a modification, the Commission shall review such development or land development project in accordance with the procedures set forth herein, although such review shall be only advisory to the permitting authority.

§ 410-13.3 Powers and duties of Commission.

A. The Commission shall be authorized to review all improvements on public and private land in the riverfront districts, including the construction, reconstruction, alteration, repair, demolition, removal, rehabilitation of the exterior of new and existing buildings and appurtenances, except as otherwise provided in this article.

B. The Commission, with the approval of the Director of Planning and Redevelopment (hereinafter the "Director"), may engage technical, clerical, or legal assistance to aid in the discharge of its duties.

C. The Commission may refer any matter before it to any other board, commission or official of the City, or to any state or federal agency, for review and comment.

§ 410-13.4 **Appointment and removal of members.**

A. The Commission shall consist of six members appointed by the Mayor and confirmed by the City Council and three members appointed by the City Council and approved by the Mayor, each to hold office for the term of three years; provided, however, that the original appointments shall be made for terms of one, two, and three years, respectively, with five members being appointed to each such term so that the overall appointments are thus staggered, for a total of nine members. Appointed members of the Commission may include members of the City Council.

[Amended 8-23-2017 by Ch. No. 3139]

B. The Commission members shall be residents of the City of Pawtucket, as defined by the City Charter.

[Amended 8-23-2017 by Ch. No. 3139]

C. If not appointed to the Commission as a voting member, the Director shall serve as an exofficio nonvoting member.

D. Appointees shall be reasonably expected to serve the full term and shall be expected to attend most meetings of the Commission.

E. Members may be reappointed upon the completion of their terms.

F. A member may be removed for cause, in accordance with the bylaws of the Commission. Cause may include, but is not limited to, missing more than three consecutive meetings without permission from the Chair.

[Amended 8-23-2017 by Ch. No. 3139]

G. If a vacancy occurs on the Commission, for whatever reason at any time, the vacancy shall be filled in accordance with the original appointments to fill the unexpired term. Vacancies shall be filled within 90 days.

H. No member may participate in any way whatsoever on any matter for which he or she would have a conflict of interest as defined by Rhode Island law and the Rhode Island Ethics Commission. As soon as any conflict of interest for a member occurs or is revealed, that member shall immediately recuse himself or herself, and shall not sit as an active member, and shall take no part in the conduct of the meeting or hearing on such matter. The member shall notify the Chairperson in writing (or notify the Vice Chairperson if the conflict is for the Chairperson), and the member shall also notify the Rhode Island Ethics Commission, in writing, as required by law.

§ 410-13.5 **Organization and staff.**

[Amended 9-21-2006 by Ch. No. 2825; 12-20-2023 by Ch. No. 3287]

A. Once a year, during the month of March, the Commission shall organize by electing from its membership a Chairperson and Vice Chairperson, and the members shall also notify the Rhode Island Ethics Commission, in writing, as required by law.

B. The Director shall assign staff to support and work with the Commission. Such staff may serve as Secretary to the Commission, or the Commission may appoint one of its members as Secretary.

C. Applications and correspondence to the Commission shall be sent to the Commission in care of the Director. The Director shall file all records and decisions of the Commission.

§ 410-13.6 **Rules of procedure.**

The Commission shall establish written rules of procedure, in keeping with the provisions of this article, within six months of the adoption of this article. A copy of the rules of procedure shall be forwarded to the Mayor and all members of the City Council.

§ 410-13.7 **Meetings.**

A. The Chairperson shall preside over all Commission meetings and shall have the right to vote. The Vice Chairperson shall, in the case of absence or disability of the Chairperson, perform the duties of the Chairperson.

B. Meetings shall be held at the call of the Chairperson, the Director, or by written request of any three members of the Commission.

C. All meetings of the Commission shall be open to the public and shall be posted and comply in all respects with the Rhode Island Open Meetings Act.

D. Three members shall constitute a quorum of the Commission. However, any action of the Commission shall be passed or adopted by the affirmative vote of a majority of all the members of the Commission.

E. If a proposed development is also within the Pawtucket Historic District and subject to the review of the Pawtucket Historic District Commission (HDC), the Riverfront Commission and the HDC may hold a joint hearing.

F. The Commission shall keep a record of all proceedings, findings, decisions and actions, and such record shall be open to the public. All decisions evidencing the granting of an application shall be recorded in the Land Evidence Records of the City. No permit shall be issued until the decision is properly recorded in said Land Evidence Records.

§ 410-14 **(Reserved)**

§ 410-14.1 **Exceptions to development plan review (DPR).**

The following actions shall be excepted from development plan review, but only upon application to and written decision by the Director:

A. Change of use. A use otherwise subject to DPR is changed to another use that is permitted on the same legal basis as the prior use, and the new use is listed in the same category in § 410-12, the Table of Use Regulations, of this chapter.

B. Expansion. An expansion of an existing structure by not more than 200 square foot, on a cumulative basis.

C. Minor change of approved plan. A development previously approved is the subject of a minor change, which is hereby defined as any change that does not substantially impact the proposed development project or any of the neighboring properties and that meets all of the following criteria:

- (1) There is no increase in the number of lots or dwelling units.
- (2) There is no change to any dimension of the previously approved plan, including building envelopes, exceeding 20%.
- (3) There is no change to any street or driveway.
- (4) There is no change required to any public infrastructure.

D. Rehabilitation. A rehabilitation of an existing structure where the cost of such rehabilitation does not exceed 50% of the fair market value of the structure prior to such rehabilitation.

E. Other agencies. No approval is required from the Rhode Island CRMC or the Pawtucket Historic District Commission.

§ 410-14.2 Development plan review (DPR) and land development project (LDP).

The following uses when located within the Riverfront District shall be subject to DPR or be deemed to be an LDP when any action is taken that requires the issuance of a building permit or certificate of occupancy, or when requiring a variance or special use permit or amendment to the Zoning Ordinance or Zoning Map, other than as excepted in § 410-14.1 above:

A. Enumerated uses.

- (1) Nonresidential uses. All nonresidential development (including but not limited to: commercial, retail, industrial, or institutional) calculated as to the entire development, both existing and proposed, where any of the following apply:

Criteria	Development Plan Review
The GFA is greater than:	200 square feet
Parking is either required or provided for more than:	5 vehicles
The lot area of the entire parcel is equal to or greater than:	10,000 square feet
The cost of rehabilitation is more than 50% of the value of the property prior to rehabilitation:	50%
Any new landscaping within 200 feet of the Blackstone River:	All
Any use serving food and/or alcohol that has a legal capacity equal to or exceeding:	20 people
Any use within the jurisdiction of RI CRMC or Pawtucket HDC:	All
Any use that discharges any materials or fluids, including stormwater, into the Blackstone River:	All

- (2) Residential use. Any residential use, calculated as to the entire development, both existing and proposed, where any of the following apply:

Criteria	Development Plan Review
There are dwelling units equal to or more than:	3 dwelling units
There are rooming units equal to or more than:	6 rooming units
For lots containing more than two dwelling units, the lot area of the entire parcel is equal to or greater than:	10,000 square feet

(3) Referral by City officials. Any other permitted use that is specifically referred in writing to the Commission for development plan review by the Building Inspector, the Administrative Officer, the Zoning Enforcement Officer, or the Director.

§ 410-14.3 Uses permitted by right; uses requiring relief; zoning ordinance amendment; land development projects.

[Amended 9-21-2006 by Ch. No. 2825; 12-20-2023 by Ch. No. 3287]

There are two different DPR processes, one for those uses that are permitted as of right, and a second process for those uses requiring a special use permit and/or a variance, a zoning ordinance amendment, and/or a Zoning Map change or where a land development project is proposed within the Riverfront Districts. The Riverfront Commission shall have the administrative power and duty, in accordance with the requirements of this article and the Subdivision and Development Review Regulations (the "regulations"), to review all plans for the proposed development.

A. Uses permitted by right. The decision by the Riverfront Commission shall be binding. Such decision shall be in writing and shall comply with all requirements of the regulations, including those for filing of records and decisions.

B. Uses not permitted by right.

(1) A use requiring a special use permit and/or a variance shall be subject to DPR by the Planning Commission.

(2) The review by the Riverfront Commission shall be advisory only to the permitting authority. Such advisory opinion shall be in writing and shall comply with all requirements of the regulations, including those for filing of records and decisions. The permitting authority may reject the advisory opinion of the Riverfront Commission, when considering the application before them.

(3) Land development projects. When a land development project is proposed within the riverfront districts, it shall be subject to review by the Riverfront Commission prior to review by the permitting authority.

(a) Scope of review. The review by the Riverfront Commission shall be advisory only to the permitting authority. Such advisory opinion shall be in writing and shall comply with all requirements of the regulations. The permitting authority may reject the advisory opinion of the Riverfront Commission, when considering the application before them.

§ 410-14.4 Additional criteria.

[Amended 12-20-2023 by Ch. No. 3287]

The review by the permitting authority shall be based upon the criteria set forth in § 410-15.11, and in addition:

A. The plans for such project comply with all the requirements of this article.

§ 410-14.5 **Design review standards for development.**

A. RD1 - Riverfront Public Open.

(1) All permitted public buildings shall be set back a minimum of 30 feet from the edge of the river.

(2) Buildings shall be sited to maintain and maximize views of the river from any park or open space.

(3) Public art is permitted in the RD1 Riverfront Public Open District, provided that no structural element will block views of the river.

B. RD2 - Riverfront Industrial.

(1) Existing nonconforming industrial uses shall not be permitted to expand or extend their operations in this zone. Any relief from this provision shall be required to meet the test of a use variance as provided in

§ 410-113 (Standards for relief), in this chapter.

(2) Buildings shall be set back a minimum of 15 feet from the edge of the river.

(3) Buildings shall be sited to maintain and maximize views of the river from the lot immediately facing the river.

(4) Buildings on lots that are outside the perimeter boundary of 200 feet of the river shall have the facade built directly on the build-to line along at least 70% of its length. The unbuilt portion of the build-to line shall have a landscaped edge of a minimum depth of four feet.

(5) Buildings on lots shall cover no more than 60% of the lot area.

(6) The maximum height shall be 40 feet, measured from the existing grade.

(7) Lot line setbacks shall equal the average prevailing setback of existing structures.

(8) Parking:

(a) For any building facing the river or within the perimeter boundary of 200 feet from the river, no parking spaces shall be located along that part of the building that is facing the river, and no parking spaces will be allowed within 25 feet of the river's edge.

(b) All parking lots are required to provide landscaping as required by § 410-78 of this Zoning Ordinance.

C. **RD3** - Riverfront Mixed Use.

(1) Existing nonconforming commercial uses shall not be permitted to expand or extend their operations in this zone. Any relief from this provision shall be required to meet the test of a use variance as provided in § 410-113 (Standards for relief), in this chapter.

(2) Buildings shall be set back a minimum of 15 feet from the edge of the river.

- (3) Buildings shall be sited to maintain and maximize views of the river from the lot immediately facing the river.
- (4) Buildings on lots that are outside the perimeter boundary of 200 feet of the river shall have the facade built directly on the build-to line along at least 70% of its length. The unbuilt portion of the build-to line shall have a landscaped edge of a minimum depth of four feet.
- (5) New buildings on lots shall cover no more than 60% of the lot area.
- (6) The maximum height shall be 40 feet, measured from existing grade.
- (7) Lot line setbacks shall equal the average prevailing setback of existing structures.
- (8) Parking:
 - (a) For any building facing the river or within the perimeter boundary of 200 feet from the river, no parking spaces shall be located along that part of the building that is facing the river, and no parking spaces will be allowed within 25 feet of the river's edge.
 - (b) All parking lots are required to provide landscaping (as required by § 410-78 of this Zoning

Ordinance).

§ 410-14.6 **Required improvements.**

As a part of DPR or LDP approval, the following improvements, among others as specified in this chapter and the Regulations, may be required;

- A.** Sidewalks or easements for future sidewalks to connect buildings within the site to adjacent sites and to the river. Where the development is in proximity to a bicycle path, adequate bicycle pathway connections and bicycle racks.
- B.** Construction of travel lanes to permit travel on the site and to and from adjacent parking areas and adjacent property or, where deemed necessary, a separation between parking areas.
- C.** Connection wherever possible of all walkways, travel lanes and driveways with similar facilities in adjacent developments and along the river.
- D.** Adequate drainage system for the disposition of storm and natural waters without negatively impacting the river.
- E.** Temporary and permanent erosion and sedimentation control measures to protect the river and its banks.
- F.** Screening, fences, walls, landscaped areas, planting strips and other landscaping treatment will enhance and buffer the premises and ensure compatibility with surrounding uses, but which will not obstruct the views of and from the river. The types, sizes, and methods of planting may be specified.
- G.** The location of signs in relationship to overall plan.
- H.** Mitigation of negative impacts and performance or maintenance guarantees as deemed necessary and appropriate.

§ 410-14.7 **Appeals.**

A. An applicant, or any aggrieved party, may appeal a decision of the Riverfront Commission to Providence County Superior Court within 20 days of the filing of the decision of the Riverfront Commission with the Director.

[Amended 12-20-2023 by Ch. No. 3287]

(1) The appeal shall be heard in the same manner and pursuant to the same procedures as an appeal from the Planning Commission, as set forth in Chapter 23 of Title 45 of the General Laws of Rhode Island (as amended).

B. No appeal may be taken from an advisory opinion of the Riverfront Commission.

Article VB **Riverfront Commons District**

[Added 8-9-2012 by Ch. No. 3007]

§ 410-43.3 **Purpose and objectives.**

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§ 410-43.4 **Permitted uses; additional criteria; development plan review process.**

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§ 410-43.3 **Purpose and objectives.**

A. Riverfront Commons District (**RCD**). The purpose of the Riverfront Commons District (**RCD**) is to encourage use and development of previously developed buildings, land, and/or sites by promoting flexibility in use and design being cognizant of its proximity to the Blackstone River.

B. Qualification. On the date any parcel of land is placed into an **RCD** Zone, it shall be part of one or more parcels of land (separated only by public or private roadways or rights-of-way) containing a minimum of eight acres of land that is adjacent to the Blackstone River and that is under common control/ownership, unless otherwise waived by the City Council and the Planning Commission. The term "common control/ownership" means and relates to either one person or entity or separate entities in which the underlying ownership is held in part by one or more of the same person, persons or entities.

§ 410-43.4 **Permitted uses; additional criteria; development plan review process.**

A. Permitted uses.

(1) Uses currently permitted by right in the Commercial General (CG) Zone or Riverfront Mixed Use (RD3) Zones are permitted in the **RCD** Zone. The following uses, listed by Table of Use Regulations¹¹ category, are also permitted in the **RCD** zone:

[Amended 12-20-2023 by Ch. No. 3287]

Use Table

Reference

Number	Use
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- | | |
|----|---|
| 1. | Multi-residential use: D and L |
| 7. | General commercial uses: excluding C, Restaurant; D, Tavern; E, Drive-in; G, Nightclub; and H, Flea markets |
| 8. | Personal services: excluding C, Carpet cleaning; J, Massage therapy; R, Pawn shops; and Q, Check cashing |
| 9. | Business services: excluding E, Pest control |

**Use Table
Reference
Number Use**

- 10. Office uses
- 11. General automotive repairs: A, B, C, G and I
- 15. Wholesale commercial uses
- 19. Industrial uses: D, F, H, O, P and S

[1] *Editor's Note: The Table of Use Regulations is included at the end of this chapter.*

(2) Existing nonconforming uses in an area being put in to the RCD Zone are allowed in the RCD Zone.

(3) Uses allowed by special use permit. Uses currently permitted by special use permit in the Commercial General (CG) Zone or Riverfront Mixed Use (RD3) Zone are permitted in the RCD Zone by special use permit (unless allowed by right above). The following uses, listed by Table of Use Regulations category, are also permitted in the RCD Zone by special use permit (unless allowed by right above):

[Amended 12-20-2023 by Ch. No. 3287]

Use Table Reference Number	Use
19.	Industrial uses: AA

(4) Uses allowed as accessory uses. Uses currently permitted as accessory uses in the Commercial General (CG) Zone or Riverfront Mixed Use (RD3) Zone are permitted in the RCD Zone as accessory uses (unless allowed by right above). The following uses, listed by Table of Use Regulations category, are also permitted in the RCD Zone as accessory uses (unless allowed by right above):

Use Table Reference Number	Use
8.	Personal services: T, Pet overnight boarding

(5) In addition, the uses permitted in the Table of Use Regulations, 410 Attachment 1, as amended,^[2] are permitted in the RCD Zone and any uses added to the Commercial General (CG) or Riverfront Mixed Use (RD3) Zones shall also be added to and allowed in the RCD Zone.

[2] *Editor's Note: The Table of Use Regulations is included at the end of this chapter.*

B. Additional criteria for approval.

(1) To approve any development activity in the RCD Zone, the permitting authority shall find that the application is consistent with the Comprehensive Plan and complies with the applicable sections of the Zoning Ordinance.

[Amended 12-20-2023 by Ch. No. 3287]

(2) Parking. There is no minimum (or maximum) number of parking spaces in the RCD Zone. The parking design standards set forth in § 410-78 shall apply.

(3) Dimensional regulations. Dimensional regulations, as presented in Article VI, § 410-44, of the Pawtucket Zoning Ordinance as amended below for Riverfront Commons Zone, shall apply to the RCD Zone.

(4) Signs. Any permitted signs for Commercial Local, General and Downtown Zoning Districts and Riverfront Public Open, Riverfront Industrial and Riverfront Mixed Use Districts under § 410-

88D and **G** and § **410-89**, Shopping center signs, of the existing Pawtucket Zoning Ordinance are permitted in the **RCD** Zone, except that any electronic messaging centers (EMC signs) shall be allowed only by special use permit. All existing signage in place or permitted via variance or special use permit and yet to be built in an area being put into the **RCD** Zone is allowed in the **RCD** Zone.

(5) Riverfront Commission. The Riverfront Commission will serve in an advisory capacity to the permitting authority in the **RCD** Zone. The review process shall occur concurrently. The procedural processes of the permitting authority shall govern.

[Amended 12-20-2023 by Ch. No. 3287]

C. Development design review process. All development in the **RCD** Zone shall be subject to development plan review in accordance with Article **IIIA** of this chapter.

[Amended 12-20-2023 by Ch. No. 3287]