ARTICLE XIV. - HISTORIC AND ARCHAEOLOGICAL RESOURCES

DIVISION 1 - GENERAL

Sec. 60-1094. - Purpose.

The provisions set forth in this article are intended to protect the public health and safety, promote the general welfare of the community and conserve the environment by assuring that all projects requiring planning board review are designed and developed in a manner which ensures that adequate provisions are made for protection of historic and archaeological resources; minimizing the adverse impacts on adjacent properties; and fitting the project harmoniously into the fabric of the community and promoting economic viability of important historic properties.

(Ord. of 9-21-2009, § 5.8A)

Sec. 60-1095. - Submission requirements.

The location of historic and/or archaeological resources must be indicated on the plans if the area is located within identified historic or archaeological areas shown on the Maine Historic Preservation Commission Maps in the Planning and Development Office.

(Ord. of 9-21-2009, § 5.8B)

Sec. 60-1096. - Standards of approval.

The plan for the development will reflect the natural capabilities of the site to support development. Building lots and support facilities will be clustered in those portions of the site that have the most suitable conditions for development. The development shall include appropriate measures for protecting these resources including, but not limited to, modification of the proposed design of the site, time of construction, and limiting the extent of excavation.

(Ord. of 9-21-2009, § 5.81C)

DIVISION 2 - ADAPTIVE RE-USE OF STRUCTURES OF COMMUNITY SIGNIFICANCE

Sec. 60-1100. –Purpose-

The purpose of this Section is to encourage the preservation and re-use of certain structures, that by their past use and importance to the community, are worthy of special considerations and flexibility in order to preserve them and make them economically viable for preservation. In addition, the adaptive re-use must not be a detriment to the surrounding properties and neighborhood.

DRAFT

Section 60-1101- Definitions-

Adaptive Re-use- the process of reusing an old site or building for a purpose other than which it was built for, designed for, or for a use not allowed as a permitted use or a special exception in the zoning district the property is situated in-.

~~*Adaptive Re-use Historic Structure*- Any building constructed before January 1, 1955.~~

Structures of Community Significance - A building that by virtue of its use in the community has created a value deserving of preservation and continued use.

Section 60-1102- ~~Criteria and Eligibility~~ Applicability for Adaptive Re-use Consideration.

A. Eligible Criteria - A potential applicant for Adaptive Re-Use must first meet the following criteria and have a mandatory preliminary staff meeting prior to submitting an application to the Planning Board for their consideration. The applicant shall prepare an Adaptive Re-Use Compliance Statement that addresses the following:

~~1. Age- Eligible structures must have been constructed before January 1, 1955.~~

1. Community Significance- The applicant must be able to document and describe the significance or imporatance of :
   a. The existing structure and facade
   b. The site
   c. The social contribution
   d. The economic contriburtion,
   e. ~~and~~ cultural contribution to the neighborhood, city, and/or the region.

~~2. The Structure has been vacant or underutilized for at least 2 years.~~

~~3. Economic hardship- The applicant shall provide documentation that the preservation of the structure is not economically viable under the current uses and conditions.~~

B. Mandatory Preliminary Staff Meeting- The applicant shall schedule a preliminary meeting with ~~the Planning~~ applicable Staff to review the project's eligibility, draft application and other site and surrounding issues. The staff will respond to the applicant in writing within 5 working days of the meeting on its determination that the project can proceed or not.

~~C. Presentation to the Plan Review Committee- The Staff or applicant may request that the application be presented to the Plan Review Committee at their regular monthly meeting for a more comprehensive review.~~

DRAFT

~~D.~~C. Eligible Application- A site or structure that meets 3 of the ~~4~~ 5 criteria is eligible to proceed with and application procedure process.

Section 60-1103- Application Procedure-

A. Application Requirements- The applicant shall also provide the following:
   1. A complete application that meets the requirements of a Special Exception (Sec. 60-1276-1313) and Site Plan Review (Sec. 60-1335-37).
   2. Additional Project Narrative Information
      a. Description of the surrounding neighborhood including;~~,~~ historical, societal, physical, environmental and economic conditions.
      b. Existing site/structural conditions including: any past, existing or potential environmental issues, parking, open space and historic information.
      c. Proposed ~~U~~uses and associated activities including a description of hours of operation, signage and number of employees.
      ~~d. Financial Statement that provides evidence that the proposed use is both feasible and marketable along with documentation of the expected costs and financing is available to complete the project.~~
   ~~e.~~d. Parking Plan- that includes existing or relocated on-site parking, any proposed off-site parking such as leased, shared or municipal parking within 500 feet of the project.
   ~~f.~~e. A Mitigation Plan that addresses any negative impacts, if any, to the surrounding area.
   ~~g.~~f. Treatment of Building ~~Exterior~~ Facade- Photos of the existing structures and elevation drawings that show any proposed changes. Also to be included are any plans for any building additions, demolition or alterations.

B. Planning Board Action-
   1. The Planning Board shall review applications for Adaptive Re-use following all the provisions of Special Exceptions (Sec. 60-1276-1313) and Site Plan Review (Sec. 60-1335-37).
   2. The Planning Board shall hold a Public Hearing for all Adaptive Re-Use Applications.
   ~~2.~~3. The Planning Board may modify dimensional requirements as per Site Plan Law 60-1312.

~~C. Special Considerations~~

DRAFT

1. ~~New Construction- Any new construction on the property or additions to the structure must be approved by the Planning Board and shall not exceed 10% of the existing structure. Any request to exceed 10% shall not be approved without a waiver by the Planning Board.~~
2. ~~Parking- The existing number of parking spaces must remain on site but may be relocated on site. Additional parking may be approved that is generated from leased or shared parking with a minimum 5 year option or contract, or be available at municipally owned parking within 1,000 feet.~~
3. ~~The Planning Board may reduce or waive yard and setback requirements.~~

DRAFT