

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# ONE HUNDRED AND SECOND LEGISLATURE

---

---

**Legislative Document**

**No. 1042**

---

---

S. P. 316

In Senate, February 9, 1965

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

EDWIN H. PERT, Secretary

Presented by Senator Letourneau of York.

---

---

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-FIVE

---

---

### AN ACT Revising the Urban Renewal Law.

---

---

Be it enacted by the People of the State of Maine, as follows :

**Sec. 1. R. S., T. 30, § 4801, sub-§ 12, amended.** Subsection 12 of section 4801 of Title 30 of the Revised Statutes is amended to read as follows :

'12. **Urban renewal plan or renewal plan.** "Urban renewal plan" or "renewal plan" means a plan, as it exists from time to time for an urban renewal project, which plan shall conform to the ~~general plan for the municipality as a whole comprehensive plan as set forth in sections 4951 to 4957~~ except as provided in section 4808; and shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.'

**Sec. 2. R. S., T. 30, § 4804, sub-§ 5, amended.** Subsection 5 of section 4804 of Title 30 of the Revised Statutes is amended to read as follows :

'5. **Surveys, appraisals, studies and plans.** Within its area of operation, to make or have made by the planning board or other agency, public or private, all surveys, appraisals, studies and plans, including the preparation of a ~~master plan~~ **community renewal program** for the municipality, necessary to the carrying out of the purposes of this subchapter, and to contract or cooperate with any and all persons or agencies, public or private, in the making and carrying out of such surveys, appraisals, studies and plans.'

**Sec. 3. R. S., T. 30, § 4806, sub-§ 1, amended.** Subsection 1 of section 4806 of Title 30 of the Revised Statutes is amended to read as follows:

'1. **Comprehensive plan.** The authority shall not recommend an urban renewal plan to the municipal officers until a ~~master~~ **comprehensive** plan in substance for the development of the municipality has been prepared as set forth in subchapter V.'

**Sec. 4. R. S., T. 30, § 4806, sub-§ 3, amended.** The first sentence of subsection 3 of section 4806 of Title 30 of the Revised Statutes is amended to read as follows:

'Prior to recommending an urban renewal plan to the municipal officers for approval, if such plan has not been prepared by the planning board, the authority shall submit the plan to the planning board for review and recommendations as to its conformity with the ~~master plan for the redevelopment of the municipality as a whole~~ **comprehensive plan.**'

**Sec. 5. R. S., T. 30, § 4806, sub-§ 4, amended.** Subsection 4 of section 4806 of Title 30 of the Revised Statutes is amended to read as follows:

'4. **Whether plan accomplishes certain purposes.** Prior to recommending an urban renewal plan to the municipal officers for approval, the authority shall consider whether the proposed land uses and building requirements in the renewal project area are designed with the general purpose of accomplishing, in conformance with the ~~master comprehensive~~ plan, a coordinated, adjusted and harmonious development of said municipality which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, the prevention of the recurrence of insanitary or unsafe dwelling accommodations, slums or conditions of blight, and the provisions of adequate, safe and sanitary dwelling accommodations.'

**Sec. 6. R. S., T. 30, § 4806, sub-§ 7, amended.** Subsection 7 of section 4806 of Title 30 of the Revised Statutes is amended to read as follows:

'7. **Approval of renewal plan; disapproval.** Following such hearing, the municipal officers may approve by resolution a renewal plan, if it finds that said plan is feasible and in conformity with the ~~master plan for the development of the municipality as a whole~~ **comprehensive plan**; provided that, if the planning board disapproves any renewal plan, the plan shall not be deemed approved except by 2/3 vote of the municipal officers. A ~~redevelopment~~ **renewal** plan which has not been approved by the municipal officers when recommended by the authority may again be recommended to it with any modifications deemed advisable.'

**Sec. 7. R. S., T. 30, § 4806-A, additional.** Title 30 of the Revised Statutes is amended by adding a new section 4806-A, to read as follows:

**‘§ 4806-A. General neighborhood renewal plans**

Any authority authorized to perform planning work may prepare a general neighborhood renewal plan for urban renewal areas which may be of such scope that urban renewal activities may have to be called out in stages. Such plan may include, but is not limited to, a preliminary plan which outlines the urban renewal activities proposed for the area involved, provides a framework for the preparation of urban renewal plans and indicates generally the land uses, population density, building coverage, prospective requirements for rehabilitation and improvement of property and portions of the area contemplated for clearance and redevelopment. A general neighborhood renewal plan shall conform to the comprehensive plan and the workable program of the municipality.’

**Sec. 8. R. S., T. 30, § 4901, amended.** Section 4901 of Title 30 of the Revised Statutes is amended to read as follows:

**‘§ 4901. Purpose**

The purpose of this subchapter is to assist municipalities and their ~~redevelopment~~ **urban renewal** authorities to obtain the additional federal capital grants for urban renewal projects which are available pursuant to Title I of the Housing Act of 1949, as amended, which establish, as local grants-in-aid for federally-assisted urban renewal projects being or to be undertaken by municipalities or their ~~redevelopment~~ **urban renewal** authorities, the aggregate amount of expenditures made by an educational institution of higher learning **or hospital** directly or through a private redevelopment corporation, for land, buildings and structures located in areas adjacent to or in the immediate vicinity of federally-assisted urban renewal projects if such land, buildings or structures are to be redeveloped or rehabilitated by such institution for educational **or hospital** uses in accordance with a development plan approved under state or local law after public hearing and found acceptable by the Housing and Home Finance Administrator after considering the standards specified in section 110(b) of Title I of the Housing Act of 1949, as amended; such additional federal capital grants being available in an amount equal to 2 or 3 times the aggregate amount of such expenditures.’

**Sec. 9. R. S., T. 30, § 4902, sub-§ 1, amended.** Subsection 1 of section 4902 of Title 30 of the Revised Statutes is amended to read as follows:

**‘1. Development plan.** “Development plan” shall mean a plan proposed by an educational institution of higher learning or a private redevelopment corporation for the redevelopment and renewal of a project area, and which plan shall conform to the ~~general plan of the locality as a whole~~ **comprehensive plan** and shall conform to the requirements of subchapter III with respect to the content of redevelopment or renewal plans.’

**Sec. 10. R. S., T. 30, § 4902, sub-§§ 2-A and 2-B, additional.** Section 4902 of Title 30 of the Revised Statutes is amended by adding 2 new subsections, 2-A and 2-B, to read as follows:

**2-A. Hospital.** "Hospital" shall mean any public or private hospital licensed by the State, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

**2-B. Hospital uses.** "Hospital uses" shall mean uses related to the functions of a hospital in providing care and treatment of the ill or injured, including the housing, feeding and care of resident interns, physicians and nurses.'

**Sec. 11. R. S., T. 30, § 4903, amended.** Section 4903 of Title 30 of the Revised Statutes is amended to read as follows:

**'§ 4903. Preparation and approval of development plans**

The governing body of any municipality is authorized to approve, after a public hearing thereon, a development plan proposed by any educational institution of higher learning **or hospital** located in such municipality, or by a private redevelopment corporation, for the redevelopment and renewal of an area, hereinafter in this subchapter referred to as a "project area" adjacent to or in the immediate vicinity of the location of principal buildings of such institution **or hospital**, or a major branch of such institution **or hospital**, where teaching or research is done or where students or faculty live, and the area of an urban renewal project, assisted under Title I of the Housing Act of 1949, as amended, which is being undertaken by such municipality or its ~~redevelopment~~ **urban renewal** authority. Any state educational institution of higher learning, **hospital** or private redevelopment corporation is authorized to prepare such development plans. Any city may authorize any educational institution of higher learning **or hospital** established and maintained by such city to prepare such development plans.'

**Sec. 12. R. S., T. 30, § 4904, amended.** Section 4904 of Title 30 of the Revised Statutes is amended to read as follows:

**'4904. Public hearing**

Prior to approving any development plan pursuant to section 4903, the governing body of the municipality or its ~~redevelopment~~ **urban renewal** authority shall hold a public hearing on such development plan, such public hearing to be held not less than 7 nor more than 14 days after notice of the time, place and purpose thereof shall have been published in a newspaper having general circulation in such municipality.'

**Sec. 13. R. S., T. 30, § 4905, amended.** Section 4905 of Title 30 of the Revised Statutes is amended to read as follows:

**'§ 4905. Cooperation in carrying out approved development plan**

If the governing body of a municipality approves a development plan for a project area, such municipality and its ~~redevelopment~~ **urban renewal** authority may cooperate with the educational institution of higher learning, **hospital** or private redevelopment corporation in carrying out such approved development plan, and, for such purpose, may contract with such educational institution, **hospital** or private redevelopment corporation for the exercise of any of the powers of such municipality and its ~~redevelopment~~ **urban renewal** authority.

Any municipality or its ~~redevelopment~~ **urban renewal** authority, and any state educational institution of higher learning, and, when so authorized by such city, any educational institution of higher learning **or hospital** established and maintained by any city, may do all things, and may take such actions, as may be necessary or desirable to assure that it obtains credit as a local **grant-in-aid for the** aggregate amount of expenditures made by any such educational institution, **hospital** or redevelopment corporation which would be eligible as such under Title I of the Housing Act of 1949, as amended.'