

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)

BW
R QES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

L.D. 1372

Date: 6/5/15

(Filing No. H-311)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 930, L.D. 1372, Bill, "An Act To Encourage the Redevelopment of Upper Floors of Buildings in Downtowns and on Main Streets"

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 30-A MRSA §4312, sub-§3, ¶¶I and J, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, are amended to read:

- I. To preserve the State's historic and archeological resources; and
- J. To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters; and

Sec. 2. 30-A MRSA §4312, sub-§3, ¶K is enacted to read:

K. To encourage municipalities to develop policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets.

Sec. 3. 30-A MRSA §4326, sub-§1, ¶H, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, is amended to read:

H. Residential housing stock, including affordable housing, and policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets;

Sec. 4. 30-A MRSA §4326, sub-§3-A, ¶G, as enacted by PL 2001, c. 578, §15, is amended to read:

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to H.P. 930, L.D. 1372

1 G. Ensure that the municipality's or multimunicipal region's land use policies and
 2 ordinances encourage the siting and construction of affordable housing within the
 3 community and comply with the requirements of section 4358 pertaining to
 4 individual mobile home and mobile home park siting and design requirements. The
 5 municipality or multimunicipal region shall seek to achieve a level of at least 10% of
 6 new residential development, based on a 5-year historical average of residential
 7 development in the municipality or multimunicipal region, that meets the definition
 8 of affordable housing. A municipality or multimunicipal region is encouraged to
 9 seek creative approaches to assist in the development of affordable housing,
 10 including, but not limited to, cluster housing, reduced minimum lot and frontage
 11 sizes, increased residential densities and, use of municipally owned land and
 12 establishment of policies that assess community needs and environmental effects of
 13 municipal regulations, lessen the effect of excessive parking requirements for
 14 buildings in downtowns and on main streets and provide for alternative approaches
 15 for compliance relating to the reuse of upper floors of buildings in downtowns and on
 16 main streets;

17 **Sec. 5. 30-A MRS §4326, sub-§3-A, ¶¶I and J, as enacted by PL 2001, c.**
 18 **578, §15, are amended to read:**

19 I. Encourage the availability of and access to traditional outdoor recreation
 20 opportunities, including, without limitation, hunting, boating, fishing and hiking, and
 21 encourage the creation of greenbelts, public parks, trails and conservation easements.
 22 Each municipality or multimunicipal region shall identify and encourage the
 23 protection of undeveloped shoreland and other areas identified in the local planning
 24 process as meriting that protection; ~~and~~

25 J. Develop management goals for great ponds pertaining to the type of shoreline
 26 character, intensity of surface water use, protection of resources of state significance
 27 and type of public access appropriate for the intensity of use of great ponds within the
 28 municipality's or multimunicipal region's jurisdiction; ~~and~~

29 **Sec. 6. 30-A MRS §4326, sub-§3-A, ¶K is enacted to read:**

30 K. Encourage policies that assess community needs and environmental effects of
 31 municipal regulations, lessen the effect of excessive parking requirements for
 32 buildings in downtowns and on main streets and provide for alternative approaches
 33 for compliance relating to the reuse of upper floors of buildings in downtowns and on
 34 main streets.'

35 **SUMMARY**

36 This amendment strikes and replaces the concept draft. It encourages municipalities
 37 to develop policies in the comprehensive planning process that assess community needs
 38 and environmental effects of municipal regulations, lessen the effect of excessive parking
 39 requirements for buildings in downtowns and on main streets and provide for alternative

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to H.P. 930, L.D. 1372

1 approaches for compliance relating to the reuse of upper floors of buildings in
2 downtowns and on main streets.

3 **FISCAL NOTE REQUIRED**

4 **(See attached)**



127th MAINE LEGISLATURE

LD 1372

LR 39(02)

An Act To Encourage the Redevelopment of Upper Floors of Buildings in Downtowns and on Main Streets

Fiscal Note for Bill as Amended by Committee Amendment *A(H-311)*
Committee: Labor, Commerce, Research and Economic Development

Fiscal Note Required: Yes

Fiscal Note

State Mandate - Unfunded

State Mandates

Required Activity	Unit Affected	Local Cost
To include policies that assess community needs and environmental impacts as an element in a comprehensive plan for growth management for buildings in downtowns and on main streets.	Municipality	Insignificant statewide

The required local activities in this bill may represent a State mandate pursuant to the Constitution of Maine. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two-thirds of the members of each House vote to exempt this mandate from the funding requirement, municipalities may not be required to implement these changes.