

- PUBLIC MEETING -

Ordinance Review Committee

Thursday, February 12, 2015
8:00 a.m. @ Rockport Town Office
Richardson Room

PLANNER'S NOTES

1. In attendance were Will Gartley, Terri Mackenzie, Ken McKinley, Richard Remsen (Chair), Molly Sholes and Steve Smith.
2. Correspondence. An email thread last revised February 11, 2015 including Will, Ken, Richard and myself on the subject of Work Plan Item #2 was distributed and reviewed by the Committee [posted as Correspondence to the ORC page online]. As noted in this correspondence I had added the next agenda item at Richard's request to finalize the language for the proposed amendment to the Sign Standards.
3. Work Plan Item #2 – Section 1103.4 Sign Standards. Wrap up from last week. Scott and I explained how we had reviewed the language and refined it to ensure its provisions can operate properly alongside those of other existing subsections.

Ken noted that he had understood that both the Hospital and Resort Uses in the Section 909 zoning district were intended to receive an increase in maximum sign area in this proposed amendment, not just the Hospital Use. Scott and Jamie questioned this, suggesting that it would be difficult to structure the text to make it clear that particular standards would apply to more than one of the permitted Uses, but not to all permitted Uses, in a given zoning district. For this reason we (staff) had assumed the Committee sought to address the Hospital Use only. We raised the possibility of confusion with respect to Hosme Occupations, which is also among the permitted Uses in the 909 zoning district.

However Ken and others indicated that they wanted new standards to apply to both the Hospital and Resort Uses but to no other Uses permitted in the zoning district. Ken discounted the possibility that a holder of a Home Occupation permit in the 909 Hospital and Resort district might one day apply for a Sign Permit and seek to take advantage of increased maximum sign area under this proposed amendment.

The consensus of those present was that the text be written as if applicable to all Uses permitted in the Hospital and Resort district but with the understanding that only the Hospital and Resort are likely to be affected. To this end further changes

were made to the language as shown below but in other respects the Committee approved of staff's revisions and formatting.

MOTION: On a motion by Richard, seconded by Will, the Committee voted to recommend the following language for Planning Board and Select Board action.

This subsection is applicable only to the 909 Hospital and Resort District:

- a. Signs that are not in direct view of a public way shall not be subject to any signage standard in this Ordinance.
- b. The maximum sign area for freestanding signs shall be 30 square feet per side regardless of whether it is a single-faced or double-faced sign.
- c. The maximum sign area for freestanding signs for Hospital use may be increased to 50 square feet per side if the sign includes the universal Hospital symbol (white "H" on blue background) as part of the sign.
- d. No free standing sign shall exceed 20 feet in height.

VOTED: Unanimously in favor.

4. Work Plan Item #4 – Section 1303 Site Plan review. Explore possible revisions to current threshold requirements used to determine when staff level review of an application for a Building Permit must be treated as an application for Site Plan approval. Site Plan review calls for considerably greater submission requirements and can only be acted upon by the Planning Board.

I indicated to the Committee my surprise at the current threshold of only 1,000 square feet of new floor area in commercial use triggering Site Plan review as per Section 1303.1 of the Land Use Ordinance. That figure would be 3,000 square feet in the City of Belfast's Land Use Regulations, for example. For discussion purposes I distributed excerpts of relevant standards now in effect in Camden, Rockland and Lincolnville as examples of alternative approaches that might be of interest for adoption in Rockport [posted with Agenda Packet on the ORC website].

Steve suggested that in many cases staff level Building Permit review is appropriate for additions and renovations even though new construction of the same type may require Site Plan review. For additions and renovations he suggested that the Committee consider a percentage threshold, such as an addition of 50% more floor area to an existing structure. Steve also suggested exempting open/exterior space like decks from such floor area calculations.

I proposed including a percentage of lot coverage as another alternative trigger for additions and renovations, especially on small lots. This is because changes to the layout for access/egress, parking, circulation, stormwater and solid waste may be required to accommodate additions and, in my opinion, the design of such features generally improves with public participation and Board review.

Terri suggested that the Committee also consider possible changes to specific submission requirements for Site Plan applications under Section 1304, such as elevation drawings for proposed improvements. Other suggestions included relatively small or “clean up” revisions such as breaking Section 1303.1 into two separate subsections and striking the word “minor” at Section 1303.4.

It was requested that Scott and I bring draft language to the next meeting for Committee review and consideration.

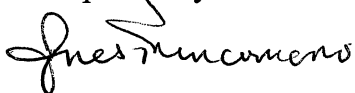
5. R & D Item #1 – the first of two items the Select Board has designated for “research and development” only is the possible future adoption of MUBEC – the Maine Uniform Building and Energy Code [see attached Work Plan memo of January 15, 2015]. In particular the Select Board suggested that a workshop with expert instructor(s) be planned to learn more about impacts of any specific provisions of MUBEC which may be of interest for adoption by the Town.

A wide-ranging discussion concluded with the consensus view that the Committee consider recommendations for adoption of the “Building” code(s) provisions of MUBEC but not the “Energy” standards. Specifically the Committee would like to explore future adoption of the IRC, IBC and IEBC. Will in particular noted some examples of scenarios where public safety issues may result from the Town’s current non-MUBEC code enforcement regime as well as likely benefits of greater consistency with other communities in our region. The Committee agreed that staff should organize workshop on this subject, preferably to be facilitated by a qualified outside consultant who is fully versed in the impacts of MUBEC on construction methods and costs.

6. Adjourn. The meeting was adjourned at 9:10 a.m.

These notes reflect my recollection of discussion at the last meeting.

Prepared by:



James P. Francomano, Director
Planning and Development Dept.

Dated:

2015-02-24