

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

H.P. 930 - L.D. 1372

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

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

**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:

G. Ensure that the municipality's or multimunicipal region's land use policies and ordinances encourage the siting and construction of affordable housing within the community and comply with the requirements of section 4358 pertaining to individual mobile home and mobile home park siting and design requirements. The municipality or multimunicipal region shall seek to achieve a level of at least 10% of new residential development, based on a 5-year historical average of residential development in the municipality or multimunicipal region, that meets the definition of affordable housing. A municipality or multimunicipal region is encouraged to seek creative approaches to assist in the development of affordable housing, including, but not limited to, cluster housing, reduced minimum lot and frontage sizes, increased residential densities ~~and~~ use of municipally owned land ~~and~~ establishment of 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. 5. 30-A MRSA §4326, sub-§3-A, ¶¶I and J,** as enacted by PL 2001, c. 578, §15, are amended to read:

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

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

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

K. Encourage 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.