

Town of Newcastle
Ad-Hoc Historic Preservation Ordinance Committee
Agenda
Meeting Date: May 17, 2023 at 5:00PM
Location: Fire Station Community Room, 86 River Road

1. Call to Order
2. Review of minutes of previous meeting: April 26, 2023
3. Overview and Discussion of Historic Preservation Ordinance: Article 5:
Standards for New Construction & Additions
4. Other Committee comments/discussion on Draft 4 of the Historic Preservation
Ordinance
5. Public comment (an opportunity for members of the public to comment on
items on or off the agenda related to the Committee's work)
6. Set date for next meeting
7. Adjournment

Town of Newcastle
Historic Preservation Ordinance Committee
Meeting Date 4/26/23 at 5pm
At the Town Community Room (Fire Station)

Members Present: Ben Frey, Karen Paz, Catherine Burke, Tor Glendinning

Members Absent: Bonnie Stone

Also Present: Isabelle Oechsle (Consulting Planner), Mal Carey (Resident), Stephen Popp (Resident)

Minutes

1. **Call to Order:** In the absence of an elected Chair, Isabelle Oechsle began the meeting at 5:02PM.

Ben Frey asked for a point of order. Noting that a Chair for this Committee had not been elected, **Ben Frey nominated Tor Glendinning to be the Chair of the Ad-Hoc Historic Preservation Committee. Karen Paz seconded, and the motion carried 3-0-1, with Tor Glendinning abstaining.**

2. **Review of minutes of previous meeting: February 16, 2023, March 23, 2023 & April 6, 2023:** Chair Glendinning called for a motion on this item. **Ben Frey moved to accept the meeting minutes as presented. Karen Paz seconded, and the motion carried unanimously.**

3. **Overview of Historic Preservation Ordinance, Draft 3:** Isabelle gave a brief presentation reviewing the comments that the Committee provided her at the April 6th meeting and indicating how Draft 3 of the Historic Preservation Ordinance intends to address the Committee's comments and concerns.

4. **Committee Discussion:** In response to Isabelle's analysis and question surrounding changing the Ordinance to put a limit on how far the Town would regulate structures when seen from the water, the Committee came to the consensus that the Ordinance should remain as drafted in this regard (continuing with no limitation on how far you can see structures; if it can be seen from the public realm, it should be regulated by this Ordinance).

Discussion occurred surrounding the designation for Local Landmarks (Article 8 of Draft 3). Questions focused on how they get included in the Ordinance (Isabelle noted that they get included in the applicability section, Article 1 Section B.2) and how they intersect with the Core Zoning Code (Isabelle noted that, as written, it essentially gives applicants two possible directions; they can either apply for a zoning map amendment to get their property included in the SD-Historic Zoning District, or they can apply for a zoning text amendment to have their property subject to essentially an "overlay" when they would still be subject to the requirements of their underlying zone but would also have additional protection afforded by the Historic Preservation Ordinance). Ben asked if the second option would regulate the entire property or just the building. Isabelle responded that, as written, it would regulate the entire property (so new buildings would need to follow the New Construction standards in Article 5). The Committee's direction was that Local Landmarks should only be subject to the standards for Additions and Alterations (Article 3), noting that the entire lot should not be put into Local Landmark status, just the existing building. If someone wanted to put their whole lot into the

provisions of this Ordinance, they should pursue a zoning map amendment to rezone it as SD-Historic.

Karen asked how the escrow fee would be established. Isabelle noted that it would be on the Fee Schedule adopted by the Selectboard, but noted that the Selectboard may wish to solicit quotes from 3-4 qualified consultants in researching what the fee should be.

Further discussion occurred around fencing. After hearing the concerns from the Committee, Isabelle suggested that the provision be changed to note that fencing is a Minor Project, except for when fencing is proposed in the frontage zone (along streets).

Tor asked that crumbling brick facades be added to the maintenance and neglect section (Article 10, Section A).

It was noted that the definition of rhythm needs to be provided, and that the standards for New Construction still seem too complicated for the average reader/homeowner. It was decided that discussion at the next meeting would center almost exclusively around the standards for new construction (Article 5).

It was requested that the next draft of the Ordinance be put into the Town's InDesign Ordinance format for readability. Isabelle and Ben briefly discussed logistics of accomplishing that task.

5. **Opportunity for public comment:** Stephen Popp, Resident: Asked for clarification about the time frame of structures that this Ordinance attempts to regulate. Isabelle shared her screen and reviewed the standards for establishment or expansion of historic districts and criteria for designation of local landmarks, as drafted. Mr. Popp asked the Committee to attempt to put a timeframe around what structures are historic to be more palatable for the public. Committee discussion occurred surrounding the standards as drafted, noting that studies and recommendations from the Review Board and Maine Historic Preservation Commission would be required, but also that the Town would need to vote on any designation, as it would be a zoning amendment. The general consensus of Committee members seemed to be to keep the standards for designation as drafted.

Mal Carey, Resident: Asked for clarification about the referenced Design Guidelines Manual and its ability to be a regulatory document if it is not specifically called out in the Ordinance. Isabelle noted that she did some research around this question: The Design Guidelines Manual cannot be a regulatory document unless it is referenced in the Ordinance and adopted by the legislative body (the Town citizens) at a Town Meeting. Instead, the intention is for the Design Guidelines Manual to reference the reviewing standards as adopted in the Ordinance and provide advisory direction to applicants and the Review Board in meeting the standards (so it would not be a regulatory document that application findings could be drawn from).

6. **Discussion of Next Steps:** Isabelle asked the Committee if they think that it will be reasonable that a draft ready for public review would be available after the next meeting. The Committee indicated that that would be feasible. Isabelle noted that once we are at a point where we have a draft that we are all comfortable with, she will forward it to the Town's legal counsel for review. Pending no edits from legal, we would be ready to move forward with scheduling an

Informational Meeting with the public regarding the Ordinance. Postcards will be sent to all who would be impacted by the proposed Ordinance (namely, property owners within the Historic Special Districts) notifying them of that meeting once a date is set.

7. **Adjournment:** Adjourned without objection at 7:15PM.

To: Historic Preservation Committee
From: Isabelle Oechsle, Planning Consultant
Date: May 17, 2023 Meeting
RE: Draft 4: Historic Preservation Ordinance

BACKGROUND

During our fourth Committee meeting on April 26, 2023, discussion centered around Draft 3 of the Historic Preservation Ordinance. We continued reviewing the details of the Ordinance itself, including a discussion around the Local Landmarks (as defined in the draft), the process for nominating Local Landmarks, and how they intersect with the Core Zoning Code. We also discussed how fencing should be reviewed, and additional details of both the Ordinance itself and how the Ordinance would be implemented by the Town.

In terms of edits for Draft 4, what I heard from you all centered around the following:

- Local Landmarks should be specific to the building or structure itself and should not apply to the entirety of the subject property; if a property owner wanted their entire lot to be subject to the Ordinance, the path forward would be to do a Zoning Map Amendment process to put their property into the Historic Special District. In practice, this means that Local Landmarks would not be subject to the standards for new construction and would only be subject to the standards specific to alterations to the structure itself.
- Fencing, if placed within the frontage zone, would have an adverse impact on the character of the neighborhood and thus should be reviewed as a Major Project. Fencing when placed anywhere else on the property could be subject to Minor Project review.
- In addition to the current applicability criteria under Article 10: Maintenance and Neglect, it was suggested that deterioration of brick siding should be added.

ANALYSIS

In the analysis below I have flagged the items that I was asked to consider within the Ordinance and have provided an explanation of how I attempted to address your desires.

- 1. *Applicability of certain sections to Local Landmarks:*** The requested changes have been incorporated into Article 1, Section B. I have noted that Local Landmarks would be subject to only Article 3; Standards for Alterations and Additions and Article 4: Standards for Demolitions and Relocations. While we did not specifically talk about the standards for demolition or relocation applying to Local Landmarks, as designated, at our last meeting, if the intent is to regulate

the structure on the property I believe that it would be warranted to review demolitions and relocations of the building as well.

2. **Fencing:** Made the requested changes by noting in Article 2, Section C.3.b that the installation of fences or low walls of wood, stone, brick or similar (unless proposed in the Frontage Zone of the lot) would be considered a Minor Project and in Article 2, Section C.4.b, noted that fencing proposed in the Frontage Zone is a Major Project. I also added a definition for Frontage Zone in Article 12 (which directs readers to the definition found in the Core Zoning Code, consistent with the way that we handled other definitions that are found in both the Core Zoning Code and the draft Historic Preservation Ordinance).
3. **Brick siding:** Added deterioration to brick siding to the applicability criteria in Article 10: Maintenance and Neglect.

ADDITIONAL ITEMS FOR DISCUSSION/DIRECTION

Finally, in response to a question from a member of the public at our last meeting, I have done some research summarized below for your knowledge, and would appreciate any direction that you have to offer.

1. ***Is there a time limit on what could be considered “historic” under this Ordinance?*** I believe this question was being asked in reference to Article 7, Section D and Article 8, Section D (the eligibility criteria for adding or expanding Special Historic Districts and the eligibility criteria for Local Landmarks, respectively). In crafting this section, I based the eligibility criteria on that available for National Register listing (available on the Maine Historic Preservation Commission’s website at [this link](#)). I do want to point out that *ordinarily* structures less than 50 years old are not eligible for listing on the National Register of Historic Places. However, properties or structures less than 50 years old may still be eligible if they are an integral part of an overall district that is of important architectural, historical, cultural, or other significance, or if the structure meets one of the following criteria:
 - a. A birthplace [or grave] of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or
 - b. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

- c. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- d. A property achieving significance within the past 50 years if it is of exceptional importance.

Given the threshold for criteria that needs to be met within the Ordinance and the process outlined for designation in Article 7, Section C and Article 8, Section C, and given that even the National Register will occasionally allow properties less than 50 years old to be designated if of exceptional importance, I am not of the opinion that we need to make changes to the eligibility criteria in the Historic Preservation Ordinance and would instead leave the matter up to the overall community (via Town Meeting votes) to determine what is culturally important to Newcastle, but would appreciate any direction from the Committee related to this matter.

In addition, it was agreed upon at the April 26th meeting that this meeting would focus almost exclusively on discussing the proposed standards as drafted in Article 5: Standards for New Construction and Additions. It has been noted in the past that the standards are not specific enough and/or that they at least warrant additional discussion by the Committee to understand how they will interact with the Core Zoning Code. Without specific direction on amendments or analysis during the last meeting, I have not made any changes to this section.

NEXT STEPS

As a reminder, once we are at a point where we have a draft that we are all comfortable with, I will forward it to the Town's legal counsel for review. Pending no edits from legal, we would be ready to move forward with scheduling an Informational Meeting with the public regarding the Ordinance. I would like to have a few weeks advance for that meeting so that we can send invitational postcards to all who would be impacted by the proposed Ordinance (namely, property owners within the Historic Special Districts), which I will coordinate.

After that meeting, this Committee will likely have an additional meeting to discuss any public comments received and will forward a recommendation to the Planning Board for their review. Given that this falls under the category of a zoning ordinance under State Statute, a duly-noticed public hearing will be required by the Planning Board prior to the Planning Board providing a recommendation of whether or not to adopt the Ordinance as proposed. It was the thought that we would be ready to have a Special Town Meeting on this item in the Fall.

I have also built into my approved contract with the Town time to: create application forms and checklists related to the Historic Preservation Ordinance; train the staff and Review Board in reviewing applications; create a Design Guidelines Manual to assist applicants, staff and the Review Board in interpreting standards and proposing appropriate construction; and time to assist the Town in applying for Certified Local Government (CLG) status with the State Historic Preservation Office (this last one will only be if the final Ordinance ends up meeting CLG Guidelines).

Attachments:

1. *Newcastle Historic Preservation Ordinance, Draft 4 (tracked changes)*

HISTORIC PRESERVATION ORDINANCE

Article 1: General

A. Purpose and intent.

1. Protect Newcastle's historic, architectural, and cultural heritage.
2. Assist property owners with maintaining the architectural integrity of the district.
3. Protect, preserve, and enhance the outward appearance and architectural features of identified historic structures.
4. Prevent the demolition or removal of significant historic buildings or structures within designated historic districts.
5. Preserve, protect, and enhance the essential character of designated districts by protecting relationships of groups of buildings and structures.
6. Accept new buildings and structures which are designed and built in a manner which is compatible with the character of the district.

B. Applicability.

1. This Ordinance shall apply to the following within the Historic Special District as shown on the Official District Map in Article 1 of the Core Zoning Code:
 - a. Demolition of any building or portion of any Primary or Accessory Building in the Historic Special District.
 - b. Moving any Primary or Accessory Building or portion of any Primary or Accessory Building located within the Historic Special District.
 - c. Exterior Additions or Alterations to any Primary or Accessory Building or portion of any Primary or Accessory Building located within the Historic Special District when such construction would be visible from the public realm.
 - d. Reconstruction of any Primary or Accessory Building or portion of any Primary or Accessory Building located within the Historic Special District when such reconstruction would be visible from the public realm.
 - e. New construction of Primary or Accessory Buildings in the Historic Special District when such construction would be visible from the public realm.
 - f. The installation of Renewable Energy Systems within the Historic Special District. The painting of brick, stone, or other masonry.
2. In addition, Articles 3 and 4 of this Ordinance shall apply to designated Local Landmarks as described in this subsection.
 - a. Reserved.
3. In addition, Articles 7 and 8 of this Ordinance, as may be applicable, shall govern the establishment and expansion of Local Landmarks and Historic Special Districts.
- 3-4. In addition, Article 10 shall apply to any Local Landmark, as designated in Section B.2 above, or any structure located within the Historic Special District.

C. Exempt Activities.

Commented [1]: This entire thing will need to be put in In Design format that matches the Core Zoning Code and Roads, Driveways and Entrances Ordinance prior to the Planning Board's public hearing on this item.

This is intended to be a standalone Ordinance cross-referenced in the Core Zoning Code, similar to the Roads, Driveways and Entrances Ordinance.

This Ordinance is intended to comply with the Maine Historic Preservation Commission's Guidelines for the Certified Local Government Program in Maine. Participation by a municipality in the Certified Local Government program allows the Town to be eligible for participation in trainings by the MHPC and grant funding related to historic preservation planning and programming

Commented [2]: We did not specifically talk about the standards for demolition or relocation applying to Local Landmarks, as designated, at our last meeting. However, if the intent is to regulate the structure on the property I believe that it would be warranted to review demolitions and relocations of the building as well.

Commented [3]: It is common practice to leave an area in the Code "Reserved" so as not to require renumbering an entire Ordinance when an amendment occurs. In this case, I am leaving this as "Reserved" in an attempt to indicate that this is where designated Local Landmarks would be placed following the process as described in Article 8 below

1. The only activities exempt from review under Articles 3, 4, and 5, as may be applicable, are the following:
 - a. Alteration to or addition of mailboxes, flowerboxes, flags, or other similar removable decorative features.
 - b. Change in paint color, except when the painting of brick, stone or other masonry is proposed.
 - c. Alteration or replacement of existing non-historic gutters, downspouts, storm windows, conduit, venting or other non-original features which already exist and are required for the operation and physical health of the building and do not significantly alter the building or compromise historic features or character-defining elements on the structure (subject to the determination of the Planning Department).

D. Meaning & Purpose.

1. Words, phrases and terms used within this Ordinance are defined in the Definitions section or within the Articles that contain standards associated with the term.
2. Words, phrases and terms not defined in this Ordinance must be accorded their commonly accepted meanings as defined in the most recent edition of the Webster's Unabridged Dictionary.
3. The terms "standards," "regulations," and "requirements" are used to mandate a specific course of action or built outcome.
4. The words "must," "will", and "shall" are mandatory and when used require compliance with standards, regulations, and requirements of the Ordinance.
5. The words "may" and "should" are permissive.

E. Authority & Compliance.

1. Authority.

- a. This Ordinance is adopted under the authority granted by XXXXX.

2. Relationship to Other Standards.

- a. This Ordinance does not abrogate, annul, or otherwise interfere with any easement, covenant, and/or other private agreements.
- b. Where the standards of this Ordinance impose a greater restriction than required by other ordinances, regulations, resolutions, rules, easements, covenants, or agreements, the provision of this Ordinance must apply.
- c. The standards of this Ordinance must take precedence over those of other codes, ordinances, regulations, and standards that may be in conflict with this Ordinance. Additions or Alterations for the purpose of complying with other codes, ordinances, regulations, and standards are still subject to review by this Ordinance.
- d. All development activity must comply with relevant Federal and State laws and regulations. Where there is a direct conflict between this Ordinance and the standards of a Federal or State Law, Federal or State Law supersedes the standards of this Ordinance.

Commented [4]: This would be the warrant article and election date that it was voted on (see Article 1, Section 4 of the Core Zoning Code for an example)

3. **Hazard Buildings.** No provision in this Ordinance shall be construed to prevent the Alteration, Demolition, or Relocation of a building when the Code Enforcement Officer certifies that such action is required for the public safety.
4. **Appeals.** An appeal from the final decision of the Review Board may be taken by any party or person aggrieved to the Zoning Board of Appeals within 30 days from the date of the decision.

Article 2: Administration

A. Historic Preservation Review Board.

1. **Membership.** The Historic Preservation Review Board's membership shall be comprised of five regular members. There shall be at least one member from each of the Town's three Historic Special Districts (Damariscotta Mills, Sheepscot Village, and Glidden Street).
2. **Appointment.** Members of the Historic Preservation Review Board (the Review Board) shall be appointed by a majority vote of the Selectboard to serve staggered terms of 3 years.
3. **Qualifications.** Appointments to the Review Board shall be made on the basis of demonstrated interest, knowledge, ability and experience to promote historic preservation in Newcastle. It is preferred that members have architectural design skills or other experience related to historic preservation, such as history, architectural history, landscape architecture, planning, engineering, law, archaeology and building construction or trades.
4. **Board Rules.** The Review Board may adopt rules of procedure and policy as it may deem necessary to conduct its affairs, following a public hearing thereon. Board rules shall include application forms and checklists of required submittals that will sufficiently allow applicants to demonstrate compliance with the relevant standards of review.

B. Certificate of Appropriateness.

1. In the Historic Special District, a Certificate of Appropriateness issued by the relevant Permitting Authority shall be required for any projects noted in Article 1, Section B.1 above.
2. **Permits.** No Permit, including Demolition Permits, Use Permits, or otherwise, may be issued for any construction, reconstruction, alteration, or demolition until a Certificate of Appropriateness has been issued by the Review Board in accordance with this Ordinance.

C. Procedure.

1. **General.**
2. **Application & Fees.** A Certificate of Appropriateness application must be filed, including payment of the applicable fee, with the Planning Department on forms created by the Town for that purpose.
 - a. **Escrow.** In order to assist with the review of Major Projects, the Review Board shall require the applicant to submit an additional escrow to the Town for the purpose of hiring a consultant meeting the professional qualification standards

as outlined by the Secretary of the Interior (36 CFR 61). For Minor Projects, the Planning Department may require the applicant to submit an escrow for this purpose, if the Planning Department determines that a third-party peer review is needed. Any amount remaining in the escrow at the conclusion of the review process shall be returned to the applicant.

b. Determination of Completeness. Upon receipt of an application, the Planning Department shall determine whether the application is complete and shall determine whether the scope, nature, or scale of the proposed project requires review by the Historic Preservation Review Board or whether it is a minor or routine project that is appropriately reviewed at the administrative level.

3. Minor Projects.

a. Permitting Authority. Minor Projects shall be reviewed administratively by the Planning Department.

b. Applicability. Minor Projects include various projects in which the visual character of the property is not substantially changed, including, but not limited to, the following:

1. The removal of materials and features that are not in compliance with Section 3.C below (e.g. because they have no historical basis or create a false sense of historical development);
2. The replacement of materials and features not in compliance with Section 3.C below with materials and features that are in keeping with Section 3.C (e.g. replacing architectural features that have no historical basis with ones that do);
3. The installation of missing historical materials and features, supported by documentation;
4. Repointing and other masonry repairs;
5. Construction or replacement of patios or decks where the majority of the patio or deck cannot be seen from the public realm;
6. Exterior placement of meters, vents, cable or telephone boxes, wiring, antennas, satellite dishes, and components of HVAC systems, so long as the placement is not on the primary facade;
7. The installation of security devices, such as control panels, touch key plates, mirrors, cameras, and peepholes, so long as the placement is not on the primary facade;
8. Addition, removal or replacement of cloth, canvas or acrylic awnings that otherwise comply with the relevant review standards;
9. Removal of deteriorated accessory buildings which are not original to the site or otherwise historically significant;
10. Installation of a temporary structure designed to promote safe access for individuals with disabilities, so long as the temporary structure can be removed and does not impact the essential form of the property;
11. General maintenance and repair of structures (except scraping and repainting, caulking and weather-stripping, and the replacement of window glass where the style or type of window is not changed shall be completely exempt);

~~11-12.~~ The installation of fences or low walls of wood, stone, brick or similar (unless proposed in the Frontage Zone of the lot);

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- ~~12-13.~~ The replacement of exterior light fixtures and the installation of new light fixtures, including fixtures to illuminate signage.
- c. Process. Where staff determines that such an application meets the relevant review standards, the Certificate of Appropriateness shall be issued by staff within ten (10) business days, without presentation to the Historic Preservation Review Board for approval. If the Planning Department has not acted within ten (10) business days, the applicant may seek approval from the Review Board, rather than staff. Inaction by the Planning Department does not constitute approval or disapproval of the application.
 - d. Applicants proposing Minor Projects may elect for their application to be reviewed by the Review Board according to the procedures and standards required for a Certificate of Appropriateness, as may be applicable.
 - e. If the applicant is not satisfied with the determination of the Planning Department, the applicant shall be permitted to have the entire application reviewed by the Review Board. Staff can, for any reason, forward any Minor Project to the Review Board for review. The Planning Department shall provide the Review Board with written notice of any action as an informational item at the next meeting.
4. Major Projects.
- a. Permitting Authority. Major Projects are reviewed by the Historic Preservation Review Board at a duly-noticed public hearing.
 - b. Applicability. Major Projects involve a change in the appearance of a property and are more substantial in nature than Minor Projects. They include, but are not limited to, the following:
 1. New Construction or Additions to buildings;
 2. Demolition of any part of a structure;
 3. Discovery of any archaeological resource on the site;
 4. Moving of buildings;
 5. New Additional Structures;
 6. Replacement of architectural details when there will be a change in design or materials from the original or existing details;
 7. The installation of fences or low walls of wood, stone, brick or similar, ~~when proposed to be installed within the Frontage Zone of the lot that otherwise comply with the relevant review standards;~~
 8. Changes to roof lines, including rooftop additions or dormers.
 5. Process. If the Planning Department determines that the project is complete and should be reviewed by the Historic Preservation Review Board as a Major Project, the item shall be scheduled for the next available Review Board meeting, provided that the noticing requirements of Section 2.D can be met prior to that meeting. Within thirty (30) days of the closing of the public hearing, the Review Board must make a decision to approve, approve with conditions, or deny the application.
 6. For projects that may require additional review by another Permitting Authority within the Town of Newcastle, see Section 2.B.2 above.
 7. **Approval.** If the Permitting Authority determines that the proposed Addition, Alteration, Relocation, New Construction or Demolition meets the standards of this Ordinance, it shall approve a Certificate of Appropriateness, and shall notify the applicant and Code

Enforcement Officer, in writing, of the determination along with any conditions of approval.

8. **Denial.** If the Permitting Authority determines that a Certificate of Appropriateness should not be issued, it shall make findings describing how the application does not meet the standards of this chapter. However, in order to prepare more detailed findings, the Review Board may postpone the decision for up to ten (10) business days in order to prepare and adopt more-detailed findings. The Review Board shall notify the applicant and the Code Enforcement Officer within ten (10) business days of the final determination.

D. Public Hearings.

1. The Review Board shall hold a public hearing on each application for Certificate of Appropriateness prior to a decision being rendered. A notice of the hearing shall be mailed to direct abutters via USPS first class mail, postmarked at least 7 days in advance of the hearing. A notice shall also be posted at the Town Office and on the Town's website. In the case of an application for a new Primary Building or an addition to an existing Primary Building, the noticing area shall be extended to abutting property owners within 250' of the subject property. Notice shall be made by the applicants, with receipt of mailing required to be submitted to the Town.
2. Public Hearings or notification are not required for Minor Projects reviewed administratively.

E. Time Limits on Certificates of Appropriateness.

1. If substantial construction has not commenced within one year of the issuance of a Certificate of Appropriateness, the approval shall be null and void except that the deadline may be extended for one additional six-month period by the Code Enforcement Officer upon written request of the applicant. The written request for an extension must be submitted before the date of expiration of the initial approval. After the approval has expired or an extension has been denied, the applicant may reapply to the Review Board at any time without prejudice. The extension shall be approved by the Code Enforcement Officer, as outlined above, unless there is:
 - a. Additional information that indicates that the plan does not meet the standards of this Ordinance;
 - b. A failure to meet a condition of approval;
 - c. An amendment to this Ordinance that prohibits or otherwise alters the proposed project.

Article 3: Standards for Alterations and Additions

- A. **Purpose.** The purpose of this subsection is to further the purposes of this Ordinance by preserving the essential character of historic buildings which are important to the education, culture, traditions, and the economic value of the Town.
- B. **Applicability.** The following standards shall be used by the Review Board in reviewing applications for Certificate of Appropriateness when an Alteration or Addition to an existing

Primary or Accessory Building is proposed in the Historic Special District, or when an Alteration or Addition to a designated Local Landmark is proposed, except for the installation of solar panels which shall be governed by Article 6.

C. **Standards.**

1. The distinguishing original qualities or character of a structure and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible. If removal of historic material or a distinctive feature is proposed, an alternatives analysis should be submitted which identifies: (1) what considerations were taken before ultimately deciding on removal and why the other considerations were not feasible; (2) if an alternative material is proposed, how the alternative material is considered a similar substitute in quality, permanence, and look.
2. All Primary and Accessory Buildings shall be recognized as products of their own time period, place and use. Alterations that have no historical basis or create a false sense of historical development such as adding conjectural features or architectural elements from other time periods shall not be undertaken.
3. Changes which may have taken place in the course of time are evidence of the history and development of a structure, object or site and its environment. Changes that have acquired significance in their own right shall not be destroyed.
4. Distinctive features, finishes, and construction techniques or examples of skilled craftsmanship which characterize a structure, object or site shall not be removed.
5. Deteriorated historic features shall be repaired rather than replaced wherever feasible. Where the severity of deterioration requires replacement of a distinctive feature, the new feature should match the feature being replaced in composition, design, texture and other visual qualities and, where possible, materials. Repair or replacement of missing historic features should be based on accurate duplications of features, substantiated by documentary, physical or photographic evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects.
6. The surface cleaning of structures and objects, if appropriate, shall be undertaken with the gentlest means possible. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be undertaken.
7. Every reasonable effort shall be made to protect and preserve significant archeological resources affected by or adjacent to any project. If resources must be disturbed, mitigation measures shall be undertaken.
8. Contemporary design for Additions to existing properties shall not be discouraged when such Alterations and Additions do not destroy significant cultural, historical, architectural or archeological materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the size, scale, color, material and character of the property, neighborhood or environment.
9. New Additions or Alterations to structures shall be undertaken in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the historic property would be unimpaired.

Commented [5]: This means we either need to ask for documentation from applicants or maintain a local record of archeological resources in order to assist applicants

- a. Additions should be made on a side or rear elevation, not on the primary façade, unless in the determination of the Permitting Authority an addition to the side or rear elevation is not possible due to unique constraints of the project.

Article 4: Standards for Demolitions and Relocations

- A. **Purpose.** The purpose of this subsection is to further the purposes of this Ordinance by preserving historic buildings which are important to the education, culture, traditions, and the economic value of the Town. Furthermore, the purpose of this section is to afford the Town, historic societies, other preservation organizations, and others interested in preservation the opportunity to acquire or arrange for the preservation of historic buildings and structures, or important portions and features thereof, or proper removal of historic artifacts, or the proper recordation of the building, structure and/or site.
- B. **Applicability.** The following standards shall be used by the Review Board in reviewing applications for Certificate of Appropriateness when Demolition or Relocation of an existing Primary Building is proposed within the Historic Special District, or when the Demolition or Relocation of a designated Local Landmark is proposed.
- C. **Stay.** At the hearing on the application for Demolition or Relocation, the Review Board may, in the interest of exploring reasonable alternatives, delay issuance of the Certificate of Appropriateness for up to 90 days from the date of the hearing. If, 10 days prior to the expiration of the delay period, the Commission finds that there are still reasonable alternatives to explore, the Review Board may continue the delay for an additional period of up to 30 days. The purpose of the delay is to assist the applicant in finding alternatives to Demolition or Relocation, such as:
 - 1. Assisting in securing funding to preserve in place the structure or important features thereof; or
 - 2. Finding other ways to preserve the structure, such as outright purchase if possible, or relocation; or
 - 3. At minimum, to provide the opportunity for the proper recordation of buildings, structures, and sites, including photography and narrative report.
- D. **Standards.** In order to approve an application to relocate or demolish a building within the Historic Special District, or the Demolition or Relocation of a designated Local Landmark, the Review Board must find that the proposal meets **at least one** of the following standards for approval:
 - 1. The Review Board determines that the structure is not of historic significance based on findings from the Maine Historic Preservation Commission or a qualified architectural historian.
 - a. In order to make this determination, the Review Board shall require the applicant to obtain a letter from the Maine Historic Preservation Commission or escrow funds with the Town to hire a qualified architectural historian to make a determination as to the eligibility of the structure to be listed on the National Register of Historic Places, either on its own or as a contributing structure to an eligible Historic District. If the structure is considered eligible for listing and the

Commented [6]: Notice here that they only need to meet one.

applicant formally applies to the National Register and is declined, the status of the property may be reconsidered.

2. The structure, or predominant portions thereof, has been determined to represent an immediate hazard to the public health or safety because of severe structural deficiencies, which hazard cannot be abated by reasonable measures.
 - a. In order to make this determination, the applicant must escrow funds with the Town sufficient to hire a third-party structural engineer to provide a written report as to the integrity of the building.
 3. No prudent and feasible alternative exists.
 - a. In order to assist the Review Board in making this determination, the applicant must submit an alternatives analysis indicating the alternatives to demolition considered and the reasons that they are not feasible. Economic hardship may be a consideration, but the applicant must demonstrate through quotes from qualified professionals that the economic hardship would be too great. In this case, Relocation will be encouraged rather than Demolition.
- E. **Conditions of Approval for Demolition.** In approving an application to demolish a building within the Historic Special District, or the Demolition of a designated Local Landmark, the Review Board may impose the following conditions, or any others that it deems appropriate to properly document or attempt to save the structure:
1. The applicant shall allow the Review Board, Historical Society, or another historic preservation entity of the Board's choosing to document the structure inside and out prior to the structure's destruction.
 2. The applicant shall advertise to the general public the structure as available for free, offering the structure to be moved or scrapped for salvage materials. The advertisement shall appear in a newspaper of local circulation a minimum of two times.

Article 5: Standards for New Construction and Additions

- A. **Purpose.** The purpose of this subsection is to further the purposes of this Ordinance by allowing new construction within the Historic Special District that preserves, protects, and enhances the essential character of the District. This subsection provides standards to ensure that new buildings are designed and built in a manner which is compatible with the essential character of the district.
- B. **Applicability.** The following standards shall be used by the Review Board in reviewing applications for Certificate of Appropriateness when New Construction of a Primary or Accessory Building, or an Addition to a Primary or Accessory Building, is proposed within the Historic Special District.
- C. **Standards.**
 1. **Scale and form.** In addition to the requirements for the Historic Special District as outlined in the Core Zoning Code, Article 2: District Standards as well as any applicable Design Standards as outlined in Article 5, the following standards related to building scale and form shall also apply:
 - a. **Height.** Within allowable height limits, a proposed building or addition shall be visually related to its immediate neighbors. Where the new building or addition is proposed to be more than 20% taller or shorter than immediate neighboring

Commented [7]: Note that additions would be subject to both standards

structures, the applicant must demonstrate that the character of the streetscape and the scale and character of the pedestrian-oriented lower portions of the building are preserved.

- b. **Width.** Within allowable setbacks, new construction within historic districts shall mimic the rhythm of facades along the street.
- c. **Proportions of principal facades.** The characteristic proportion of existing facades must be evaluated and new construction shall be compatible in proportion with existing buildings in the neighborhood.
- d. **Roofs.**
 - 1. **Roof shapes.** The proposed roof shape shall fit in with the established context of the neighborhood and of immediately adjacent structures.
 - 2. **Rooftop additions.** Rooftop additions shall be designed so that they cannot be seen from the public realm.
 - 3. **Rooftop utilities.** When rooftop utilities, including but not limited to communication antennae, satellite dishes, mechanical units, elevator towers, renewable energy systems, and vents are proposed, the utility shall be visually screened from the public realm by the placement of decorative elements that are in keeping with the established context of the neighborhood and of immediately adjacent structures. Alternatively, rooftop utilities shall be placed in such a way where they are not visible from the public realm, such as on the rear of the building.

2. **Composition.**

- a. **Proportions of openings.** Characteristic sizes and proportions of window and door openings, created by repeated patterns of design elements which are found on adjacent buildings on the block shall be incorporated into the new facade.
 - b. **Rhythm of entrances, porches, and other projections.** Characteristic entrances and other projections to public ways found on adjacent buildings on the block shall be incorporated into the new facade.
 - c. **Relationship of materials.** Building materials shall be reflective of and complementary to existing buildings within the historic district. Materials shall be durable and of high-quality.
3. **Relationship to street.** In addition to the requirements for the Historic Special District as outlined in the Core Zoning Code, Article 2: District Standards, the following standards related to the relationship between the new construction and the street shall also apply:
- a. **Walls of continuity.** Facades and site structures, such as masonry walls, fences and landscape masses, shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual continuity with the structures, public ways and places to which such elements are visually related.
 - b. **Unifying development pattern.** The new construction shall maintain any unifying development pattern such as directional expression of buildings, setbacks, building coverage, and orientation to the street.
4. Other standards.

Commented [8]: e.g. if every house immediately adjacent has a front bay window, the new house should have a front bay window

Commented [9]: e.g. if every house immediately adjacent has a facade spanning front porch, the new house should have a facade spanning front porch

- a. **Compatible uses.** In addition to the requirements for the Historic Special District as outlined in the Core Zoning Code, Article 2: District Standards, as well as applicable Use Standards as outlined in Article 6 of the Core Zoning Code, every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration to the character-defining features of the site and its environment or to use a property for its originally intended purpose.
- b. **Distinguishing original character.** The distinguishing original qualities or character of a site and its environment shall not be destroyed.
- c. **Archeological resources.** Every reasonable effort shall be made to protect and preserve significant archeological resources affected by or adjacent to any project. If resources must be disturbed, mitigation measures shall be undertaken.

Article 6: Alternative Standards for the Installation of Renewable Energy Systems

- A. **Purpose.** Recognizing that historic properties may need to adapt to changing technologies, this section is intended to provide clear standards for the review of the installation of renewable energy systems, including but not limited to solar panels or windmills, on historic properties.
- B. **Applicability.** The following standards shall be used by the Review Board in reviewing applications for Certificate of Appropriateness when the installation of renewable energy systems are proposed on any property within the Historic Special District or on a designated Local Landmark property.
- C. **Standards.**
 - 1. Permanent removal of historic roofing materials as part of the installation of solar panels on visible portions of a roof shall not be undertaken.
 - 2. Permanent removal or otherwise altering a historic roof element and configuration (dormers, chimneys, or other features) on visible portions of a roof shall not be undertaken.
 - 3. Any installation procedure that will cause irreversible changes to historic features or materials on visible portions of a roof shall not be undertaken.
 - 4. The placement of solar panels on top of visible slate or clay tile roofing shall not be undertaken.
 - 5. The placement of panels in an array shape that does not echo that of the visible roof plane shall not be undertaken. Solar panels must lay flat on the roof.
 - 6. Where possible, all renewable energy systems shall be placed in such a way that they are unable to be seen from the public realm. In addition to demonstrating compliance with the above standards, if the applicant is proposing to install a renewable energy system that would be visible from the public realm, the applicant shall submit an alternatives analysis demonstrating why the system could not be placed in a different area so as to be less visible or why ground-mounted solar is not feasible, if applicable. The Review Board may only approve energy systems that would be visible from the public realm if all of the above standards are met and, in the determination of the Board, a reasonable alternative does not exist.

Article 7: Establishment of Historic Special Districts

- A. **Purpose.** To provide a clear amendment process for the establishment or expansion of Historic Special Districts, in accordance with Title 30-A, M.R.S.A § 4352 (Zoning Ordinances), as may be amended from time to time.
- B. **Applicability.** This section shall apply to any petition to establish a new Historic Special District or expand an existing Historic Special District, regardless of who is petitioning.
- C. **Procedure.**
 - 1. **Application.** Any person or group seeking to add or expand historic districts shall request the amendment in writing to the Historic Preservation Review Board. Any proposal by the Selectboard or Planning Board shall be referred to the Review Board for comment before any further action. After receiving the Review Board's recommendation concerning the request, the matter will be placed on the agenda for the Planning Board for further consideration. Any applications for designation of districts shall be in writing.
 - 2. **Studies and recommendations.** Before making its recommendation concerning the proposed establishment or expansion of an historic district, the Review Board may conduct studies and research on the proposal. The Review Board shall make a report on every request received within six months. Drafts of the report shall also be mailed to the Maine Historic Preservation Commission for review.
 - 3. **Public hearing.** Prior to making a recommendation concerning the proposed establishment or expansion of an historic district, the Review Board shall hold a public hearing on the request, after due notice is provided twice in a newspaper of general circulation. The date of the first publication must be at least 12 days before the hearing and the date of the 2nd publication must be at least 7 days before the hearing. The notice must be written in plain English, understandable by the average citizen. Mailed notice of the proposal shall also be sent to the applicant, owners of all property to be included within the proposed designation, and property within a 250-foot radius of the property under consideration.
 - 4. **Final report.** Not later than 30 days after the public hearing, the Review Board shall submit a final report to the Planning Board with the Review Board's recommendation.
 - 5. **Further action.** After receipt of the Commission's recommendations, as provided above, the Planning Board shall, with 30 days of receipt, hold a public hearing (noticed in the same manner as described in subsection C.3 above) to consider said proposed designation and shall provide an additional recommendation on the request to the legislative body.
- D. **Eligibility for Historic Designation.** The historic districts established in accordance with this section shall have one or more of the following characteristics:
 - 1. **History of Newcastle.** Structures, buildings or sites at which events have occurred that contribute to and are identified with or significantly represent or exemplify the broad cultural, political, economic, military, or social history of Newcastle, the State of Maine, or the nation, including sites or buildings at which visitors may gain insight or see examples of particular items or of larger patterns in the North American heritage.
 - 2. **Persons.** Structures, buildings or sites associated with important historic persons.

3. **Ideas.** Structures, buildings or sites associated with important examples of a great idea or ideal.
4. **Architecture.** Structures or structural remains and sites embodying examples of architectural types or specimens valuable for the study of a period, style or method of building construction; for the study of community organization and living; landscaping; a single notable structure; or a site representing the work of a master builder, master designer, architect or landscape architect.
5. **Visual continuity.** Structures or buildings contributing to the overall visual continuity of the historic district.
6. **National Register.** Those sites or areas listed on or eligible for listing on the National Register of Historic Places.

Article 8: Establishment of Local Landmarks

- A. **Purpose.** To provide a clear amendment process for the establishment of Local Landmarks, in accordance with Title 30-A, M.R.S.A § 4352 (Zoning Ordinances), as may be amended from time to time.
- B. **Applicability.** This section shall apply to any petition to establish a Local Landmark, to be added to Article 1, Section B.2, regardless of who is petitioning.
- C. **Procedure.**
 1. **Application.** Any person or group seeking to add a Local Landmark to this Ordinance shall request the amendment in writing to the Historic Preservation Review Board. Any proposal by the Selectboard or Planning Board shall be referred to the Review Board for comment before any further action. After receiving the Review Board's recommendation concerning the request, the matter will be placed on the agenda for the Planning Board for further consideration. Any applications for designation of Local Landmarks shall be in writing.
 2. **Studies and recommendations.** Before making its recommendation concerning the proposed establishment of a Local Landmark, the Review Board may conduct studies and research on the proposal. The Review Board shall make a report on every request received within six months. Drafts of the report shall also be mailed to the Maine Historic Preservation Commission for review.
 3. **Public hearing.** Prior to making a recommendation concerning the proposed establishment of a Local Landmark, the Review Board shall hold a public hearing on the request, after due notice is provided twice in a newspaper of general circulation. The date of the first publication must be at least 12 days before the hearing and the date of the 2nd publication must be at least 7 days before the hearing. The notice must be written in plain English, understandable by the average citizen. Mailed notice of the proposal shall also be sent to the applicant and any property within a 250-foot radius of the property under consideration.
 4. **Final report.** Not later than 30 days after the public hearing, the Review Board shall submit a final report to the Planning Board with the Review Board's recommendation.
 5. **Further action.** After receipt of the Commission's recommendations, as provided above, the Planning Board shall, with 30 days of receipt, hold a public hearing (noticed in the

Commented [10]: This section would essentially allow someone who wants their property to be subject to the provisions of this Ordinance to add it in a way that is less restrictive than putting a Historic Preservation Easement over it (preservation easements require a preservation organization to monitor the easement and conduct yearly visits). Preservation easements also cannot be removed from a property, versus adding a property to this ordinance which could be amended in the future for good cause.

same manner as described in subsection C.3 above) to consider said proposed designation and shall provide an additional recommendation on the request to the legislative body.

D. Eligibility for Historic Designation. The Local Landmarks established in accordance with this section shall have one or more of the following characteristics:

- 1. History of Newcastle.** Structures, buildings or sites at which events have occurred that contribute to and are identified with or significantly represent or exemplify the broad cultural, political, economic, military, or social history of Newcastle, the State of Maine, or the nation, including sites or buildings at which visitors may gain insight or see examples of particular items or of larger patterns in the North American heritage.
- 2. Persons.** Structures, buildings or sites associated with important historic persons.
- 3. Ideas.** Structures, buildings or sites associated with important examples of a great idea or ideal.
- 4. Architecture.** Structures or structural remains and sites embodying examples of architectural types or specimens valuable for the study of a period, style or method of building construction; for the study of community organization and living; landscaping; a single notable structure; or a site representing the work of a master builder, master designer, architect or landscape architect.
- 5. National Register.** Those sites or areas listed on or eligible for listing on the National Register of Historic Places.

Article 9: Interim Protection for Nominations

- A. Nominated Local Landmarks and Historic Districts.** From the time of nomination until the Historic Preservation Review Board acts upon such nomination, a site, structure, object or area nominated but not yet designated as a Local Landmark or Historic Special District, including expansions to existing Historic Special Districts shall be subject to all of the provisions of Article 4 governing demolition, to the same extent as if designated. Upon final action of the Historic Preservation Review Board recommending designation, the structure or area nominated shall be subject to all of the protections of this Ordinance until such time as a final decision on designation by the legislative body becomes effective. If the legislative body rejects designation or fails to designate a property, that property shall no longer be subject to the provisions of Article 4 of this Ordinance.

Article 10: Maintenance and Neglect

- A.** All Local Landmarks, and all structures located in the Historic Special District, shall be preserved against decay and deterioration by being kept free from the following structural defects by the owner and/or any other person or persons who may have legal custody and control thereof:
1. Deteriorated or inadequate foundation which jeopardizes its structural integrity;
 2. Defective or deteriorated floor supports or any structural members of insufficient size to carry imposed loads with safety which jeopardize its structural integrity;
 3. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration which jeopardize its structural integrity;

4. Structural members of ceilings and roofs, or other horizontal structural members, which sag, split, or buckle due to defective materials or deterioration or are of insufficient size to carry imposed loads with safety which jeopardize its structural integrity;
 5. Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration or are of insufficient size or strength to carry imposed loads with safety which jeopardize its structural integrity;
 - 5-6. Deteriorated brick facades when such deterioration jeopardizes its structural integrity or when such deterioration poses a safety risk to others, such as bricks falling into the public realm;
 - 6-7. Lack of weather protection which jeopardizes the structural integrity of the walls, roofs, or foundation.
- B. Complaints or concerns regarding neglect or lack of maintenance of structures shall be routed through the Code Enforcement Officer.
 - C. In investigating complaints regarding neglect or lack of maintenance the Code Enforcement Officer may, at the sole cost of the Town, hire a structural engineer or other qualified consultant to review the subject property.
 - D. If any of the above structural defects are determined to exist, the Code Enforcement Officer shall notify the property owner of the violation of this Article. Any such order shall be in writing, shall state the actions to be taken with reasonable particularity and shall specify dates for compliance, which may be extended by the Code Enforcement Officer for reasonable periods to allow the owner to secure financing, labor or materials.
 - E. The owner or such other person shall repair the building or structure within a specified period of receipt of a written order to correct defects or repairs, so that such structure shall be preserved and protected in accordance with the purposes of this Ordinance.

Article 11: Enforcement

- A. Where the applicant has done work or caused work to be done on a structure or a property for which a Certificate of Appropriateness is sought and such work is either not done in compliance with an approval received under this Ordinance, or any other Ordinance of the Town of Newcastle, or was performed without the approvals required under this Ordinance or any other Ordinance of the Town of Newcastle, no application for such structure or property shall be considered by the Planning Department or by the Historic Preservation Review Board until the work done without approval is brought into compliance with the requirements of the relevant Ordinance.
- B. Review of any application by the Planning Department or by the Historic Preservation Review Board shall not constitute waiver of any future claims by the Town concerning violations and shall not stop the Town from prosecuting any violation.
- C. Failure to perform any act required by this Ordinance or of any conditions of approval on any Certificate of Appropriateness issued hereunder, or performance of any act prohibited by this Ordinance, shall constitute a violation and be subject to a fine as provided in 30-A M.R.S. §4452, as may be amended. Each day on which there is failure to perform a required act or on which a violation exists shall constitute a separate violation for purposes of this section.

Article 12: Definitions

Accessory Building: Same as the definition found in Article 8 of the Core Zoning Code.

Addition: An improvement that increases the square footage of a structure. These include lateral additions added to the side or rear of a structure or vertical additions added on top of a structure.

Additional Structure: Same as the definition found in Article 8 of the Core Zoning Code.

Alteration: For the purposes of this Ordinance, this includes any change in siding materials, roofing materials, foundations, gutters, door and window sash and integral decorative elements, such as, but not limited to, cornices, brackets, window architraves, doorway pediments, railing, balusters, columns, cupolas and cresting and roof decorations. This definition also includes the addition of rooftop solar panels, skylights, utilities, and similar when seen from the public realm.

Applicant: Same as the definition found in Article 8 of the Core Zoning Code.

Architectural Feature: The architectural elements embodying style, design, general arrangement, and components of the exterior of any building or structure, including, but not limited to: decorative elements, the kind or texture of the building materials, and the style and type of all windows, doors, lights, and porches.

Certificate of Appropriateness: The approval documentation indicating compliance with the relevant standards of this Ordinance.

Demolition: The razing of a building or a structure or the removal of any exterior architectural feature or structure or object.

Frontage Zone: [Same as the definition found in article 8 of the Core Zoning Code.](#)

Historic Special Districts: Those shown on the Official District Map of the Town of Newcastle, Maine as may be amended from time to time. The Official District Map is included in Article 1 of the Core Zoning Code.

Legislative Body: Voters of the Town of Newcastle at a duly-noticed Town Meeting.

Local Landmarks: Those properties, which may be located outside of the Historic Special Districts, but which have been designated as Local Landmarks as provided in Article 7 of this Ordinance.

Minor Alteration: Incidental changes or additions to a building which will neither result in substantial changes to any significant historic features nor obscure such features. In no event shall any change be deemed minor when, in the determination of the Planning Department, such change shall alter the historic character of the building.

New Construction: New construction includes the placement of a new Primary or Accessory Building on a site, whether the new building is post-and-beam construction or factory-built/manufactured.

Primary Building: Same as the definition found in Article 8 of the Core Zoning Code.

Principal Facade or Principal Elevation: The front of a building facing the street.

Public Realm: All public or civic lands including publicly-owned parks and open spaces, roads, sidewalks, rights-of-way, frontage zones, and water bodies.

Review Board: The Newcastle Historic Preservation Review Board, as established by Article 2 of this Ordinance.

Rhythm: An ordered, alternating, recurring pattern of solids (walls) to voids (windows and doors) in building facades along the street. The recurrent alternation of walls to windows and doors (solids to voids) along the front facade of a building establishes a pattern which can be perceived when observing the building from a distance.

Temporary: For the purposes of this Ordinance, the term Temporary shall have the same meaning as Temporary Structure, as outlined in Article 4, Section 9 of the Core Zoning Code.