1	ORDINANCE NO. 23							
2	Town of Lincoln							
3	AN ORDINANCE AMENDING							
4	CHAPTER 260 ZONING							
5 6	Note: W			rikeover are to be deleted from the ordinance; words set in <u>underline</u> are to lance.				
7	ADTIC		DEE	INTERONG				
8	ARTICLE II – DEFINITIONS Chapter 200 7 Definitions would use as							
9	Chapter 260-7 Definitions; word usage.							
10	ADAPTIVE REUSE							
11 12	The conversion of an existing structure from the use for which it was constructed to a new use by maintaining the elements of the structure and adapting such elements to a new use.							
13								
14	ARTICLE III – USE REGULATIONS							
15	Chapter 260-21 Adaptive Reuse Projects.							
16 17 18 19	A.	offices mixed	s, scho	se. Adaptive reuse for the conversion of any commercial building, including pols, religious facilities, medical buildings, and malls into residential units or developments is a permitted use in all zoning districts, under the criteria elow under subsection B. Eligibility.				
20	B.	Eligib	ility.					
21 22		(1)	At le	east 50% of the existing gross floor area must be developed into residential s.				
23 24		(2)		re are no environmental land use restrictions recorded on the property enting the conversion to residential use by RIDEM or the US EPA.				
25	C.	<u>Densit</u>	<u>y.</u>					
26 27		(1)		projects that meet the following criteria, the residential density shall be fifteen dwelling units per acre:				
28 29 30			(a)	Where the project is limited to the existing footprint, except that the footprint is allowed to be expanded to accommodate upgrades related to the building fire code, and utility requirements.				
31 32			(b)	The development includes at least twenty percent (20%) low- and moderate-income housing.				
33 34 35 36			(c)	The development has access to public sewer and water service or has access to adequate private water, such as well and/or wastewater treatment systems approved by the relevant state agency for the entire development as applicable.				

For all other adaptive reuse projects, the residential density permitted in the 37 (2) converted structure shall be the maximum allowed that otherwise meets all 38 standards of minimum housing and has access to public sewer and water services 39 or has access to adequate private water, such as well and wastewater treatment 40 systems approved by the relevant state agency for the entire development, as 41 applicable. 42 The density proposed for any adaptive reuse project shall be determined to meet 43 (3) all public health and safety standards as determined by the Building Official. 44 D. Dimensional requirements. 45 Notwithstanding any other provisions of this chapter, existing building setbacks 46 shall remain and are considered legal nonconforming. 47 (2) No additional encroachments shall be permitted into any nonconforming setback 48 unless relief is granted by the permitting authority. 49 50 (3) Notwithstanding other provisions of this chapter, the height of the structure shall be considered legal nonconforming if it exceeds the maximum height of the 51 zoning district in which the structure is located. 52 (a) Any rooftop construction necessary for building or fire code compliance, or 53 utility infrastructure is included in the height exemption. 54 E. Parking requirements. 55 56 Adaptive reuse developments shall provide one parking space per dwelling unit. The applicant may propose additional parking. 57 The parking requirements and design standards in Article V. Chapter 260-31 shall 58 (2) apply to all uses proposed as part of the project unless otherwise approved by the 59 applicable authority. The number of parking spaces required shall apply for all 60 uses other than residential. 61 Allowed uses within an adaptive reuse project. F. 62 Residential dwelling units are a permitted use in an adaptive reuse project 63 64 regardless of the zoning district in which the structure is located, in accordance with the provisions of this section. 65 66 (2) Any nonresidential uses proposed as part of an adaptive reuse project must comply with the provisions of Chapter 260 Attachment 1 for the zoning district 67 in which the structure is located. 68 69 G. Development and Design Standards. Site design shall be in accordance with the Section 22 of the Land Development and Subdivision Regulations. 70 71 Н. Procedural requirements. 72 Adaptive reuse project shall be subject to the procedural requirements of the Land (1) Development and Subdivision Regulations and proceed under the review process 73 as determined by the Administrative Officer. 74 In addition to the checklist requirements for the applicable review process, the 75 (2)

applicant shall provide the following information:

76

77 78		(a)	The proposed residential density and the square footage of nonresidential uses. Residential density under the provisions of section C(2) of this chapter shall require the submission of a detailed floor plan as described in	
79 80			subsection H(2)(b) of this chapter.	
81 82 83		(b)	A floor plan to scale for each building indicating, as applicable, the use of floor space, number of units, number of bedrooms, and the square footage of each room and each unit.	
84	I.	Specific and objective provisions.		
85 86		()	specific and objective criteria for adaptive reuse projects are found in the wing sections of the regulations [LIST SECTIONS]	
87				