



Cape Cod Commission

DISTRICT OF CRITICAL PLANNING CONCERN NOMINATION FORM

IMPORTANT NOTE: Nominating parties must call the Cape Cod Commission office to schedule a pre-application conference with Cape Cod Commission staff before submitting a District of Critical Planning Concern (DCPC) nomination form.

The Cape Cod Commission reserves the right to request additional information from the applicant pertaining to a proposed DCPC designation at any time, or alternately, to determine whether the materials or information requested in this form are applicable to and required for any particular proposed nomination. The Cape Cod Commission reserves the right to reject applications deemed incomplete without prejudice.

Directions:

1. Please answer all questions as completely and concisely as possible. Attach additional sheets as necessary.
2. The following attachments (as applicable) must be submitted to the Cape Cod Commission office with this application form. Each item will be discussed with Commission staff at the pre-application conference:

- (a) A locus map consisting of one original section of the most recent U.S.G.S. 1:25,0000-scale topographic map(s) containing the proposed district with proposed boundaries clearly shown.
- (b) Copies of all town assessors maps/sheets showing property within the proposed district.
- (c) Copies of all town zoning maps showing property within the proposed district.
- (d) Copies of all current municipal bylaws and regulations applicable within the proposed district.
- (e) Provide documentation of community concern about the area (e.g., letters, newspaper articles, minutes of meetings, board resolutions).
- (f) If the nomination concerns land located in more than one town, have you consulted with appropriate municipal agencies in those towns before this application? Have you notified the board(s) of selectmen before submitting this application? If so, please attach a copy of such notification or correspondence.
- (g) Provide studies or reports addressing the need for this district.

Municipal Agencies only:

- (h) Attach selectmens' comments on the proposed nomination if the nomination is being made by a planning board, board of health, historic commission, or conservation commission.

District of Critical Planning Concern Nomination Form

General Information

1. Nominating entity:

Name/Organization _____

Contact Person _____

Address _____

Telephone _____

2. Describe the location of the proposed district, including the affected town(s) and references to any distinguishing landmarks such as structures and roads that may act as boundary limits to the proposed district. If appropriate, give measurements in feet. The boundaries should be delineated as accurately as possible, both on the attached maps and in the narrative below.

3. Does the proposed district include land located in more than one town? If yes, please indicate if this application relates to another application for the same district or purpose. (Applicants are encouraged to file joint applications for nominations that include more than one town.)

4. Approximate area of the proposed district:

_____ # acres total

acres in each affected town:

<u>Town</u>	<u>Acres</u>
_____	_____
_____	_____
_____	_____
_____	_____

5. Identify existing local regulations that relate to the purposes of the proposed district [include zoning and general bylaws, overlay districts (e.g., water resource protection districts), health regulations, and local historic districts]. Cite the pertinent sections of those regulations or bylaws and attach a copy of each.

<u>Law/Regulation/District</u>	<u>Applicable Section #</u>

6. Are any local subdivision or development permits pending in this area?

<u>Name of Project/Owner</u>	<u>Location</u>	<u>Permitting Agency (e.g., Planning Bd., ZBA)</u>

7. Are you aware of any local organizations that have jurisdiction over property within the proposed district (e.g., private conservation trusts)? If yes, please describe.

8. Are you aware of any state, federal, or county landholdings within the proposed district? If yes, please describe.

9. Are you aware of any technical studies or management plans proposed, ongoing, or completed relating to the proposed district? If yes, please cite.

Purpose of Proposed Nomination

Criteria:

The Cape Cod Commission Act provides for designation of certain areas that must be preserved and maintained due to one or more of the following factors:

- C1.the presence of significant natural, coastal, scientific, cultural, architectural, archaeological, historic, economic, or recreational resources or values of regional, statewide, or national significance; or
- C2.the presence of substantial areas of sensitive ecological conditions that render the area unsuitable for development; or
- C3.the presence or proposed establishment of a major capital public facility or area of public investment.

10. Indicate the type of district(s) that is (are) proposed. The Commission has identified certain types of districts that may be nominated as DCPCs; types of districts not listed may also be nominated. For a description of each type of district listed, see Appendix A. Check all that apply:

- Water Resource District
- Aquaculture Resource District
- Agricultural Resource District
- Wildlife, Natural, Scientific, or Ecological Resource District
- Cultural, Historic, Architectural, or Archaeological Resource District
- Economic or Development Resource District
- Affordable Housing Resource District
- Major Public Investment District
- Hazard District
- Waterfront Management/Watersheet Zoning District
- Downtown Commercial Revitalization District
- Transportation Management District
- Other

11. Explain why you think this area warrants designation. (A district may be nominated for more than one reason.) Reference the criteria (C1, C2, or C3) listed above. Include supporting facts and figures when available.

12. Describe what would be gained through additional planning or regulatory control of this area, including establishment of new regulatory controls to address any problems associated with inappropriate development of the area.

13. What classes or types of proposed development should be allowed to continue **during** the consideration of the nomination for designation by ordinance?

14. If new development control regulations will be sought, what type(s) of uses and/or development would be appropriate or inappropriate within the proposed district?

15. What regulatory controls should be instituted in the proposed district to protect the values and purposes for which the district is being nominated (e.g., local zoning and general bylaws, regulations, local overlay districts)?

16. What other types of initiatives may be needed to implement the objectives of the proposed district (e.g. planning, grants, design guidelines, studies)?

17. Please list all supporting documentation submitted with this application that is not already listed on the cover sheet:

If you have questions or require further information, please contact the Chief Planner or Deputy Director at the Cape Cod Commission, 3225 Main Street, P.O. Box 226, Barnstable, MA 02630; phone 508-362-3828.

Print Name of Preparer

Signature of Preparer

Date

NOTE: Please see Appendix A (attached), the “DCPC Guidance Document for the Nomination and Designation of Districts of Critical Planning Concern,” and the “DCPC Review Process” flow chart for further guidance in completing this nomination form.

APPENDIX A: Suggested Criteria for Districts of Critical Planning Concern

The types of districts that may be proposed as districts of critical planning concern include, but are not limited to, the districts listed below or a combination thereof. The districts listed below are intended to provide guidance for district nominations only and are in no way intended to limit the type or scope of district nominations.

1. Water Resource District

The district is important to the protection of an aquifer, watershed, aquifer recharge zone, or surface water body with the following considerations:

- (i) Without special regulations in the district, development or waste disposal could endanger the quality or quantity of the water.
- (ii) Studies or expert advice indicate that the designation and regulation of the district could be effective in protecting the quality or quantity of water.

2. Aquaculture Resource District

The water body in the district is particularly suited for production of shell- or fin-fish and can be made productive through good management and improvements.

3. Agricultural Resource District

The district includes areas particularly suited now and in the future for sustaining or augmenting the food supply or other agriculture of Cape Cod. The district must have one or more of the following characteristics:

- (i) The district is generally being farmed or it is practical to convert it to agricultural uses.
- (ii) Land ownerships within the district are generally of adequate size to support agricultural uses.
- (iii) Soil, climate, and topography are well suited for agriculture.

4. Wildlife, Natural, Scientific, or Ecological Resource District

The district contains an important and identifiable wildlife, natural, scientific or ecological resource. This would include but not be limited to plant, animal, and marine life and their habitats, as well as unusual geological features.

5. Cultural, Historic, Architectural or Archaeological Resource District

The district contains a place, landscape, way, or view that is in some special way expressive of the character of Cape Cod, traditions of Cape Cod residents, and of special interest to Cape Cod visitors and residents. The district also must be:

- (i) of exceptional symbolic or recreational importance and is either visible or accessible to them or can reasonably be made so; or
- (ii) rare, unique, or makes an unusual contribution to the diversity of the Cape Cod character; or
- (iii) irreplaceable, or replaceable only with extraordinary effort or expense.

Subject to the above general tests, designations may be considered for areas that are important for their connection with the aesthetic value or the history of the region—including its geological history or the history of its Indian settlement—or that symbolize and support traditional activities and ways of life of Cape Cod, or that give us a particular understanding of Cape Cod. These include places that present opportunities to enjoy hunting, fishing, and wildlife.

6. Economic or Development Resource District

The district will include areas that have special potential for economic development, providing employment or housing for Cape Cod residents or for accepting necessary development that might be detrimental or inappropriate in other locations. The district must also:

- (i) require special regulations to create, preserve, or enhance that potential; and
- (ii) be better suited or more readily available for development than other areas of Cape Cod, considering topography, utilities, costs, and environmental and social impact.

7. Major Public Investment District

The district will include areas that have a significant impact on an existing or possible future major public investment or areas that are significantly affected by such an investment. In addition, the district must qualify as follows:

- (i) The district pertains to a major public investment and may include, but is not limited to, airports, roads and ways, schools, parks, beaches, preserves, public utilities and medical facilities owned or operated by a federal, state, county, or municipal agency; and
- (ii) The intended use or operation of the public investment or the health, safety, and welfare of the public could be impaired by inappropriate development in the district.

8. Hazard District

It is an area that possesses hazards due to natural or man-made conditions including but not limited to marginal soil or topographic conditions that render it unsuitable for intense development, flooding, waste treatment, groundwater, erosion, construction problems, salt water intrusion, and pollution.

9. Waterfront Management/Watersheet Zoning District

These districts identify appropriate uses of harbor and waterfront resources including but not limited to promotion of conservation, maritime and fishing industry uses, and recreational uses of the shoreline and adjacent waters.

10. Downtown Commercial Revitalization District

This district promotes development in downtown areas by accepting necessary development and reducing sprawl.

11. Transportation Management District

This district regulates development in order to facilitate public and marine transportation and/or traffic flow and safety between and within Cape Cod towns and to and from Barnstable County. Scenic views and recreational areas are maintained.

12. Affordable Housing Resource District

The district includes the presence or proposed establishment of a major capital public facility or area of public investment suited now and in the future for provision of decent, affordable housing of all types for low and moderate income Cape Cod residents. The district must also:

- (i) maintain the affordability of existing and new affordable housing; and
- (ii) designate areas for higher-density housing; and
- (iii) include incentives for towns to donate land for affordable housing; and
- (iv) be better suited for development than other areas of Cape Cod considering topography, proximity to social services and commercial centers, utilities, costs, and environmental impact; and
- (v) promote social diversity.