Demolition Supplement 1

Sec. 6.18. - Demolition.

A. **Purpose.** These standards are intended to minimize the hazards associated with demolition activity, including the blighting impact of site demolitions on surrounding lands, and undesirable visual impacts demolitions may have on the view from surrounding lands or rights-of-way. They are also intended to provide increased scrutiny of proposed demolition of local historic sites and contributing structures in local historic districts.

B. **Site Demolition and Restoration Permit Required.** No demolition activity shall take place except in compliance with a Site Demolition and Restoration Permit issued in accordance with Section 3.4.O, Site Demolition and Restoration Permit. Also, no demolition activity shall take place within a Historic Overlay (HO) district except in compliance with a Certificate of Appropriateness issued in accordance with Section 3.4.J, Certificate of Appropriateness.

C. **Demolition, Storage, and Removal of Structures and Materials.**

1. Unless specifically provided otherwise by the permit conditions, all manmade stationary features constructed above or below the ground surface, foundations, retaining walls, slabs, utilities, pavement/curbs, walks, swimming pools, and mechanical and electrical appurtenances, shall be demolished and removed from the site.

2. All building materials, debris, and rubbish resulting from demolition shall be promptly transported to a licensed disposal site. Hazardous materials will be identified and disposed of as required by applicable environmental regulations and laws. For oceanfront lots, sand shall be sifted from all building materials in accordance with applicable State requirements.

3. The demolition activity shall be conducted in a manner that minimizes, to the degree possible, adverse impacts on adjacent lands or public roadways from sedimentation, erosion, and windblown sand, dust, and debris. Any tree removal shall require separate Tree Removal Permit(s), and measures shall be taken to preserve trees not specifically authorized to be removed.

4. Demolitions shall not be conducted on, nor shall demolition permits be issued for, buildings, structures, or objects on local historic sites, or for contributing structures in local historic districts, until the property owner has applied for and received a Certificate of Appropriateness for the proposed demolition in accordance with Section 3.4.J, Certificate of Appropriateness.

D. **Site Restoration.**

1. Upon completion of the demolition and removal of materials, debris, and rubbish, the site shall be restored in accordance with this section.

2. The land shall be graded to a uniform level, free of irregular surface changes. Changes in grade between the subject property and adjoining lands shall be minimized.

3. Bahia or St. Augustine grass shall be planted along the entire street frontage, including the area between the paved street and public sidewalks, to a depth of no less than 20 feet. The remainder of the site shall be seeded or sodded in sufficient quantity to ensure the growth of grass. During the first month, or until the grass is established, whichever is later, the grass shall be watered to ensure proper growth.

4. Fencing may be installed in accordance with Section 6.8, Fences, Walls, and Hedges. On lands located east of Atlantic Avenue, front and rear fencing or walls must be installed, and shall comply with the following additional requirements:

   a. Fences and walls shall be solid face construction of pressure treated pine, cedar, cypress, PVC, or concrete with stucco finish. Plywood, particleboard, chain link, and similar materials are prohibited.

   b. The front fence or wall shall be set back a minimum of 20 feet from the Atlantic Avenue street frontage.

   c. Along the front and rear, the fence or wall shall be four feet in height. Fencing on the sides is permitted at a maximum height of six feet.

d. A sand or dune fence with a maximum height of four feet is required for controlling sand drifting. This fence shall be constructed parallel to the ocean frontage no more than 40 feet from the bulkhead line.

e. One access point is permitted to the property.

f. All fences and walls must have a white surface.

5. When the native or salt tolerant vegetation has been in place for six months or more, the property owner may apply to the City for removal of the fence or wall, if located east of Atlantic Avenue. If the vegetation has sufficiently taken root and at least 70 percent of the site surface is covered and stabilized, the City may authorize removal of the fence. If the application is denied, the applicant may appeal the decision to the Planning Board.

E. **Maintenance Required.** After demolition, the property shall be maintained in accordance with the restoration requirements until a Building Permit for site construction is issued and work begins in accordance with the permit.

(Ord. No. 16-26, § 1(Exh. A), 1-20-2016)