

CITY OF LEWISTON
PLANNING BOARD WORKSHOP MEETING
Monday, December 10, 2012 – 5:30 P.M.
City Council Chambers – First Floor
Lewiston City Building
27 Pine Street, Lewiston

AGENDA

- I. ROLL CALL**
- II. ADJUSTMENTS TO THE AGENDA**
- III. CORRESPONDENCE**
- IV. PUBLIC HEARINGS:** None
- V. OTHER BUSINESS:**
 - (a) Bates College Student Presentation: Recommendations for the Remediation of the Hart Brook Watershed.
 - (b) Discussion regarding of Appendix A, Article XII, Section 9 – Adult business establishments and drinking place standards.
 - (c) Request to reconsider for an amendment to the proposed zoning matrix.
 - (d) Request to provide recommendation of capital expenditures for Riverfront Master Plan Funding.
 - (e) Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.
- VI. READING OF THE MINUTES:** Motion to adopt the draft minutes from the October 22, 2012 and November 26, 2012 meetings.
- VI. ADJOURNMENT**

(EXISTING ORDINANCE LANGUAGE)

APPENDIX A – ZONING AND LAND USE CODE
ARTICLE XII. PERFORMANCE STANDARDS

Sec. 9. Adult business establishment, and drinking place standards.

The regulation of the density of adult business establishments, and drinking places is intended to permit the location of such establishments within the community, yet ensure that they will not become overly concentrated in neighborhoods or areas to the detriment of other uses. Therefore, in addition to the regulations of article XI, adult business establishment, and drinking places shall conform to the following standards:

- (1) The minimum distance between an adult business establishment, and/or drinking place and any two other adult business establishments, and/or drinking places in the same or adjoining zoning district shall be 300 feet for businesses located within the Centreville district as measured along the ordinary course of travel between the main entrance of each premises.
 - (a) Drinking places with 5,000 square feet or greater on the first floor are exempt from the above referenced standard. Drinking places of 5,000 square feet or greater shall not be included in the locational criteria determinations for drinking places of less than 5,000 square feet or adult business establishments.
- (2) The minimum distance between an adult business establishment, and/or drinking place and any two other adult business establishments, and/or drinking places in the same or adjoining zoning district shall be 500 feet for businesses located in any other district as measured along the ordinary course of travel between the main entrance of each premises.
- (3) An adult business establishment, or drinking place may not be located within 300 feet, as measured along the ordinary course of travel between the main entrance of each premises, of a public or private school, school dormitory, church, chapel or parish house, or legally-established dwelling in a residential zoning district, in existence prior to the establishment of the business.

(Ord. No. 89-3, 4-7-89; Ord. No. 00-19, 10-5-00; Ord. No. 02-21, 1-9-03; Ord. No. 04-10, 5-6-04; Ord. No. 05-07, 3-17-05)

(SUGGESTED ORDINANCE AMENDMENTS, EXPLANATIONS BELOW)

APPENDIX A – ZONING AND LAND USE CODE
ARTICLE XII. PERFORMANCE STANDARDS

Sec. 9. Adult business establishment, and drinking place standards.

The regulation of the density of adult business establishments, and drinking places is intended to permit the location of such establishments within the community, ~~yet~~ ensure that they will not become overly concentrated in certain neighborhoods or areas to the detriment of other uses, and provide for a greater concentration of drinking places in targeted areas. Therefore, in addition to the regulations of article XI, adult business establishment, and drinking places shall conform to the following standards:

- ~~(1)~~ ~~(1)~~—The minimum distance between an adult business establishment, ~~and/or drinking place~~ and any two other adult business establishments, ~~and/or drinking places~~ in the same or adjoining zoning district shall be 300 feet for businesses located within the Centreville district as measured along the ordinary course of travel between the main entrance of each premises. There shall be no minimum distance requirement between drinking places in the Centreville, Riverfront and Mill Districts, so long as each meet the distance requirement of:
- a. A drinking place may not be located within 300 feet, as measured along the ordinary course of vehicle travel between the main entrance of each premises of a legally-established dwelling, located at the ground level, in a residential zoning district, in existence prior to the establishment of the business.
~~(a) Drinking places with 5,000 square feet or greater on the first floor are exempt from the above referenced standard. Drinking places of 5,000 square feet or greater shall not be included in the locational criteria determinations for drinking places of less than 5,000 square feet or adult business establishments.~~
- (2) The minimum distance between an adult business establishment, and/or drinking place and any two other adult business establishments, and/or drinking places in the same or adjoining zoning district shall be 500 feet for businesses located in any other district as measured along the ordinary course of travel between the main entrance of each premises.
(a) Drinking places with 5,000 square feet or greater on the first floor are exempt from the above referenced standard. Drinking places of 5,000 square feet or greater shall not be included in the locational criteria determinations for drinking places of less than 5,000 square feet or adult business establishments.
- (3) In all districts except for Centreville, Riverfront and Mill, ~~A~~ an adult business establishment, or drinking place may not be located within 300 feet, as measured along the ordinary course of travel between the main entrance of each premises, of a public or private school, school dormitory, church, chapel or parish house, or legally-established dwelling, located at the ground level, in a residential zoning district, in existence prior to the establishment of the business.

REASON FOR PROPOSED AMENDMENT

Current provisions create significant limitations on the growth of additional business types that would support the on-going renaissance on Lisbon Street and Riverfront Island during after work hours. Or, more specifically, small social venues that could help to attract visitors and residents to the downtown for entertainment and social interaction. In 1984, when these provisions were put in place, the City was faced with a need to shake its old image. Today, we must remove components of this provision to position the City for its new image as a center of downtown activity.

With the growth of Lisbon Street as an arts and dining center for downtown Lewiston, the addition of new drinking places, as defined in the ordinance, is currently limited despite being found in reasonable co-existence in other communities' downtown areas. The language changes reflect maintenance of density and distance provisions for all zones but the key downtown zones of Centreville, Mill and Riverfront. A particular section to note is the protection of residential dwellings in those three zones by keeping in place a density limitation when located within 300 feet of vehicular travel of a dwelling located on the ground level, a slight change that accommodates Lisbon Street, for example, but continues to protect Park Street.

Downtown 'adult' businesses targeted by proposal

By Glen Chase
Sun staff writer

The Lewiston Planning Board on Tuesday night will get its first glimpse of a proposal intended to control the concentration of adult business establishments in the downtown.

Following more than a month of study by city planners, the Planning Board will consider a proposed ordinance that could reduce the number of adult businesses downtown, as well as create a new business zone.

City Planner Robert Faunce said while the ordinance would allow two adult businesses to be located next to one another, a third could be no closer than 200 feet.

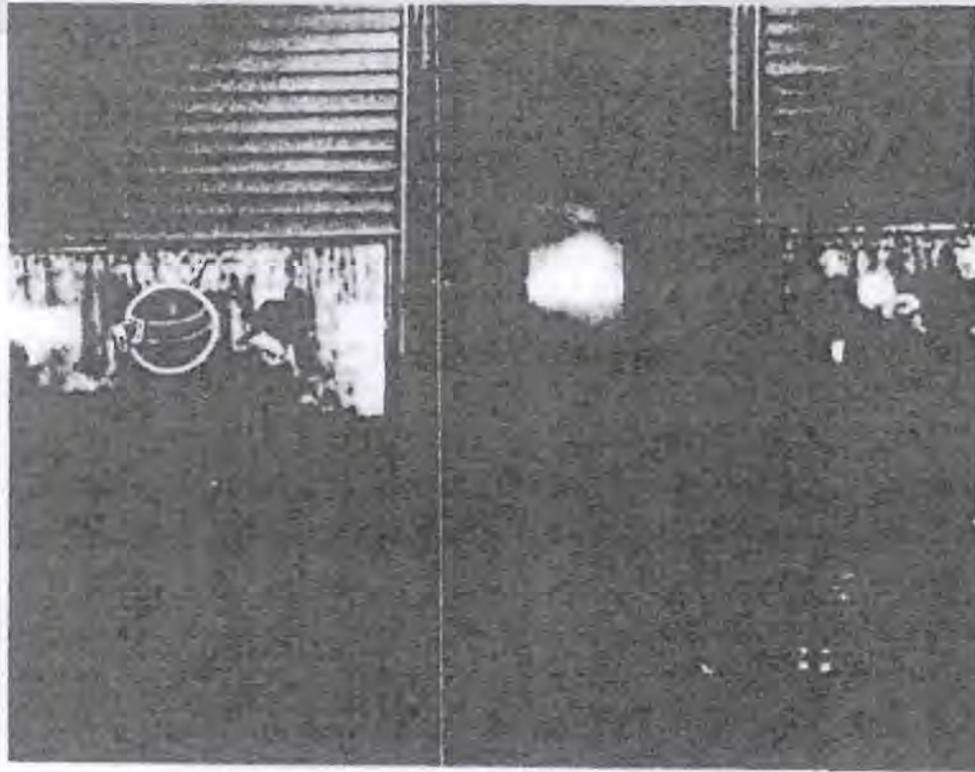
An adult business — not to be confused with an adult amusement establishment — is defined as any business in which the majority of sales are of goods that cannot legally be sold to people under 18, or a business that excludes people under 18 or generates 50 percent or more of its income from the sale of alcohol.

Faunce said this covers taverns, bars, billiard and pool rooms, private clubs, restaurants with above the minimum in liquor sales, and adult amusement establishments (those dealing in X-rated material, such as adult bookstores or theaters).

"The intent is simply (to) reduce the density, not the number of adult business establishments" in areas such as Lower Lisbon Street, Faunce said.

The adoption of such an ordinance was originally proposed in June by the Lower Lisbon Street Task Force. There are now four public taverns and seven private clubs from Canal to Chestnut streets, and the task force believes that is too many.

"We hope to foster a slow change



Beer parlors might be affected by Lewiston proposal

over a period of time," said Faunce. He noted that concentrations along Lisbon Street and portions of Lincoln Street built up over a long period of time and that it will take an equally

long time to break them up.

Existing adult businesses in violation of the new ordinance would be required to obtain an annual non-con-

forming use permit, Faunce explained. This, he predicted, would only create problems for marginal establishments that frequently open

and close within a short period of time.

"This zoning ordinance has no statement of desirability. All we're saying is that they shouldn't be right on top of one another," Faunce said.

In addition to the 300-foot distance, the ordinance also calls for the creation of an urban commercial zone, which Faunce said would more accurately reflect uses in the current central business district zone.

The new zone would include the section of Lincoln Street that is zoned commercial and the portion of Lisbon Street from Chestnut to Willow streets, which is now in the central business district zone.

The new zone hopes to reflect a combination of retail, service, wholesale, distribution, light manufacturing and residential uses. Permitted and conditional uses would be the same as in the commercial zone.

But the new ordinance would prohibit adult amusement establishments from locating in the remaining central business district. The businesses would be allowed in the urban commercial zone and in the commercial zones along outer Sabattus, Lisbon and Main streets.

In other action, the Planning Board will consider proposed changes in the city's condominium ordinance, which was adopted in 1981.

Because of changes in state law, Faunce said, the ordinance has been outdated. He is recommending the city delete almost the entire ordinance, rather than rewriting the law to match state statutes.

However, the city would still review proposals for condominium developments under a process similar to that used for subdivisions.

The Planning Board will meet at 7 p.m. in Meeting Room A of City Hall.

Lewiston board supports 'adult' zone

By Glen Chase
Sun staff writer

While supporting a suggested density requirement for "adult businesses" in the downtown, the Lewiston Planning Board questioned how a portion of the proposal designed to reduce the number of bars, taverns and private clubs could be enforced.

For almost two hours Tuesday, the Planning Board wrestled with a proposed ordinance designed to control the number of adult businesses in the downtown before finally posting it unchanged for a Sept. 23 public hearing.

The board agreed with the creation of a requirement that would allow two adult businesses to be located next to one another but prevent a third from being closer than 300 feet.

However, the board debated in detail a provision recommended by City Planner Robert Faunce that would phase out "marginal" adult-business establishments — those that fail to remain open for at least 150 days per year or gross a minimum of \$30,000 annually.

"Boy, I can see a lot of hell here," said Planning Board Chairman Norman J. F. Marquis after skimming the proposed zoning ordinance.

The ordinance defines an adult-business establishment as those in which the majority of its goods are not legally sold to persons under the age of 18, or a business which excludes persons under 18 or generates 50 percent or more of its income from the sale of alcohol.

The board expressed concern with provisions requiring adult businesses in violation of the new ordinance to obtain an annual non-conforming use permit, according to Faunce. Since the permit requires a minimum of \$30,000 in gross sales and minimum of 150 business days per year, Faunce said the provision would only affect the marginal establishments that frequently open and close within a short period of time.

But Marquis wanted to know how those numbers were determined, particularly the one dealing with gross sales.

"Thirty thousand dollars and 150 days were our best efforts at defining the level at which a government could tell a person to use a piece of property for other activities," said Assistant City Attorney Michael Poulin.

Poulin said the courts have ruled that as long as property owners are denied no vested property rights or are reimbursed for the loss, municipalities can adopt such provisions. The \$30,000 in gross sales was determined to be the minimum value that the adult business use would have if the city was trying to restrict its use,



NEW INNER CITY ZONES — City Planner Robert Faunce points to a new zone being proposed for the downtown at a meeting of the Lewiston Planning Board Tuesday. Faunce outlined a new adult-business ordinance intended to control the number of adult businesses in the city's downtown. Part of the ordinance

changes calls for creation of a new urban-industrial zone, located on Lisbon Street and on Lisbon Street from Chestnut to Willow streets. Following much discussion, the Planning Board posted the ordinance changes for a public hearing at its Sept. 23 meeting. Peter Gray/Sun staff

according to Poulin.

"The courts have said it's legitimate and perfectly valid to do everything within reason, and within the constitution, to eliminate non-conforming uses as soon as possible," Poulin said.

"What you're saying is, if you make less than \$30,000, you're out," said board member Donald Boucher.

"The small guy isn't necessarily contributing to the problem," agreed Marquis.

But Faunce responded that "unless you've got teeth in it, you're wasting a lot of time."

City Development Director Laurig H. Winsor agreed, saying the \$30,000 limit is similar to value judgments made frequently in zoning ordinances.

"You're making a judgment about economic value. In zoning, we do that every day," said Ms. Winsor. She pointed to decisions ranging from the number of children that could be housed in a private home to the number of apartment units in a single building.

When board member Donald Blass-

ette questioned how the city would prove whether a business is grossing \$30,000 in sales, Poulin said the burden would be on the business owner. He said the owner would be required to sign an affidavit saying he earned at least the minimum. If there was any question, a hearing would be held at which the business owner would have to prove the amount of business he did.

Board member Carol Tracy, who chairs the Lower Lisbon Street Task Force, argued strongly in favor of the ordinance. The task force originally proposed the creation of such an ordinance last June.

"You have to look at the reality of what is going on. The issue is drugs, prostitution and all the other things down there," said Ms. Tracy.

When Marquis complained that the city was "protecting upper Lisbon Street as much as we can," referring to creation of a new urban-commercial zone on Lisbon Street from Chestnut to Willow streets, Ms. Tracy said the intent was to remedy the impact Lower Lisbon Street has on the entire

city.

Another task force member, Richard Bolduc of the Oasis Soup Kitchen, said the ordinance is only a first step.

"It's not strong enough, but I'm willing to accept it as a start," Bolduc said.

Mayor Alfred A. Plourde also spoke out in favor of the ordinance, calling the Lower Lisbon Street area neglected.

"You show me that a pimp has a social conscience. You show me that a prostitute has a social conscience. They don't care what they are causing to the city," said Plourde. He said the number of adult businesses in the area contribute heavily to the problem.

Faunce referred to a study of police calls he did last year which showed police responded to a disproportionate amount of calls to the three-block-long strip compared to other areas of the city.

When Boucher said business owners would be able to comment at the board's public hearing, board member William Harkins moved to post the ordinance for a public hearing.

Lewiston board recommends 'adult' business regulations

By Glen Chase
Sun staff writer

A proposal to limit the number of "adult" businesses in the downtown drew fire from both the Lewiston Planning Board and businessmen before the board forwarded the measure to the City Council Tuesday.

Much of the debate focused on a provision of the adult business establishment ordinance that would require existing businesses not conforming with the proposal to obtain a use permit by proving a minimum of \$30,000 in gross sales or being open for at least 150 days per year.

While supporting the intent of the proposal, board Chairman Norman J.F. Marquis questioned requiring businesses to prove they have at least \$30,000 in gross sales annually.

"I don't think any establishment down there is going to be put out of their way to come down here to apply for a permit," said Marquis. "The problem is demanding the \$30,000 be proved."

"I feel there are laws on the books that can take care of half the problems" on Lower Lisbon Street, Marquis said. "The only problem I have is that this gives the power to the city to demand to see their books."

The Lower Lisbon Street Task Force suggested the ordinance as a response to drug use, prostitution and public drinking along the street, which some task force members said partly result from the concentration of adult businesses in the area.

City Planner Robert Faunce said the city would only be forced to examine a business's financial records if the City Council adopts such a requirement in an accompanying ordi-

nance on licensing. He said a business owner would be able to file an affidavit with the city certifying that the minimum amount of sales was met in the past year.

The adult business ordinance is not aimed at criminal acts along Lower Lisbon Street, Faunce said, but is trying to reduce the number of businesses serving only adults in a three-block area.

"It's only to achieve a density standard," said Faunce. He said 90 percent of the non-conforming businesses are located in that section of Lisbon Street.

"The adult business establishment ordinance is the least painful way to get something going. Most of the existing businesses will laugh at the \$30,000 minimum-sales requirement," said Faunce.

The ordinance forwarded to the City Council would allow two adult businesses to be located next to one another, but a third could be no closer than 300 feet.

The proposal defines an adult business as any business at which a majority of sales are of goods not legally sold to people under 18, one that excludes people under 18, or one that generates 50 percent or more of its income from alcohol sales.

The ordinance would affect taverns, bars, billiard and pool rooms, private clubs, restaurants with above the minimum in liquor sales and adult amusement establishments (those dealing in X-rated material, such as adult bookstores or theaters).

Only two people spoke against the ordinance Tuesday.

Robert Lambert of the South End Social Club said that while he agreed with its intent, he objected to having

to come to City Hall every year for a non-conforming use permit.

Another social club representative, Maurice Beaulieu of the L & A Working Man's Club, said he believes the area is being picked on because of the actions of a minority of businesses.

While both said their businesses would have no trouble meeting the \$30,000 in gross sales mark, they were concerned with the impact of such an ordinance.

Marquis said he had received several calls about the proposed ordinance from business owners hesitant to voice their views in public.

But board member Carol Tracy, chairwoman of the Lower Lisbon Street Task Force, said that "without teeth, we can't start eliminating any businesses to get you guys in conformance."

"The proposal would allow non-conforming businesses to become conforming if the density goal is reached.

When Marquis noted that he is aware of one business that would have to close if the ordinance were passed, Faunce said that is the intent.

"As a matter of fact, that would happen, and that's the way it works," said Faunce. Business owners in violation would either have to close or relocate to an area with fewer adult businesses.

"These are hard decisions the city has to make. But it has taken us years to get to the point where people think they may get the backing or the fortitude to get this done," said Faunce.

Board member Martha Watson expressed concern about the constitutionality of the ordinance, saying she wanted to adopt something that was enforceable. Faunce assured her and



Joe Simokaitis/Sun Staff

Norman Marquis speaks on adult zone while Carol Tracy listens on

others that the city attorney's office believes the proposal could be enforced.

The ordinance was modeled after those in other municipalities that deal separately with a gross sales and business day minimums, Faunce said. Lewiston's would be unique in combining the two standards in one measure, he said.

The Planning Board recommended City Council adoption of the ordinance on a 5-2 vote, with Marguis and Don Boucher voting against it.

The board also forwarded to the council a companion proposal to create a new urban commercial zone along Lisbon and Canal streets, from Chestnut to Willow streets and along Lincoln Street, an area now zoned

commercial.

Faunce said the change would accomplish two goals: prevent adult amusement establishments - those dealing in X-rated material only - from locating in the central business district and give a more accurate label to the combination of residential, commercial and light manufacturing uses in the two areas.

Task force looks at ways to clean up 'bowery' image

By **URSULA ALBERT**
Sun-Journal Staff

The "bowery" image of Lewiston's Lower Lisbon street has been a semi-dormant problem for years, but in March 1984 Mayor Alfred A. Flourde took an initial step to improve the area. Flourde named a task force to study ways to clean up that section of the downtown and, by year's end, the group had helped to effect several changes.

Some of those changes, which were made upon the recommendation and/or with the support of the Lower Lisbon Street Task Force, include:

- Brighter street lights were installed in the Lower End on both sides of the street from Chestnut Street to where Lisbon and Canal streets merge.

- Many social-club owners voluntarily removed club and liquor signs from their building fronts; and more trash receptacles were installed.

- Some alleys between buildings were closed off; and Christmas decorations were strung up on poles as far as Spruce Street for the first time.

- The Police Department increased up efforts to crack down on prostitution, liquor violations and other crimes committed in the area.

- Lewiston's 50/50 housing rehabilitation loan program was expanded to include rooming units, which are commonplace in the Lower End.

- City councillors approved the concept of developing a pedestrian walkway linking the new police station to be built on Park Street with Lisbon Street, where Mary's Tavern

and Eddie's Wheel and Deal are now located.

- Councillors also approved spending no more than \$7,000 to hire an architect to prepare a conceptual design of what Lower Lisbon Street would look like if some building facades were renovated.

Perhaps the biggest change affecting the Lower End came when the City Council adopted a zoning ordinance limiting the number of adult-business establishments that can open in that two-block area, as well along the city's major arteries.

Under the new ordinance, Lisbon Street is split into two zones: a Central Business District on the upper end extending from Chestnut Street to Main Street; and an Urban Commercial Zone in the Lower End. (The Canal and Lincoln street areas are

included in the newly created Urban Commercial Zone).

Under the ordinance, adult-amusement establishments (those dealing with X-rated material only) cannot open up for business on the upper end of Lisbon Street.

Two adult businesses can locate next to each other in the Urban Commercial Zone, but a third one can be no closer than 300 feet.

Along the Main, Lisbon and Sabatius street arteries, which are in commercial zones, a third adult-business establishment would have to locate at least 500 feet from the other two.

Owners of existing adult businesses that don't meet the density requirements have to obtain a yearly non-conforming-use permit. To qualify, they will have to have been open at least 150 days during the previous

year and have grossed \$30,000 in sales.

The city chose that 150-day requirement because, Lewiston Planning Director Robert Faunce explained, that represents "50 percent of the time for an average six-day business."

If a non-conforming adult business closes, the owner will have to reopen for 150 days before his permit comes up for renewal to be able to stay in business. In the past, a business could close and reopen within 2½ years.

Adult businesses covered by the ordinance include, but aren't limited to, private membership clubs, taverns, restaurants and other businesses that derive at least half of their income from liquor sales, adult-amusement establishments, and billiard and pool halls.

"It's the first time anything like this has been done in Maine (not that the city set out to be the first)," Faunce declared. What is especially satisfying, he emphasized, is that the ordinance "fits the city to a T."

"It recognizes what is on Lower Lisbon Street. It also recognizes that something has to be done to change what's going on," he said, stressing, "We're not closing anybody. The government isn't stepping in to say, 'You close, you close and you close.'"

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CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Planning Board
FROM: David Hediger, City Planner
DATE: December 6, 2012
RE: December 10, 2012 Planning Board Agenda Item V(c)

Request to reconsider for an amendment to the proposed zoning matrix.

As the Board is recall, a favorable recommendation was provided by the Planning Board on October 22, 2012 for the City Council to adopt amendments which result in zoning district regulations being placed in table format, provide clarification of permitted uses, and clarification with minor modifications to space and bulk standards within applicable district regulations. When initially presented for adoption, staff noted in the coming months that oversights and omissions may be found requiring Planning Board and City Council action.

Since then, staff presented the changes to the City Council at a workshop. As a result of that meeting and discussion with city staff, the Planning Board acted upon staff's request to reconsider their previous motion from October 22nd to make a number of changes presented as oversights with potential unintended consequences. Changes adopted at the November 26th meeting included:

- Keeping the space and bulk standards of the Rural Agricultural (RA) district unchanged. The initial changes proposed were to correspond with revised opens space/cluster subdivision provisions that have not occurred.
- Keeping the Neighborhood Conservation "B" (NCB) net lot area calculation unchanged. Upon further consideration and review, the initial changes to simplify the density calculations to a single number may have resulted in undesirable increase in density depending upon lot sizes.

Staff is now asking the Board to reconsider their action taken on November 26th to correct a number of additional omissions and oversights. Specifically, staff is asking the Board to reconsider the following:

- Currently, equipment dealers and repair garages are permitted in the Highway Business (HB) district. The matrix as recommended by the Planning Board eliminated this as a permitted use. Staff recalls the Board's concerns were with the size and scale of these types of business being located on major arterials and abutting residential districts. Staff does not necessarily disagree. Depending upon the operator, type of equipment, and location, said use may not be appropriate. That said, staff has been working with Thompsonrolec Enterprises LLC at 51 North Lisbon Road and their consultant for several months on a proposed expansion of their operation off Rousseau Way, behind Moore Self Storage on North Lisbon Road. Thompsonrolec has purchased over 6 acres of land in the HB specifically to expand their equipment dealer and repair operation and to relocate their equipment currently stored along Lisbon Street by Liberty Mutual. Staff strongly

believes the proposed location is ideal for this type of use, being a large lot with no residential uses abutting the property. They have spent hundreds of thousands of dollars to date on acquisition and design work and anticipate submitting an application very shortly. For these reasons, staff is recommending the HB not be changed from its current status and continue to allow equipment dealer and repair garages. While keeping the HB unchanged, there may be value in having future discussions either as part of the comprehensive plan process or aside from that process for the Planning Board to consider whether addition performance standards such as buffers, increased setbacks, and size of the equipment should be regulated in said district. Therefore, staff recommends equipment dealers and repair garages remain a permitted use in the HB.

- Currently, agricultural uses/farms (aside from community gardens) are limited to the Rural Agricultural (RA) district. The matrix as recommended by the Planning Board allowed agriculture uses in the Low Density Residential (LDR) district. This was an oversight upon reviewing past drafts of the matrix presented to the Board. This is further supported by no apparent discussion of lot size requirements for agricultural uses in the LDR. Therefore, staff recommends agricultural uses/farms remain a use not allowed in the LDR.
- Staff has added a definition for North American Industry Classification System (NAICS) for clarification.
- Staff has added amended Land Use Table Note #8 replacing outdated language with an existing performance standard.
- Staff has added Space and Bulk Table Notes 26, 27, 28 referencing existing density requirements of the NCB and performance standards in the IO district.

ACTIONS NECESSARY

1. Make a motion to reconsider the Planning Board's November 26, 2012 action to send a favorable recommendation to City Council to amend Article II. Definitions, Section 2 Definitions and Article XI. District Regulations, Sections 1 through 24.
2. Make a motion to:
 - a. Allow equipment dealers and repair garages as a permitted use in the HB district.
 - b. Prohibit agricultural uses from being permitted in the LDR district.
 - c. To adopt the definition for North American Industry Classification System (NAICS).
 - d. To revise Land Use Table note #8 and add Space and Bulk Table Notes #26, 27, and 28.
3. Make a motion pursuant to Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration a proposal to amend the Zoning and Land Use Code, Article II. Definitions, Section 2 Definitions and Article XI. District Regulations, Sections 1 through 24.

Supporting information

- Land Use Changes: The following summarizes changes proposed with respect to allowed uses in zoning districts, as shown on the Land Use Table:
 - Rural Agricultural (RA):

- Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities, hospitals, medical clinics will no longer be permitted as a conditional use.
- Low Density Residential (LDR):
 - Mixed single-family residential developments in accordance with the standards of Article XIII will be permitted.
- Medium Density Residential (MDR):
 - Neighborhood stores as part of a multifamily development, mixed single-family residential development or mixed residential development provided that the gross floor area devoted to retail use shall not exceed ten percent of the total floor area of the development will be allowed as a conditional use instead of a permitted use.
 - Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities, hospitals, medical clinics will be allowed as a conditional use instead of permitted use.
- Neighborhood Conservation "A" (NCA):
 - Multifamily dwellings in accordance with the standards of Article XIII and single-family attached dwelling in accordance with the standards of Article XIII will no longer be permitted.
 - Single family cluster developments will no longer be allowed as a permitted use.
- Neighborhood Conservation "B" (NCB):
 - Personal services will be allowed as a permitted use instead of a conditional use.
 - Neighborhood retail stores will be allowed as a permitted use instead of a conditional use.
 - Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities, hospitals, medical clinics will be allowed as a conditional use instead of permitted use.
 - Mixed residential developments in accordance with the standards of Article XIII will no longer be permitted.
 - Mixed uses will be allowed as a permitted use.
- Office Residential (OR):
 - Veterinary facilities excluding kennels and humane societies will be allowed as a permitted use.
 - Personal services will be allowed as a permitted use instead of a conditional use.
 - Mixed uses will be allowed as a permitted use.
- Downtown Residential (DR):
 - Small Day Care Facilities will be allowed as a permitted use.
 - Hotels, motel, inns will be allowed as a conditional use instead of a permitted use.
 - Transit and ground transportation facilities shall be allowed as a conditional use instead of a permitted use.
 - Hospitals, medical clinics shall be allowed as a conditional use instead of a permitted use.

- Institutional Office (IO):
 - Arts and crafts studios shall be allowed as a conditional use.
 - Neighborhood retail stores shall be allowed as a conditional use.
 - Mixed uses will be allowed as a permitted use.
 - Forest management and timber harvesting activities in accordance with the standards of Article XIII will no longer be permitted.
- Community Business (CB):
 - Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities shall be allowed as a permitted use.
- Highway Business (HB):
 - Veterinary facilities excluding kennels and humane societies will be allowed as a permitted use.
 - Veterinary facilities including kennels and humane societies will no longer be allowed.
 - Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities shall be allowed as a permitted use.
- Centreville (CV):
 - Gasoline service stations which are a part of and subordinate to a retail use shall no longer be allowed.
- Industrial (I):
 - Equipment dealers and equipment repair shall be a permitted use instead of a conditional use.
 - Academic institutions, including buildings or structures for classroom, administrative, laboratory, dormitories, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses, together with buildings accessory to the foregoing permitted principal buildings or structures shall be a permitted use instead of a conditional use.
- Urban Enterprise (UE);
 - Recreational vehicle, mobile home dealers will be allowed as a permitted use.
 - Multifamily dwellings in accordance with the standards of Article XIII will be allowed as a permitted use instead of a conditional use.
- Mill (M):
 - Gasoline service stations will no longer be allowed.
 - Automotive services including repair will allowed as a conditional use instead of a permitted use.
 - Water dependent uses, e.g. docks and marinas will be allowed as a permitted use.
 - Public or private facilities for nonintensive outdoor recreation will be allowed as a permitted use.
 - Commercial outdoor recreation will be allowed as a permitted use.

- All zoning districts: Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use will be permitted uses instead of conditional uses.
- Space and Bulk Changes: The following summarizes changes proposed with respect to space and bulk requirements for each zoning district, as shown on the Space and Bulk Table:
 - Suburban Residential (SR):
 - Minimum lot size for single family cluster development with public sewer will be decrease from 10 acres to 5 acres.
 - Frontage for single family cluster development will be decreased from 250' to 200'.
 - Medium Density Residential (MDR):
 - Minimum frontage for a religious facility will increase from 100' to 200'.
 - Riverfront (RF):
 - Minimum net lot area per dwelling unit with public sewer will be 1,250 sf. It currently varies depending upon housing type and owner occupancy from 1,000 -1,500 sf per dwelling unit.
 - Neighborhood Conservation "A" (NCA):
 - Minimum lot size without public sewer a religious facility and other issues not specifically listed will increase from 20,000 sf to 40,000 sf.
 - Minimum frontage for single family dwellings currently is 50'-75' depending upon the age and size of the lot. The new minimum frontage will be 75' for all single family dwellings.
 - Minimum front setback for single family dwellings currently is 15'-20' depending upon the age and size of the lot. The new minimum front setback will be 20' for all single family dwellings.
 - Minimum front yard for single family dwellings currently is 15'-20' depending upon the age and size of the lot. The new minimum front setback will be 15' for all single family dwellings.
 - Minimum front yard for two family dwellings currently is 20'. The new minimum front yard will be 15' for all two family dwellings.
 - Minimum side and rear setback for two family dwellings currently is 15'. It will now be 10'.
 - Minimum side and rear yard for single family and two family dwellings varies between 5' and 15'. It will now be 10'.
 - The maximum lot coverage ratio varies from 30% to 50%. It will now be 40%.
 - Neighborhood Conservation "B" (NCB):
 - Minimum side setback is reduced from 10' to 5'.
 - Office Residential (OR):
 - Minimum lots size with public sewer for multifamily dwelling will increase from 12,000 sf to 20,000 sf.
 - Minimum lot size for a single family attached dwelling on private sewer will be reduced from 80,000 sf to 60,000 sf.

- Minimum lot size for a mixed residential development on private sewer will be reduced from 10 acres to 5 acres
 - Minimum side and rear setback for all uses varies from 15' to 20'. It will now be 15' for all uses.
- Downtown Residential (DR):
 - Minimum net lot area per dwelling unit with public sewer will be 1,250 sf. It currently varies depending upon housing type and owner occupancy from 1,000 -1,500 sf per dwelling unit.
 - Currently, there is no minimum front setback in the DR. Therefore, in areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district. An established uniform setback relationship is deemed to exist when the distances between the front face of the building and the edge of the travel way in the adjoining street for the two adjacent parcels fronting on the same street on each side of the subject parcel are within +/- five (5) feet of mean of this distance for the four (4) parcels. For the purposes of this provision, lots shall be deemed to be adjacent even if separated by a street or public easement.
 - Maximum building height requirements varied between 50' and 65'. It will now be 60'
- Institutional Office (IO):
 - The minimum side and rear setback currently varies from 15' to 20'. It will be 20'.
 - Maximum lot coverage was 50% and maximum impervious area was from 75%. Both will be 75%
- Community Business (CB):
 - Minimum frontage varies from 100' to 125'. It will be 100'.
 - Minimum front setback will be reduced from 30' to 20'
 - Maximum lot coverage ratio will increase from 40% to 50%.
- Highway Business (HB):
 - Minimum front setback will be reduced from 30' to 20'
 - Minimum front yard will be reduced from 20' to 15'.
- Centreville (CV):
 - Currently, there is no minimum front setback in the CV. Therefore, in areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district.
 - The maximum height is currently 150'. It will be no less than 20 ft and no greater than 150 feet.
- Industrial (I):
 - Maximum lot coverage will increase from 50% to 75%.
- Urban Enterprise (UE):
 - There is currently no front yard requirement. It will be increased to 10'.
- Mill (M):

- Currently, there is no minimum front setback in the M. Therefore, in areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district.

12.10.12

AN ORDINANCE PERTAINING TO THE ZONING AND LAND USE DISTRICT REGULATIONS

THE CITY OF LEWISTON HEREBY ORDAINS:

APPENDIX A

ZONING AND LAND USE CODE

ARTICLE XI. DISTRICT REGULATIONS

Sec. 1. Rural-agricultural district (RA).

- (a) *Statement of purpose.* The purpose of the rural-agricultural district is to provide areas within the city for the development of very low density residential uses while protecting the rural character of these portions of the city. Within the rural-agricultural district the retention of active agricultural uses is encouraged. Development which occurs within the district should be sensitive to the rural nature of the district and should preserve open space and agricultural land to the maximum extent possible.

Sec. 2. Low-density residential district (LDR).

- (a) *Statement of purpose.* The purpose of the low-density residential district is to provide areas within the city for the development of single-family homes on individual residential lots and well planned mixed residential developments in environments which protect them from the adverse impacts of incompatible land uses. The standards of the district provide for residential development of up to six units per acre with the availability of public sewerage.

Sec. 3. Suburban residential district (SR).

- (a) *Statement of purpose.* The purpose of the suburban residential district is to provide areas within the city for the development of high quality single-family homes on individual residential lots in environments which protect them from the adverse impacts of incompatible land uses. The standards of the district provide for residential development of up to two units per acre with the availability of public sewerage.

Sec. 4. Medium-density residential district (MDR).

- (a) *Statement of purpose.* The purpose of the medium-density residential district is to provide areas within the city for the development of good quality multifamily housing at densities up to eight units per acre, and good quality single-family housing, at densities of up to two units per acre, including mobile homes where appropriate, while protecting established neighborhoods from undesirable impacts from these uses.

Sec. 5. Riverfront (RF).

- (a) *Statement of purpose.* The purpose of the riverfront district is to promote redevelopment of the riverfront area for recreation, employment and mixed-age and mixed-income housing by encouraging the development of new buildings or the reuse or conversion of

existing buildings and other areas that will enhance the use of the Androscoggin River as an amenity.

Sec. 6. Neighborhood conservation "A" district (NCA).

- (a) *Statement of purpose.* The purpose of the neighborhood conservation "A" district is to promote neighborhood stability by requiring the development of new buildings or the reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood. The standards of the district restrict housing to single-family detached dwellings unless the existing pattern of use in the immediate neighborhood is two-family or predominantly multifamily dwellings.

Sec. 7. Neighborhood conservation "B" district (NCB).

- (a) *Statement of purpose.* The purpose of the neighborhood conservation "B" district is to promote the stability and improvement of older multifamily residential neighborhoods by requiring the development of new buildings or the replacement, reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood. The standards of the district allow multifamily housing while encouraging the upgrading of this housing stock.

Sec. 8. Office-residential district (OR).

- (a) *Statement of purpose.* The purpose of the office-residential district is to provide for the orderly transition of older residential areas along major traffic arteries to low-intensity nonresidential uses and multifamily housing. The conversion of existing properties from residential to nonresidential use should occur in a manner which preserves the architectural character of the neighborhood, provides controlled traffic access and adequate parking and protects adjoining residential neighborhoods from undesirable impacts.

Sec. 9. Downtown residential district (DR).

- (a) *Statement of purpose.* The purpose of the downtown residential district is to promote the improvement of older residential neighborhoods within the downtown by encouraging a transition to more mixed use neighborhoods, including owner-occupied, mixed-age and mixed-income housing with less density where desired and appropriate, low-intensity nonresidential uses, more open space and other neighborhood amenities, creating diverse, mixed-use neighborhoods. The standards of the district will encourage the upgrading of the existing neighborhoods by removing blight and vacancy, providing an opportunity for new residential and commercial development, and fostering a sense of community and place through neighborhood meeting, gathering and cultural places.

Sec. 10. Institutional-office (IO).

- (a) *Statement of purpose.* The purpose of the institutional-office district is to provide areas within the city for the location of major community facilities including hospitals, schools, colleges and similar institutions. The standards of the district are designed to provide these institutions with flexibility within their property limits but to establish safeguards to protect adjoining residential areas from undesirable impacts associated with these uses.

Sec. 11. Community business district (CB).

- (a) *Statement of purpose.* The purpose of the community business district is to provide areas within the city for the location of major shopping facilities, including shopping centers which serve the wider community. The standards of the district are intended to encourage well planned commercial developments which have controlled vehicular access and high standards of site design.

Sec. 12. Highway business district (HB).

- (a) *Statement of purpose.* The purpose of the highway business district is to provide areas within the city for the location of businesses which are dependent on automobile borne customers and which require large parking areas to be successful. The standards of this district are intended to allow commercial uses while requiring controlled highway access, good quality site design and protection of adjacent residential property. In addition, the standards require the preparation of a master development plan prior to the development of large parcels.

Sec. 13. Centreville district (CV).

- (a) *Statement of purpose.* The purpose of the Centreville district is to encourage a concentration of economic enterprises in the central business district that is convenient and attractive for a wide range of retail, service, financial, government, professional, entertainment and appropriate residential uses in a setting conducive to a high volume of pedestrian traffic. The standards of the district will initiate economic revitalization through increased occupancy of downtown properties, improved real estate values, increased consumer activity, and encourage the restoration and preservation of historic buildings and honor the rich Franco-American cultural heritage of the community.

Sec. 14. Office service (OS).

- (a) *Statement of purpose.* The purpose of the office-service district is to set aside areas within the city for the development of major economic activities which do not have significant environmental issues associated with them. The standards of the district provide for well-planned developments with attention to controlled traffic access and buffering of adjacent residential areas. The standards of this district also require that a master development plan be prepared for large parcels prior to the development of the site.

Sec. 15. Industrial district (I).

- (a) *Statement of purpose.* The purpose of the industrial district is to set aside areas of the city for the development of major economic activities, including manufacturing and processing, and to protect these areas from encroachment from noncompatible residential or commercial uses.

Sec. 16. Urban enterprise district (UE).

- (a) *Statement of purpose.* The purpose of the urban enterprise district is to encourage the improvement, reuse and redevelopment of older mixed use areas of the city by allowing a wide range of uses with appropriate development standards.

Sec. 17. Mill district (M).

- (a) *Statement of purpose.* The purpose of the mill district is to develop a major employment center in the downtown by fostering the development of mixed use commercial enterprises and appropriate high-density residential areas while preserving and restoring historic buildings and properties. Developments located within this district should enhance the commercial, cultural, educational and residential vitality of the downtown and link the downtown to the riverfront through a series of pedestrian corridors, pocket parks and open spaces, utilizing the historic canal system, with expanded arts and recreational amenities.

Sec. 18. Resource conservation district (RC).

- (a) *Statement of purpose.* The purpose of the resource conservation district is to protect fragile ecological systems, vulnerable areas and areas of unique natural or scenic value from development or use which would adversely affect water quality, productive or unique wildlife and aquatic habitat, biotic systems, ecological relationships or scenic and natural values or which would create unreasonable risks to the public safety and welfare due to flooding, earth movement or slides or unstable soil conditions. To accomplish this purpose, uses are permitted which avoid disruption of the natural environment and are compatible with the natural risks associated with development within these areas while allowing productive use to be made of the land.

Sec. 19. Groundwater conservation overlay district (GC).

- (a) *Statement of purpose.* The purpose of the groundwater conservation overlay district is to protect, preserve and maintain the quality and quantity of the existing and potential groundwater supply within the city by controlling the use, storage and disposal of potential contaminants of the groundwater in areas of the city and identified significant sand and gravel aquifers and by assuring the groundwater recharge areas associated with these aquifers are protected from overdevelopment.

Sec. 20. No name pond conservation overlay district (LC).

- (a) *Statement of purpose.* The purpose of the no name pond conservation overlay district is to protect the water quality of no name pond by controlling the discharge of surface runoff into the lake, thereby limiting nutrient loading to levels which will not result in substantial degradation of the pond's water quality.

Sec. 21. Mobile home park overlay district (MH).

- (a) *Statement of purpose.* The purpose of the mobile home park overlay district is to provide for the accommodation of mobile homes in planned, integrated mobile home parks, and mobile homes on individual residential lots, at a standard consistent with the protection of the health, safety and general welfare of the residents of the city while establishing safeguards to minimize the adverse impacts on neighboring property owners.

Sec. 22. Land Use Requirements

- (a) Land Use Requirements - All buildings or structures hereafter erected, reconstructed, altered, enlarged, or relocated, and uses of premises shall be in conformity with the provisions of this Code. No building, structures, land or water area shall be used for any

purpose or in any manner except as permitted within the District in which such building, structure, land and water area is located. The District designation for a particular site shall be determined and apply to all land shown on the "Official Zoning Map, City of Lewiston".

(b) Key to Table

<u>KEY WORD</u>	<u>DEFINITION</u>
<u>(P)</u>	<u>Allowed/Permitted (the use must be in conformance comply with all applicable the Zoning and Land Use Code)</u>
<u>(C)</u>	<u>Allowed/Permitted only after the issuance of a conditional use permit in accordance with Article X of this Code (the use must be in conformance with all applicable sections of the Zoning and Land Use Code)</u>
<u>Blank/Empty Column</u>	<u>Use not allowed/permitted; space and bulk requirement not applicable</u>

(c) Land Use Table – uses appearing in the table are part of this Code and set forth the uses allowed in all districts.

Land Use Table: All Zoning Districts 12.10.12	Rural Agricultural (RA)	Low Density Residential (LDR)	Suburban Residential (SR)	Medium Density Residential (MDR)	Riverfront (RF)	Neighborhood Conservation on "A" (NCA)	Neighborhood Conservation on "B" (NCB)	Office Residential (OR)	Downtown Residential (DR)	Institutional Office (IO)	Community Business (CB)	Highway Business (HB)	Centreville (CV) ⁽³⁶⁾	Office Service (OS)	Industrial (I)	Urban Enterprise	Mill (M)	Resource Conservation (RC) ⁽¹⁸⁾	Groundwater conservation overlay district (GC) ⁽²⁸⁾	No Name Pond Conservation Overlay District (NNP) ⁽²⁹⁾	Mobile Home Park overlay district (MH) ⁽³⁰⁾
USES(15)(33)																					
Accessory use or structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Commercial-Service																					
Veterinary facilities excluding kennels and humane societies								P		P	P	P									
Veterinary facilities including kennels and humane societies	C													P		P					
Small day care facilities	C	P(22)	P(22)	P(22)		P(22)	P	P	P	P	P	P		P	P	P					
Day care centers	C				P			P	P	P	P	P	P	P	P	P	P				
Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home parks		C(22)	C(22)	C(22)		C(22)	C(22)														
Business and professional offices including research, experimental, testing laboratories, engineering, research, management and related services					P(9)		C(31)	P(9)	P(9)	P	P(9)	P	P(9)	P	P	P	P	P(6)			
Restaurants					P(1)				P(1)	P(5)	P(26)	P(26)	P(1)	P	P(6)	P	P(1)				
Drinking places					P						C	C	P		P(6)		P				
Adult business establishments											C										
Hotels, motels, inns					P				C	P(4)	P	P	P	P		P	P				
Movie theaters except drive-in theaters					P				P		P	P	P	P		P	P				
Places of indoor assembly, amusement or culture					P						P	P	P	P		P	P				
Art and crafts studios					P		C		P	C	P	P	P	P		P	P				
Personal Services					P		P	P	P	P	P	P	P	P	P(6)	P	P				
Retail stores					P				P		P	P	P		P(6)	P	P				
Neighborhood retail stores				C(21)			P			C											
Lumber and building materials dealer											C					P	P				
Gasoline service stations												P				P					
Gasoline service stations which are a part of and subordinate to a retail use											P	P									
New and used car dealers												P				P(8,17)					
Recreational vehicle, mobile home dealers												P				P					
Equipment dealers and equipment repair												P			P	P					
Automotive services including repair											P(9)	P			P	P	C(9)				
Registered dispensary(27)												C		C	C	C					
Registered primary caregivers engaged in the cultivations of medical marijuana for two to five registered patients.												P		P	P	P					
Industrial																					
Light industrial uses												P(9)		P	P	P	P				
Industrial uses													P(16)		P	C	C				
Building and construction contractors												P(6)		P(6)	P(6,7)	P(6,7)	P(6,7)				
Fuel oil dealers and related facilities															P	P(6,7)					
Wholesale sales, warehousing and distribution facilities and self-storage facilities												P		P	P	P	P				
Self storage facilities														P		P	P				
Commercial solid waste disposal facilities															C						
Junkyards and auto graveyards															C						
Recycling and reprocessing facilities															C	C	P(9)				
Private industrial/commercial developments(23)											P	P		C	P	P	P				
Transportation																					
Airports or heliports	C																				
Commercial parking facilities					P		C		C(3)	C	C	P	P			P	P				
Transit and ground transportation facilities					P				C				P								
Transportation facilities												P		C	P	P	P(10)				
Public and Utility																					
Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C			
Municipal buildings and facilities	C	C	C	C	P	C	C	C	P	C	P	P	P	P	P	P	P	C			
Preservation of historic areas; emergency and fire protection activities; bridges and public roadways																		P			
Dams																		C			

Land Use Table: All Zoning Districts 12.10.12	Rural Agricultural (RA)	Low Density Residential (LDR)	Suburban Residential (SR)	Medium Density Residential (MDR)	Riverfront (RF)	Neighborhood Conservation on "A" (NCA)	Neighborhood Conservation on "B" (NCB)	Office Residential (OR)	Downtown Residential (DR)	Institutional Office (IO)	Community Business (CB)	Highway Business (HB)	Centerville (CV) ⁽³⁶⁾	Office Service (OS)	Industrial (I)	Urban Enterprise	Mill (M)	Resource Conservation (RC) ⁽¹⁸⁾	Groundwater conservation overlay district (GC) ⁽²⁸⁾	No Name Pond Conservation Overlay District (NNP) ⁽²⁹⁾	Mobile Home Park overlay district (MH) ⁽³⁰⁾
Institutional																					
Religious facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P				
Cemeteries	P	P	P	P		P	P														
Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities				C	P		C	P	P	P	P	P	P	P		P	P				
Hospitals, medical clinics					P		C	P	C	P	P	P	P	P		P	P				
Museums, libraries, and non-profit art galleries and theaters					P				P	P			P				P				
Academic institutions, including buildings or structures for classroom, administrative, laboratory, dormitories, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses, together with buildings accessory to the foregoing permitted principal buildings or structures				C(13)	P		C(13)	C	P	P(12)(24)	P	P	P	P	P	P	P				
Civic and social organizations							C	P		C			P								
Public community meeting and civic function buildings including auditoriums					P				P	P			P				P				
Residential(8)																					
Single-family detached dwellings on individual residential lots	P	P	P	P		P	P(2)	P	P(11)	P(2)											
Mobile homes on individual residential lots	P			P(35)																	
Two-family dwellings				P		P(37)	P	P	P(11)			P(14)									
Multifamily dwellings in accordance with the standards of Article XIII				P(34)	P(11)		P	P	P(11)	P	P		P			P	P				
Single-Family attached dwelling in accordance with the standards of Article XIII	C			P(34)	P(11)		P	P	P(11)	P											
Mixed single-family residential developments in accordance with the standards of Article XIII	C	P		P			P														
Mixed residential developments in accordance with the standards of Article XIII		P		P			P	P													
Mixed use structures					P(11)		P	P	P(11)	P	P	P	P			P	P				
Lodging houses							P		P(11)												
Home occupations	P	P	P	P		P	P	P	P		P					C					
Bed and breakfast establishments as a home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P				
In-law apartments in accordance with the standards of Article XII	P	P	P	P		P	P	P	P				P				P				
Single family cluster development	P	P	P	P																	
Family day care home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Shelters							C		C												
Natural Resource																					
Agriculture	P(8)																	P			
Farm Stands	P																				
Forest management and timber harvesting activities in accordance with the standards of Article XIII	P	P	P	P		P	P	P			P	P		P	P	P		P			
Earth material removal	C													C	C						
Community gardens(20)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Water dependent uses, e.g. docks and marinas					P												P	C			
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet																		C			
Recreation																					
Campgrounds	C																	C			
Public or private facilities for nonintensive outdoor recreation	C	C	C	C	P	C	C	C	C								P	P			
Commercial outdoor recreation and drive-in theaters					P						C	C		C			P(32)				
Fitness and recreational sports centers as listed under NAICS Code 713940								C							P						

Land Use Table Notes

- (1) Excludes drive-in restaurants.
- (2) Allowed only on existing lot of record as of the date of adoption of this code.
- (3) Limited to two (2) parking levels.
- (4) Limited to less than twenty-five (25) rooms.
- (5) If accessory to an allowed use.
- (6) Provided there is no exterior storage of materials or equipment visible from a public street or abutting property.
- (7) Screening shall be at least eight (8) feet tall
- (8) ~~New and used car dealerships are prohibited in the downtown portion of the city as defined as north of Gulley Brook and south of Island Avenue.~~
~~Farm housing on the premise of an agricultural operation.~~
- (9) Must be fully enclosed with no exterior storage.
- (10) Except those that include truck transportation as classified under group 484, NAICS ~~1997~~ 2012 unless approved as a conditional use.
- (11) All new residential construction shall comply with the design standards of Article XII Sec. 22.
- (12) Dormitories must be at least 125 feet from all district boundaries unless approved as a conditional use.
- (13) Excluding residential facilities and dormitories.
- (14) Existing non-conforming single-family dwellings in lawful existence as of January 9, 1988 may be converted to a two-family dwelling as long as the conversion is done within the existing building envelope.
- (15) Buildings, structures and uses accessory to permitted or conditional uses are allowed in all districts.
- (16) Limited to commercial bakeries and printing facilities including newspaper publishers and information services.
- (17) Used car dealerships may be deemed an accessory use to gasoline service station, auto repair garages and automotive services, except repair uses, if the following criteria are met: that all the criteria outlined in the definition of accessory use under Article II, section 2 are adhered to; that the parking and on-site circulation for both

Comment [Hediger1]: This section does not apply since 2000-2001 when zoning changes were made eliminating the UE district from the downtown.

Replaced for clarification existing language with respect to farm housing.

the existing and proposed use is reviewed and approved pursuant to development review under Article XIII; that the maximum number of used vehicles for sale on site, at any one (1) time, does not exceed six (6) vehicles. Used car dealerships which are not an accessory use to gasoline service stations, auto repair garages and automotive services, except repair uses, are permitted only after the issuance of a conditional permit in accordance with Article X of this Code, and the project is reviewed and approved pursuant to development review under Article XIII.

- (18) Any use involving the construction of nonresidential floor space or the conversion of an existing structure from one (1) use to another shall be subject to the development review requirements of Article XIII of the Code.
- (19) Limited to group homes.
- (20) Shall comply with Article XII, Section 4.
- (21) Neighborhood stores as part of a multifamily development, mixed single-family residential development or mixed residential development provided that the gross floor area devoted to retail use shall not exceed ten percent of the total floor area of the development.
- (22) Accessory to public schools, religious facilities, multifamily or mixed residential developments and mobile home parks.
- (23) Shall comply with Article XIII, Section 10.
- (24) Includes housing facilities on the premise of academic institutions permitted for staff members of such institutions and service buildings or structures ancillary to and affiliated with permitted institutional uses including but not limited to pharmacies and medical supply outlets.
- (25) Drive-in restaurants are allowed as part of and subordinate to restaurants.
- (26) Includes drive-in restaurants.
- (27) Only one allowed in the city.
- (28) Any land located within the Ground Water Conservation Overlay District shall apply to the applicable criteria of Article XI, Section 19 of the Code.
- (29) Any land located within the No Name Pond Conservation Overlay District shall apply to the applicable criteria of Article XI, Section 20 of the Code.
- (30) Any land located within the Mobile Home Park Overlay District shall apply to the applicable criteria of Article XI, Section 21 of the Code.
- 31) Limited to business and professional offices, not including research, experimental,

testing laboratories, engineering, research, management and related services.

(32) Excluding drive-in theaters.

(33) The performance standards of Article XII shall apply, unless otherwise specified.

(34) Only permitted if serviced by public sewerage.

(35) Placement of mobile homes on individual lots are permitted only in areas within a mobile home park overlay district.

(36) For those historic building and structure identified in Appendix A, Article XV, Sections 6 through 10 of this Code located in the Centreville district, a nonconforming use may be reestablished to its original use pursuant to Article VI, Section 4 of this Code.

(37) A parcel may be developed with a two-family dwelling, only if both of the following criteria are met:

a. More than 50 percent of the impacted properties that are developed contain residential structures with two or more dwelling units; and

b. More than 50 percent of the adjoining properties that are developed contain residential structures with two or more dwelling units.

An existing single-family dwelling may be converted to a two-family dwelling only if both of the following criteria are met:

a. Forty percent or more of the impacted properties that are developed contain residential structures with two or more dwelling units; and

b. Forty percent or more of the adjoining properties that are developed contain residential structures with two or more dwelling units.

Sec. 23. Space and Bulk Requirements

(a) Space and Bulk Table - Lots in each District shall meet or exceed the following minimum space and bulk standards as noted in the Space and Bulk Standards Table.

Space and Bulk Table: All Zoning District 12.10.12

Dimensional Requirements (13)	Rural Agricultural (RA)	Low Density Residential (LDR)	Suburban Residential (SR)	Medium Density Residential (MDR)	Riverfront (RF) (2)	Neighborhood Conservation A (NCA)	Neighborhood Conservation B (NCB)	Office Residential (OR) (12)	Downtown Residential (DR) (2)	Institutional Office (IO)	Community Business (CB) (12)	Highway Business HB (18)	Centreville (CV)	Office Service (OS) (18)	Industrial (I) (11)	Urban Enterprise (UE)	Mill (M)	Resource Conservation (RC)	Groundwater Conservation Overlay District (GC)	No Name Pond Conservation Overlay District (I C)	Mobile Home Park Overlay District (MH) additional
Mixed residential development (14)		50 ft		30 ft					None												
Multifamily dwellings				30 ft																	
Mixed use structures																					
Agriculture	50 ft								None												
Religious facilities	25 ft	50 ft	50 ft	50 ft		20 ft (21,22)															
Veterinary facilities	25 ft								None												
Other uses	25 ft	20 ft	25 ft	50 ft		20 ft (21,22)															
All permitted uses					None		10 ft (21,22)	20 ft (22,23)	None (22)	30 ft (17, 27)	20ft	20ft	none (22)	50 ft	50 ft	25ft (22)	none (22)	50 ft (8)			50 ft
Minimum front yard																					
Single family detached, mobile homes on individual lots	25 ft	20 ft	25 ft	20 ft		15 ft (21)															
Single family attached	50 ft			20 ft																	
Two-family dwellings				20 ft		15 ft (21)															
Single family cluster development	50 ft	50 ft	50 ft	30 ft		50 ft															
Mixed single family residential development (14)	50 ft	50 ft		30 ft																	
Mixed residential development (14)		50 ft																			
Multifamily dwellings				30 ft																	
Mixed use structures	25 ft																				
Religious facilities	25 ft	20 ft	25 ft	30 ft		20 ft (21)															
Veterinary facilities	25 ft																				
Other uses	25 ft	20 ft	25 ft	30 ft		20 ft (21)															
All permitted uses					None		10 ft (21,22)	10 ft (23)	None (22)	10 ft (17)	15 ft	15ft	none (22)	20 ft	25 ft (6)	10 ft	none (22)	20 ft			25 ft
Minimum side and rear setback																					
Single family detached, mobile homes on individual lots	25 ft	10 ft	15 ft	10 ft		10 ft															
Single family attached				30 ft																	
Two-family dwellings				30 ft		10ft															
Single family cluster development	50 ft	30 ft	30 ft	30 ft		30 ft															
Mixed single family residential development (14)	50 ft	30 ft		30 ft																	
Mixed residential development (14)		30 ft		30 ft																	
Multifamily dwellings				30 ft																	
Religious facilities	50 ft	50 ft	50 ft			30 ft															
Mixed use structures																					
Veterinary facilities	50 ft																				
Farm structures for keeping of animals	100 ft																				
Other uses	50 ft	25 ft	30 ft	30 ft		30 ft															
All permitted uses					10 ft		5 ft	15 ft (23)	10 ft	20 ft	20 ft	20 ft (15)	none	25 ft	25 ft	20 ft	none	25 ft			
Minimum side and rear yard																					
Single family detached, mobile homes on individual lots	10 ft	10 ft	15 ft	30 ft		10 ft															
Single family attached	50 ft			30 ft																	
Two-family dwellings				30 ft		10 ft															
Single family cluster development			30 ft	30 ft		30 ft															
Mixed single family residential development (14)	50 ft	30 ft		30 ft																	
Mixed residential development (14)	50 ft	30 ft		30 ft																	
Multifamily dwellings		30 ft		30 ft																	
Mixed use structures				30 ft																	
Religious facilities		25ft	30 ft			30 ft (16)															
Veterinary facilities	25 ft	25 ft																			
Farm structures for keeping of animals	25 ft																				
Other uses	25 ft		30 ft	30 ft		30 ft (16)															
All permitted uses	25 ft	25 ft			10 ft		5 ft (16,21)	10 ft (16,23)	10 ft (required on one side)	10 ft (16,17)	10 ft	10 ft	None	10 ft (7,10)	10 ft (10,20)	10 ft (10,16)	None	15 ft			
Maximum height																					
Agriculture	75 ft																				
Other permitted uses	35 ft	35 ft	35 ft	35 ft	75 ft	35 ft	65 ft	35 ft	60 ft	75 ft	50 ft	65 ft	No less than 20 ft; no greater than 150 feet ⁽²⁵⁾	75 ft	100 ft	80 ft	100 ft	35 ft			
Hospital, nursing homes and medical offices										120 ft											
Ratios																					
Maximum lot coverage	0.15	0.3	0.20	0.30	0.25	0.40	0.65	0.30		0.75(28)	0.50	0.50	1.00	0.50	0.75	0.60	1.00	0.10			0.4
Maximum impervious coverage					0.75		0.85	0.60	0.75	0.75(28)	0.75	0.75	1.00	0.75	0.75	0.80	0.90	0.10	0.25	0.1	

Space and Bulk Table Notes

- (1) This development shall meet the requirements set forth in Article XIII, Section 8.
- (2) All new residential development shall comply with the design standards of Article XII, Section 22.
- (3) Or a larger minimum lot size based on the requirements of the Maine Subsurface Wastewater Disposal Rules
- (4) All uses
- (5) Reference must be made Use Matrix and Use Matrix Additional Standards.
- (6) Where the front yard area for uses other than residential is located across the street from an abutting property in a residential zoning district and in residential use, a twenty-five (25) foot buffer area shall be maintained in the front yard area meeting the standards of Article XIII. In the Industrial district, buffer areas may not be reduced by modification or variance.
- (7) Where the side or rear yard area is located within fifty (50) feet of a residential zoning district, a fifty-foot wide buffer strip shall be maintained in accordance with the buffer standards of Article XIII.
- (8) 75 ft minimum setback from shoreline all structures other than permitted piers, docks, marinas, dams, bridges and other water dependent uses; 50 ft minimum shoreline and 25 ft minimum stream buffers to be maintained in natural vegetative state
- (9) Minimum shoreline frontage 100 ft
- (10) Any required side or rear yard area located within fifty (50) feet of a lot containing a dwelling not in a residential zoning district shall be maintained as a buffer area meeting the standards of Article XIII. In the Industrial district, buffer areas may not be reduced by modification or variance.
- (11) The industrially-zoned land on the east side of River Road, from Alfred A. Plourde Parkway to the northwesterly property line of 380 River Road, is subject to the following additional standards:
 - a. The minimum front setback for all uses is 100 feet.
 - b. The minimum front yard for all uses is 100 feet, and shall be maintained as a buffer area meeting the standards of article XIII.
 - c. No new vehicular access points are allowed along the frontage between 326 River Road and that portion of 9 Gendron Drive that has frontage on River Road.
 - d. The above referenced setback, yard, and buffer requirements shall also apply to the portion of 380 River Road located directly across from 367 River Road.

- e. Only one vehicular access point no wider than 50 feet within the 100-foot buffer of 380 River Road shall be permitted.
- (12) The land on the on the east side of Main Street from Brooks Avenue to the Russell Street overpass, including 579 Main Street and 15-18 Pettingill Street, and the land on the west side of Main Street to the Maine central Railroad right-of-way from Strawberry Avenue south to the Russell Street overpass is subject to the following additional standards:
- a. Modifications of the space and bulk standards may not be granted by granted by the board of appeals, planning board, staff review committee or code enforcement officials, with the exception of side and rear yards where the abutting use is nonresidential.
 - b. In all cases, trees on the entire site with a diameter of greater than six (6) inches shall be preserved unless removal is necessary for development activity as determined by the appropriate reviewing authority.
 - c. The front yard must be planted with deciduous street trees (not including flowering ornamental trees) at intervals of fifteen (15) to thirty (30) feet on center, shall have a minimum two and one-half (2 1/2) inch caliber, and shall be at least eight (8) to twelve (12) feet high at the time of planting. Existing impervious front yard areas must be revegetated to these standards, when a property is subject to development review.
 - d. Each premises is permitted one (1) free standing ground sign not exceed seventy-two (72) square feet. Each business entity is permitted a wall sign not to exceed five (5) percent of the ground floor principal facade area of that business or a minimum of sixteen (16) square feet, whichever is greater. Ground signs are encouraged to be pedestal type ground signs not exceeding eight (8) feet in height.
 - e. Access is prohibited onto Brooks Avenue, with the exception of single-family homes.
 - f. The following design standards are encouraged for any project subject to development review; however, may be waived by the appropriate reviewing authority due to site limitations and the nature of the development:
 - (1) Off street parking is to be located on the side and rear of buildings;
 - (2) Any new development or renovations shall generally relate in design features to the surrounding building, showing respect for the local context of Main Street, as seen from Holland Street to Montello Street;
 - (3) Gable or hipped roofs should be used to the greatest extent possible with any new development or renovations. Flat and shed style roofs are discouraged, unless architectural features are applied to minimize the roofs appearance from Main Street (i.e., false fronts, parapets, etc.)
 - (4) Shared driveway entrances shall be encouraged with adjacent sites, in order to minimize curb cuts.
 - (5) Additional landscaping, buffering, and screening are encouraged to minimize views of parking areas from streets and abutting properties.
- (13) Modifications (i.e. relaxation of standards) of setbacks, yards, maximum lot coverage ratios, maximum impervious surface ratios, minimum open space ratios, and maximum building height as contained in the district space and bulk standard may be granted by

the board of appeals, planning board, staff review committee and the code enforcement official pursuant to Articles V, VII, VIII, IX, and XIII of this Code.

- (14) This development shall meet the requirements set forth in Article XIII, Section 8.
- (15) Ten (10) foot minimum side and rear setback in HB District for structures measuring less than 125 square feet accessory to residential uses
- (16) Any required side or rear yard area for uses other than residential located within fifty (50) feet of a residential zoning district or dwelling shall be maintained as a buffer area meeting the standards of Article XIII.
- (17) For the purpose of determining compliance with front, rear and side setback and yard requirements, an enclosed walkway connecting structures on abutting lots in the institutional-office (IO), whether it be underground, elevated or at grade, shall not be considered a structure but shall be considered a walkway. Similarly, awnings and canopies installed on lots in the institutional-office (IO) district that provide shelter from the elements, whether made of permanent or non-permanent material shall not be considered as structures and may extend into the front, side, and rear yard areas to the extent necessary to provide adequate shelter from the elements as long as the installation will not result in undue impact on adjacent properties, due to the placement of the awnings or canopies, location of service, parking or storage areas, or blocking of solar access, and shall in no way interfere with utilities or with the convenient and safe use of the sidewalk and street right-of-way by all pedestrians and vehicles, but in no case may the canopy be closer than two (2) feet from the property line.
- (18) Existing lots of record having 150 feet or less of frontage on a street functionally classified as an arterial shall be limited to one point of vehicular access to the arterial to serve all development on the lot including the division of the lot into additional lots.

Existing lots of record having more than 150, but less than 500 feet of frontage on a street functionally classified as an arterial shall be limited to two points of vehicular access to the arterial to service all development on the lot including the division of the lot into additional lots. Existing lots of record having 500 feet or more of frontage on a street functionally classified as an arterial shall be limited to two points of vehicular access to the arterial for up to 1,000 feet of frontage, plus one additional point of access to the arterial for each additional 500 feet of frontage on the arterial or portion thereof. These points of access shall service all development on the lot, including the division of the lot into additional lots.

Prior to the division of any existing lot of record having a gross lot area of five acres or more or 500 or more feet of street frontage on a road functionally classified as an arterial or the submission of a development plan for all or a portion of the lot, the owner shall file a master development plan with the planning board. The master development plan shall be conceptual in nature and shall be based upon a site inventory plan identifying the major development opportunities and constraints associated with the site. This inventory shall be prepared by a registered landscape architect or registered professional engineer

and shall show in a conceptual manner natural drainage features, environmentally sensitive areas, prime development areas, potential points of vehicular access, and other significant manmade and natural features of the site.

The master development plan shall address the overall use of the parcel, the overall vehicular circulation system within the parcel, the coordination of accesses onto the arterial street, the general layout of utilities and drainage and provisions for buffering. The master development plan shall also demonstrate how the requirements of the office service district and the standards of article XIII will be met. Once the master development plan has been filed with the planning board, any division of land or application for approval shall be consistent with the plan unless a revised master development plan is filed.

- (19) The land on the on the west side of Main Street from Brooks Avenue to the Main Central railroad right-of-way from Strawberry Avenue south to the Russell Street overpass is subject to the following additional standards:
- a. Modifications of the space and bulk standards may not be granted by granted by the board of appeals, planning board, staff review committee or code enforcement officials, with the exception of side and rear yards where the abutting use is nonresidential.
 - b. In all cases, trees on the entire site with a diameter of greater than six (6) inches shall be preserved unless removal is necessary for development activity as determined by the appropriate reviewing authority.
 - c. The front yard must be planted with deciduous street trees (not including flowering ornamental trees) at intervals of fifteen (15) to thirty (30) feet on center, shall have a minimum two and one-half (2 1/2) inch caliper, and shall be at least eight (8) to twelve (12) feet high at the time of planting. Existing impervious front yard areas must be revegetated to these standards, when a property is subject to development review.
 - d. Each premises is permitted one (1) free standing ground sign not exceed seventy-two (72) square feet. Each business entity is permitted a wall sign not to exceed five (5) percent of the ground floor principal facade area of that business or a minimum of sixteen (16) square feet, whichever is greater. Ground signs are encouraged to be pedestal type ground signs not exceeding eight (8) feet in height.
 - e. The following design standards are encouraged for any project subject to development review; however, may be waived by the appropriate reviewing authority due to site limitations and the nature of the development:
 - (1) Off street parking is to be located on the side and rear of buildings;
 - (2) Any new development or renovations shall generally relate in design features to the surrounding building, showing respect for the local context of Main Street, as seen from Holland Street to Montello Street;
 - (3) Gable or hipped roofs should be used to the greatest extent possible with any new development or renovations. Flat and shed style roofs are discouraged, unless architectural features are applied to minimize the roofs appearance from Main Street (i.e., false fronts, parapets, etc.)
 - (4) Shared driveway entrances shall be encouraged with adjacent sites, in order to minimize curb cuts.

- (5) Additional landscaping, buffering, and screening are encouraged to minimize views of parking areas from streets and abutting properties.
- (20) Where the side or rear yard area for uses other than residential is located within fifty (50) feet of a residential zoning district, a minimum fifty (50)-foot wide buffer area shall be maintained along the side and rear yards in accordance with the buffer standards of Article XIII. In the Industrial district, buffer areas may not be reduced by modification or variance.
- (21) Notwithstanding, applicable setback and yard requirements and the provisions of Article XII, section 17(f)(3), the area between the required front yard and the front wall of the portion of the building or structure closest to the street and running the full width of that portion of the building shall be maintained as a yard area, except that only one (1) of the two (2) following options may be instituted: a. Access roads or drives in this area are permitted only when a minimum of twenty (20) feet of front yard area can be maintained (forty (40) feet in the NCA District); or b. No more than one (1) parking space shall be created in this area.
- (22) In areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district. An established uniform setback relationship is deemed to exist when the distances between the front face of the building and the edge of the travel way in the adjoining street for the two adjacent parcels fronting on the same street on each side of the subject parcel are within +/- five (5) feet of mean of this distance for the four (4) parcels. For the purposes of this provision, lots shall be deemed to be adjacent even if separated by a street or public easement.
- (23) Fifty (50) percent of the area between the required front yard and the front wall of the portion of the building or structure closest to the street and running the full width of that portion of the building shall not be used for parking and shall be maintained as additional yard area, except that access roads or drives and sidewalks are permitted in this area.
- (24) Minimum lot size may be reduced by the Planning Board for single family cluster developments pursuant to Article XIII section 7.
- (25) Building height to be measured at principal facade of the building or structure.
- (26) The required minimum lot area per dwelling unit for any residential use in the neighborhood conservation "B" district shall be 120 percent of the average lot area per dwelling unit of impacted properties as of the date of adoption of this Code. The maximum number of dwelling units that can be placed on a parcel in the district shall be figured by the following procedures: The total lot area of all developed impacted properties shall be calculated. In determining the total area of the impacted properties, the tax records of the City of Lewiston shall be used unless the applicant or the owner of an impacted property presents definitive evidence to the contrary. The total number of legally existing dwelling units as of the date of adoption of this Code shall be

calculated. The total lot area shall be multiplied by 120 percent and then divided by the total number of dwelling units existing on the impacted properties. This figure divided into the lot area of the subject parcel yields the total dwelling units which can be placed on the lot. If less than 50 percent of the impacted properties are in residential use, the minimum lot area per dwelling unit shall be the greater of: (1) One thousand five hundred square feet per dwelling unit; or (2) The minimum area derived by the procedure outlined above.

- (27) The minimum front setback and front yard requirements for hospitals, nursing homes and medical offices are zero provided the lot directly across the street is in the institutional-office (IO) district.
- (28) Maximum lot coverage and impervious ration in the institutional-office (IO) for hospitals, nursing homes and medical offices is 1.00.

Comment [Hediger2]: NCB net lot calculation remains

Comment [Hediger3]: Existing language initially overlooked.

Comment [Hediger4]: Existing language initially overlooked.

Sec. 24. Additional District Regulation Requirements

1) Groundwater conservation overlay district (GC).

- (a) Statement of purpose. The purpose of the groundwater conservation overlay district is to protect, preserve and maintain the quality and quantity of the existing and potential groundwater supply within the city by controlling the use, storage and disposal of potential contaminants of the groundwater in areas of the city and identified significant sand and gravel aquifers and by assuring the groundwater recharge areas associated with these aquifers are protected from overdevelopment.
- (b) Applicability. The standards of the groundwater conservation overlay district shall apply to any land meeting any of the following criteria:
- (1) Is located above a significant sand and gravel aquifer as identified by the Maine Geologic Survey, Maine Department of Conservation, "Hydrogeologic Data for Significant Sand and Gravel Aquifers," Maps 11 and 16; or
 - (2) Is located within 100 feet of a significant sand and gravel aquifer; or
 - (3) Is located within the recharge area of a significant sand and gravel aquifer as defined by the extent of permeable stratified sand and gravel and recharging wetlands within them that drain into the aquifer; or
 - (4) Is located within the seasonal high water limits of any stream that flows into a recharge area of a significant sand and gravel aquifer.

Where the bounds delineated are in doubt or in dispute, the burden of proof shall be upon the owner(s) of the land in question to show where they should properly be located. At the request of the owner(s), the city may engage a professional geologist, geotechnical engineer, or soil scientist to determine more accurately the location and extent of an aquifer or recharge area, and shall charge the owner(s) for the cost of the investigation.

These standards shall apply in addition to the standards of the underlying zoning district in which the property is located.

- (c) Permitted uses. Any use permitted in the underlying zoning district and not prohibited by subsection (e) shall be permitted in the groundwater conservation overlay district.
- (d) Conditional uses. Any use permitted with a conditional use permit in the underlying zoning district and not prohibited by subsection (e) shall be permitted as a conditional use in the groundwater conservation overlay district.
- (e) Prohibited uses. Any use prohibited in the underlying zoning district together with the following uses, even if permitted in the underlying zoning district, shall be prohibited in the groundwater conservation overlay district:
 - (1) The disposal of solid wastes, other than brush and stumps in accordance with Solid Waste Disposal Rules and Regulations of the State of Maine;
 - (2) The storage of gasoline or other refined petroleum products except as heating fuel stored within a building or accessory to an allowed use and in accordance with the standards of the Maine Department of Environmental Protection for Permitting Underground Oil Storage Facilities;
 - (3) The storage of road salt or other deicing chemicals;
 - (4) The dumping of snow brought in from outside of the district;
 - (5) The storage or disposal of hazardous wastes as defined by the hazardous waste regulations promulgated by the Bureau of Land Quality Control, Maine Department of Environmental Protection;
 - (6) Automotive and equipment service and repair shops;
 - (7) Junkyards and salvage yards;
 - (8) Cemeteries.
- (f) Space and bulk standards. Any building, structure or use of land within the groundwater conservation overlay district shall comply with the following requirements in addition to the space and bulk regulations of the underlying zoning district:

Maximum impervious surface ratio	0.25 or as otherwise provided in subsection
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- (g) Additional standards. Any building, structure or use of land within the groundwater conservation overlay district shall comply with the following requirements:
 - (1) Timber harvesting.
 - a. Over any ten-year period, harvesting shall not remove more than 50 percent of the volume of trees over four inches in diameter. For the purpose of these standards, volume may be considered equivalent to basal area.
 - b. Burning of slash is prohibited. Export of woodchips to wood-to-energy plants or on-site chipping and broadcast application to the land are recommended for slash disposal.
 - (2) Agriculture.

- a. Land application of sludge and spray irrigation of industrial wastewater or sewage are prohibited in the groundwater conservation district.
 - b. Manure spreading is permitted if carried out in conformance with a conservation plan which meets the standards of the state soil and water conservation commission and is approved by the Androscoggin Valley Soil and Water Conservation District. The conservation plan must include provisions for control of surface water runoff and nonpoint source pollution.
- (3) Animal husbandry.
- a. Animal husbandry and associated manure handling must be carried out in conformance with a conservation plan which meets the standards of the state soil and water conservation commission and is approved by the Androscoggin Valley Soil and Water Conservation District. The conservation plan must include provision for control of surface water runoff and nonpoint source pollution.
- (4) Impervious surface.
- a. The impervious surface ratio for nonresidential uses may be increased if a groundwater study prepared by a groundwater hydrologist demonstrates that such increase will not have an adverse impact on either the quality or quantity of groundwater or that proposed mitigation measures will result in there being no adverse impact to either the quality or quantity of the groundwater.
- (5) Industrial and commercial uses.
- a. Facilities shall be designed so that all stored, spilled or leaked hazardous materials are contained on-site;
 - b. Facilities shall be designed so that no stored, spilled or leaked hazardous materials can infiltrate into the ground;
 - c. Permanent disposal of any waste containing hazardous materials shall not be allowed on-site;
 - d. Interior floor drains shall not be directed to any stream, storm drain, dry well or subsurface wastewater disposal system. They shall be directed to holding tanks, treatment systems or the public sewer system;
 - e. Above ground storage tanks for hazardous materials shall be located within a diked area which is impervious to the substance(s) being stored and large enough to contain the entire contents of the tank(s);
 - f. Storage areas for drums shall be contained within a diked area which is impervious to the substances being stored. All drums shall be stored in product-tight containers which are protected from leakage, accidental damage and vandalism;
 - g. Commercial or industrial activities which have uncovered storage areas shall have specially designed stormwater drainage facilities which provide

for disposal of stormwater in a manner that will not adversely affect groundwater quality;

- h. Dumpsters used to store industrial or commercial wastes shall be covered;
 - i. The design of storage and containment storage shall be approved by the city engineer for conformance with standard engineering practice.
- (6) Subsurface wastewater disposal systems.
- a. In areas which are not served by public sewer, no more than one dwelling unit may be connected to a subsurface waste disposal system, and no "engineered systems" are permitted unless a full hydrogeologic study which examines the specific groundwater impacts of the proposed system indicates that there will be no off-site impacts on groundwater quality. The study must be conducted by a state certified geologist with proven experience in hydrogeology.
 - b. Disposal of hazardous materials to wastewater disposal systems is prohibited.
- (7) Earth material extraction.
- a. Extraction shall not be allowed below the average seasonal high water table. No ditches, trenches, pumping or other methods shall be used to artificially lower the water table to permit more gravel extraction than could occur under natural conditions.
 - b. All petroleum products shall be kept out of the pit. If refueling and oil changes must be conducted in the pit, a special area must be constructed that would prevent the maximum possible spill from entering the ground. Absorbent pads shall be kept onsite to be used immediately, should any petroleum products be spilled on the soil.
 - c. The pit shall not be used for storage or dumping of any substances that could produce a harmful leachate.
 - d. Any washing or crushing operations shall be conducted in a manner that will minimize runoff and evaporation.
 - e. Access and haul roads into and around the pit shall not be oiled or salted.
 - f. Access to the pit shall be strictly controlled at all times with locking gates. When the pit is permanently closed, all vehicular entrances shall be made impassable.
 - g. When the pit is permanently closed, it shall be loamed and seeded. Application of fertilizer, manure or other soil amendments to bare soil whose topsoil has been removed is prohibited.
- (8) Pesticides and herbicides. The application of pesticides and herbicides for nondomestic or nonagricultural uses shall be carried out with all necessary precautions to prevent hazardous concentrations of pesticides and herbicides in the water and on the land within the groundwater conservation district as a result of such application. Such precautions include, but are not limited to; erosion control techniques, the control of runoff water (or the use of pesticides having

low-solubility in water), the prevention of volatilization and redeposition of pesticides and the lateral displacement (i.e. wind drift) of pesticides.

- (9) Development approval. All nonresidential projects requiring development review shall prepare a groundwater protection plan which shall identify proposed measures for protecting the groundwater from adverse impacts from loss of recharge capacity, exfiltration from sewer pipes and contamination by oils, chemicals or nutrients.

(Ord. No. 92-5, 3-5-92; Ord. No. 00-19, 10-5-00)

2) *No name pond conservation overlay district (LC).*

- (a) *Statement of purpose.* The purpose of the no name pond conservation overlay district is to protect the water quality of no name pond by controlling the discharge of surface runoff into the lake, thereby limiting nutrient loading to levels which will not result in substantial degradation of the pond's water quality.
- (b) *Applicability.* The standards of the no name pond conservation overlay district shall apply to any land located within the watershed of no name pond which discharges surface water either directly or indirectly to no name pond, as shown on the Official Zoning Map, City of Lewiston. These standards shall apply in addition to the standards of the underlying zoning district in which the property is located.
- (c) *Permitted uses.* Any use permitted by right in the underlying zoning district shall be permitted in the no name pond conservation overlay district.
- (d) *Conditional uses.* Any use permitted with a conditional use permit in the underlying zoning district shall be permitted as a conditional use in the No Name Pond conservation overlay district.
- (e) *Prohibited uses.* Any use prohibited in the underlying zoning district shall be prohibited in the No Name Pond conservation overlay district.
- (f) *Space and bulk standards.* Any building, structure or use of land within the no name pond conservation overlay district shall comply with the following requirements in addition to the space and bulk regulations of the underlying zoning district:

Minimum setback from shoreline (all structures other than permitted piers, docks, marinas and similar water dependent uses)	100 feet
Minimum shoreline buffer retained in natural vegetated state	50 feet
Minimum shoreline frontage for any abutting on the pond	100 feet
Minimum buffer from perennial or intermittent stream or open stormwater drainage course retained in natural vegetated state	50 feet
Maximum impervious surface ratio	0.1

- (g) *Additional standards.* Any building, structure or use of land within the no name pond conservation overlay district shall comply with the following requirements:
 - (1) *Fertilizer use:*
 - a. The use of fertilizers within the required shoreline, stream or drainage course buffers is prohibited.
 - b. The use of solid chemical fertilizers for agricultural or other

nondomestic purposes is prohibited.

- c. The use of liquid chemical fertilizers or manure for agricultural or other nondomestic purposes shall be done in accordance with a fertilizing plan approved by the District Conservationist of the Androscoggin Valley Soil and Water Conservation District. This plan shall be filed with the code enforcement official at least 48 hours prior to application of any fertilizer. A plan for a year-long or similar time period may be submitted to the code enforcement official to avoid having to file a separate plan for each application.
- (2) The total area of any lot devoted to lawns and gardens shall not exceed 30 percent of the total area of the lot. Any lot exceeding this requirement as of January 9, 1988 shall be permitted to retain all existing lawn and garden areas. No new lawn or garden area shall be established within the required shoreline, stream or drainage course buffers.
- (3) Private sewage disposal systems:
- a. For all proposed on-site sewage disposal systems within the no name pond conservation overlay district and within 250 feet of the shoreline of no name pond, the minimum separation distance required by the applicable state subsurface wastewater disposal rules, between the disposal area bottom and the most limiting soil or groundwater condition (seasonable high groundwater table, restrictive layer or bedrock), must be increased by a factor of 1.5.
 - b. For all proposed on-site sewage disposal systems within the no name pond conservation overlay district within 1,000 feet but greater than 250 feet of the shoreline of no name pond, the minimum separation distance required by the applicable state subsurface wastewater disposal rules, between the disposal area bottom and the most limiting soil condition, must be increased by a factor of 1.25.
 - c. The installation of any on-site sewage disposal system within 250 feet of the shoreline of no name pond, any perennial or intermittent stream tributary to no name pond or any open stormwater drainage course shall comply with the above standard and all the other requirements of the applicable state subsurface wastewater disposal rules without variance.
 - d. The installation of any on-site sewage disposal system with a design capacity in excess of 1,000 gallons per day shall be permitted only if a detailed groundwater hydrology study, acceptable to the city engineer, demonstrates that the system will not have an adverse impact on the water quality of no name pond.
 - e. Replacement or reconstruction of lawfully-existing private residential sewage disposal systems in existence and in use on the effective date of this ordinance and systems on lots in subdivisions approved prior to the effective date of this ordinance, shall not be

subject to the requirements of subsections (3)a and (3)b, but shall be required to comply with the applicable requirements of the state subsurface wastewater disposal rules.

- (4) Proposals for the development of all new or existing lots within the no name pond conservation overlay district, including single-lot residential development, shall comply with the following additional requirements as part of the approval of the project:
 - a. The applicant shall demonstrate, using methodology approved in advance by the Maine Department of Environmental Protection, that the proposed development will incorporate appropriate stormwater best management practices based on standards to assure that development within the watershed will not increase the total phosphorous concentration of no name pond by more than 0.75 part per billion. If the analysis demonstrates that this standard will not be met, the applicant shall propose modifications to the plan to bring the project into conformance with the standard.
 - b. The applicant shall demonstrate, using the soil conservation service methodology for small urban watersheds for a 25-year, 24-hour storm, that the total volume of stormwater discharged from the site in its post development condition shall not exceed the total runoff in its predevelopment condition by more than 20 percent. If this analysis demonstrates that this standard will not be met, the applicant shall propose modifications to the plan to retain runoff on the site to bring the project into conformance with the standard.
 - c. The applicant shall prepare an erosion and sedimentation control plan to minimize, to the maximum extent possible, the discharge of sediments to no name pond. This plan shall be consistent with the practices set forth in the most recent edition of the Environmental Quality Handbook - Maine, published by the Maine Soil and Water Conservation Service and shall be reviewed and approved by the District Conservationist of the Androscoggin County Soil and Water Conservation District.
- (5) Projects within the no name pond conservation overlay district that include one acre or more of disturbed area, must comply with the Maine Stormwater Management Law, 38 MRSA Section 420-D, and any regulations issued thereunder, specifically Rules 500 and 502, having an effective date of December 31, 1997, repealed and replaced on November 16, 2005, and further amended on December 21, 2006. Furthermore, all projects within 250 feet distance from the normal high water line from no name pond must meet the standard under article XII, shoreland area standards.
- (h) Conflicts. In any case in which a provision of article XI, section 20 conflicts with provisions contained in other articles of this Code, the more stringent standard shall apply.

(Ord. No. 92-5, 3-5-92; Ord. No. 00-19, 10-5-00; Ord. No. 02-24, 2-6-03; Ord. No. 06-17, 2-8-07; Ord.No. 08-08, 10-2-08)

3) *Mobile home park overlay district (MH).*

- (a) *Statement of purpose.* The purpose of the mobile home park overlay district is to provide for the accommodation of mobile homes in planned, integrated mobile home parks, and mobile homes on individual residential lots, at a standard consistent with the protection of the health, safety and general welfare of the residents of the city while establishing safeguards to minimize the adverse impacts on neighboring property owners.
- (b) *Applicability.* The standards of the mobile home park overlay district shall apply to all land shown on the "Official Zoning Map, City of Lewiston" as being located within the mobile home park overlay district.
- (c) *Permitted uses.* Any use permitted in the underlying zoning district shall be permitted in the mobile home park overlay district. In addition the following uses shall be permitted whether or not they are permitted in the underlying district:
 - (1) Mobile home parks consisting of:
 - a. Residential mobile homes and accessory buildings or structures;
 - b. Facilities for the operation and maintenance of the mobile home park including:
 - 1. A dwelling for the owner or manager;
 - 2. Laundry and restroom facilities;
 - 3. Offices and common areas for the management of the park;
 - 4. Indoor recreation facilities, meeting rooms and common facilities for the exclusive use of park residents and their guests;
 - 5. Outdoor recreation facilities for the exclusive use of park residents and their guests;
 - 6. Service and utility buildings for the storage and repair of equipment used in the operation and maintenance of the park; and
 - 7. Storage facilities for the exclusive use of park tenants.
 - c. Facilities for the sales of mobile homes including a sales office and not more than five model units for parks having 50 or fewer sites plus one additional model for each 25 additional approved sites in excess of 50 to a maximum of 12 model units.

- (2) Mobile homes on individual residential lots.
- (d) Conditional uses. Any use permitted with a conditional use permit in the underlying zoning district shall be permitted as a conditional use in the mobile home park overlay district unless such use is made a permitted use by subsection (c) above.
- (e) Prohibited uses. Any use prohibited in the underlying zoning district which is not a permitted or conditional use in the mobile home park overlay district shall be prohibited in the district.
- (f) Space and bulk standards. Any use other than a mobile home park shall comply to the space and bulk standards of the underlying district. Mobile home parks shall comply with the following requirements:

Minimum lot size	5 acres	Minimum
street frontage	200 feet	
Minimum net lot area per dwelling unit	6,500 square feet	
Minimum setback of mobile home from the perimeter of the site	50 feet	
Minimum front yard	25 feet	
Minimum side and rear yard	50 feet	Minimum side and rear buffer
25 feet	Maximum lot coverage	ratio
.040		

- (g) Additional standards.
 - (1) The general standards of performance of article XII shall apply.
 - (2) The expansion or development of a mobile home park shall be subject to the development review requirements of article XIII of this Code.
 - (3) The mobile home park shall conform to the off-street parking requirements of article XII.
 - (4) The layout, design and construction of individual mobile home sites and related facilities shall conform to the standards set forth in article XII of this Code.
 - (5) No development which is approved under this section as a mobile home park may be converted to another use without the approval of the planning board, and meeting the appropriate lot size, frontage, setbacks and other requirements. The plan to be recorded at the registry of deeds and filed with the city shall include the following restrictions as well as any other notes or conditions of approval:
 - a. The land within the park shall remain in a unified ownership and the fee to lots or portions of lots shall not be transferred.
 - b. No dwelling unit other than a manufactured housing unit shall be located within the park.

- c. The owner or operator of a mobile home park shall be responsible for ensuring the maintenance of the park and code compliance with all provisions of the Revised Code of Ordinances of the City of Lewiston for all park owned structures, including recreation and open space areas and mobile home sites.

(Ord. No. 90-10, 10-4-90; Ord. No. 92-31, 1-7-93; Ord. No. 00-19, 10-5-00)



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Planning Board
FROM: David Hediger, City Planner
DATE: December 6, 2012
RE: December 10, 2012 Planning Board Agenda Item V(d)

Request for recommendation of capital expenditure for Riverfront Master Plan Funding

Pursuant to Article VII, Section 4(f) of the Zoning and Land Use Code, the board shall review and make a recommendation to the city council with regard to all capital expenditures costing \$100,000.00 or more which are not included in the annual capital program.

As the Board is aware, the \$900,000 federal grant the City received for Riverfront Island was subject to a 20% limitation on planning and design, or \$180,000. With the completion of the master plan, the City has reached that limit. The remaining \$720,000 must be spent on actual physical work. As a result, alternative funding is required for the City to do the design and construction monitoring required to move forward.

Administration and staff believe it is important to begin implementing the master plan as soon as possible to maintain the momentum that the plan engendered and to continue the community and investor interest we are seeing. Typically, such a funding request would be included in the City's Capital Improvement Plan. However, that plan will not be acted on by the Planning Board and Council until February with actual funds not available until the end of the current fiscal year. Waiting until June or July would result in deferring construction work until the summer of 2014. As a result, Administration is requesting a favorable recommendation from the Planning Board that the Council appropriate \$140,000 to allow this work to move forward as quickly as possible. Reference should be made to City Administrator Ed Barrett's memorandum dated November 29, 2012.

ACTION NECESSARY:

Make a motion pursuant to Article VII, Sections 4(f) of the Zoning and Land Use Code to send a favorable recommendation to the City Council for a capital expenditure costing \$140,000.00 for the purpose of design, engineering, and construction management costs associated with implementation of the Riverfront Master Plan.



City of Lewiston Executive Department

EDWARD A. BARRETT
City Administrator

PHIL NADEAU
Deputy City Administrator



November 29, 2012

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Phase I Improvements – Riverfront Island

After completing the Riverfront Island master plan, the City has \$720,000 remaining in federal grant funds for improvements to begin implementing the plan. A preliminary implementation plan presented to both the Planning Board and City Council identified a number of projects that could be undertaken immediately. Among these are: developing a park entry way linking Lincoln and Oxford Streets and leading to Simard-Payne Park; walkway improvements from the canal to the pedestrian bridge; rivers edge improvements from the pedestrian bridge to the cross canal; improved river access in the area of the cross canal; and wayfinding signage.

City staff has recently met with the City's designated landscape architecture firm, Richardson and Associates, to discuss these potential projects and solicit a proposal for design and construction support. The firm has proposed undertaking this work for \$73,395 plus direct out of pocket expenses. A copy of this proposal and preliminary project time line is attached.

There will also be certain project engineering costs incurred by Public works as follows:

Riverfront Development Project Engineering Costs

Bidding	\$1,800
Project Manager	\$3,840
Project Engineer	\$4,800
Inspection	\$37,440
Misc. Expenses	\$5,000
Total	\$52,880
Total w/contingency	\$58,200

Total design, engineering, and construction management costs, therefore, are estimated to be approximately \$136,000.

The \$900,000 federal grant we received for Riverfront Island was subject to a 20%

limitation on planning and design, or \$180,000. With the completion of the master plan, we have reached that limit. The remaining \$720,000 must be spent on actual physical work. As a result, alternative funding is required for us to do the design and construction monitoring required to move forward.

Normally, such a funding request would be included in the City's Capital Improvement Plan. However, that plan will not be acted on by the Council until February with actual funds not available until the end of the current fiscal year. Waiting until June or July would result in deferring construction work until the summer of 2014.

I believe it is important to begin implementing the master plan as soon as possible to maintain the momentum that the plan engendered and to continue the community and investor interest we are seeing. As a result, I am requesting that the Council appropriate \$140,000 to allow this work to move forward as quickly as possible. We are in the process of identifying the source(s) for these funds.

Knowing that Council President Cayer is a strong proponent of considering funding only as an element of the annual budget/LCIP process and that he would not be available to discuss this, I have spoken with him separately. In this case, he supports making the funds available to start the work given the significant effort that has gone into the riverfront plan from elected officials, staff and the community. He believes that if the city expects investors to jump on board and begin to make things happen, we must show that we are moving forward and not shelving the plan.

I would like to discuss this with you under other business at the end of Tuesday's meeting to see if there is support for proceeding. If so, a recommendation from the Planning Board will be required and we will bring the necessary appropriation resolve to you at your meeting of December 18th.

Riverfront Development & Connections for the City of Lewiston
 Lewiston, Maine

Landscape Architecture Proposal

November 20, 2012

Richardson & Associates, Landscape Architects
 11 Middle Street, Saco, Maine .207.286.9291

	FEETOTALS
I. Review and Analysis of Prior Studies/Plans/Landscape Architectural Materials	\$3,530.00
Gather and review prior and current site plans, municipal plans, etc.	
Introductory mtg w/City officials	
Develop base mapping materials	
Assess regulatory needs (Note: Assumes No Permitting Needs by Richardson & Associates)	
Develop digital files / project organization	
II. Site Inventory, Analysis, and Assessment for All Areas	\$6,240.00
Observe and Record Quantitative and Qualitative Attributes:	
Views	Structures
Vegetation	Access
Topo & Drainage	Circulation
Reclaimed Materials	Contextual & Urban Relationships
Etc...	
Develop Summary Analysis Plans	
Determine and Coordinate Additional Survey Needs	
Photographic Documentation	
Review Analytic Findings, Project Schedule and Needs with City Officials	
III. Develop Preliminary Design Alternatives and Cost Projections for Priority Areas	\$11,245.00
Reconfirming Priority Site Areas, Connections and Development Strategy (as ID by the City as well as important spatial relationships)	
Develop Priority Site Areas - Approaches and Alternatives	
Park gateway(s), connection & riverfront trail/river access/bank restoration	
Oxford St. enhancement & wayfinding/signage dev to Lincoln St.	
Planting palette typology development	
Materials/landscape structures palette development - explore reuse of existing materials	
Plans, Sections, Precedent Images	
Develop Preliminary Cost Estimate - Order of Magnitude	
Presentation and Discussion to City Officials	
IV. Design Development Associated with Priority Areas	\$15,670.00
Refine Preferred Approach for Priority Areas	
Coordinate Site Utilities Technical (water/sewer, cable/phone, gas, etc.)	
Identify and Refine Opportunities for Reuse of Reclaimed/Recycled Materials	

Develop Preliminary Details (design, technical strategy, dimensions, drainage, furnishings, planting palette, etc) for Priority Areas:

- Walkways & Streetscapes
- Gathering Spaces & Areas of Rest
- Canal(s) & Crossings
- Planting Strategy and Development – Street, Park & Riverbank Restoration
- River Access & Bank Fishing
- Wayfinding Signage

Develop Prioritization/Phasing Plan to Address Construction Sequencing and Efficiencies

Presentation and Discussion with City (1 meeting)

Meeting and Coordination with Technical Consultants (2 meetings)

Note: Assumes No Permitting Needs by Richardson & Associates

V. Technical Development \$24,900.00

Research/Visit with Craftspeople/Fabricators/Resources (Consider Salvaged/Recycled City Materials)

Coordination with Technical Partners (Civil/Structural/Mechanical/Geotech, etc)

Develop Applicable Construction Drawings

Plans:

- Erosion Control and Tree Protection Plan
- Grading and Drainage Plan
- Materials and Structures Plan
- Erosion & Sedimentation Control Plan
- Layout Plan
- Lighting Plan
- Planting Plan and Schedule

Details as Needed

Specifications as Needed

Meet with GC and City officials to Review Process/Materials to Develop Cost Estimate for Budgeting Purposes

VII. Pre-Construction and Construction Administration (Assumes Projects are Bundled) \$11,810.00

Coordinate Contractor Short-List Selection and Dissemination of Technical Drawings

Interviews and Site Walks with Potential Contractors

Respond to RFI's/Change Orders

Pricing/Budget Review and Coordination

Pre-Construction Meeting (s)

Site Visits During Construction (estimated at 10 visits Associate alone)

Team Coordination and Communication (general coordination beyond site visit overlap)

Plant Guarantee Follow Up(s)

Direct Expenses Billed at Cost plus 10%.

Travel Expenses:

Mileage (at IRS reimbursement rate)

Meals and Accommodation

Other Direct Expenses may include (but are not limited to):

Telephone/Fax/Data

Reprographics/Scans/Copying/Plots/Prints

Postage/Shipping
Photography/Processing
Mounting

TOTAL

\$7,3395.00

Landscape Architectural Services: Riverfront Development & Connections

