

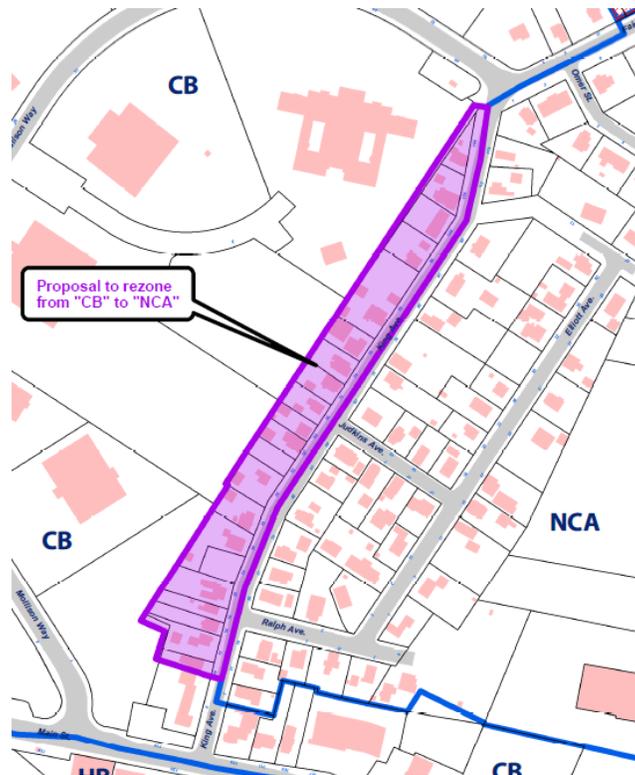
AN ORDINANCE PERTAINING TO ZONING DISTRICT BOUNDARIES

Appendix A of the Code of Ordinances of the City of Lewiston, Maine, is hereby amended as follows:

APPENDIX A ZONING AND LAND USE CODE ARTICLE IV. ESTABLISHMENT OF DISTRICTS

Sec. 2 Zoning Map

The Zoning Map, adopted pursuant to this Section, is hereby amended to rezone the even-numbered addressed properties on the north side of King Avenue, 10 King Avenue to 108 King Avenue, from the Community Business (CB) district to the Neighborhood Conservation "A" (NCA) district.



REASONS FOR PROPOSED AMENDMENT

Staff has been approached by the owner of 18 King Avenue to convert an abandoned three-dwelling unit structure into a single family dwelling. This property is located in the Community Business (CB) district in which multifamily dwellings are a permitted use,

but single family dwellings are not. The options currently available to the owner of this property are to either reestablish the use of the property as a three-dwelling unit structure or to pursue some other allowed use of the CB district.

The property owner inquired about rezoning the property to Neighborhood Conservation “A” (NCA) district which permits single family dwellings. The NCA district is located directly across the street. Staff believes there is good reason to consider rezoning other properties on the northerly side King Avenue from CB to NCA. In 1953, all of the properties on the north side were zoned Residential to the rear property line abutting the Fairgrounds, today known as Sparetime Business Park. That changed in 1958 with properties on the northerly side of King Ave rezoned to Commercial. It has remained a nonresidential district ever since. Nearly all of 21 impacted properties on the northerly side are residential: one-three unit structures; four-two unit structures; 15 single family structures; and, one vacant lot. With the exception of one-three unit structure, all the uses on this side of the road are legally nonconforming. The likelihood of these small sized lots being combined and utilized for commercial purposes is slim; nothing has occurred in 58 years.

Given the exiting pattern of residential development, the highest and best use in this neighborhood is residential. Rezoning these properties to NCA supports that development pattern, results in more properties becoming conforming uses, allows for new or reconstruction of single-family dwellings as a matter of right, reduces side and rear building setback requirements allowing greater use of lot area for residential use, and prevents commercial development for occurring on a busy residential street.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The City Council hereby determines that the changes to the Zoning and Land Use Code are in conformance with the 1997 Comprehensive Plan for the following reasons:

- Encourage orderly growth and development in appropriate areas of the City, while protecting the City’s rural character, making efficient use of public services and preventing development sprawl (1997 Plan, Land Use, Goals, #1).
- Continue to allow a wide range of housing types in Zoning (Long Range Planning, Policy 5, Strategy A).

The City Council hereby determines that the changes to the Zoning and Land Use Code are in conformance with the Draft 2016 Comprehensive Plan for the following reasons:

- King Avenue is located in a Controlled Growth Sectors: “areas that are developed with low- to medium-density neighborhoods that should remain “as is”. Typically conventional suburban development patterns of primarily detached single-family houses with limited multifamily and commercial opportunities define this area.

This sector includes some of the City's current Suburban Residential and Medium Density Residential zones as well as the Neighborhood Conservation "A" zone. All of these zones are anticipated to remain as conventional use-based districts" (p. 125).

- Character District 3 Suburban Neighborhood: By looking at character first, zoning can be established that honors and supports the kind of walkable, mixed-use neighborhood centers anticipated within growth sectors. CD3 is a residential neighborhood, some of which are within walking distance to the downtown core and others that require a short drive to access daily retail needs. There is strong support for protecting and strengthening these neighborhoods that are defined by an interconnected network of residential streets. The CD3 Suburban Character District consists of low- to medium-density residential areas adjacent to more intense zones that include some mixed use. Home occupations and outbuildings are allowed. Allow new residential neighborhoods in areas where municipal services and utilities are provided. Allow infill development and redevelopment in established residential neighborhoods that are compatible with traditional development patterns and densities (p. 128).
- Focus Housing within Growth Areas Draft a new housing policy statement and seek approval from City Council (p.172).