CITY OF LEWISTON
PLANNING BOARD MEETING
Monday, September 10, 2018 – 5:30 P.M.
City Council Chambers – First Floor
Lewiston City Building
27 Pine Street, Lewiston, ME

AGENDA

I. ROLL CALL

II. ADJUSTMENTS TO THE AGENDA

III. CORRESPONDENCE

IV. PUBLIC HEARINGS: None

V. OTHER BUSINESS:

a) Presentation of proposed new Science and Technology Building by Bates College.

b) Continue discussion of Parking Regulations and possible Planning Board initiation of text amendment.

c) Discuss text amendment regarding conversions of single family dwellings into two family dwellings in the Neighborhood Conservation A (NCA) zone.

d) Update on proposed turning lane on Main Street for development of a Dunkin Donuts at 420 Main Street.

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 August 27, 2018 draft minutes

VII. ADJOURNMENT

The City of Lewiston is an EOE. For more information please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy.

PAYETTE

Meeting Agenda

Project:	Bates College: New STEM Projects
Project No.:	24350.10
Subject:	City of Lewiston Planning Board Workshop: Project Introduction
Attendees:	City of Lewiston Planning Department Bates: Pam Wichroski, Chris Streifel Payette: Michael Hinchcliffe, AIA Wright-Pierce: Jan Wiegman, PE Consigli Construction: Dave Thomas
Meeting Date:	10 September 2018

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1) **Project Overview**
   a) Owner: Bates College, Lewiston, ME
   b) Architect: Payette, Boston, MA
   c) Site: 45 Campus Avenue (from Nichols St. to Bardwell St.)
   d) Zoning: Institutional Office [IO]
   e) Project: New 63,500 Gross Sq. Ft., 3-Story Academic Building
   f) Use: Teaching & Research Laboratories, Classrooms, Faculty Offices, and Ancillary Support
   g) Compliance: Setbacks, Height and Area
   h) Construction: March 2019 -May 2021
   i) Associate Renovation Project: Dana Chemistry Hall

2) **Site Plan**

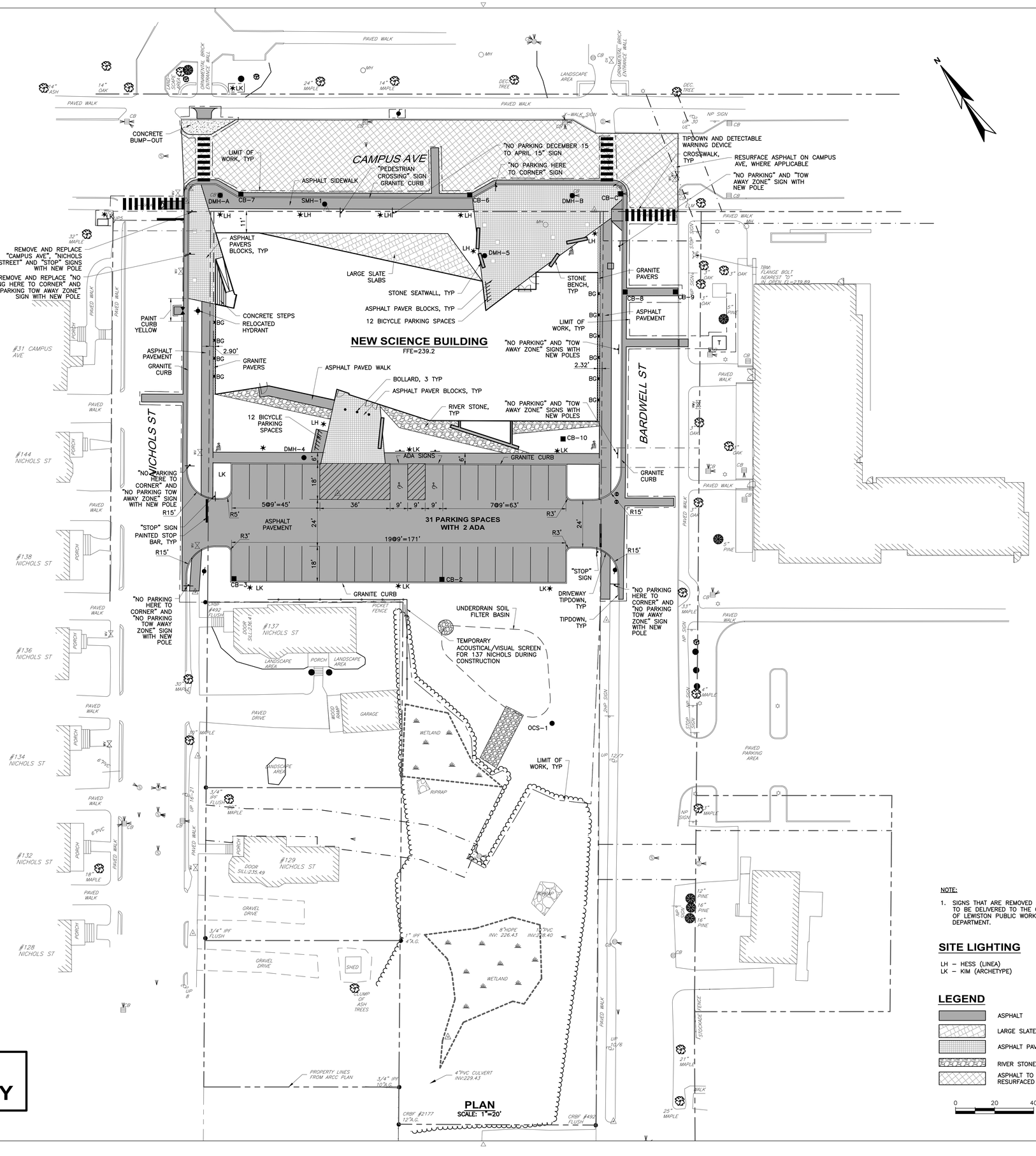
3) **Landscape Plan and Features**

4) **Stormwater and Erosion Control Plan**

5) **Site Lighting:** Standard Fixtures, Cut-offs, and Dark-sky Compliance

6) **Traffic / Parking**

7) **Easement Requests**



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NOT FOR CONSTRUCTION

#	DATE	DESCRIPTION
4	08/03/18	ISSUED FOR LEWISTON SITE PLAN REVIEW
3	08/03/18	100% DESIGN DEVELOPMENT
2	06/15/18	50% DESIGN DEVELOPMENT
1	03/16/18	SCHEMATIC DESIGN

BATES

Bates College STEM Projects

PROPOSED SITE LAYOUT PLAN

Drawing Scale
1"=20'

Project Number
14021A

Date Issued
7/12/2018

C4.0

NOTE:

1. SIGNS THAT ARE REMOVED ARE TO BE DELIVERED TO THE CITY OF LEWISTON PUBLIC WORKS DEPARTMENT.

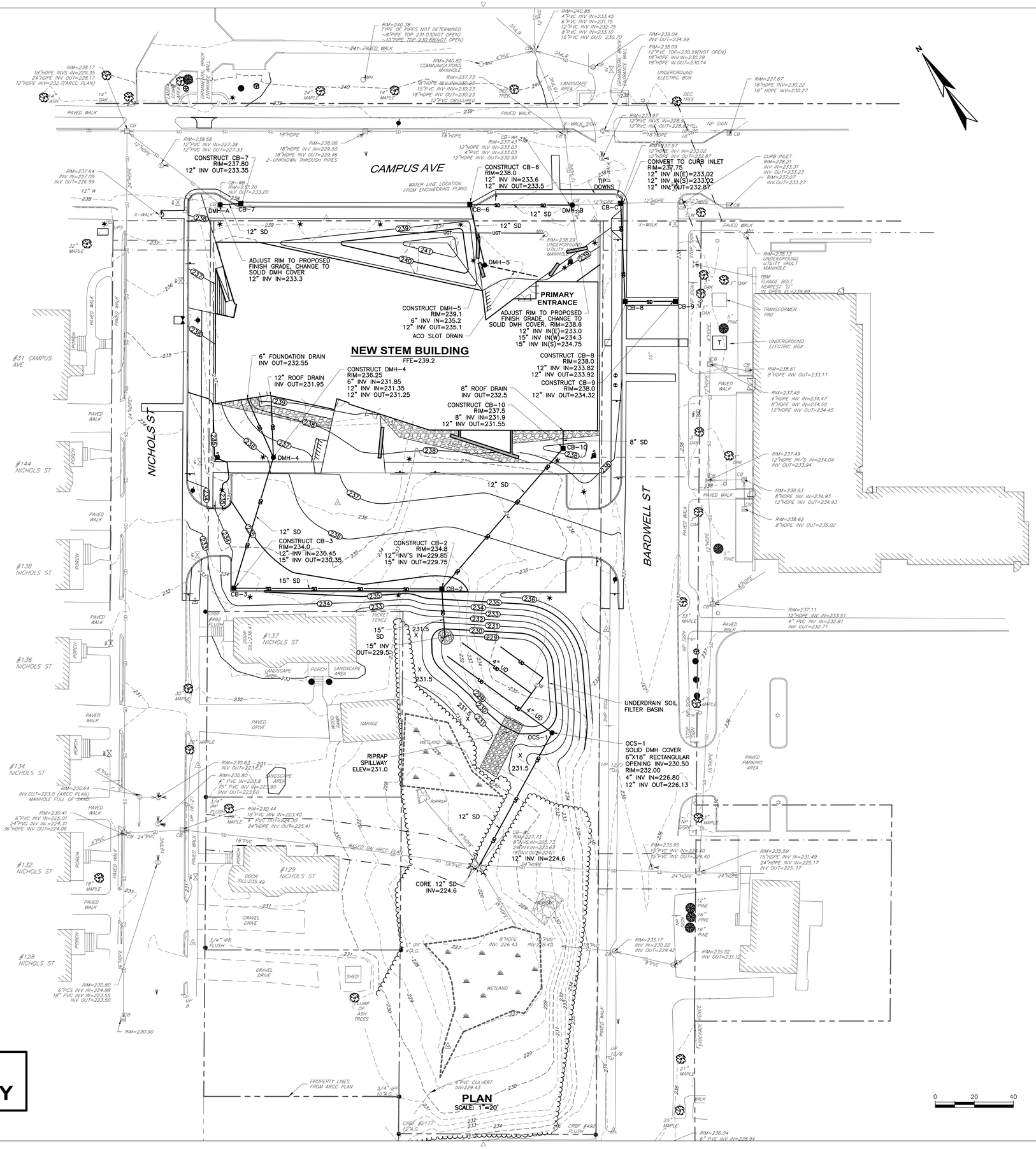
SITE LIGHTING

LH – HESS (LINEA)
LK – KIM (ARCHETYPE)

LEGEND

- ASPHALT
- LARGE SLATE SLABS
- ASPHALT PAVER BLOCKS
- RIVER STONE
- ASPHALT TO BE RESURFACED

0 20 40



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BATES

Bates College STEM Projects

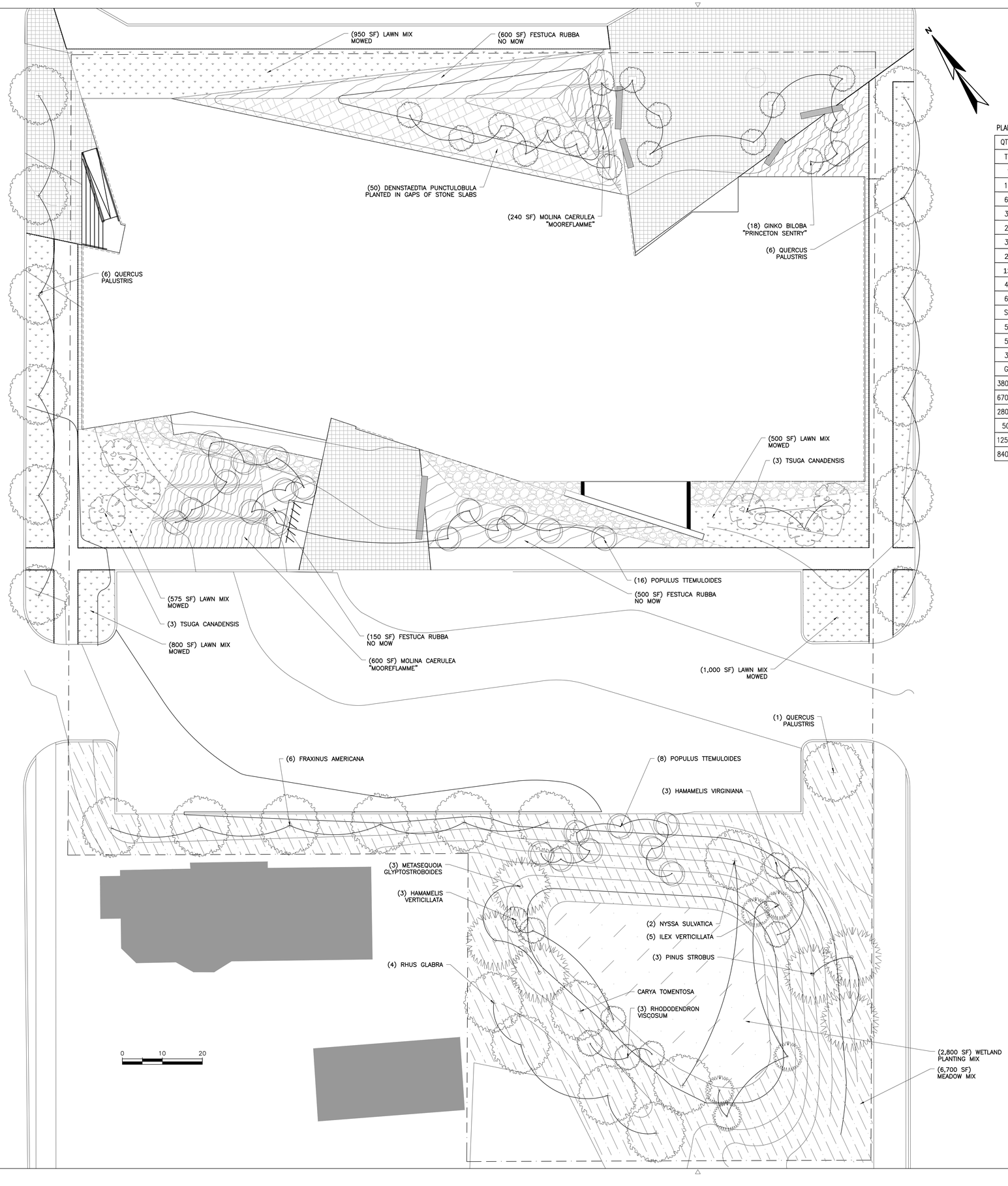
PROPOSED GRADING AND DRAINAGE PLAN

Drawing Scale
1" = 20'

Project Number
14021A

Date Issued
7/12/2018

C5.0



PLANT SCHEDULE (NORTH)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
TREES					
1	--	CARYA TOMENTOSA	MOCKERNUT HICKORY	6'HT	--
18	--	GINKGO BILOBA "PRINCETON SENTRY"	PRINCETON SENTRY GINGKO	#11	--
6	--	FRAXINUS AMERICANA	AMERICAN ASH	2.5"CAL	--
3	--	METASEQUOIA GLYPTOSTROBOIDES	DAWN REDWOOD	2.5"CAL	--
2	--	NYSSA SYLVATICA	BLACK GUM	#9	--
3	--	PINUS STROBUS	EASTERN WHITE PINE	6'HT	--
24	--	POPULUS TREMULOIDES	QUAKING ASPEN	#9	--
13	--	QUERCUS PALUSTRIS	PIN OAK	2.5"CAL	--
4	--	RHUS GLABRA	SMOOTH SUMAC	2.5"CAL	--
6	--	TSUGA CANADENSIS	EASTERN HEMLOCK	#9	--
SHRUBS					
5	--	HAMAMELIS VIRGINIANA	COMMON WITCH HAZEL	#7	--
5	--	ILEX VERTICILLATA	COMMON WINTERBERRY	#7	--
3	--	RHODODENDRON VISCOSUM	SWAMP AZALEA	#7	--
GRASSES AND FERNS					
3800sf	--	--	LAWN SEED MIX	SEED	--
6700sf	--	--	MEADOW MIX	SEED	--
2800sf	--	--	WETLAND PLANTING MIX	#1	--
50	--	DENNSTAEDTIA PUNCTILOBULA	HAY-SCENTED FERN	#1	--
1250sf	--	FESTUCA RUBRA	NO MOW RED FESCUE	#1	--
840sf	--	MOLINIA CAERULEA 'MOORFLAMME'	MOOR FLAME GRASS	#1	--

LAWN SEED MIX

MEADOW MIX

NO MOW FESTUCA RUBRA

WETLAND PLANTING MIX

MOLINIA CAERULEA 'MOORFLAMME'

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BATES

Bates College STEM Projects

PLANTING PLAN

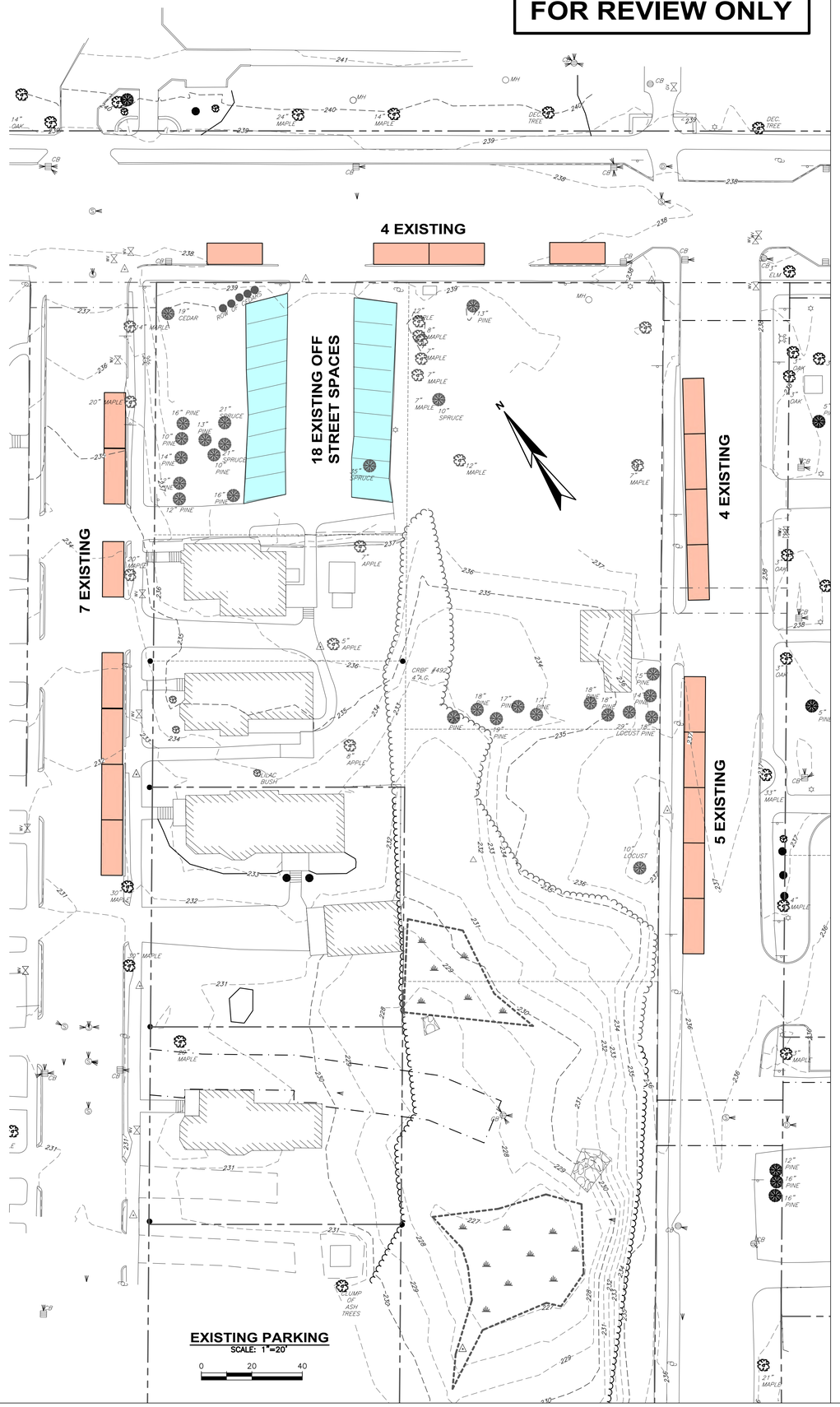
Drawing Scale
1"=10'-0"

Project Number
14021A

Date Issued
8/3/2018

L2.0

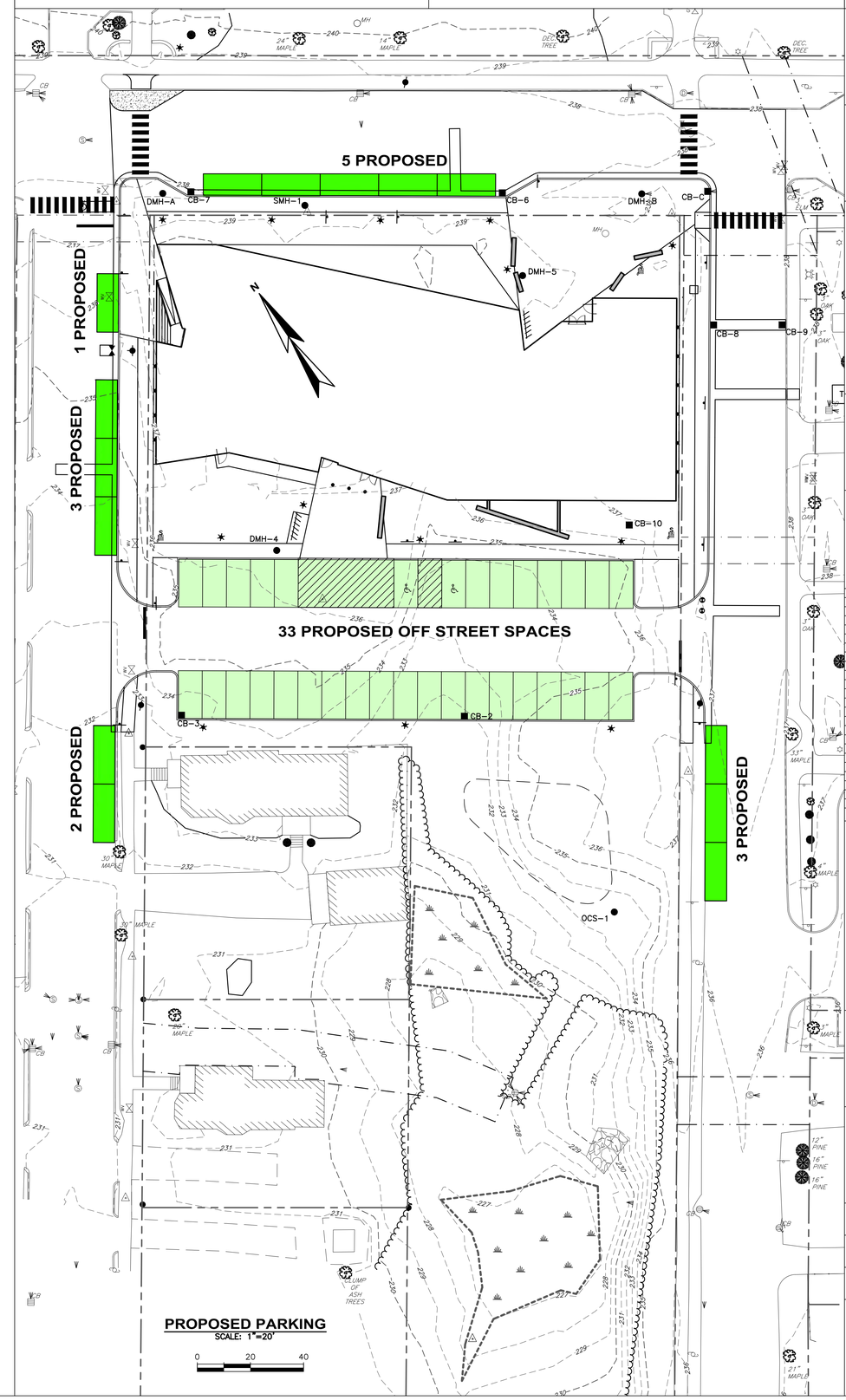
PRELIMINARY FOR REVIEW ONLY



EXISTING PARKING
SCALE: 1"=20'
0 20 40

LEGEND
- EXISTING STREET PARKING (22'-0")
- NEW STREET PARKING (22'-0")
- EXISTING ON-SITE PARKING
- NEW ON-SITE PARKING

EXISTING OFF STREET PARKING= 18 SPACES
EXISTING ON STREET PARKING= 20 SPACES
PROPOSED OFF STREET PARKING= 33 SPACES
PROPOSED ON STREET PARKING= 14 SPACES
COMBINED EXISTING PARKING= 38 SPACES
COMBINED PROPOSED PARKING= 47 SPACES
INCREASE OF 9 SPACES



PROPOSED PARKING
SCALE: 1"=20'
0 20 40

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Bates College STEM Projects

PARKING ANALYSIS OF DEVELOPMENT AREA

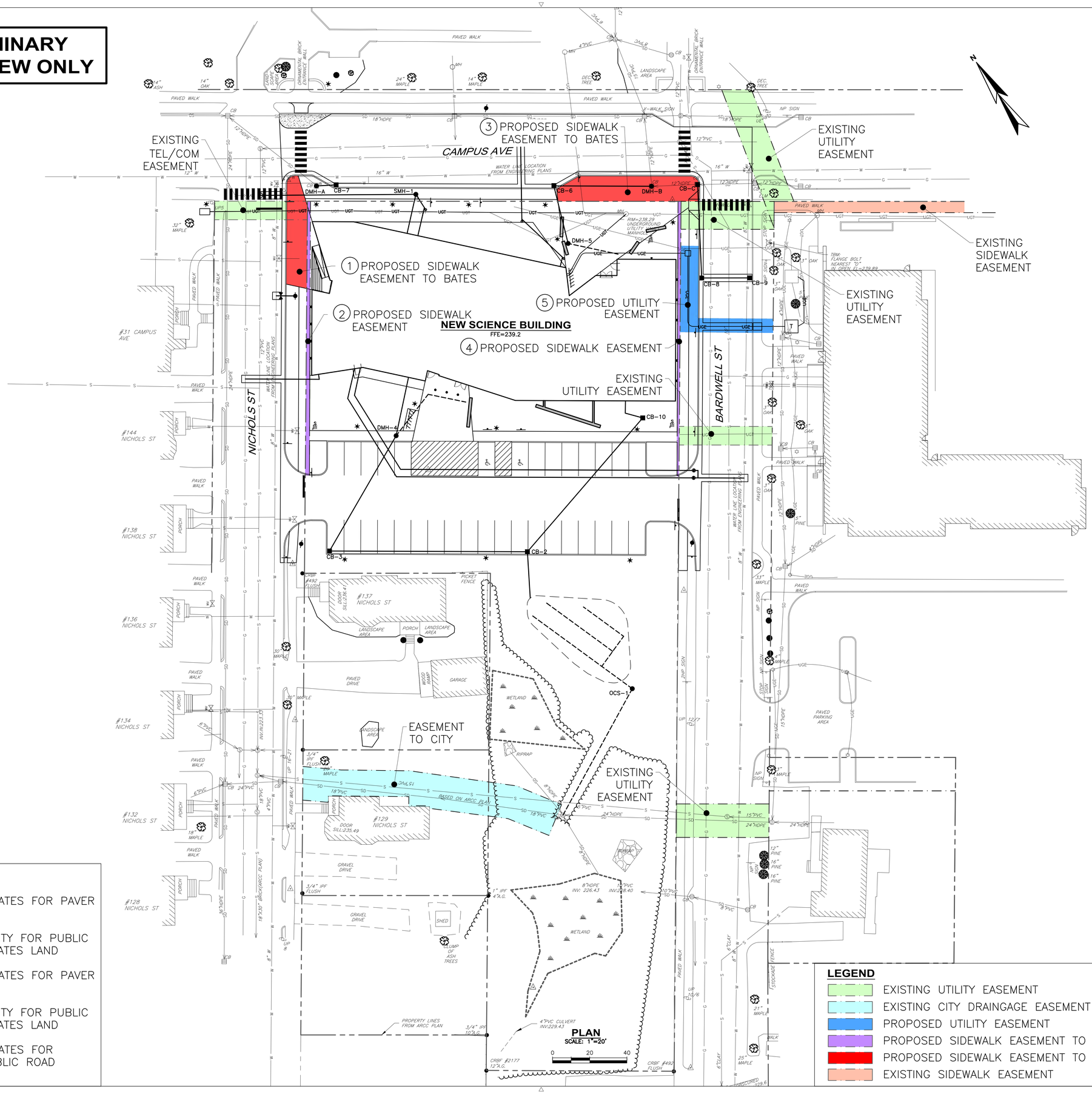
Drawing Scale
1"=20'

Project Number
14021A

Date Issued
9/5/2018

C10.1

PRELIMINARY FOR REVIEW ONLY



EASEMENT KEY

1. EASEMENT TO BATES FOR PAVER SIDEWALK
2. EASEMENT TO CITY FOR PUBLIC SIDEWALK ON BATES LAND
3. EASEMENT TO BATES FOR PAVER SIDEWALK
4. EASEMENT TO CITY FOR PUBLIC SIDEWALK ON BATES LAND
5. EASEMENT TO BATES FOR UTILITIES IN PUBLIC ROAD

LEGEND

- EXISTING UTILITY EASEMENT
- EXISTING CITY DRAINGAGE EASEMENT
- PROPOSED UTILITY EASEMENT
- PROPOSED SIDEWALK EASEMENT TO CITY
- PROPOSED SIDEWALK EASEMENT TO BATES
- EXISTING SIDEWALK EASEMENT

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Bates College STEM Projects

EASEMENT PLAN

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Date Issued
9/5/2018

C10.0

CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: **Lewiston Planning Board**

FROM: **Douglas Greene, AICP, RLA; Deputy Director/City Planner**

DATE: **September 10, 2018**

RE: **Update on Parking Amendments**

The Staff presented the proposed Parking amendments to the City Council at their September 4th workshop. Like the Planning Board, the Council was very supportive of the changes. Here is a list that summarizes their response.

1. The Council requested the Planning Board initiate the Parking Text Amendment at their next meeting.
2. There seemed to be unanimous support to change the location criteria (500' to 1,320') for off-site parking and for municipally owned parking garages and surface lots.
3. The Council is supportive of incrementally making changes to parking regulations while looking at other issues such as:
   - Establishing parking maximums and encouraging more flexibility in parking regulations
   - Supporting transportation demand management programs that can reduce dependency on cars
   - Look for ways to balance infill development in the downtown with open space (i.e. community gardens, pocket parks, etc.), satellite parking and new development
4. Consider reducing the parking requirement for smaller retail and service businesses.

With those points in mind, the Staff would like to make the following recommendations to the Planning Board:

1. Initiate a text amendment to Article XII, Performance Standards, Section 17, Off-street parking and loading setting a public hearing date for September 24, 2018.
2. Further discuss the parking amendment proposal that now includes additional language that reduces the parking requirement for Retail and Personal Services.

ACTION NECESSARY

Make a motion pursuant to Article VII, Section 4 (c) and Article XVII, Section 5 of the Zoning and Land Use Code to initiate a text amendment to Article XII, Performance Standards, Section 17, Off-street parking and loading.

CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: **Lewiston Planning Board**

FROM: **Douglas Greene, AICP, RLA; Deputy Director/City Planner**

DATE: **September 10, 2018**

RE: **Proposal to Minimize Conversions of Single-Family Dwellings into Two Family Dwellings in the Neighborhood Conservation "A" Zone**

At the direction of the City Council, Staff was asked to review a section of the Zoning Ordinance that allows the conversion of single family homes into Two Family Dwellings or the development of Two Family Dwellings on vacant lots in the Neighborhood Conservation "A" District (NCA). Staff made a presentation at a June 12th City Council workshop. The presentation included statistics on the number of single-family homes, Two Family Dwellings, multi-family structures and other land uses including vacant land within the NCA District. A proposed text amendment was also provided that would remove the ability to convert single family dwellings into Two Family Dwellings or develop vacant lots into Two Family Dwellings in the NCA District. (**Attachment 1**) After some discussion, the City Council asked staff to look at other options to reduce or prohibit the conversions.

Since that meeting, the Staff has developed 4 options for consideration:

1. Create a NCA Two Family Dwelling Conversion Overlay- Staff prepared a draft map that creates overlay districts based on concentrations of Two Family Dwellings. This greatly reduces the area in the NCA District where conversions could take place. The overlay areas are generally blocks of parcels where close to 50% of the lots are Two Family Dwellings or multi-family structures. Areas outside of the Overlay would no longer allow two family dwelling conversions or development. (**Attachment 2**)
2. Simplify the approval criteria (*Article XI, District Regulations, Section 22, Land Use Requirements, note 37*) to make it easier for the staff and public to know if their lot qualifies for a Two Family Dwelling conversion. (**Attachment 3**)
3. Do nothing. There have been only 2 or 3 conversions of Single Family Dwellings into Two Family Dwellings in the NCA over the last 5 years.
4. Remove the ability to convert a single family dwelling into a two family dwelling or develop vacant lots into Two Family Dwellings in the NCA zone. In addition, remove In-law Apartments and replace with specific provisions that would allow Accessory Dwellings Units.

Currently the NCA zone allows In-Law Apartments as a permitted use, subject to meeting certain criteria. In-law Apartments are difficult to administrate (especially part 3 of Art. XII, Section 11) and the Staff would like to propose that In-law Apartments be replaced by Accessory Dwelling Units.

The current In-law Apartment performance standards read as follows:

Article XII. Performance Standards, Sec. 11, In-law apartment standards.
An in-law apartment meeting the following standards shall be considered to be part of a single-family detached dwelling and shall not be considered to be a dwelling unit in terms of the space and bulk standards of article XI. In-law apartments shall be permitted only in those districts where they are allowed uses. Apartments not meeting these requirements shall be considered to be separate dwelling units and shall meet the use and space and bulk requirements of article XI:

(1) The in-law apartment shall be accessory to the use of the premises as a single-family detached dwelling and only one in-law apartment shall be created as part of a single-family dwelling.

(2) The in-law apartment shall be created within or attached to a single-family detached dwelling.

(3) The person(s) occupying the in-law apartment must be a family member of the principal occupant(s) of the single-family home and the burden of proof of this relationship shall be on the homeowner.

(4) The creation of the in-law apartment unit shall not alter the single-family character of the property. The following standards shall be met in creating the unit:

a. The in-law apartment must share a joint entrance with the single-family home and the in-law apartment shall not have a separate front entrance from the outside. A joint entrance shall consist of an enclosed structure with access to the in-law apartment and the single-family dwelling. Any second-story side entrance must be contained within the building envelope; and

b. Provisions for one (1) additional parking space shall be made in conformance with article XII, section 17. However, no additional curb cuts or driveways may be created to facilitate the creation of the in-law apartment and any new or expanded driveway entrance curb cut on the property must not exceed twenty-four (24) feet in width.

c. The habitable area of the in-law apartment shall not exceed 900 square feet and shall not contain more than two (2) bedrooms.

(5) One of the units must be owner-occupied.

(6) All applicable fire safety and egress laws must be observed in the creation of the in-law apartment.

(7) There shall not be separately metered electric or water service for the in-law apartment.

(8) In-law apartments on properties with private sewer shall comply with the State of Maine Subsurface Wastewater Disposal Rules for new or expanded systems, as applicable.

(9) Evidence of documentation recorded in the Androscoggin Registry of Deeds identifying that the in-law apartment and the use of the in-law apartment must conform to the performance standards of Appendix A, article XII, section 11 of the Zoning and Land Use Code. Said evidence must be provided to the City prior to issuance of an occupancy permit for said in-law apartment.

The proposed Accessory Dwelling Unit language would follow the basic criteria of the In-Law Apartment provisions with the exception of:

- The size of the Accessory Dwelling Unit would be limited to 600 square feet or 25% of the total habitable space of the dwelling.
- The principle residence must be owner-occupied.

Accessory Dwelling Units would be a benefit to the NCA District in the following ways:

- Having the principle residence be owner-occupied should promote better maintenance of the property.
- Accessory Dwelling Units would provide additional income.
- Accessory Dwelling Units fit in well with the current demographic trends of smaller families and an aging population.
- Accessory Dwelling Units would not change the character of the neighborhood, it that they would essentially be required to meet all of the existing in-law provisions.
- Accessory Dwelling Units would be easier to administrate than In-law apartments

The Staff looks forward to discussing the four options with the Planning Board.

Attachment 1

3

EXECUTIVE DEPARTMENT

Edward A. Barrett, City Administrator
Phil Nadeau, Deputy City Administrator

June 7, 2018

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Request to Initiate Zoning and Land Use Code Amendment – Duplexes in Neighborhood Conservation A District

Mayor Bouchard has asked that the Council reconsider an amendment to our Zoning and Land Use Code that would either eliminate or restrict the development of new duplexes and the potential conversion of single family homes to duplexes in the Neighborhood Conservation A District. Such conversions are now permitted under certain circumstances as outlined below.

The concern is that our Code should work to maintain the NCA zone as a predominantly single-family hopefully owner occupied zone and should not allow for "creeping" changes at certain locations within the zone that, over time, could reduce the number of owner occupied structures given that converting properties to duplex rental properties can lower the rate of owner occupation with negative effects on the area.

The current applicable provisions of our Code are:

> Article XI District Regulations Sec. 6. states the purpose of the Neighborhood conservation "A" district (NCA) 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. 22 states that a parcel in the NCA 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[1] 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

[1] Impacted property means a lot which has frontage on the same street(s) as the lot in question and lies, in whole or in part, within five hundred (500) feet of any property line of the subject lot.

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Web Page: www.lewistonmaine.gov

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

A review of the properties currently zoned NCA using the city's GIS mapping shows there are approximately 6,384 lots in the zone, including vacant lots and lots developed with various use types. Of these, 566 lots have existing two-family dwellings. In addition, there are 401 vacant lots in the zone, some of which would likely meet the frontage and lot square footage requirements to support construction of a duplex; another 770 existing single family homes also meet the frontage and lot size requirements to convert to a duplex. However, each of these properties would also need to meet the other requirements for a duplex – for new construction, this requires that 50% of the developed impacted and 50% of the developed adjoining properties would have to be developed with two or more dwelling units; for existing single family homes, the applicable percentage for both is 40%. Given that about 900 properties meet the frontage and lot size requirements, each of these would have to be separately reviewed to determine whether they meet the applicable multi-family percentages for adjacent and impacted properties. Such a review would require significant staff time.

Code has reviewed its records and identified two duplexes added in the zone since 2002.

A number of alternatives are available to the Council including making no change, eliminating the NCA's provisions that allow for duplexes, or a set of final options that would analyze each area of the community that is zoned as NCA and specify areas that would or would not allow for duplexes and the standards for them.

An amendment that would eliminate future duplex creation in this zone is attached that modifies the district purpose as outlined in Section 6 above and eliminates the language in Section 22 above. If any change is adopted, we should also strive to simplify our code given the current complexities of determining whether an individual property does or does not meet the required conditions for development or conversion of a property to a two-family property. For example, the NCA could be split into two separate zoning districts, one of which allowed duplexes by right (assuming road frontage and square footage requirements could be met) and one which does not.

At this point, the Council should determine if it wishes to initiate a zone change and the extent of the change that is desired.

CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: **Mayor Bouchard and Members of the City Council**

FROM: **Doug Greene, AICP, RLA; City Planner/Deputy Director**

DATE: **June 12, 2018**

RE: **Zoning and Land Use Code Amendment:**
Two-family dwellings in the Neighborhood Conservation "A" (NCA) district

---

Staff has been asked to prepare an amendment to the Zoning and Land Use Code that eliminates the development of two-family dwellings and the potential conversion of single family homes to two-family dwellings in the Neighborhood Conservation "A" (NCA) District. Such conversions are currently permitted if specific locational criteria are met.

Constituents of a City Councilor have expressed concern that the NCA district should work to maintain a predominantly single-family zoning district and should not allow for conversions regardless if existing patterns of use in the immediate neighborhood consist of two-family dwellings. The NCA is predominately a single family dwelling district with approximately 72% of developed lots consisting of single family homes, 12% consisting of two or more units, and 7% that are presumably undeveloped. The proposed amendment will encourage and ensure that the NCA remains a single family district by not allowing for new development or conversions of structures into two-family dwellings. Two-family dwellings will still be allowed as a permitted use in the Medium Density Residential (MDR), Neighborhood Conservation "B" (NCB), Office Residential (OR), Downtown Residential (DR) districts and in the Highway Business (HB) district where they would be limited to conversions of existing single family dwellings.

The proposed amendment will also simplify the code given the current complexities of determining whether an individual property does or does not meet the required conditions for development or conversion of a property to a two-family dwelling. Article XI, Section 22 states that a parcel in the NCA may be developed with a two-family dwelling or an existing single-family dwelling may be converted to a two-family dwelling only if specific criteria are met when reviewing other properties which have frontage on the same street(s) as the lot in question and lie, in whole or in part, within five hundred (500) feet of any property line of the subject lot. Historically, these criteria have been difficult to meet and have resulted in very few conversions or new development of two-family dwellings in the NCA. The proposed amendment will streamline the process, making it easier to advise property owners of their options for development and provide more certainty regarding the future development pattern of neighborhoods in the NCA. This amendment would not affect the ability to create in-law apartments in this zone as governed by separate Code provisions.

STAFF EVALUATION-

The Staff performed a GIS evaluation that selected all the parcels zoned Residential Conservation "A" (RCA) and then grouped and highlighted in red all multi-family parcels (duplexes, three units and apartments) within the RCA district. (See attached map) The GIS analysis reveals clusters of multi-family in certain areas of the RCA district. The Staff also did a preliminary search of building permits for either new duplexes or conversions of single family homes into duplexes within the RCA district and found 2 building permits for duplexes since 2002. All the parcels were evaluated by their Land Use Code and broken down into either single family, multi-family, vacant or other land uses. The breakdown of the major Land Use categories is found in the following chart:

LAND USE BREAKDOWN FOR PARCELS IN THE RESIDENTIAL CONSERVATION "A" DISTRICT

Land Use Type in the RCA District	Land Use Code	# Parcels	% of District
Single Family **Total**	101	**4,634**	**72.60%**
Duplexes	102	566	8.86%
Three Unit	103	112	1.60%
Apartments	111-12	129	2.02%
MF Total		**807**	**12.48%**
Condos	104	16	0.20%
Mobile Homes	105-6	42	0.60%
SF w/ In Law	110	66	1.72%
Vacant Res.	130	401	6.28%
Vacant- Comm/Ind	131-33	23	0.36%
Vacant Total		**424**	**6.64%**
Commercial/Ind	300's	44	0.68%
Other....	Various	283	4.50%
Totals		**6,384**	**100.00%**

Single Family Parcels

Multi-Family Parcels

Vacant Parcels

STAFF RECOMMENDATION/OPTIONS-

Based on a preliminary evaluation the Staff proposes the following options:

1. Do nothing and leave the current regulation in place.
2. Approve the proposed text amendment and prohibit the development of duplexes or the conversion of single family homes into duplexes in the Neighborhood Conservation "A" district.
3. Direct Staff to consider other options such as overlays, rezoning certain multi-family cluster areas or to pursue additional study and analysis.

Planning and Code Enforcement Staff will be available at the meeting for any questions.

AN ORDINANCE PERTAINING TO TWO-FAMILY DWELLINGS IN THE NEIGHBORHOOD CONSERVATION "A" DISTRICT

REASONS FOR THE PROPOSED AMENDMENT

The proposed amendment eliminates the development of two-family dwellings and the potential conversion of single family homes to two-family dwellings in the Neighborhood Conservation "A" (NCA) District. Such conversions are currently permitted if specific locational criteria are met.

Constituents of a City Councilor have expressed concern that the NCA district should work to maintain a predominantly single-family zoning district and should not allow for conversions regardless of whether existing patterns of use in the immediate neighborhood consist of two-family dwellings. Two-family dwellings will still be allowed as a permitted use in the Medium Density Residential (MDR), Neighborhood Conservation "B" (NCB), Office Residential (OR), Downtown Residential (DR) districts, and in the Highway Business (HB) district limited to conversions of existing single family dwellings.

The proposed amendment would also simplify the code given the current complexities of determining whether an individual property does or does not meet the required conditions for development or conversion of a property to a two-family property. This amendment would not affect the ability to create in-law apartments in this zone as governed by separate Code provisions.

CONFORMANCE WITH 2017 COMPREHENSIVE PLAN

This proposed text amendment is in conformance with the following 2017 Legacy Lewiston's growth sector description.

1. G-2 Controlled Growth Sector (Page 125)

   "Controlled Growth Sectors are 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" (RCA) zone. All of these zones are anticipated to remain as conventional use-based districts."

   Note: In general, the 2017 Comprehensive Plan is much more focused on a goal of providing "a greater array of housing choices and more urban living options"[1],

STAFF EVALUATION-

The Staff performed a GIS evaluation that selected all the parcels zoned Residential Conservation "A" (RCA) and then grouped and highlighted in red all multi-family parcels (duplexes, three units and apartments) within the RCA district. (See attached map) The GIS analysis reveals clusters of multi-family in certain areas of the RCA district. The Staff also did a preliminary search of building permits for either new duplexes or conversions of single family homes into duplexes within the RCA district and found 2 building permits for duplexes since 2002. All the parcels were evaluated by their Land Use Code and broken down into

[1] Legacy Lewiston, Strengthen Neighborhoods and Expand Housing Choices, page 172

either single family, multi-family, vacant or other land uses. The breakdown of the major Land Use categories is found in the following chart:

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Single Family Parcels

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STAFF RECOMMENDATION/OPTIONS- Based on a preliminary evaluation the Staff proposes the following options:

1. Do nothing and leave the current regulation in place.
2. Approve the proposed text amendment and prohibit the development of duplexes or the conversion of single family homes into duplexes in the Neighborhood Conservation "A" district.
3. Direct Staff to consider other options such as overlays, rezoning certain multi-family cluster areas or to pursue additional analysis and study.

06.07.2018

AN ORDINANCE PERTAINING TO TWO-FAMILY DWELLINGS IN THE NEIGHBORHOOD CONSERVATION "A" DISTRICT

THE CITY OF LEWISTON HEREBY ORDAINS:

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 XI. DISTRICT REGULATIONS

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. 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*

KEYWORD	DEFINITION
(P)	Allowed/Permitted(the use must be in conformance with all applicable
(C)	Allowed/Permitted only after the issuance of a conditional use permit in accordance with Article X of this Code (the use must be in

Blank/Empty Column	Use not allowed/permitted; space and bulk requirement not applicable

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

Land Use Table: All Zoning Districts 10.13.2015	**Neighborhood Conservation "A" (NCA)**
USES(15)(33)	
Accessory use or structure	P
Commercial-Service	
Veterinary facilities excluding kennels and humane societies	
Veterinary facilities including kennels and humane societies	
Small day care facilities	**P(22)**
Day care centers	-
Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home parks	**C(22)**
Business and professional offices including research, experimental, testing laboratories, engineering, research, management and related services	
Restaurants	
Drinking places	
Adult business establishments	
Hotels, motels, inns	
Movie theaters except drive-in theaters	
Places of indoor assembly, amusement or culture	
Art and crafts studios	
Personal Services	
Retail stores	
Neighborhood retail stores	
Lumber and building materials dealer	
Gasoline service stations	

Gasoline service stations which are a part of and subordinate to a retail use	
New and used car dealers	
Recreational vehicle, mobile home dealers	
Equipment dealers and equipment repair	
Automotive services including repair	
Registered dispensary(27)	
Registered primary caregivers engaged in the cultivations of medical marijuana for two to five registered patients.	
Tattoo Establishments	
Industrial	
Light industrial uses	
Industrial uses	
Building and construction contractors	
Fuel oil dealers and related facilities	
Wholesale sales, warehousing and distribution facilities and self-storage facilities	
Self storage facilities	
Commercial solid waste disposal facilities	
Junkyards and auto graveyards	
Recycling and reprocessing facilities	
Private industrial/commercial developments(23)	
Transportation	
Airports or heliports	
Commercial parking facilities	
Transit and ground transportation facilities	
Transportation facilities	
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
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C
Municipal buildings and facilities	C
Preservation of historic areas; emergency and fire protection activities; bridges and public roadways	
Dams	

Institutional	
Religious facilities	P
Cemeteries	P
Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities	
Hospitals, medical clinics,	
Museums, libraries, and non-profit art galleries and theaters	
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,	
Civic and social organizations	
Public community meeting and civic function buildings including auditoriums	
Residential	
Single-family detached dwellings on individual residential lots	P
Mobile homes on individual residential lots	
Two-family dwellings	~~P(37)~~
Multifamily dwellings in accordance with the standards of Article XIII	
Single-Family attached dwelling in accordance with the standards of Article XIII	
Mixed single-family residential developments in accordance with the standards of Article XIII	
Mixed residential developments in accordance with the standards of Article XIII	
Mixed use structures	
Lodging houses	
Home occupations	P
Bed and breakfast establishments as a home occupation	P
In-law apartments in accordance with the standards of Article XII	P
Single family cluster development	
Family day care home	P
Shelters	

Natural Resource	
Agriculture	
Farm Stands	
Forest management and timber harvesting activities in accordance with the standards of Article XIII	**P**
Earth material removal	
Community gardens(20)	**P**
Water dependent uses, e.g. docks and marinas	
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	
Recreation	
Campgrounds	
Public or private facilities for non-intensive outdoor recreation	**C**
Commercial outdoor recreation and drive-in theaters	
Fitness and recreational sports centers as listed under NAICS Code 713940	

Land Use Table Notes

(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~~

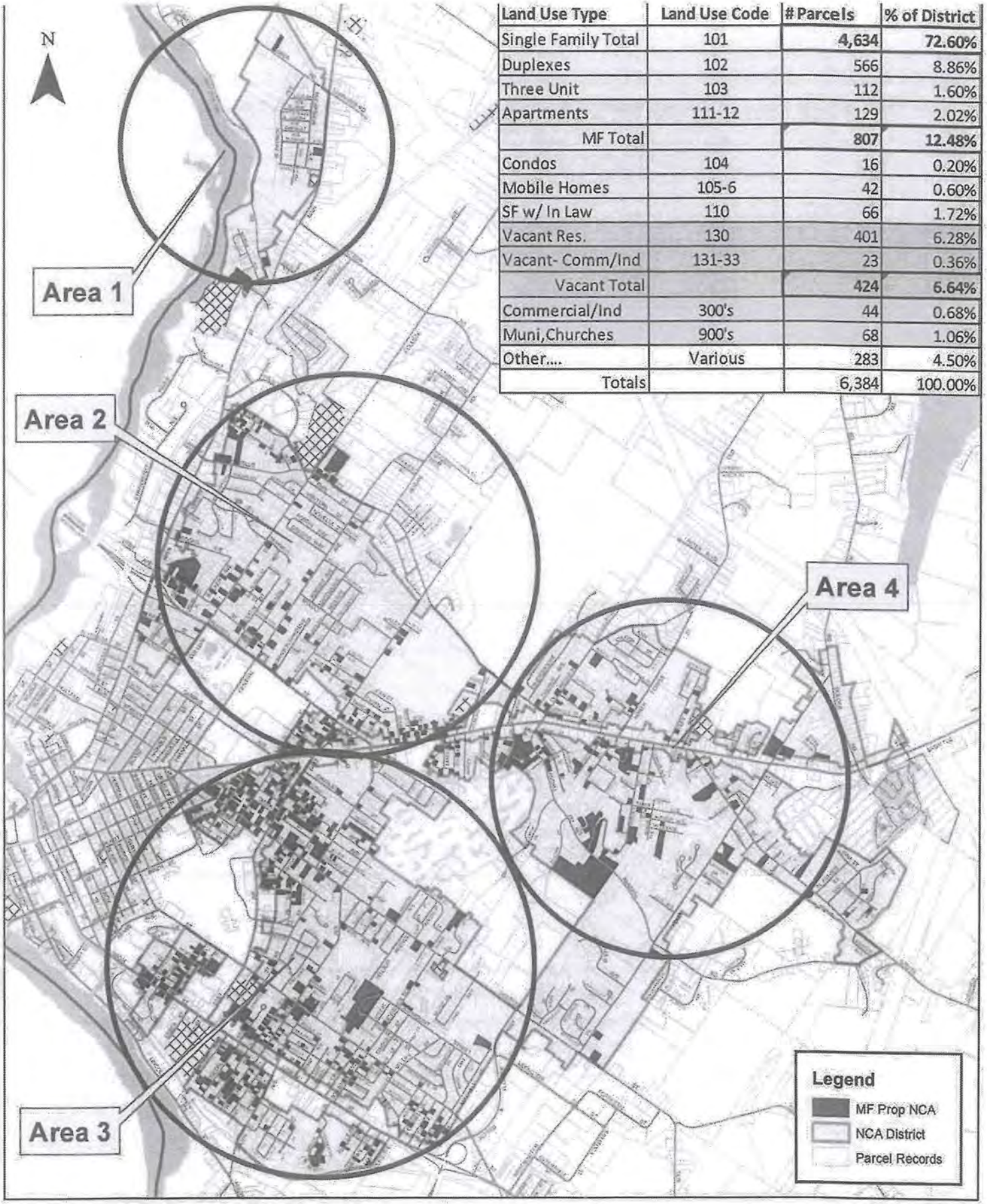
~~b. More than 50 percent of the adjoining properties that are developed contain residential structures with two or more dwelling units.~~

~~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.~~

(Reserved).



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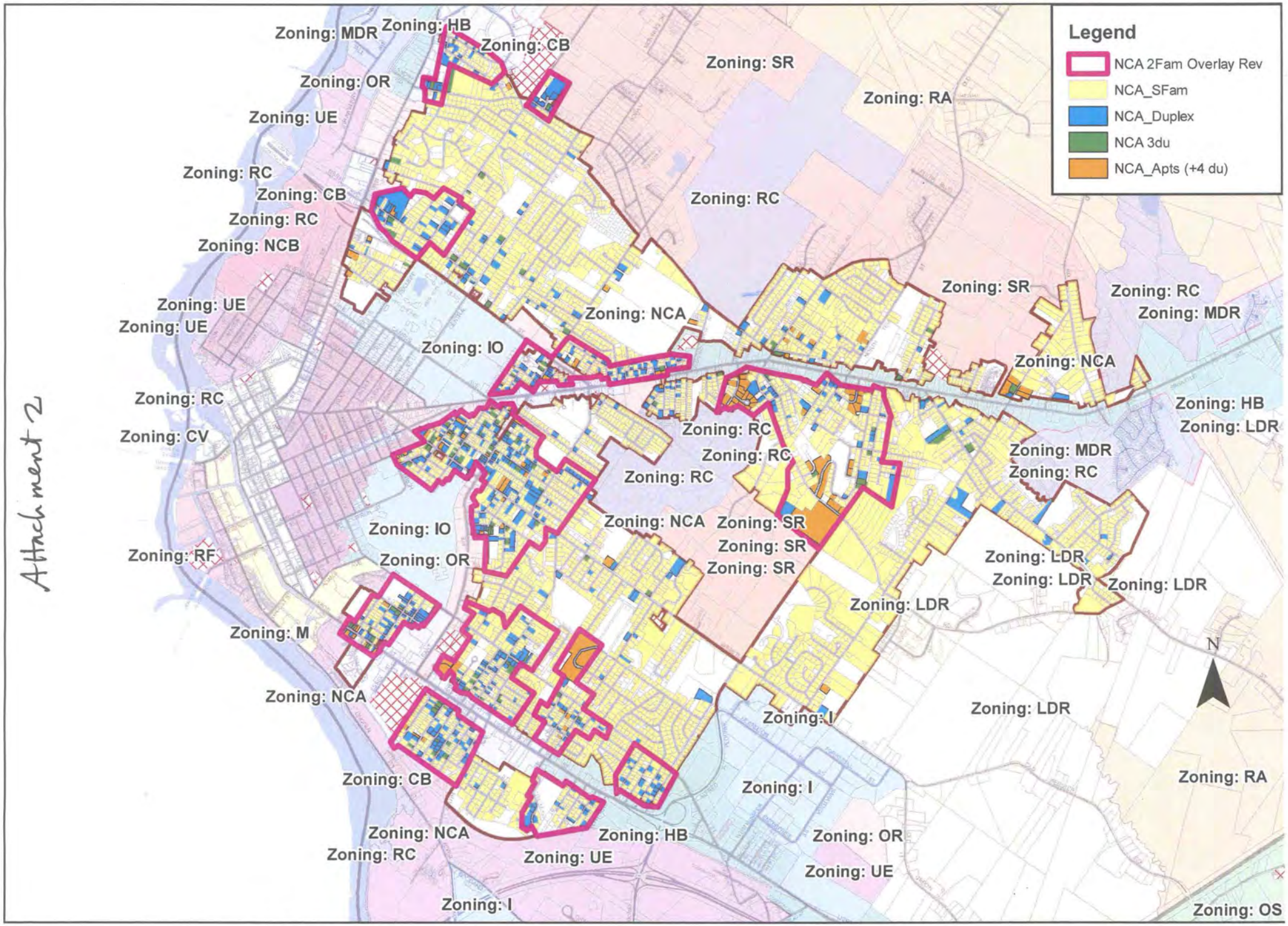
Vacant Total		424	6.64%
Commercial/Ind	300's	44	0.68%
Muni,Churches	900's	68	1.06%
Other....	Various	283	4.50%
Totals		6,384	100.00%

NCA District- Land Use Analysis

Date: 6/6/2018

DMG

Attachment 2



NCA District- Duplex Conversion Overlay Test

DMC 7-27-18

ATTACHMENT 3

Lewiston Zoning Ordinance
Article XII, District Regulations, Section 22, Land Use Requirements, Note 37

Conversions of Single Family Dwellings into Two Family Dwellings or the development of parcels into Two Family Dwellings in the Neighborhood Conservation "A" District (NCA)

(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.

CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: **Lewiston Planning Board**

FROM: **David Hediger, Director of Planning and Code Enforcement**

DATE: **September 10, 2018**

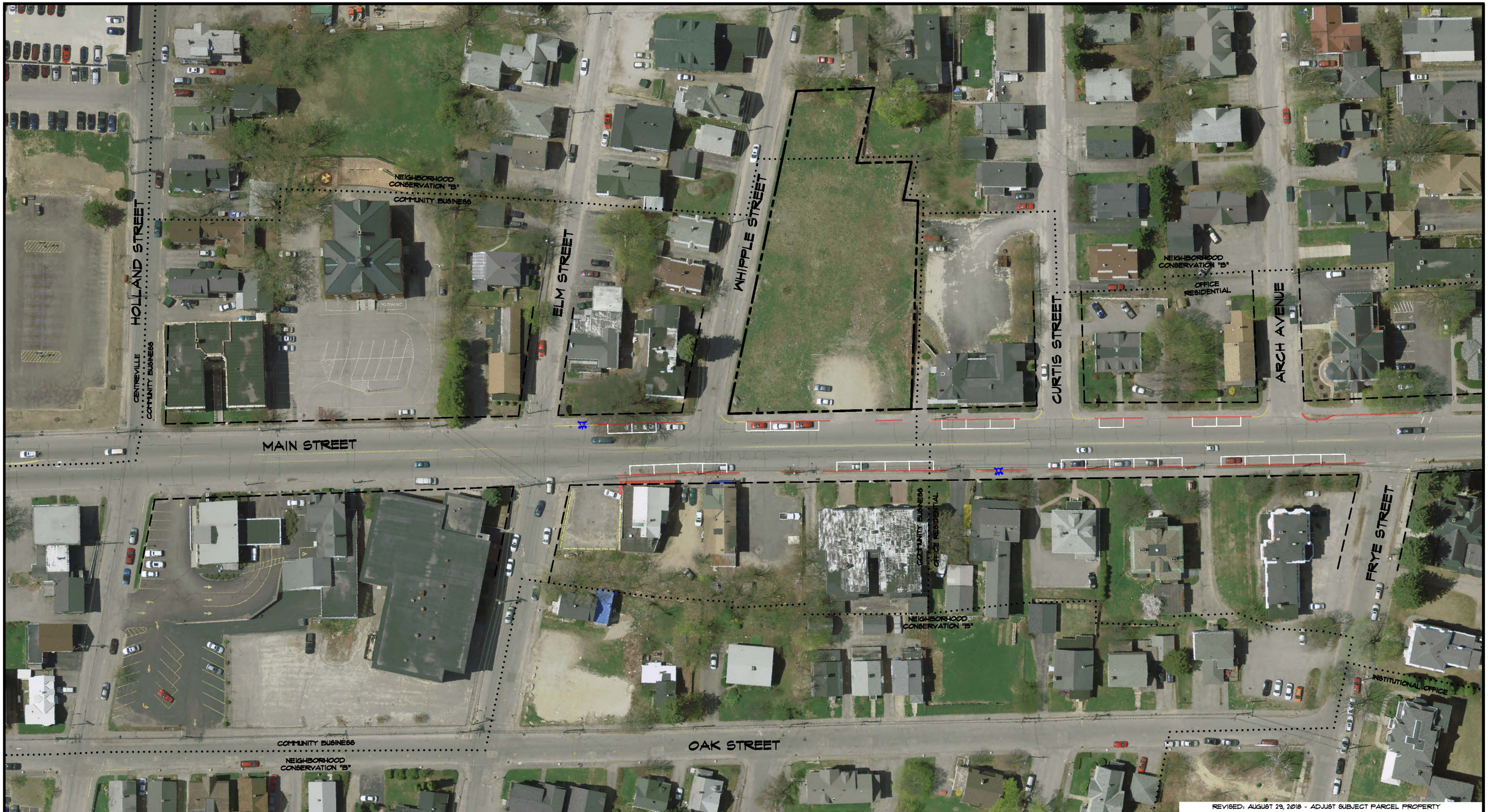
RE: **Update on proposed turning lane on Main Street for development of a Dunkin Donuts at 420 Main Street.**

Stoneybrook Consultants and staff held a neighborhood meeting on September 5, 2018 to discuss the addition of a turning lane and elimination of on-street parking on Main Street in the vicinity of 420 Main Street to facilitate the development of a Dunkin Donuts. Attached are the different striping and parking alternatives that were presented by the applicant.

There were approximately 12 attendees at the meeting who mostly oppose the proposed addition of a turn lane. There were also concerns raised over the actual development of a Dunkin Donuts, elimination of on-street parking, and pedestrian safety.

The City Council will have this proposal presented to them at a workshop on Sept. 18th in order to determine whether there is support for an amendment to the traffic schedule. Should the Council act favorably at a future meeting with respect to the needed changes, the applicant would then move forward with an application for development review approval from the Planning Board.

At this time, staff is providing an update to the Planning Board with no formal action required.



REVISED: AUGUST 29, 2018 - ADJUST SUBJECT PARCEL PROPERTY

NOTES

1) THE PURPOSE OF THIS PLAN IS TO SHOW CHANGES TO ON-STREET PARKING ON MAIN STREET. 29 PARKING SPACES (8' X 22') ARE SHOWN.

2) BOUNDARY INFORMATION WAS TAKEN FROM THE CITY OF LEWISTON TAX MAPS.

3) THE AERIAL PHOTO BACKGROUND WAS TAKEN FROM THE MAINE OFFICE OF GIS AND IS DATED 2013.

SCALE : 1" = 40'

0 20 40 80 120 160

2013 AERIAL GRAPHIC - EXISTING CONDITIONS

MAIN STREET PARKING

LEWISTON, MAINE
ANDROSCOGGIN COUNTY

PREPARED FOR

NORM BOULAY

32 WATERS EDGE DRIVE - LEWISTON, MAINE 04240

Stoneybrook Consultants, Inc.
P.O. Box 459 - Turner, Maine 04282
(207) 224-0252 Voice/(207) 224-0194 Fax

DATE: AUGUST 2018 JOB NUMBER: 18-020	DRAWN BY: BRJ CHECKED BY: MFG	SCALE: 1" = 40' CADD: 18-020 AER	SHEET 1

REVISED: AUGUST 31, 2018 - CHANGES TO NOTES/STRIPING, ADD PROJECT DESIGN

NOTES

1) THE PURPOSE OF THIS PLAN IS TO SHOW CHANGES TO ON-STREET PARKING ON MAIN STREET. 11 PARKING SPACES ARE SHOWN ON WHIPPLE STREET AND 0 PARKING SPACES ARE SHOWN ON MAIN STREET (8' X 22'). 18 PARKING SPACES WILL BE LOST UNDER THIS OPTION.

2) BOUNDARY INFORMATION WAS TAKEN FROM THE CITY OF LEWISTON TAX MAPS.

3) THE AERIAL PHOTO BACKGROUND WAS TAKEN FROM THE MAINE OFFICE OF GIS AND IS DATED 2013.

SCALE : 1" = 40'

0 20 40 80 120 160

2013 AERIAL GRAPHIC - OPTION #1
MAIN STREET STRIPING

LEWISTON, MAINE
ANDROSCOGGIN COUNTY

PREPARED FOR

NORM BOULAY

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REVISED: AUGUST 31, 2018 - CHANGES TO NOTES/STRIPING, ADD PROJECT DESIGN

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1) THE PURPOSE OF THIS PLAN IS TO SHOW CHANGES TO ON-STREET PARKING ON MAIN STREET. 11 PARKING SPACES ARE SHOWN ON WHIPPLE STREET AND 17 PARKING SPACES ARE SHOWN ON MAIN STREET (8' X 22'). 1 PARKING SPACE WILL BE LOST UNDER THIS OPTION.

2) BOUNDARY INFORMATION WAS TAKEN FROM THE CITY OF LEWISTON TAX MAPS.

3) THE AERIAL PHOTO BACKGROUND WAS TAKEN FROM THE MAINE OFFICE OF GIS AND IS DATED 2013.

SCALE : 1" = 40'

0 20 40 80 120 160

2013 AERIAL GRAPHIC - OPTION #2
MAIN STREET STRIPING

LEWISTON, MAINE
ANDROSCOGGIN COUNTY

PREPARED FOR

NORM BOULAY

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REVISED: AUGUST 31, 2018 - CHANGES TO NOTES, ADD PROJECT DESIGN

NOTES

1) THE PURPOSE OF THIS PLAN IS TO SHOW CHANGES TO ON-STREET PARKING ON MAIN STREET. 11 PARKING SPACES ARE SHOWN ON WHIPPLE STREET AND 12 PARKING SPACES ARE SHOWN ON MAIN STREET (8' X 22'). 6 PARKING SPACES WILL BE LOST UNDER THIS OPTION.

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2013 AERIAL GRAPHIC - OPTION #3
MAIN STREET STRIPING

LEWISTON, MAINE
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