CITY OF LEWISTON
PLANNING BOARD MEETING
Monday, May 11, 2020 – 5:30 P.M.

AGENDA

Remote Meeting Information:
In accordance with An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency, as enacted to read: Sec. G-1 1 MRSA §403-A Public proceedings through remote access during declaration of state of emergency due to COVID-19, the meeting will be held through ZOOM video conferencing. To participate in the meeting, please go to https://www.lewistonmaine.gov/2020PB

Information regarding this application is available at http://www.lewistonmaine.gov/209/Planning-Board Questions and comments on the application or meeting may be sent to dgreene@lewistonmaine.gov or by calling 207-513-3000, ext. 3223.

1. ROLL CALL

2. ADJUSTMENTS TO THE AGENDA

3. CORRESPONDENCE

4. PUBLIC HEARINGS: None

5. OTHER BUSINESS:

a. Discuss Amendment to Drinking Establishment Regulations

6. ADJOURNMENT

The next scheduled Planning Board meeting is June 8, 2020

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

Drinking Establishments

256 ft.
Bear Bones, Inc.
300 ft.

Lewiston's Ordinance

(1) The minimum distance between an adult business establishment, tattoo establishments, and/or drinking place and any two other adult business establishments, tattoo 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, tattoo establishments, and/or drinking place and any two other adult business establishments, tattoo 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.

State Statute

§701. Proximity to schools; exception

1. Location within 300 feet of churches and schools. Except as provided in paragraphs B and C, the bureau may not issue a new license for the sale of liquor to be consumed on the premises to new premises within 300 feet of a public or private school, school dormitory, church, chapel or parish house in existence as such at the time the application for the new license is made.

A. [PL 1987, c. 342, §33 (RP).]

B. The bureau may after holding a public hearing near the proposed location issue licenses to premises that are either in or within 300 feet of a church, chapel, parish house or postsecondary school. [PL 1997, c. 373, §64 (AMD).]

C. The restriction in this subsection does not apply if a public or private school, school dormitory, church, chapel or parish house:

(1) Locates in a commercial zone that includes restaurants or bars as permitted uses and that had been established pursuant to a zoning ordinance as defined in Title 30-A, section 4301, subsection 15-A prior to the public or private school, school dormitory, church, chapel or parish house locating in the commercial zone; or

(2) Is located in a downtown as defined in Title 30-A, section 4301, subsection 5-A. [PL 2005, c. 269, §1 (NEW).]

[PL 2005, c. 269, §1 (AMD).]

Option – Amend Ordinance to Match State

(3) Except as provided in subsection 3(a) below, ~~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 in a residential zoning district, in existence prior to the establishment of the business.

(a) The restriction in this section does not apply if a public or private school, school dormitory, church, chapel or parish house:

(1) Locates in a commercial zone that includes restaurants or bars as permitted uses and that had been established pursuant to a zoning ordinance as defined in Title 30-A, section 4301, subsection 15-A prior to the public or private school, school dormitory, church, chapel or parish house locating in the commercial zone; or

(2) Is located in a downtown as defined in Title 30-A, section 4301, subsection 5-A.

What is Downtown?

5-A. Downtown. "Downtown" means:

A. The central business district of a community that serves as the center for socioeconomic interaction in the community and is characterized by a cohesive core of commercial and mixed-use buildings, often interspersed with civic, religious and residential buildings and public spaces, typically arranged along a main street and intersecting side streets, walkable and served by public infrastructure; or [PL 1999, c. 776, §7 (NEW).]

B. An area identified as a downtown in a comprehensive plan adopted pursuant to chapter 187, subchapter II. [PL 1999, c. 776, §7 (NEW).]

Where is Downtown?

Lewiston's Comprehensive Plan makes several references to the City's "downtown", but does not provide a specific definition.

Despite having many remaining buildings, Lewiston has lost density and a significant amount of its urban fabric over the past 50 years. Though the city may appear largely developed because of the lack of large undeveloped parcels, there are numerous small- and medium-size parcels that are underutilized. This includes vacant lots, parking lots, buildings with suburban setbacks, lots with an excessive amount of parking, and brownfield sites. All of these conditions lead to unrealized potential.

CD5 Urban Center

Lewiston's Downtown is recovering from a period of decline with renewed interest in the historic buildings that line the City's traditional commercial streets. This area is viewed by many as the heart of the community, the epicenter of potential new energy, and the key to Lewiston's transformation. The CD5 Urban Center Character District consists of higher-density mixed-use buildings that accommodate retail, offices, rowhouses, and apartments. It has a tight network of streets with wide sidewalks, consistent street tree planting, and buildings set close to the sidewalks.

CD6 Downtown Core

There are a number of commercial thoroughfares within downtown Lewiston that are lined with large footprint office buildings, hospitals, and light industry. Some of these streets need to be improved to better accommodate pedestrian activity. The CD6 Urban Core Character District consists of the highest density and height with the greatest variety of uses, including civic buildings of regional importance. It may have larger blocks; streets have consistent street trees and buildings are set close to wide sidewalks.

References in the Ordinance

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. 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. 13. Centreville district (CV).

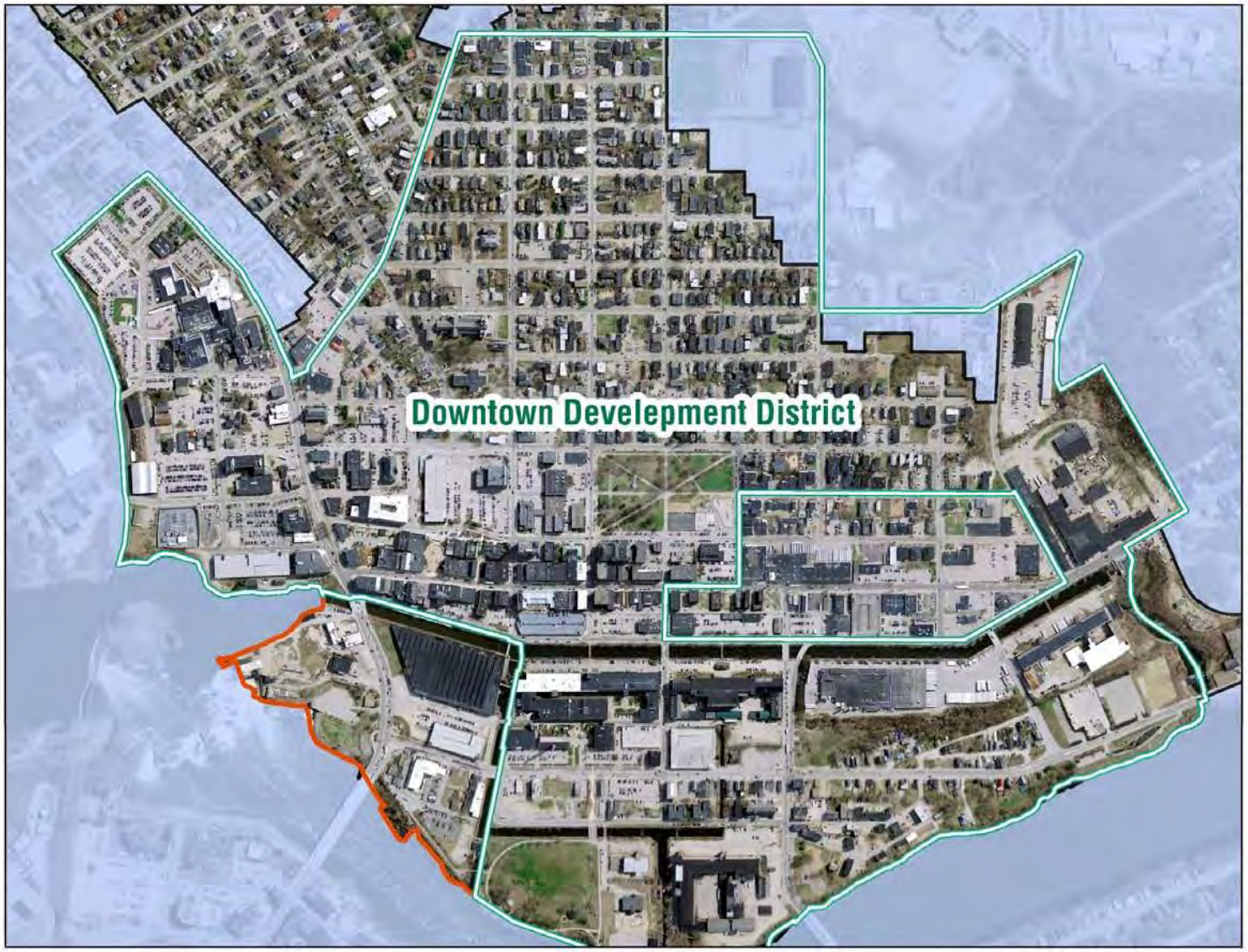
(a) *Statement of purpose.* The purpose of the Centreville district is to encourage a concentration of economic enterprises in the central business district that is convenient and attractive for a wide range of retail, service, financial, government, professional, entertainment and appropriate residential 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.

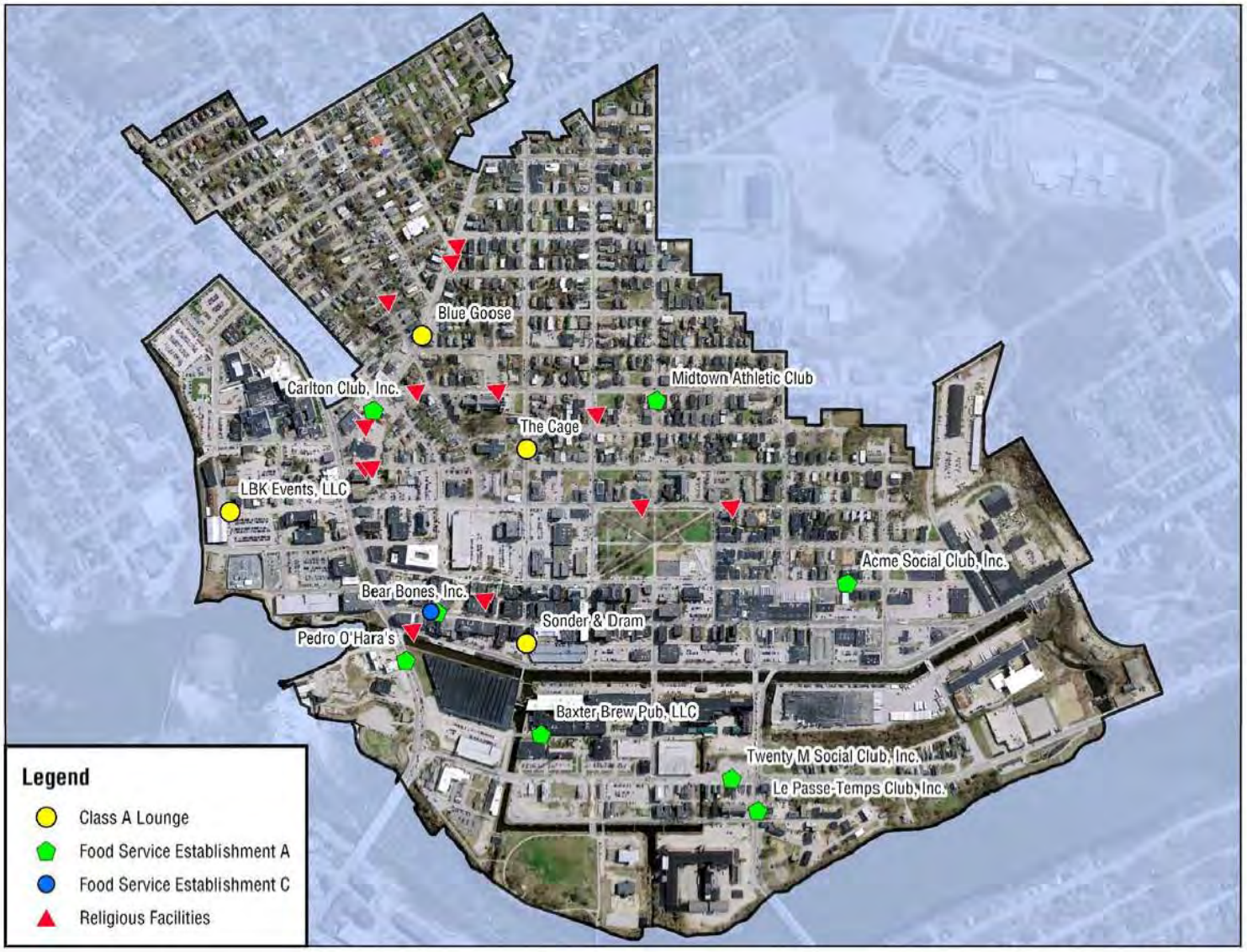
APPENDIX A – ZONING AND LAND USE CODE
ARTICLE XVI. DEVELOPMENT DISTRICTS

Sec. 1. Downtown Development District.

There is hereby created, in the City of Lewiston, a special development district to be known as the "downtown development district" and described as follows:

> Starting at a point at the edge of the Androscoggin River and the rear property line of a parcel on the northerly side of Main Street adjacent to the James B. Longley Memorial Bridge.
> Along the rear property lines of the parcels fronting on Main Street from the James B. Longley Memorial Bridge to Hammond Street.
> Hammond Street, Main Street, Blake Street, along the rear property lines of the parcels fronting on Main Street to Bates Street, Bates Street, Ash Street, Middle Street, Pine Street, Park Street.
> Spruce Street and an extension thereof from Park Street to Canal Street.
> Canal Street, along the rear property lines of the parcels fronting to Main Street to the Androscoggin River, along the river to the point of beginning.


Downtown Develepment District


Blue Goose
Carlton Club, Inc.
Midtown Athletic Club
The Cage
LBK Events, LLC
Acme Social Club, Inc.
Bear Bones, Inc.
Sonder & Dram
Pedro O'Hara's
Baxter Brew Pub, LLC
Twenty M Social Club, Inc.
Le Passe-Temps Club, Inc.
Legend
Class A Lounge
Food Service Establishment A
Food Service Establishment C
Religious Facilities

Options and Timeline

Late Spring 2020

Amend Article XII to align with state statute excepting drinking places downtown from setback restrictions (from religious facilities, schools.)

Timeframe: 1 to 2 months

Summer/Fall 2020

Reconsider setbacks between adult businesses, tattoo establishments, and drinking places.

Timeframe: 2 to 4 months

Possible neighborhood meeting?

Amend Article II to add a definition for "downtown"

Timeframe: 2 months

2021 and later

Entertainment district, special events/common consumption areas