

APPENDIX A – ZONING AND LAND USE CODE
ARTICLE XI. DISTRICT REGULATIONS

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**Editor's note:* Ord. No. 00-19, adopted Oct. 5, 2000, added §§ 5, 9, 13, 17 and 22. Hence, §§ 5--7, 8--10, 12--14, 15--18 was renumbered as §§ 6--8, 10--12, 14--16, and 18--21, respectively. See the Code Comparative Table.

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.

(Ord. No. 89-3, 4-7-89; Ord. No. 89-11, 9-15-89; Ord. No. 90-3, 5-17-90; Ord. No. 90-10, 10-4-90; Ord. No. 91-8, 10-3-91; Ord. No. 92-27, 11-19-92; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 98-7, 9-10-98; Ord. No. 00-27, 1-11-01; Ord. No. 12-15, 2-7-13)

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.

(Ord. No. 89-3, 4-7-89; Ord. No. 89-11, 9-15-89; Ord. No. 90-3, 5-17-90; Ord. No. 90-10, 10-4-90; Ord. No. 91-8, 10-3-91; Ord. No. 92-27, 11-19-92; Ord. No. 96-6, 7-4-96; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 00-27, 1-11-01; Ord. No. 12-15, 2-7-13)

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.

(Ord. No. 89-3, 4-7-89; Ord. No. 89-11, 9-15-89; Ord. No. 90-3, 5-17-90; Ord. No. 90-10, 10-4-90; Ord. No. 91-8, 10-3-91; Ord. No. 92-27, 11-19-92; Ord. No. 96-6, 7-4-96; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 98-7, 9-10-98; Ord. No. 00-27, 1-11-01; Ord. No. 12-15, 2-7-13)

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.

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(Ord. No. 89-3, 4-7-89; Ord. No. 89-11, 9-15-89; Ord. No. 90-3, 5-17-90; Ord. No. 90-10, 10-4-90; Ord. No. 91-8, 10-3-91; Ord. No. 92-4, 2-20-92; Ord. No. 92-27, 11-19-92; Ord. No. 92-31, 1-7-93; Ord. No. 96-6, 7-4-96; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 00-27, 1-11-01; Ord. 10-13, 12-23-10; Ord. No. 12-15, 2-7-13)

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.

(Ord. No. 00-19, 10-5-00; Ord. No. 05-07, 3-17-05; Ord. No. 12-04, 04-05-12; Ord. No. 12-15, 2-7-13)

Editor's note: See editor's note at article XI.

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.

(Ord. No. 89-3, 4-7-89; Ord. No. 89-11, 9-15-89; Ord. No. 90-3, 5-17-90; Ord. No. 91-8, 10-3-91; Ord. No. 92-25, 11-5-92; Ord. No. 92-27, 11-19-92; Ord. No. 92-34, 1-7-93; Ord. No. 95-12, 9-14-95; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 00-18, 8-17-00; Ord. No. 00-19, 10-5-00; Ord. No. 00-27, 1-11-01; Ord. No. 03-18, 1-1-04; Ord. No. 12-15, 2-7-13)

Editor's note: See editor's note at article XI.

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.

(Ord. No. 89-3, 4-7-89; Ord. No. 89-11, 9-15-89; Ord. No. 90-6, 5-17-90; Ord. No. 91-8, 10-3-91; Ord. No. 92-34, 1-7-93; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 00-19, 10-5-00; Ord. No. 00-27, 1-11-01; Ord. No.10-02, 3-4-2010; Ord. 10-13, 12-23-10; Ord. No. 12-15, 2-7-13)

Editor's note: See editor's note at Article XI.

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

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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.

(Ord. No. 89-3, 4-7-89; Ord. No. 90-3, 5-17-90; Ord. No. 90-11, 10-4-90; Ord. No. 91-8, 10-3-91; Ord. No. 92-18, 9-10-92; Ord. No. 92-27, 11-19-92; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 99-9, 4-15-99; Ord. No. 00-19, 10-5-00; Ord. No. 00-27, 1-11-01; Ord. No. 04-19, 7-15-04; Ord. 10-13, 12-23-10; Ord. No. 12-15, 2-7-13)

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.

(Ord. No. 00-19, 10-5-00; Ord. No. 00-27, 1-11-01; Ord. No. 05-07, 3-17-05; Ord. 10-13, 12-23-10; Ord. No. 12-04, 04-05-12; Ord. No. 12-15, 2-7-13)

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.

(Ord. No. 89-3, 4-7-89; Ord. No. 90-3, 5-17-90; Ord. No. 92-11, 6-4-92; Ord. No. 92-18, 9-10-92; Ord. No. 92-27, 11-19-92; Ord. No. 93-8, 6-17-93; Ord. No. 95-6, 6-1-95; Ord. No. 97-2, 4-17-97; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 00-19, 10-5-00; Ord. No. 00-27, 1-11-01; Ord. No. 05-07, 3-17-05; Ord. No. 09-09, 12-31-09; Ord. No. 12-15, 2-7-13)

Editor's note: See editor's note at article XI.

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.

(Ord. No. 89-3, 4-7-89; Ord. No. 90-3, 5-17-90; Ord. No. 90-8, 8-10-90; Ord. No. 92-12, 6-4-92; Ord. No. 92-18, 9-10-92; Ord. No. 92-27, 11-19-92; Ord. No. 96-3, 4-18-96; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 00-10, 6-15-00; Ord. No. 00-19, 10-5-00; Ord. No. 04-18, 7-15-04; Ord. No. 05-07, 3-17-05; Ord. No. 12-15, 2-7-13)

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Editor's note: See editor's note at article XI.

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

(Ord. No. 89-3, 4-7-89; Ord. No. 90-3, 5-17-90; Ord. No. 90-17, 1-11-91; Ord. No. 92-12, 6-4-92; Ord. No. 92-18, 9-10-92; Ord. No. 94-14, 10-20-94; Ord. No. 96-3, 4-18-96; Ord. No. 97-7, 9-11-97; Ord. No. 98-2, 3-19-98; Ord. No. 98-6, 7-2-98; Ord. No. 00-19, 10-5-00; Ord. No. 00-27, 1-11-01; Ord. No. 02-07, 5-2-02; Ord. No. 05-07, 3-17-05; Ord. No. 10-14, 1-6-11; Ord. No. 12-15, 2-7-13)

Editor's note: See editor's note at Article XI.

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.

(Ord. No. 00-19, 10-5-00; Ord. No. 00-27, 1-11-01; Ord. No. 04-07, 4-15-04; Ord. No. 05-07, 3-17-05; Ord. No. 10-09, 10-7-10; Ord. 10-13, 12-23-10; Ord. No. 12-04, 04-05-12; Ord. No. 12-15, 2-7-13)

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.

(Ord. No. 89-16, 11-30-89; Ord. No. 90-3, 5-17-90; Ord. No. 92-12, 6-4-92; Ord. No. 92-18, 9-10-92; Ord. No. 93-1, 2-4-93; Ord. No. 96-3, 4-18-96; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 00-19, 10-5-00; Ord. No. 00-27, 1-11-01; Ord. No. 05-07, 3-17-05; Ord. No. 10-14, 1-6-11; Ord. No. 12-15, 2-7-13)

Editor's note: See editor's note at article XI.

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.

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(Ord. No. 89-16, 11-30-89; Ord. No. 90-3, 5-17-90; Ord. No. 90-12, 11-16-90; Ord. No. 91-6A, 7-4-91; Ord. No. 92-12, 6-4-92; Ord. No. 92-18, 9-10-92; Ord. No. 93-1, 2-4-93; Ord. No. 96-16, 12-19-96; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 00-19, 10-5-00; Ord. No. 02-06, 5-2-02; Ord. No. 02-08, 5-16-02; Ord. No. 03-16, 1-1-04; Ord. No. 06-07, 5-18-06; Ord. No. 10-14, 1-6-11; Ord. No. 12-15, 2-7-13)

Editor's note: See editor's note at article XI.

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.

(Ord. No. 89-3, 4-7-89; Ord. No. 90-3, 5-17-90; Ord. No. 92-12, 6-4-92; Ord. No. 92-18, 9-10-92; Ord. No. 92-27, 11-19-92; Ord. No. 93-1, 2-4-93; Ord. No. 93-2, 2-4-93; Ord. No. 94-9, 8-18-94; Ord. No. 95-8, 7-20-95; Ord. No. 96-3, 4-18-96; Ord. No. 97-3, 5-15-97; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 99-16, 10-12-99; Ord. No. 99-18, 11-20-99; Ord. No. 00-19, 10-5-00; Ord. No. 04-07, 4-15-04; Ord. No. 05-07, 3-17-05; Ord. 10-13, 12-23-10; Ord. No. 10-14, 1-6-11; Ord. No. 12-15, 2-7-13)

Editor's note: See editor's note at article XI.

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.

(Ord. No. 00-19, 10-5-00; Ord. No. 05-07, 3-17-05; Ord. No. 12-04, 04-05-12; Ord. No. 12-15, 2-7-13)

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.

(Ord. No. 92-18, 9-10-92; Ord. No. 00-19, 10-5-00; Ord. No. 12-15, 2-7-13)

Editor's note: See editor's note at article XI.

Sec. 19. Reserved.

Editor's note: Ord. No. 20-10h, effective Nov. 5, 2020, repealed art. XII, § 19, in its entirety. Formerly, said section pertained to groundwater conservation overlay district (GC).

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20. Reserved.

Editor's note: Ord. No. 20-10h, effective Nov. 5, 2020, repealed art. XII, § 20, in its entirety. Formerly, said section pertained to no name pond conservation overlay district (LC).

21. Reserved.

Editor's note: Ord. No. 20-10h, effective Nov. 5, 2020, repealed art. XII, § 21, in its entirety. Formerly, said section pertained to mobile home park conservation overlay district (MH).

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 sections of the Zoning and Land Use Code)
(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 conformance with all applicable sections of the Zoning and Land Use Code)
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 11.05.2020	Rural Agricultural (RA)	Low Density Residential (LDR)	Suburban Residential (SR)	Medium Density Residential (MDR)	Riverfront (RF)	Neigh- bor- hood Conser- vation "A" (NCA)	Neigh- bor- hood Conser- vation "B" (NCB)	Office Residential (OR)	Downtown Residential (DR)	Institutional Office (IO)	Community Business (CB)	Highway Business (HB)	Centreville (36) (CV)	Office Service (OS)	Industrial (I)	Urban Enterprise	Mill (M)	Resource Conser- vation (RC) (18)	Ground- water conser- vation overlay district (GC)(28)	No Name Pond Conser- vation Overlay District (NNP)(29)	Mobile Home Park overly 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					
Nursery School	C	C	C	C	P	C	C	P	P	P	P	P	P	P	P	P	P				
Small day care facilities	C	P(22)	P(22)	P(22)		P(22)	P	P	P	P	P	P	P	P	P	P					
Day care centers	C				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(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				
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	C											
Lumber and building materials dealer											C	P				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 (17)					
Recreational vehicle, mobile home dealers												P				P					
Equipment dealers and equipment repair												C			P	P					
Automotive services including repair											P(9)	P				P	C(9)				
Tattoo Establishments											C	C									
Marijuana store(27)					P						P	P	P			P	P				
Industrial																					
Light industrial uses												P(9)	P(9,38)	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				
Marijuana cultivation, manufacturing, testing, nurseries, and registered dispensary (27)												P		P	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				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			
Utility structures	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 11.05.2020	Rural Agricultural (RA)	Low Density Residential (LDR)	Suburban Residential (SR)	Medium Density Residential (MDR)	Riverfront (RF)	Neighborhood Conservation "A" (NCA)	Neighborhood Conservation "B" (NCB)	Office Residential (OR)	Downtown Residential (DR)	Institutional Office (IO)	Community Business (CB)	Highway Business (HB)	Centreville (36) (CV)	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 overly 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																					
Single-family detached dwellings on individual residential lots	P(8)	P	P	P		P	P(2)	P	P(11)	P(2)											
Mobile homes on individual residential lots	P(8)			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												
Dormitories												P									
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			
Keeping of Chickens (39)	P (39)	P (39)	P (39)	P (39)		P(39)															
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					P			P			P	P	P	P	P	P	P				

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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) 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 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 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

APPENDIX A – ZONING AND LAND USE CODE
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- 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) Must comply with Lewiston Code of Ordinances, Chapter 22, Article XV.
 - (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 is 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.
 - (38) Limited to Food and/or Beverage Facilities. These facilities shall be restricted to 8,000 gross square feet. All store front windows at street level shall remain unobstructed and provide two-way visibility. If facility is in the business of producing alcohol, sales of alcohol for consumption on site shall be limited to what is produced on site. Facilities shall contain a retail component open to all ages.
 - (39) Keeping of Chickens- Notwithstanding, the provisions under Article XI, Sec23 of this Code, the keeping of up to six female chickens are permitted in the Rural-Agricultural(RA), Low-Density Residential (LDR), Suburban Residential (SR),

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Medium Density Residential (MDR), and the Neighborhood Conservation “A”(NCA) districts on lots of no less than 30,000 square feet developed with single-family detached dwellings including mobile homes on individual lots pursuant to the provisions contained in Chapter 14, Article XIII, Sec. 14-45 through 14-53.

(Ord. No. 12-15, 2-7-13; Ord. No. 14-12, 01-15-15; Ord. No. 15-08, 08-13-15; Ord. No. 16-02, 05-05-16; Ord. No. 19-03, 08-15-19; Ord. 19-14; 12-19-19; Ord. 19-15; 12-19-19; Ord. 20-03; 02-20-20; Ord. No. 20-10h, 11-05-20)

Sec. 23. Space and Bulk Requirements

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 11.05.20

Dimensional Requirements	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 (LC)	Mobile Home Park Overlay District (MH) additional
Multifamily dwellings				30 ft																	
Mixed use structures																					
Agriculture	50 ft																				
Religious facilities	25 ft	50 ft	50 ft	50 ft		20 ft (21,22)															
Veterinary facilities	25 ft																				
Other uses	25 ft	20 ft	25 ft	50 ft		20 ft (21,22)															
All permitted uses					5 ft (22)		10 ft (21,22)	20 ft (22,23)	5 ft (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					0ft side/10ft rear		5 ft	15 ft (23)	5ft side/10ft rear	20 ft	20 ft	20 ft (15)	none	25 ft	25 ft	20 ft	none	25 ft			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			
Minimum height																					
All permitted uses					20 ft				20 ft					20 ft				20 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	0.6	0.40	0.65	0.30		0.75(28)	0.50	0.50	1.00	0.50	0.75	0.60	0.90	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	

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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.

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- e. Only one vehicular access point no wider than 50 feet within the 100-foot buffer of 380 River Road shall be permitted.

- (12) Reserved.
- (13) Reserved.
- (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

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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;

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- (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 the average lot area per dwelling unit of impacted properties. The maximum number of dwelling units that can be placed on

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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 shall be calculated. The total lot area shall be 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, medical offices and academic institutions 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.

(Ord. No. 12-15, 2-7-13; Ord. No. 16-08, 10-6-16; Ord. No. 17-15, 10-19-17; Ord. No. 20-10h, 11-05-20)

Sec. 24. Additional Overlay 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

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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
----------------------------------	---
- (g) Additional standards. Any building, structure or use of land within the groundwater conservation overlay district shall comply with the following

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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;

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- 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.

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- 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.
- 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.

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- (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

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- 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

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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.

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;

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- 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 ark 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 sq. 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.

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- (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. 12-15, 2-7-13)

4) *Neighborhood conservation “B” preservation overlay district (NCBP)*

- (a) *Statement of purpose:* The purpose of the neighborhood preservation overlay district is to promote the stability and improvement of older multifamily residential neighborhoods by prohibiting the development of new lodging houses or the replacement, reuse or conversion of existing buildings into lodging houses in areas in which said uses would result in an adverse impact on the intended uses of properties in the area impacting residents’ quality of living and the ability of property owners to improve and increase the values of their properties.
- (b) *Applicability.* The standards of the neighborhood preservation overlay district shall apply to all land shown on the "Official Zoning Map, City of Lewiston" as being located within the neighborhood conservation “B” overlay district.
- (c) *Prohibited uses.* Any use permitted by right in the underlying zoning district shall be allowed in the neighborhood preservation overlay district with the exception of lodging houses, which are a prohibited use in the NCB overlay district.
- (d) *Space and bulk standards.* The space and bulk requirements of the underlying zoning district shall apply in the neighborhood conservation “B” overlay district.

(Ord. No. 17-20a, 12-21-17)

5) *Design district overlay district*

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- (a) *Applicability.* All major and minor Development Review projects in the Design District Overlay shall comply with the following Design District Standards.

- (b) *Purpose.* The general intent of these standards is to encourage quality infill development, preserve historic structures and community character, achieve an attractive city and urban neighborhood environment, and foster a sense of community and place. Varied and human-scaled building facades are key to making a place "pedestrian-oriented," as well as friendlier and safer. Building designs should be compatible with surrounding buildings, provide a high level of visual interest, and include design elements that enhance the streetscape.

- (c) *Exterior Building Standards*
 - (1) *Commercial and Mixed-Use Building Standards*
 - a. *Commercial First Floor Doors and Windows.* A minimum of fifty percent (50%) of the first floor façade shall consist of clear glass as visible from a public street. No minimum requirement shall be imposed for theaters, places of worship, fire and police stations, municipal service facility, or transformer stations.
 - b. *Commercial First Floor Elevation.* Commercial first floors shall be at street grade.
 - c. *Commercial First Floor Entrances.* Commercial buildings shall have a minimum of one entrance every 75 feet of street frontage. The entrance shall be visible and accessible from a sidewalk and shall be open during normal business hours. Commercial entrances shall be recessed and between 15 and 100 square feet in size, with a surface grade that matches the sidewalk.
 - d. *Commercial Upper Floor Doors and Windows.* A minimum of twenty-five percent (25%) of the upper floor façade shall consist of clear glass as visible from a public street.

 - (2) *Residential Building Standards-*
 - a. *Residential First Floor Doors and Windows-* A minimum of twenty-five percent (25%) of the first floor façade shall consist of clear glass as visible from a public street.
 - b. *Residential First Floor Elevation-* A residential first floor elevation shall be twenty-one inches (21”) or three steps above the grade of any adjacent sidewalk and first floor window sills of dwelling units shall be a minimum of sixty inches (60”) above sidewalk grade.
 - c. *Residential First Floor Entrances-* Multifamily entrances shall have covered weather protection.
 - d. *Residential Upper Floor Doors and Windows-* A minimum of twenty-five percent (25%) of the upper floor façade shall consist of clear glass as visible from a public street.
 - e. Residential Entrances shall provide weather protection and include one of the following entrance features; a stoop, porch or landing.

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- (3) *Windows.* Windows shall not be flush with exterior wall treatments and shall be recessed at least 2 ½ inches and/or provided with an architectural surround at the jambs, header, and sill.
 - (4) *Blank Walls.* Building facades visible from a public street shall not contain blank walls longer than fifteen feet.
 - (5) *Mechanical Protrusions.* Vent stacks, roof vents, and other mechanical protrusions shall be screened or painted the color of the roof or the adjacent façade. Roofs and roof lines shall minimize the visual impact of mechanical systems.
- (d) *Parking Access and Design*
- (1) *Parking in Front Setbacks and Yards.* Vehicle parking is prohibited in the area between building frontage and public streets except in conjunction with single or two-family dwellings.
 - (2) *Driveways.* Driveways to parking areas and service facilities on the site shall be limited to a total width of 24 feet unless a wider entrance is justified for any individual driveway. The number of access drives shall be limited to one per 100 feet of lot frontage.
 - (3) *Maximum Number of Parking Spaces.* For buildings greater than 10,000 gross square feet, no more than 140 % of the required minimum number of parking spaces are permitted, except as provided in Article XII, Section 17 Off-Street Parking and Loading.
 - (4) *Multi-modal Facilities.* Projects with 20 or more parking spaces shall provide outdoor bicycle racks for a minimum of 4 bicycles. Required bicycle racks shall be within 100 feet walking distance of the main building entrance.
- (e) *Treatment of Front Yards in the Design District Overlay*
- (1) The areas between the principal facade of a building and the public right of way shall be landscaped except for driveways, sidewalks, and allowable building projections (stoops, chimneys, awnings, porches).
 - (2) Front yard landscaping shall consist of ground covers, annual or perennial flowers, shrubs or appropriately sized trees. Plant materials shall not encroach into the sidewalk or right-of-way.
 - (3) Trees are recommended if the front setback is at least 5 feet wide to provide adequate space for the tree roots.
 - (4) Short fences of approximately 3 feet in height are desirable in residential front yards.

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(f) *Roofs*

- (1) *Rooflines.* Roofs and roof ridgelines shall avoid unbroken expanses the length of the building through the use of dormers, chimneys, and changes in the ridgeline. Variations in design shall connect to the overall building design, such as being shaped to define building corners and entries.
- (2) *Solar panels.* Solar panels shall follow rooflines and, where possible, be integrated with the roof design.
- (3) *Falling snow.* Roofs shall be designed to prevent falling ice and snow onto entrances and walkways.

(g) *Context-Sensitive Design*

- (1) *Documentation of Surrounding Context.* Development Review applications in the Design District Overlay shall include documentation consisting of:
 - (a) A narrative that describes how the development proposal meets the Context-Sensitive Design Criteria, the architectural style, character, and site conditions of the eight adjacent principal buildings, structures or lots (two buildings on the right, two on the left, and four across the street).
 - (b) A site map and a map of adjacent principal buildings or structures
 - (c) Elevation drawings of all proposed building facades visible from the public right of way including calculations of all first and upper floor window and door coverage
 - (d) Photos of the development site and adjacent principal buildings or structures.
- (2) *Context-Sensitive Design Criteria-* An applicant shall address the following criteria in a narrative to ensure the proposed project will be compatible and in harmony with the adjacent principal buildings or structures by describing how:
 - (a) The height of proposed principal building or structure, its bulk; the nature of its roofline and the will be of similar scale and proportion as the adjacent principal buildings, structures or lots.
 - (b) The location, size, and proportions of openings in the facade, primarily windows and doors, of new construction will be consistent in proportion and rhythm with openings in the facade of the adjacent principal buildings, structures or lots.
 - (c) The massing and type of roof (flat, gabled, hip, gambrel, mansard) of the new construction shall complement the massing and type of roof as the adjacent principal buildings, structures or lots.
 - (d) Building materials and texture shall exhibit the characteristics of texture, composition, and reflectivity of the adjacent principal buildings, structures or lots.

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- (e) The placement and orientation of the new construction/in-fill shall be in harmony with the adjacent principal buildings, structures or lots.
 - (f) Architectural consistency: The proposed project shall maintain consistency of architectural character, treatments, and details on all building facades visible from public rights of way.
- (h) *Waiver Requests*
- (1) Development Review applications shall meet all the standards contained in Article XII, Section 22, unless the appropriate reviewing authority grants a waiver request.
 - (2) Applicants shall provide written justification as to how the waiver request meets the following criteria.
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property. For example, the waiver is justified because of topographic or other special conditions unique to the property and development involved as opposed to the mere inconvenience or financial disadvantage.
 - (b) The conditions do not generally apply to other property in the vicinity.
 - (c) The conditions are not the result of the applicant's own actions.
 - (d) Granting of the waiver would not substantially conflict with the Comprehensive Plan, and the purposes and intent of this Code
 - (e) Because of these conditions, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
 - (f) The authorization of a waiver will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed by the granting of the waiver.

(Ord. No. 20-10h, 11-05-20)