



*City Council  
of the  
City of Augusta, Maine*

April 17, 2014

**Title: Amendment – LUO – Eastside Rezoning – Northern End**

**WHEREAS**, the City Council finds that rezoning on the Eastside near the former tissue mill site is in the best interest of residents for the marketing and redevelopment of the property; and

**WHEREAS**, the Planning Board has reviewed the issue, held a public hearing, and made a unanimous recommendation in favor of amending the Land Use Ordinance.

**NOW THEREFORE BE IT ORDAINED**, By the City Council of the City of Augusta that the following changes be made to the Official Zoning Map of the city of Augusta:

Tax Map 38, Lots 235, a portion of 235A (as shown on the attached map), Tax map 39, Lots 3A, 4, 32, 35A, 36, Tax Map 40, Lots 11, 14, and a portion of 16A (as shown on the attached map) be rezoned from Industrial (I) to Kennebec Locks (KL).

Tax Map 39, Lots 37, 38, 39, 40, 40A, 41, 41A, 42, 43, 44, 45, 46, 48, 49, 57, 58, 61, Tax Map 40, Lots 1, 2, 3, 4, 5, 6, 8, 11A, be rezoned to Medium Density Residential (RB1).

And that a new zoning district called the Kennebec Locks District (KL) be created as follows:

Purpose: The Kennebec Locks District is part of the city's growth area and is adjacent to the urban core. It is an urban, high density zoning district. It is intended to be a mixed use district with carefully crafted development standards to ensure the area becomes an attractive, walkable, viable commercial and residential area in a desirable part of the city. Public access to the shoreline of the Kennebec River is very important.

14-077

**Moved By: Byron Sec'd By: Munson**  
**Read and Passed, Final Reading: May 1, 2014**

**Title: Amendment – LUO – Eastside Rezoning – Northern End (Con’t)**

Dimensional Requirements

<u>Use</u>	<u>Min. Lot Size</u>	<u>Minimum Frontage (Feet)</u>	<u>Minimum Depth (Feet)</u>	<u>Area Per Dwelling Unit</u>	<u>Min. Front Setback** (Feet)</u>
<u>All Uses</u>	<u>10,000 Square feet</u>	<u>75</u>	<u>75</u>	<u>20,000*** Square feet</u>	<u>15/35</u>

Minimum side/rear setbacks are flexible; see sections 5.1.1 and 5.1.16.

\*\*Minimum front setback: 35 feet from street ROW line of arterial and collector streets; 15 feet from the street ROW line of all other streets.

\*\*\*May be reduced to 2,500 square feet per dwelling unit if served by public sewer.

a) Design Criteria. The following minimum design criteria shall be met within the Kennebec Lockes (KL) District.

1. Outdoor Lighting Standards: The purpose of this section is to provide Outdoor Lighting Standards to help ensure compatibility with neighboring uses, preserve our dark skies, and provide a more pleasant and comfortable nighttime environment while preserving the ability to install effective security lighting.

i. Lighting fixtures shall be a full cut-off design that is shielded, hooded and oriented towards the ground so that direct rays of lighting source(s) are not visible past the property boundaries and do not shine into the night sky; and

ii. Use of motion sensing devises are encouraged; and

iii. Lighting shall not blink, flash or be of unusually high intensity or brightness; and

iv. All lighting fixtures shall be appropriate in scale, intensity and height to the use they are serving.

v. New or replacement lighting of streets/roads within the district shall be shielded, downward pointing.

vi. Exemptions:

1. Lighting fixtures installed on residential structures with incandescent lamps, or equivalent. This exemption does not apply to fixtures that light parking areas, driveways, sports areas or outbuildings;

2. Seasonal decorative lighting fixtures;

3. Lighting fixtures used temporarily for emergency purposes.

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4. Public athletic fields, fairgrounds and approved temporary special events lighting.
  5. Lighting fixtures of equivalent to sixty (60) watts or less of incandescent bulbs.
2. Location of Parking, Servicing, and Loading Areas for non-residential uses: All off-street parking lots/areas/stalls, vehicle servicing areas (including gasoline/diesel pumps), and delivery and garage bay doors shall be located at the side or rear of buildings, the only exception being for handicapped parking spaces, which may be located at the front of the building. Bufferyard standards for Urban, Industrial, and Planned Development Districts identified in section 5.1.1 of the Land Use Ordinance are applicable to all parking lots with 6 or more spaces.

Screening of Machinery, Equipment, Storage Areas, and other Appurtenances for non-residential uses: Open storage areas; exposed machinery, electrical/electronic equipment, heating and/or air conditioning equipment, fuel tanks, etc (whether located above the ground on structures or on the ground); areas used for storage & collection of rubbish; and areas determined to be similar to those listed, must be visually screened from roads and surrounding land uses. Suitable types of screening for above-ground equipment, storage areas and appurtenances includes landscaping (e.g. shrubs, plants, trees, fencing) and/or architectural elements (e.g. false walls, false roofing, masonry, blocks, etc.). Suitable types of screening on the ground include opaque wood fences and dense evergreen hedges of five (5) feet or more in height. Where evergreen hedges are proposed, a temporary fence shall be built to provide screening until the evergreens are of sufficient height to hide the unit(s) being screened.

Amend Table 5.1.1-A to add the KL district to the cell that says “Bufferyard requirements in the Urban Area (RA, RB1, RB2, BP, KBD1, KL, CB, CC, CD zones):”

Further amend the Augusta Land Use Ordinance as follows:

- 5.1.17.1.1 **Size, setback, and height regulations.** Ground graphics must comply with the following size, setback, and height regulations. Size shall be reduced by 10 percent for every 10 feet, or portion thereof, that a sign does not meet the proper distance between ground graphics in §5.4.3.

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<b>District</b>	<b>Size (Sq. Feet)</b>	<b>Setback (side and rear only) (Feet)</b>	<b>Height (Feet)</b>
CD, PD, IA	200	10	25
CB, CC, KBD2, MED, PD2, RBV	120	10	25
GS, KBD1, <u>KL</u> , RD, RV	50	10	15
BP, RA, RB1, RB2, RC, RPDS, RR, RR2, RRES	15	10	15
All Shoreland zoning districts, except GD	12	10	15
GD Shoreland zoning district	Regulations shall be identical to the underlying base zoning district		

5.1.17.9.2 **Illumination permitted.** A street graphic may be illuminated in the following zoning districts:

RA, RB1, RB2, All Shoreland Zones (except GD Zone)	KBD1, KBD2, RBV, Shoreland GD Business Professional	CB, CC, CD, MED, PD, PD2, <u>KL</u> , IA, RD, RC, RR, RRES, RPDS, RV, RR2
External Illumination only	Internal and External Illumination	Internal and External Illumination

5.1.17.9.5.1 **Internal Illumination Color Requirements.** In the Medical (MED), Kennebec Locks (KL), and Riggs Brook Village District (RBV) all internally illuminated signs must use a dark colored background with a light colored copy.

Amend the Table 3.6.A.1, Land Uses in the Base Zoning Districts by adding a Kennebec Locks (KL) new zone to the table with the allowed and conditional uses as outlined on the attached table.

14-077  
CITY COUNCIL  
City of Augusta, Maine

	Yea	Nay
Byron		
Grant		
Paradis		
O'Brien		
*Rollins		
*Bilodeau		
*McCormick		
*Munson		
Mayor	-	-
<b>Total</b>		

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Title: Amendment – LUO - Eastside  
Rezoning – Northern End

**First Reading, No Vote Taken**

Date: April 17, 2014

Moved by:                      Yeas:  
Sec'd. By:                      Nays:

ATTEST:

\_\_\_\_\_  
CITY CLERK

	Yea	Nay
Byron		
Grant		
Paradis		
O'Brien		
*Rollins		
*Bilodeau		
*McCormick		
*Munson		
Mayor	-	-
<b>Total</b>		

	Yea	Nay
Byron		
Grant		
Paradis		
O'Brien		
*Rollins		
*Bilodeau		
*McCormick		
*Munson		
Mayor	-	-
<b>Total</b>		

	Yea	Nay
Byron		
Grant		
Paradis		
O'Brien		
*Rollins		
*Bilodeau		
*McCormick		
*Munson		
Mayor	-	-
<b>Total</b>		

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**SECOND READING**

Date: May 1, 2014

**Read and Passed, Final Reading**

Moved By: Byron              Yeas: 7  
Sec'd. By: Munson        Nays: 0

ATTEST:

\_\_\_\_\_  
CITY CLERK

	Yea	Nay
Byron	x	
Grant	-	-
Paradis	x	
O'Brien	x	
*Rollins	x	
*Bilodeau	x	
*McCormick	x	
*Munson	x	
Mayor	-	-
<b>Total</b>	7	0

	Yea	Nay
Byron		
Grant		
Paradis		
O'Brien		
*Rollins		
*McCormick		
*Emery		
*Munson		
Mayor	-	-
<b>Total</b>		

\*Council At-Large