



# CITY COUNCIL

## City of Augusta, Maine

February 5, 2007

### **Title: Amendment – Land Use Ordinance: Development of 1 – 3 Acres**

**WHEREAS**, the City Council requested that the Planning Board review the definition of a major development and consider reducing the size threshold to qualify projects as a major development requiring Planning Board review; and

**WHEREAS**, the Planning Board held a public hearing on January 9, 2007, and voted to recommend the threshold be reduced from 3 acres of impervious area to 1 acre of disturbed area to the City Council for approval; and

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Augusta that the following text amendment be approved.

Amend Section 2.2 of the Augusta Land Use Ordinance, Additional Definitions, as follows:

**Development:** Development means any change caused by individuals or entities to improved or unimproved real estate, including but not limited to the construction of buildings or other structures; the construction of additions or substantial improvements to buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials; and the storage, deposition, or extraction of materials, public or private sewage disposal systems or water supply facilities.

- (1) *Major development:* A major development is any new or re-developed non-residential or multi-family residential project that disturbs one (1) acre of land or more. It shall include any multi-family residential or non-residential change of use that affects or disturbs one (1) acre of land or more. Disturbed land includes but is not limited to new impervious surface or any re-development or modification of existing impervious surface. Structures which together with parking lots and other impervious surface cover a ground area in excess of three (3) acres. For purposes of Augusta's Municipal Review Authority of projects subject to the State of Maine Site Location of Development Law, major development shall also include subdivisions in excess of twenty (20) acres as defined in Maine Revised Statutes Annotated Title 38 Section 482 as amended.

## **Title: Amendment – LUO: Development of 1 – 3 Acres (Con't)**

- (2) *Minor development*: Requiring a permit from the Code Enforcement Officer if listed as a permitted use or requiring a permit from the Planning Board if listed as a conditional use.

This amended ordinance specifically applies to all pending building permit applications, other than fully completed applications received by the City prior to midnight January 29, 2007. A fully completed building application is defined as the submission of all necessary plans and other information required for approval of the site plan and final building permit.

027

**Introduced by:**

**Moved By: Doore            Sec'd By: Lund**

**Read and Passed, Final Reading: February 20, 2007**

027  
CITY COUNCIL  
City of Augusta, Maine

	Yea	Nay
Byron	x	
Doore	x	
Gomeau	x	
O'Brien		x
*Rollins	x	
*Coffin	x	
*Koski	x	
*Lund	x	
Mayor	-	-
<b>Total</b>	<b>7</b>	<b>1</b>

=====  
Title Amendment – LUO- Development  
Of 1 – 3 Acres

**First Reading, No Vote Required**

Date: February 5, 2007

Moved by:                      Yeas: 0  
Sec'd. By:                        Nays: 0

ATTEST:

	Yea	Nay
Byron		
Doore		
Gomeau		
O'Brien		
*Rollins		
*Coffin		
*Koski		
*Lund		
Mayor	-	-
<b>Total</b>		

	Yea	Nay
Byron	x	
Doore	x	
Gomeau		x
O'Brien		x
*Rollins	x	
*Coffin	x	
*Koski		x
*Lund		x
Mayor	-	-
<b>Total</b>	<b>4</b>	<b>4</b>

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

	Yea	Nay
Byron	x	
Doore	x	
Gomeau	x	
O'Brien	x	
*Rollins	x	
*Coffin	x	
*Koski	x	
*Lund	x	
Mayor	-	-
<b>Total</b>	<b>8</b>	<b>0</b>

=====  
**SECOND READING**

Date: February 20, 2007

**Read and Passed**

Moved By: Doore                      Yeas: 8  
Sec'd. By: Lund                        Nays: 0

ATTEST:

	Yea	Nay
Byron	x	
Doore	x	
Gomeau	x	
O'Brien	x	
*Rollins	x	
*Coffin	x	
*Koski	x	
*Lund	x	
Mayor	-	-
<b>Total</b>	<b>8</b>	<b>0</b>

	Yea	Nay
Byron		
Doore		
Gomeau		
O'Brien		
*Rollins		
*Coffin		
*Koski		
*Lund		
Mayor		
<b>Total</b>		

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

\*Council At-Large

