



*City Council
of the
City of Augusta, Maine*

February 5, 2009

Title: Amendment – Land Use Ordinance – Major Development

WHEREAS, the 2007 Comprehensive Plan for the City of Augusta strongly recommends that the quality of site design be improved throughout the city.

WHEREAS, the City Council finds that the criteria for approving a Text Amendment, found in section 1.6.1.B has been satisfied.

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta that the Augusta Land Use Ordinance be amended as follows:

Amend Section 2.2 of the Augusta Land Use Ordinance 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.* Any multi-family or non-residential development project that:
- a. creates more than 20,000 square feet of new floor space in the CD or IA zones; or
 - b. creates more than 10,000 square feet of new floor area in zones not listed in a.above; or
 - c. that disturbs more than 43,560 square feet of land; or
 - d. creates more than 43,560 square feet of new impervious surface; or
 - e. new construction that generates more than 100 trips in the peak hour for the proposed use; or
 - f. proposes a new wireless communication facility that will require construction of a new tower.

016

Introduced by:

Moved By: Munson Sec'd By: Stokes

Read and Passed, As Amended, Final Reading: February 19, 2009

Title: Amendment – Land Use Ordinance – Major Development (Con't)

~~g. 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.~~

- (2) *Minor development.* Any multi-family or non-residential development project that:
- a. creates between 5,000 and 20,000 square feet of new floor area in the CD and IA zones; or
 - b. creates between 1,000 and 10,000 square feet of new floor area in zones not listed in a. above; or
 - c. that disturbs between 10,000 and 43,560 square feet of land; or
 - d. creates between 10,000 and 43,560 square feet of new impervious surface; or
 - e. creates four (4) or more residential units in a pre-existing single family, duplex, or multi-family structure; or
 - f. new construction that generates between 35 and 99 trips in all zoning districts except CD and IA, in the peak hour for the proposed use; or
 - g. any change of use where the proposed use requires 25% more on-site parking, as calculated using the parking requirements in the Land Use Ordinance, than the applicant proposes to make available on site; or
 - h. proposes collocation of a wireless communication facility on an existing tower that will require construction of a new equipment shed.
 - i. all uses proposing to construct a drive-through service or vehicle re-fueling pumps that do not otherwise qualify for major or minor development review.
- ~~Requiring a permit from the CEO if listed as a permitted use or requiring a permit from the Planning Board if listed as a conditional use.~~

(3) *Other development.* Requiring a permit from the CEO if listed as a permitted use or requiring a permit from the Planning Board if listed as a conditional use.

Amend Chapter 3 table entitled “Land Uses in the Base Zoning Districts” as shown on the attached sheets. . See table for further amendments regarding veterinary – line 7 and cemeteries – Line 13.

Amend Chapter 4 of the Augusta Land Use Ordinance to properly outline the procedure for a minor development as follows:

Amend Section 4.4 heading to be “Preapplication: (All Subdivisions/Major Developments/Minor Developments)”

Title: Amendment – Land Use Ordinance – Major Development (Con't)

Amend Section 4.5.1.1 as follows:

“Minor subdivisions and minor developments shall not require preliminary approval by the Planning Board. However, all information required for preliminary plan submission is also required for a minor subdivision or minor development.”

Amend Section 4.6 heading to be “Final Plan (All Subdivisions/~~Major~~ All Developments).

Amend Section 4.6.1, 4.6.3, 4.6.4, 4.7, 4.9, 4.12.1, 4.12.2 as follows:

Replace the phrase “major development” with “major/minor development” in all places where the phrase occurs.

016
CITY COUNCIL
City of Augusta, Maine

	Yea	Nay
Byron	x	
Doore	x	
Paradis	x	
O'Brien	x	
*Rollins	x	
*Coffin	x	
*Munson	x	
*Stokes	x	
Mayor	-	-
Total	8	0

Title: Amendment – LUO - Major Development

First Reading, No Vote Required

Date: February 5, 2009

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

ATTEST:

	Yea	Nay
Byron		
Doore		
Paradis		
O'Brien		
*Rollins		
*Coffin		
*Munson		
*Stokes		
Mayor	-	-
Total		

Byron	x	
Doore	x	
Paradis	x	
O'Brien	x	
*Rollins	x	
*Coffin	x	
*Munson	x	
*Stokes	x	
Mayor	-	-
Total	8	0

CITY CLERK

	Yea	Nay
Byron	x	
Doore	x	
Paradis	x	
O'Brien	x	
*Rollins	x	
*Coffin	x	
*Munson	x	
*Stokes	x	
Mayor	-	-
Total	8	0

FINAL READING

Date: February 19, 2009

Read and Passed, As Amended

Moved By: Munson Yeas: 8
Sec'd. By: Stokes Nays: 0

ATTEST:

	Yea	Nay
Byron	x	
Doore	x	
Paradis	x	
O'Brien	x	
*Rollins	x	
*Coffin	x	
*Munson	x	
*Stokes	x	
Mayor	-	-
Total	8	0

	Yea	Nay
Byron		
Doore		
Paradis		
O'Brien		
*Rollins		
*Coffin		
*Munson		
*Stokes		
Mayor		
Total		

CITY CLERK

*Council At-Large

