

**AN ORDINANCE PERTAINING TO NEIGHBORHOOD CONSERVATION “B”
 (NCB) ZONING DISTRICT DENSITY**

THE CITY OF LEWISTON HEREBY ORDAINS:

Appendix A of the code of ordinances of the City of Lewiston, Maine is hereby amended as follows:

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

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.

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:	
Dimensional Requirements (13)	Neighborhood Conservation B (NCB)
Minimum net lot area per dwelling unit with public sewer	
Single family detached	
Single family attached	
Two-family dwellings	
Mixed single family residential development (14)	
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
All permitted residential uses	120% of average (26)

Space and Bulk Table Notes

(26) The required minimum lot area per dwelling unit for any residential use in the neighborhood conservation "B" district shall be ~~120 percent~~ of the average lot area per dwelling unit of impacted properties ~~as of the date of adoption of this Code~~. The maximum number of dwelling units that can be placed on 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 ~~as of the date of adoption of this Code~~ shall be calculated. The total lot area shall be ~~multiplied by 120 percent and then~~ 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.

NOTE: Additions are underlined; deletions are ~~struck out~~.

REASONS FOR PROPOSED AMENDMENT

The current provisions for determining net lot area involve a calculation that is time consuming and does not represent current density of neighborhoods in the NCB district. In order to undertake the calculation, staff must determine the number of units that existed in 1987, calculate the 1987 average lot area per dwelling unit and inflate the area by 120%. This calculation reduces the number of new units allowed by 20%. The proposed amendment to the net lot area per dwelling unit calculation shall be the average lot area per dwelling unit of impacted properties utilizing current dwelling unit density versus inflating the density that existed in December 1987. This calculation will better allow for 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.

CONFORMANCE WITH COMPREHENSIVE PLAN

The City Council hereby determines that the changes to the Zoning and Land Use Code are in conformance with the 1997 Comprehensive Plan for the following reasons:

1. Review development review, permitting, and licensing policies and practices to see where they can be streamlined in order to better service the development community (1997 Plan, Economy, Policy 1, Strategy B and C).
2. Encourage orderly growth and development in appropriate areas of the City, while protecting the City's rural character, making efficient use of public services and preventing development sprawl (1997 Plan, Land Use, Goals, #1).
3. Continue to allow a wide range of housing types in Zoning (Long Range Planning, Policy 5, Strategy A).

The City Council hereby determines that the changes to the Zoning and Land Use Code are in conformance with the Draft 2016 Comprehensive Plan for the following reasons:

1. Strengthen neighborhoods & expand housing choice: provide a greater range of housing choices to meet the needs of young adults, families, retirees, seniors, immigrants, refugees, and people of different income levels. Housing types should include small-houses, multi-family buildings, live-work units, accessory dwelling units, and single-family homes. A more intentional and diversified housing strategy is critical to the City's quality of life and the economic growth (p. 116).
2. G-5 Infill Growth Sector: Infill Growth Sectors are areas that are mostly or fully built-out in the City's historic development pattern but that still have vacant or underutilized land. Additional growth and development in these areas is desirable due to the presence of existing infrastructure. The plan envisions that most residential and non-residential development over the next ten years will occur in this growth sector. All of these should be rezoned as character-based districts to more easily enable context-appropriate investment in the City center (p. 125).
3. Simplify the rules making it easier to develop or redevelop buildings in a way that respects the character of the neighborhood. Encourage reinvestment in older higher density residential neighborhoods by allowing full utilization of existing buildings and flexible parking requirements (p. 128).
4. Continue to provide and enhance incentive programs for new infill mixed-income housing downtown, requiring a mix of quality subsidized, affordable, and market-rate units (p.173).