

AN ORDINANCE PERTAINING TO DEVELOPMENT REVIEW

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 XIII. DEVELOPMENT REVIEW AND STANDARDS

Sec. 3. Procedure.

(k) *De minimis changes to development plans.* The planning director or designee may determine amendments to a development plan are "de minimis," that is of a minor nature, and do not require a formal review process. Accordingly, the amended plan can be signed directly by the planning director or designee. However, amendments to developments which involve the creation of a subdivision as defined by 30-A M.R.S.A. Section 4401, as amended, will require signature of the amended plan by the planning board chair, who may request that the de minimis change be brought before the board for their review and approval prior to the signing of the permanent copy of the plan (~~mylar paper~~.) A report of all approved de minimis changes will be submitted to the planning board or staff review committee as appropriate at their next available meeting.

Sec. 4. Approval criteria.

(g) *Erosion control.* For all projects, building and site designs and street layouts will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible. Filling, excavation and earth moving activity will be kept to a minimum. Parking lots on sloped areas will be terraced to avoid undue cuts and fills, and the need for retaining walls. Natural vegetation will be preserved and protected wherever possible. Erosion and sedimentation control measures shall comply with the Maine Erosion and Sedimentation Law, 38 M.R.S.A. § 420-C, and regulations promulgated thereunder, as amended, both during construction and continuously after construction is complete. In addition, erosion and sedimentation measures consistent with the Maine Erosion and Sedimentation Control BMPs, Manual for Designers and Engineers, October 2016 as amended shall be implemented, within the Municipal Separate Stormwater Sewer Systems (MS4) area, all sites disturbing one acre or more must additionally comply with Maine DEP Chapter 500 Rules, Appendix A-C when applicable.

REASONS FOR PROPOSED AMENDMENT

- . The city no longer requires mylar for archival purposes due to the availability of scanning technology and the ability to create electronic copies of final plans.
- The state is requiring additional erosion control language be added to municipal ordinances.