

ORDINANCE COMMITTEE MEETING
July 16, 2024 • 6:00 p.m.
Council Chambers

This meeting can be viewed online by going to
<https://www.youtube.com/@TownofPittsfieldMaine/streams>

- 1. Call to Order**
- 2. Ordinance 24-07** – Ordinance Amending the Pittsfield Town Code, Chapter 13 Zoning Ordinance, Table P - Residential and Rural District Use and Dimensional Standards to add "Commercial - Low Intensity" as a Conditional Use for the R-2, R-3, R-4, and C-4 Districts
- 3. Adjournment**

Committee Members:
Councilor Margolskee
Councilor Saucier

Town of Pittsfield is inviting you to a scheduled Zoom meeting.

Topic: Ordinance Committee Meeting - 07/16/2024

Time: Jul 16, 2024 06:00 PM Eastern Time (US and Canada)

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PITTSFIELD TOWN COUNCIL

MEETING OF: July 16, 2024

AGENDA ITEM NO.: Ordinance 24-07

TO BE TITLED:

Ordinance Amending the Pittsfield Town Code, Chapter 13 Zoning Ordinance, Table P - Residential and Rural District Use and Dimensional Standards to add "Commercial - Low Intensity" as a Conditional Use for the R-2, R-3, R-4, and C-4 Districts

INFORMATION:

This is an item that the Code Enforcement Officer has been collaborating on with the Planning Board and KVCOG. It received Planning Board approval following a public hearing at their July 8th meeting. This proposal introduces "Commercial – Low Intensity" as a conditional use within the R-2, R-3, R-4, and C-4 Districts.

"Commercial – Low Intensity" is defined as: "Uses intended to provide for services needed by a neighborhood population characterized by low volumes of traffic and noise. Properties with this designation would generally be less than one acres in size, and activities would include, but are not limited to, the sale of services, goods, products, wares, or merchandise directly to the consumer, and certain limited offices of a small, local nature."

This amendment will offer greater flexibility for individuals seeking to operate a small, low-impact business on their property. Instead of requiring a zoning change for each proposal brought before the Planning Board (known as 'spot zoning'), this approach allows the Board to evaluate each project on a case-by-case basis.

Properties seeking to operate under this designation will need to submit a Conditional Use Application and undergo a comprehensive Site Plan Review with the Planning Board. The Board will assess the impact of the proposed project, including considerations such as landscaping, buffering, lighting, traffic volumes, and noise levels, similar to their evaluation of other projects.

The request is to schedule a public hearing for the proposed amendment on August 20, 2024.

SUBMITTED BY: Jacob R. Gran, Town Manager

DATE SUBMITTED: July 11, 2024

Ordinance 24-07 – Ordinance Amending the Pittsfield Town Code, Chapter 13 Zoning Ordinance, Table P - Residential and Rural District Use and Dimensional Standards to add "Commercial - Low Intensity" as a Conditional Use for the R-2, R-3, R-4, and C-4 Districts

THE TOWN OF PITTSFIELD TOWN COUNCIL hereby ordains that the Pittsfield Town Code, Chapter 13 Zoning Ordinance, Table P - Residential and Rural District Use and Dimensional Standards is amended by adding "Commercial - Low Intensity" as a Conditional Use for the R-2, R-3, R-4, and C-4 Districts.

Acted on August 20, 2024

Aye _____ Nay _____ Abstained _____

Attested by:

Nicole Nickolan, Town Clerk

TABLE P – RESIDENTIAL AND RURAL DISTRICT USE AND DIMENSIONAL STANDARDS

DIMENSIONAL STANDARD	R – 1 RESIDENTIAL DISTRICT	R – 2 RESIDENTIAL DISTRICT	R – 3 RESIDENTIAL DISTRICT	R – 4 RESIDENTIAL DISTRICT	C – 4 RURAL DISTRICT	
					RESIDENTIAL USE	OTHER USES
Lot Area Lot Frontage	Min. 22,500 sq. ft./unit Minimum 75 feet	Min. 10,000 sq. ft./unit Minimum 50 feet	Min. 10,000 sq. ft./unit (4) Minimum 50 feet (4)	Min. 22,500 sq. ft./unit (4) Minimum 150 feet (4)	Min. 1 Acre/Unit Minimum 200 ft.	Min. 2 Acres/Unit Minimum 200 ft.
Maximum planned development density (5)	1,500 sq. ft./unit (5)	7,500 sq. ft./unit (5)	7,500 sq. ft./unit (5)	10,000 sq. ft./unit (5)	10,000 sq. ft./unit (5)	
Building Size Building Height Building Width Lot Coverage	Minimum 1,200 sq. ft. Maximum 35 feet Minimum 24 feet 20%	Minimum 750 sq. ft. Maximum 35 feet Minimum 14 feet 30%	Minimum 1,200 sq. ft. Maximum 35 feet Minimum 24 feet 30%	Minimum 750 sq. ft. Maximum 35 feet Minimum 24 feet 20%	Minimum 750 sq.ft Maximum 35 feet Minimum 14 feet 20%	No minimum Maximum 35 feet Minimum none 20%
Street Setback (1) (3) Setback all Other Boundaries (3)	Minimum 40 feet Minimum 30 feet	Minimum 30 feet Minimum 20 feet	Minimum 30 feet Minimum 20 feet	Minimum 40 feet Minimum 30 feet	Minimum 50 feet Minimum 30 feet	Minimum 50 feet Minimum 50 feet
Principal Uses (6)	Single family dwellings, home occupations, municipal utilities, essential services (6), schools, planned residential developments, community centers, parks and playgrounds, outdoor recreation facilities, accessory apartments	Single family dwellings, two family dwellings (2), mobile homes and parks, home occupations, community centers, churches, professional offices, municipal utilities, essential services (6), schools, planned residential developments, outdoor recreation facilities, accessory apartments	Single family dwellings, two family dwellings, multiple family dwellings at densities no greater than 1 unit per 5,000 sq.ft. of lot area, home occupations, municipal utilities, essential services (6), schools, planned residential developments, outdoor recreation facilities, professional offices, libraries, churches, parks and playgrounds, accessory apartments	All uses permitted in the R-2 and R-3 zones, non-commercial farm animals kept for household use, essential services (6), accessory apartments	Single family dwellings, two family dwellings, mobile homes, planned residential developments and mobile home parks limited to no greater than 4 mobile homes, boarding kennels, agriculture, forestry, home occupations, on-site natural resource based industries, essential services (6), retail uses which meet one or more of the following conditions: the activity: a) occurs as a home based enterprise, b) involves the sale of goods that are either grown, made or substantially altered on the premises, or of services related to those goods, c) attracts an average of less than 25 car trips of retail customer per day, d) occurs less frequently than 15 days in a given year, Other non-retail uses including civic and recreational are permitted if they meet traffic standards c and d above, accessory apartments. Large scale commercial development in the C-4 district shall be limited to the CDOC Corridor Development Overlay District.	
Conditional Uses	Charitable/Benevolent Associations	Day Care Homes, Class A, boarding homes and assisted living facilities, Charitable/Benevolent Associations, Wind Energy Facility, Communications Towers and Meteorological Towers, <u>Commercial – Low Intensity (7)</u>	Day Care Centers, Day Care Homes, Class A, Charitable/Benevolent Associations, <u>Commercial – Low Intensity (7)</u>	Day Care Centers, Day Care Homes, Class A, Charitable/Benevolent Associations, Wind Energy Facility, Communications Towers and Meteorological Towers, <u>Commercial – Low Intensity (7)</u>	Mineral exploration, extraction and gravel pits, Day Care Homes, Class A, Charitable/Benevolent Associations, Wind Energy Facility, Communications Towers and Meteorological Towers, <u>Commercial – Low Intensity (7)</u>	

(1) Measurement is taken from the edge of the road right of way. (2) Notwithstanding the road frontage and lot area requirements of the ordinance, a two-family dwelling legally existing on the effective date of this ordinance, as documented on the Municipal Tax records, may be expanded by one dwelling unit. Any such expansion is subject to Site Plan Review by the Planning Board and must comply with the State of Maine Subsurface Waste Water Disposal Rules and Minimum Lot law. Except as specifically provided, the expansion shall be subject to the setback requirements of the ordinance and shall not result in any increase in an existing non-conformity or cause a new non-conformity. (3) Except as otherwise allowed in Section 4.1.a. of this ordinance. (4) Except as otherwise allowed in Section 4, Conversions to Multi-Family Structures. N/A Not applicable in this district. (5) Individual lots of variable sizes are permitted in a permitted in a planned residential development according to a unified design plan as approved by the Planning Board. The Planning Board may vary the lots frontage and setbacks for individual lots as part of its review. (6) Electric power transmission lines and their related towers, wire runs and equipment are required to meet the property line setback standards of the district in which located. Where such transmission lines are located in an easement, the setback shall be measured from the edge of the easement. (7) Uses intended to provide for services needed by a neighborhood population characterized by low volumes of traffic and noise. Properties with this designation would generally be less than one acres in size, and activities would include, but are not limited to, the sale of services, goods, products, wares, or merchandise directly to the consumer, and certain limited offices of a small, local nature.