

**CITY OF BELFAST PLANNING BOARD REGULAR MEETING  
WEDNESDAY, MAY 11, 2016 6:30 PM  
COUNCIL CHAMBERS of BELFAST CITY HALL**

**Agenda**

- 1) **Roll Call and Call to Order** - Chair Steve Ryan; Secretary, Roger Pickering; Members Biff Atlass, Margot Carpenter and Wayne Corey; and Associate Members Geoff Gilchrist and Declan O'Connor.
- 2) **Review of Meeting Minutes**
- 3) **Public Hearings - Residential 1, Residential 2 and Residential 3 Zoning Districts**
  - 3.a Proposed amendments to Chapter 102, Zoning, Article V, District Regulations, Division 31, Dimensional Standards. Amendments revise the (traditional neighborhood) front setback map that was adopted in October 2014 to establish the amount of front setback required for structures for all or portions of the following streets located in the Residential 1 zoning district: Birch Street, Pearl Street (section southwesterly of Congress Street), Wildwood Lane, Cottage Street (easterly side of street), and Ocean Street (westerly side of street that is located between Race Street and Condon Street).
  - 3.b Proposed amendments to Chapter 98, Technical Standards, Article VIII, Parking and Loading Facilities, Section 98-247, Front Yard Parking Restricted in Certain Districts. Amendments establish revised standards that require parking in the front yard for most uses, and a specific waiver provision that the Planning Board can consider to allow parking areas located in a front yard. Standards apply to the Residential 1, Residential 2 and Residential 3 zoning districts.
  - 3.c Board and City staff response to questions raised at the above public hearings.
- 4) **Public Hearings - Downtown Commercial Zoning District**
  - 4.a Proposed amendments to Chapter 102, Zoning, Article V, District Regulations, Division 30, Use Table, to authorize the Code Enforcement Officer, rather than the Planning Board , to review and approve Use Permits for certain uses in the Downtown Commercial zoning district.
  - 4.b Proposed amendments to Chapter 102, Zoning, Article II, Administration, and Article V, District Regulations, to authorize the Zoning Board of Appeals to approve a Special Exception that would allow the division and reuse of an existing building and property in circumstances when the lot or lots created by the proposed property division results in creating a lot or lots that do not comply with the minimum lot size and/or minimum street frontage requirement for the Downtown Commercial zoning district. Also, amendments to Chapter 66, General Provisions, to adopt a definition for a Special Exception in the Downtown Commercial zoning district.

**4.c** Proposed amendments to Chapter 98, Technical Standards, Article VIII, Parking and Loading Facilities, Section 98-245, Areas Exempt from Parking Requirement, to increase the number of properties in the Downtown Commercial zoning district that are exempt from the Ordinance requirement to provide on-site parking. This Section is also proposed to be amended to authorize the Code Enforcement Officer, in the portion of the Downtown Commercial zoning district that is not exempt from on-site parking requirements, to grant a permit for an expansion or change of use which does not increase the on-site parking requirement by 3 or less parking spaces, and to not require an applicant to construct such additional on-site parking spaces.

**4d.** Board and City staff response to questions raised at the above public hearings.

**5. Public Hearing - Chapter 66, General Provisions**

Chapter 66 identifies the definitions for most terms used in the City Code of Ordinances, Subpart B, Land Use Regulation. Proposed amendments involve revising the existing definition for lot frontage, adopting a new definition for a back lot, AND TH. Board and City staff will respond to questions following the public hearing.

**6. Development Review & Public Hearing**

**City of Belfast**, applicant, request for a Shoreland Permit to demolish an existing building that formerly was a house and to construct a replacement public recreational facility that will serve as an amenity for the adjacent Passy Rail Trail project. Existing structure is nonconforming as to the amount of structure setback from the normal high water mark. Planning Board, pursuant to City Ordinances, Chapter 82, Shoreland, is authorized to allow a replacement structure that is no more nonconforming than the original structure. Property is located at 75 City Point Road, Map 8, Lot 6.

6.1 Applicant Presentation

6.2 Public Hearing

6.3 Board Review and Deliberations

**7. Board discussion and direction** on proposed Ordinance amendments on which public hearings were conducted; reference agenda topics 3, 4 and 5.

**8. City Planner Report**

**9. Other Business**

**10. Adjournment**

**Note to Public:** The public is invited to attend the regular meeting of the Planning Board and to offer comment at the scheduled public hearings. The regular meeting of the Board will be televised on Bel TV.

**NOTICE OF PUBLIC HEARING  
PROPOSED AMENDMENTS TO CITY ORDINANCES  
CITY OF BELFAST PLANNING BOARD  
MAY 11, 2016**

The City of Belfast Planning Board, at its meeting of Wednesday, May 11, 2016, beginning at 6:30 p.m. or as soon as practical thereafter, in the Council Chambers of Belfast City Hall, which is located at 131 Church Street, shall conduct a public hearing regarding the following proposed amendments to the City Code of Ordinances:

- Chapter 66, General Provisions, proposal to establish a definition for a special exception and to amend the definition for a back lot.
- Chapter 98, Technical Standards, Article VIII, Parking and Loading Facilities, Section 98-242, Off-Street Parking Requirements, and Section 98-245, Areas Exempt from Parking Requirements, both of which affect the Downtown Commercial zone, and Section 98-247, Front Yard Parking Restrictions, that addresses current requirements for the Residential 1, Residential 2 and Residential 3 zoning districts.
- Chapter 102, Zoning, Article V, District Regulations, Division 30, Use Table, and Division 31, Dimensional Standards. Amendments affect the Downtown Commercial zoning district and would allow the Code Enforcement Officer, rather than the Planning Board to review permit applications for certain uses, and to establish a Special Exception process to allow the division of existing buildings that do not satisfy minimum lot size and lot frontage requirements. Other amendments identify the minimum front setback requirement for properties located in the Birch Street, Cottage Street, Charles Street and Ocean Street areas.
- Chapter 102, Zoning, Article II, Administration, Division 4, Appeals and Variances, proposal to establish a special exception process to allow the division of existing buildings in the Downtown Commercial zoning district that do not satisfy minimum lot size and frontage requirements.

The Planning Board is proposing the above amendments to address several concerns associated with implementation of amendments to City Ordinances for the Inside the Bypass area that the Council adopted in October 2014, and in response to requests from property owners. The Planning Board, following this public hearing, will consider Ordinance amendments that it proposes to recommend to the City Council for adoption. The Council will subsequently conduct at least one public hearing on the proposed amendments prior to the potential adoption of such.

Persons who may be affected by any of these proposals are encouraged to attend the May 11 public hearing and to offer comment. Alternatively, comment can be submitted in writing to Wayne Marshall, City Planner, City of Belfast, 131 Church St, Belfast, ME, 04915, or by email to [wmarshall@cityofbelfast.org](mailto:wmarshall@cityofbelfast.org). The language for the above Ordinance amendments can be viewed on the City of Belfast website, [cityofbelfast.org](http://cityofbelfast.org), reference Planning and Codes tab, and copies are available for inspection at the Code and Planning Offices in City Hall during normal business hours, Monday - Friday, 8:00 am - 5:00 pm. Questions regarding the proposals should be directed to Wayne Marshall, City Planner, at 338-1417 x 25, or by email at [wmarshall@cityofbelfast.org](mailto:wmarshall@cityofbelfast.org).