

**CITY OF BELFAST PLANNING BOARD
PUBLIC HEARING - PROPOSED ORDINANCE AMENDMENT
THURSDAY, DECEMBER 13, 2018 6:00 PM
COUNCIL CHAMBERS, BELFAST CITY HALL**

**AMENDMENTS TO CHAPTER 102, ZONING
ARTICLE IV, DESCRIPTION OF DISTRICTS**

(1) Background Information and Explanation of Proposed Amendments.

Chapter 102, Zoning, Article IV, Description of Districts, identifies the formal description for the zoning districts identified on the City of Belfast Official Zoning Map and for the districts that are identified in Article V, District Regulations. The City of Belfast, in the past 4 years, has adopted amendments to its Official Zoning Map, including the establishment of new districts and the elimination/repeal of former districts. The City, however, has not made all needed amendments to Article IV, Description of Districts, to reflect all of the amendments that have been adopted in the last 4 years.

The purpose of these proposed amendments are as follows:

- To eliminate/repeal the description for zoning districts that are no longer identified on the Official City Zoning Map.
- To create an initial description for several new zoning districts that were established in October 2014.
- To repeal the boundary description for the boundaries of existing zoning districts that were altered in October 2014 and to create an initial description for these amended boundaries.

This action is largely a clean-up or house-keeping matter. That said, the City recognizes that it will need to create more formal written descriptions for several of the zoning districts identified in this amendment.

The City, in this proposal to repeal this District, also notes that the Searsport Avenue Commercial zoning district (that absorbed the area/land identified for the Industrial III zoning district near Stephenson Lane) allows the same type of uses, as well as many additional uses, that were identified as permitted uses for the Industrial III zoning district.

2) Planning Board Hearing of December 13, 2018 and Role of Planning Board

The Planning Board, consistent with City Code of Ordinances, Chapter 102, Zoning, Section 102-182, is responsible for the review of proposed amendments to the Zoning Ordinance and to offer a recommendation to the City Council. The December 13 public hearing will provide the public an opportunity to offer

comment to the Planning Board. The Board, following the public hearing, will vote on the recommendation that it will offer on this proposal to the City Council. The City Council will subsequently conduct a public hearing on the amendments following its receipt of a recommendation from the Planning Board. The City Council must vote to adopt the amendments for the proposed amendments to become part of City Ordinances.

3) How to Offer Public Comment to the Planning Board on the Proposed Amendments.

The public may offer comment on or by the date of the December 13, 2018 Planning Board public hearing in one of three ways:

- You can attend the December 13 public hearing and offer verbal comment to the Planning Board at the hearing.
- You can submit comment in writing to: Wayne Marshall, Code and Planning, City of Belfast, 131 Church St, Belfast, ME, 04915.
- You can submit comment via email to: **public@cityofbelfast.org**.

All comment that is provided in writing or via email will be provided to the Planning Board at or before the hearing. If you chose to submit comment in writing or via email, we ask that you do so by 2:00 pm on December 13 so that copies can be made for the Planning Board in advance of the 6:00 pm public hearing. The Planning Board gives equal consideration to all forms of comment that are offered.

Questions regarding the proposed Ordinance amendment should be directed to Wayne Marshall, Director, Code & Planning at 338-1417 x 125 or at wmarshall@cityofbelfast.org.

4) Format of Amendments.

All text shown in black font is current text in the adopted City Code of Ordinances, Chapter 102, Zoning. **All text shown in red font** is language that is proposed to be added to Article IV. ~~All text shown in blue and strike-through font~~ is existing language that is proposed to be deleted.

TEXT OF PROPOSED AMENDMENTS

CHAPTER 102, ZONING

ARTICLE IV, DESCRIPTION OF DISTRICTS

Sec. 102-255. Residential I Urban District. [Ord. No. 28-1997, appendix, 3-4-1997] **Section 102-255 repealed by City Council vote on ---- (Insert date of vote).**

~~The boundaries of the Residential I Urban District are as follows:~~

~~Beginning at a point on the centerline of Condon Street at the mean high-water mark on the west shore of Belfast Bay (Tax Map 36); thence westerly by the centerlines of Condon Street and Salmond Street to the centerline of Congress Street (Tax Map 35); thence northerly by the centerline of Congress Street to the centerline of Main Street (Tax Map 11); thence easterly by the centerline of Main Street to the centerline of Cedar Street; thence southerly by the centerline of Cedar Street to a point 170 feet (+/-) northerly of the intersection of Franklin Street; thence easterly by the northerly line of Tax Map 11 Lot 177, which lies on the easterly side of Cedar Street; thence southeasterly and southerly 234 feet (+/-) by the northerly and easterly line of Tax Map 11 Lot 178, to the centerline of Franklin Street; thence easterly by the centerline of Franklin Street 190 feet (+/-) to the northerly extension of the easterly line of Tax Map 11 Lot 171 on the southerly side of Franklin Street; then southerly by the easterly line of Tax Map 11 Lot 171 152 feet (+/-) to the southwesterly corner of Tax Map 11 Lot 169; thence easterly by the southerly line of Tax Map 11 Lot 169 132 feet (+/-) to the centerline of Church Street; then southerly by the centerline of Church Street to a point 80 feet (+/-) from the southwesterly corner of the intersection of Spring Street, such point being on a westerly extension of the southerly bound of Tax Map 11 Lot 32; thence easterly by the southerly bound of Tax Map 11 Lot 32 and 29 and an extension thereof to the centerline of High Street; thence southerly by the centerline of High Street to the centerline of Miller Street thence easterly by the centerline of Miller Street to the centerline of Union Street (Tax Map 37); thence southerly by the centerline of Union Street to the centerline of Pearl Street; thence easterly 192 feet (+/-) by the centerline of Pearl Street to the westerly line of Tax Map 37 Lot 56 on the southerly side of Pearl Street, thence southerly 205 feet on the westerly lines of Tax Map 37 Lot 56 and Tax Map 37~~

~~Lot 62 to the centerline of Commercial Street; thence easterly on the centerline of Commercial Street to the mean high-water mark on the west shore of Belfast Bay; thence southerly by such mean high-water mark back to the point of beginning.~~

~~In addition, beginning at a point in the centerline of Green Street at the centerline of High Street; thence easterly by the centerline of Green Street and an easterly extension of Green Street to the centerline of Front Street; thence southerly along the centerline of Front Street to the easterly extension of the northerly bound of Tax Map 11 Lot 128; thence westerly along the northerly bound of Tax Map 11 Lot 128 to the easterly bound of Tax Map 11 Lot 106; thence southerly along the westerly bound of Tax Map 11 Lot 128 and 127 to the southerly bound of Tax Map 11 Lot 107; thence westerly along the southerly bound of Tax Map 11 Lot 107 to the centerline of Washington Street; thence northerly along the centerline of Washington Street to the centerline of Bridge Street; thence southerly by the centerline of Bridge Street to the centerline of High Street; thence by a straight line to the intersection of the centerline of Anderson Street and the centerline of Church Street; thence westerly by the centerline of Anderson Street to the centerline of Waldo Avenue; thence northwesterly by the centerline of Waldo Avenue to the centerline of Primrose Street; thence northeasterly by the centerline of Primrose Street to the centerline of High Street; thence northerly along the centerline of High Street to the point of beginning.~~

Sec. 102-257. Downtown Commercial District. [Ord. No. 28-1997, appendix, 3-4-1997]

The boundaries of the Downtown Commercial District are as **depicted on the Official City Zoning Map as was last published in March 2016, as such may be amended from time to time. follows:**

~~Beginning at a point on the centerline of Bridge Street at the centerline of Washington Street; thence southerly by the centerline of Bridge Street to the centerline of High Street; thence southwesterly by a straight line to the centerline of Anderson Street at the centerline of Church Street; thence southwesterly by the centerline of Anderson Street to the centerline of Waldo Avenue; thence southeasterly by the centerline of Waldo Avenue to the center of Main Street; thence westerly by the centerline of Main Street to the centerline of Cedar Street; thence southerly by the centerline of Cedar Street to a point 170 feet northerly of the intersection of Franklin Street and a westerly~~

~~extension of the northerly bound of Tax Map 11 Lot 177; thence easterly 138 feet by the northerly line of Tax Map 11 Lot 177 located on the easterly side of Cedar Street; thence southeasterly and southerly 172 feet by the northerly and easterly lines of Tax Map 11 Lot 178, and an extension thereof to the centerline of Franklin Street; thence easterly by the centerline of Franklin Street 190 feet to the northerly extension of easterly line of Tax Map 11 Lot 171 on the southerly side of Franklin Street; thence southerly by the easterly line of Tax Map 11 Lot 171 152 feet to the southerly line of Tax Map 11 Lot 169 which lots abuts Tax Map 11 Lot 171 on the latter's easterly side; thence easterly by the southerly line of Tax Map 11 Lot 169 and an extension thereof 132 feet to the centerline of Church Street; thence southerly by the centerline of Church Street to a point 80 feet southerly of the intersection of Spring Street, such point being on a westerly extension of the southerly bound of Tax Map 11 Lot 32; thence easterly by the southerly bound of Tax Map 11 Lots 32 and 29 and an extension thereof to the centerline of High Street; thence southerly by the centerline of High Street to the centerline of Miller Street; thence easterly along the centerline of Miller Street to the centerline of Cross Street; thence northerly by the centerline of Cross Street to a point where the centerline of Main Street and Federal Street intersect the centerline of Cross Street; thence easterly to the southerly extension of the easterly bound of Tax Map 11 Lot 123A; thence northerly by the easterly bound of Tax Map 11 Lot 123A and a northerly extension thereof to a point 200 feet northerly of Main Street; thence parallel to Main Street 200 feet northerly of the centerline of Main Street to the centerline of Washington Street; thence northwesterly along the centerline of Washington Street to the point of beginning.~~

Sec. 102-259. Waterfront I "A" Downtown District. [Ord. No. 28-1997, appendix, 3-4-1997]

**Section 102-259 repealed by City Council vote on ----
(Insert date of vote).**

~~The boundaries of Downtown Waterfront I Subdistrict A are as follows:~~

~~Beginning at the intersection of the centerline of Front Street and~~

~~the centerline of Commercial Street; thence westerly by the centerline of Commercial Street to a point on the southerly extension of the westerly bound of Tax Map 37 Lot 62; thence northerly to and by the easterly bound of Tax Map 37 Lot 61 and the easterly bound of Tax Map 37 Lot 57 and the northerly extension thereof to the centerline of Pearl Street; thence westerly along the centerline of Pearl Street to the centerline of Union Street; thence northerly along the centerline of Union Street to the centerline of Miller Street; thence easterly along the centerline of Miller Street to the center of Cross Street; thence northerly along the centerline of Cross Street to a point where the centerline of Main Street and Federal Street intersect the centerline of Cross Street; thence easterly along the centerline of Main Street to the southerly extension of the easterly bound of Tax Map 11 Lot 123A; thence northerly to and along the easterly bound of Tax Map 11 Lot 123A and a northerly extension thereof to a point 150 feet northerly of the centerline of Main Street; thence parallel and 150 feet northerly of the centerline of Main Street to the centerline of Washington Street; thence northwesterly along the centerline of Washington Street to a westerly extension of the northerly bound of Tax Map 11 Lot 126; thence easterly to and along the northerly bound of Tax Map 11 Lot 126 to the southwest corner of Tax Map 11 Lot 127; thence northerly along the westerly bounds of Tax Map 11 Lot 127 and 128 to the southerly bound of Tax Map 11 Lot 105; thence easterly along the southerly bound of Tax Map 11 Lot 105 and an extension thereof to the centerline of Front Street; thence southeasterly and southerly along the centerline of Front Street back to the point of beginning.~~

Sec. 102-260.5. Waterfront Mixed Use-1 district. [Ord. No. 3-2005, 7-20-2004]

- (a) Purpose of district. The intent is to establish a zoning district that supports both a working waterfront, and a waterfront that is a commercial area on the edge of downtown. This area, **and the area included in the Waterfront Mixed Use-2 district**, is the only waterfront land in Belfast that is now used as a working waterfront and which supports mixed use development, including residential uses. The area should allow intense, but well managed development, and the City should implement flexible zoning tools to support intense development activities. The City also is a major land owner in this area and uses much of its land for public parks and recreation. The use of City lands as parks creates an

opportunity to allow more intensive use of other lands in the area.

- (b) Description of district. **(Note: For properties identified in this description, reference the boundaries of properties shown on the City of Belfast Tax Assessor Maps that were in effect on April 1, 2015.)**

Area 1: Beginning at a point ~~on the shore of Belfast Bay that is the southwesterly boundary of a property identified as Map 37, Lot 106, (as shown on the City Tax Assessor maps of April 2004) which is known as Steamboat Landing; thence continuing in a northerly direction along the property's westerly boundary to the centerline of the intersection of Commercial Street and Front Street; thence northwesterly and northerly along the~~ **that is the** centerline of Front Street **to at** the intersection of Front Street and Pierce Street; thence westerly along the centerline of Pierce Street to the centerline of the intersection of Pierce Street and River Avenue; thence northerly and northwesterly along the centerline of River Avenue to the centerline of the intersection of River Avenue and Field Street; thence westerly along the centerline of Field Street to the centerline of the intersection of Field Street and High Street; thence northerly and northwesterly along the centerline of High Street to the midpoint of the overpass over Route One; thence easterly along the centerline of Route One to the westerly most bound of the Passagassawaukeag River, a point which is the normal high water mark of the River; thence easterly ~~and southerly~~ along the normal high water mark of the Passagassawaukeag River and Belfast Bay; ~~to the point of beginning.~~ **thence southeasterly along the normal high water mark of the Passagassawaukeag River to the westerly bound of a property identified as Map 11, Lot 137; thence southerly and thence easterly along the inland bound of Map 11, Lot 137 to a point that it intersects with the westerly bound of Map 11, Lot 141-B; thence southerly along the westerly bound of both Map 11, Lot 141-B and Map 11, Lot 138 to the centerline of Front Street; and thence westerly along the centerline of Front Street to the point of beginning.**

Area 2: This area includes all of the area located in the following four properties: Map 11, Lot 149, Map 11, Lot 154, Map 11, Lot 158, and Map 37, Lot 54. The bounds of the district shall extend to the centerline of respective streets on which the above properties have street frontage.

Sec. 102-260.75. Waterfront Mixed Use-2 district.

(a) Purpose of district. The intent is to establish a zoning district that supports both a working waterfront, and a waterfront that is a commercial area on the edge of downtown. This area and the area included in the Waterfront Mixed Use-1 district is the only waterfront land in Belfast that is now used as a working waterfront and which supports mixed use development, including residential uses. The area should allow intense, but well managed development, and the City should implement flexible zoning tools to support intense development activities. The City also is a major land owner in this area and uses much of its land for public parks and recreation. The use of City lands as parks creates an opportunity to allow more intensive use of other lands in the area.

(b) Description of District. (Note: For properties identified in this description, reference the boundaries of properties shown on the City of Belfast Tax Assessor Maps that were in effect on April 1, 2015.)

Area 1: This area includes all of the area located in the following three properties: Map 37, 54-A; Map 37, Lot 106; and Map 37, Lot 107-A. The bounds of the district shall extend to the centerline of Front Street for the adjacent parcels of Map 37, Lot 54-A and Map 37, Lot 106.

Area 2: Beginning at a point that is the centerline of Front Street at the intersection of Miller Street and Front Street; thence northwesterly along the centerline of Front Street to a point that is the westerly bound of Map 11, Lot 138; thence northerly along the westerly bound of Map 11, Lot 138 and Map 11, Lot 141-B to a point that is the southerly bound of Map 11, Lot 137; thence westerly along the southerly bound of Map 11, Lot 137 to a point that is the southwesterly corner of this property; thence northerly along the westerly most bound of Map 11, Lot 137 to the normal high water mark of the Passagassawaukeag River; thence continuing easterly along the normal high water mark of the Passagassawaukeag River to a point that is the northeasterly corner of Map 11, Lot 144; thence southwesterly along the southeasterly bound of Map 11, Lot 144 to the centerline of

Front Street which is the point of beginning.

Sec. 102-272. Health Care District. [Ord. No. 61-1998, 3-17-1998]

**Section 102-255 repealed by City Council vote on ----
(Insert date of vote).**

~~The boundaries of the Health Care District are as follows:~~

~~Beginning at a point located on the centerline of Northport Avenue and the easterly extension of the southerly bound of Tax Map 33 Lot 22B, thence westerly to and along the southerly bound of Tax Map 33 Lot 22B to the westerly line of Tax Map 33 Lot 22B; thence northerly following the westerly bound of Lot 22B to the northwest corner of Lot 22B; thence easterly following the northerly bound of Tax Map 33 Lot 22B to the westerly bound of Northport Avenue, thence easterly crossing Northport Avenue to and along the northerly bound of Tax Map 33 Lot 21, to the northeast corner of Tax Map 33 Lot 21; thence southerly following the easterly bound of Tax Map 33 Lot 21 and the extension thereof to the centerline of Fahy Street; thence westerly following the centerline of Fahy Street to a point on the northerly extension of the easterly bound of Tax Map 32 Lot 5; thence southerly, easterly, and southerly following the easterly bound of Lot 5 to a point on the northerly bound of Tax Map 32 Lot 7; thence westerly following the southerly bound of Tax Map 32 Lot 5 and the westerly extension thereof to the centerline of Northport Avenue; thence following the centerline of Northport Avenue to the point of beginning.~~

Section 102-283. Residential 1 District.

The boundaries of the Residential 1 District are as depicted on the Official City Zoning Map as was last published in March 2016, as such may be amended from time to time.

Section 102-284. Residential 2 District.

The boundaries of the Residential 2 District are as depicted on the Official City Zoning Map as was last published in March 2016, as such may be amended from time to time.

Section 102-285. Residential 3 District.

The boundaries of the Residential 3 District are as depicted on the Official City Zoning Map as was last published in March 2016, as such may be amended from time to time.