



## CITY OF HALLOWELL

ONE WINTHROP STREET  
HALLOWELL, MAINE 04347

### PLANNING BOARD

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To: Hallowell City Council  
From: Hallowell Planning Board  
Subject: SSPDD Amendments  
Date: July 7, 2016

The Planning Board held a public hearing on June 30, 2016 on the proposed amendments to the Hallowell Revised Code of Ordinances dealing with the Stevens School Planned Development District (Chapter 9, Land Use Control, Subchapter III, Division F). As a result of testimony at the hearing and further discussion of the proposed amendments during the course of the hearing, the Planning Board recommends that the City Council adopt the revised amendments to Chapter 9 as shown on the attached (accompanying) document.

The recommended amendments are consistent with the intent of the original amendments to allow some reuse of the existing buildings and limited residential development prior to the approval of a "master plan" for the entire parcel but have been fine-tuned to address questions and comments that arose during the public hearing. The amendments are not intended to imply that a master plan will not be required. The following is an overview of the revisions from the original draft of the amendments:

1. The proposed change in 9-388 to allow Open Space Residential subdivisions as a permitted use is revised to limit the provision to one subdivision in which all of the dwelling units are located within the core campus.
2. The proposed change in 9-388 to allow roads, utilities and other infrastructure as a permitted use is revised to limit that to public and private streets since the other aspects of the infrastructure all already a permitted use under "essential services."
3. A change in the required street setback for existing buildings (9-390) is included to address the potential need to create street rights-of-way within the core campus and the inability to meet the 25' minimum setback currently required. The revision allows for no required setback for existing buildings.
4. A minimum land area requirement for units in an open space subdivision is added in 9-390 since there is a formula in the open space subdivision provisions that controls the maximum number of units that can be developed and that is tied to a lot size requirement.
5. In 9-390, a provision is added to clarify that there are no lot size requirement for the residential reuse of existing buildings since the current 20,000 square feet per use requirement could be interpreted to apply to each dwelling unit.
6. The original proposed revision to the master plan requirements is dropped from this version since the proposals do not involve these provisions.

The Hallowell Planning Board recommends to the Hallowell City Council that the following amendments be made to the Revised Code of Ordinances, Chapter 9, Land Use Control, Subchapter III, Division F, Stevens School Planned Development District:

**1. Section 9-388 should be amended** to read as follows:

1. Accessory Buildings and Structures;
2. Essential Services;
3. Municipal Uses and Public Buildings;
4. Parks and Playgrounds;
5. Planned Mixed-Use Developments that conform to the requirements of Section 9-392;
6. Public Utilities;
7. Schools;
8. Residential Uses approved by the Planning Board as part of a single Open Space Development pursuant to Hallowell's Subdivision Ordinance provided that the dwelling units are located in that portion of the Stevens School Planned Development District that is south of the gas pipeline now or formerly owned by Mobil Oil Company and west of an imaginary line that runs parallel to, and 548 feet westerly of, the easternmost boundary line of the Stevens School Planned Development District;
9. Re-use of existing structures for Business and Professional Offices and Residential Uses;
10. Private and public streets.

**2. Section 9-390 subsection 2 should be amended** to read as follows:

2. Minimum setback from street right-of-way: 25 feet ~~except that for~~ any new building or structure within the District, provided that if such building or structure is located that is located within two hundred feet of the street right-of-way of Winthrop Street it shall be located to reflect a uniform setback of existing buildings along the street. The uniform setback shall be calculated by obtaining the average street setback of buildings found next to both sides of the property, along the same side of the street for a distance of at least two hundred (200) feet in each direction as measured from the property line. The minimum and maximum setback for new buildings and structures from the street right-of-way must be within +/- ten (10) feet of the calculated average existing setback. The minimum setback from the street right-of-way for an existing building or structure is 0 feet.

**3. Section 9-390, subsection 1 should be amended** to read as follows:

1. Minimum land area in square feet
  - A. All uses (per use): 20,000.
  - B. Notwithstanding section 9-390 (1)(A), residential buildings in an Open Space Development where such buildings will be connected to the public sewage collection and treatment system: 5,000 per dwelling unit.
  - C. Notwithstanding section 9-390 (1)(A), no minimum land area is required for uses in the reuse of existing structures.

**CITY OF HALLOWELL  
PROPOSED ORDINANCE**

Relating to Permitted Uses and Dimensional Requirements  
in the Stevens School Planned Development District

**BE IT ORDAINED** by the City Council of the City of Hallowell that the Revised Code of Ordinances, City of Hallowell (1997) is amended as follows:

1. Section 9-388 is amended to read:

**SECTION 9-388 PERMITTED USES (SSPDD)**

Permitted uses in the Stevens School Planned Development District are:

1. Accessory Buildings and Structures;
2. Essential Services;
3. Municipal Uses and Public Buildings;
4. Parks and Playgrounds;
5. Planned Mixed-Use Developments that conform to the requirements of Section 9-392;
6. Public Utilities;
7. Schools;
8. Residential Uses approved by the Planning Board as part of a single Open Space Development pursuant to Hallowell's Subdivision Ordinance provided that the dwelling units are located in that portion of the Stevens School Planned Development District that is south of the gas pipeline now or formerly owned by Mobil Oil Company and west of an imaginary line that runs parallel to, and 548 feet westerly of, the easternmost boundary line of the Stevens School Planned Development District;
9. Re-use of existing structures for Business and Professional Offices and Residential Uses; and
10. Private and public streets.

2. Section 9-390 is amended to read:

**SECTION 9-390 DIMENSIONAL REQUIREMENTS (SSPDD)**

The following dimensional requirements apply to all uses in this district except for uses and buildings and structures that are part of a Planned Mixed-Use Developments approved in accordance with the provisions of Section 9-392. These requirements apply to the expansion of existing uses, the conversion of one use to another use, and new uses. Uses and buildings and structures that are part of an approved Planned Mixed-Use Development are governed by the provisions of the adopted Master Plan for the development.

1. Minimum Land Area in square feet

- A. All uses (per use): 20,000.

B. Notwithstanding section 9-390 (1)(A), residential buildings in an Open Space Development where such buildings will be connected to the public sewage collection and treatment system: 5,000 per dwelling unit.

C. Notwithstanding section 9-390 (1)(A), no minimum land area is required for uses in the reuse of existing structures.

2. Minimum setback from street right-of-way: 25 feet ~~except that for~~ any new building or structure within the District, provided that if such building or structure that is located within two hundred feet of the street right-of-way of Winthrop Street it shall be located to reflect a uniform setback of existing buildings along the street. The uniform setback shall be calculated by obtaining the average street setback of buildings found next to both sides of the property, along the same side of the street for a distance of at least two hundred (200) feet in each direction as measured from the property line. The minimum and maximum setback for new buildings and structures from the street right-of-way must be within +/- ten (10) feet of the calculated average existing setback. The minimum setback from the street right-of-way for an existing building or structure is 0 feet.
3. Minimum side, rear yards: Side and rear setbacks shall be either twenty (20) feet or the height of the building, whichever is greater: Where a nonresidential use abuts a residential district, the minimum side yard must be a minimum of thirty-five (35) feet
4. Minimum street frontage: 100 feet on a public or private road.
5. Minimum lot depth: None.
6. Maximum building height: 35 feet. The maximum height may be increased to reflect a uniform height of existing buildings along the street. This shall be calculated by obtaining the average height of buildings found next to both sides of the property, along the same side of the street for a distance of at least 200 feet in each direction as measured from the side property line. The building height may be increased to the average height; however in no case shall it be more than 8 feet higher than the buildings abutting the property.

First Reading: June 13, 2016  
Public Hearing: June 30, 2016  
Amended: \_\_\_\_\_  
Second Reading \_\_\_\_\_  
Third Reading \_\_\_\_\_  
  
Ordinance No: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

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City Clerk