



CITY OF BANGOR

PLANNING DIVISION

COMMUNITY & ECONOMIC DEVELOPMENT

PLANNING BOARD AGENDA
TUESDAY, FEBRUARY 17, 2026, 7:00 P.M.
COUNCIL CHAMBERS, 1ST FLOOR OF CITY HALL, 73 HARLOW STREET

1. **CHAIR INTRODUCTION**
2. **OLD BUSINESS**
 - A. **Adoption of Findings & Decision for Map-Lot R10-010-A&B - Odlin Road and 57 Bangor Mall Boulevard**
 - B. **Meeting Minutes – February 3, 2026**
3. **NEW BUSINESS**
 - A. **Land Development Code Amendments**
 - i. **Zone Change – Ohio Street – Map-Lot R23-003-B – Rural Residence and Agricultural District (RR&A) to Government and Institutional Service District (G&ISD) – To amend the Land Development Code by changing a parcel of land, located on Ohio Street, Map-Lot R23-003-B, from Rural Residence and Agriculture (RR&A) to Government and Institutional Service District (G&ISD). Said area of land contains approximately 6 acres total and is more particularly indicated on the map attached hereto and made part hereof. Applicant/Owner: The Rock Church.**
 - ii. **To Amend the Land Development Code, Section 165-73 Parking Area Location and Screening to Remove the Buffer Requirement for Parking Lots Adjacent to Properties Zoned G&ISD, Except Where the Adjacent Property Contains a Residential, Cemetery, or School Use.**
 - iii. **To Amend the Land Development Code, Section 165-13 Definitions to remove State Street from the Minor Arterial Street Definition.**
4. **OTHER BUSINESS**
 - A. **Draft Changes to Comply with New State Laws**
 - B. **2026 APA Trend Report**
 - C. **Follow Up/Thoughts on Land Use Plan Updates**

City of Bangor Planning Division

Planning Board Agenda -- Tuesday, February 17, 2026

Zoom meeting information posted day of the meeting at bangormaine.gov

D. Adjournment



CITY OF BANGOR

PLANNING DIVISION

COMMUNITY & ECONOMIC DEVELOPMENT

**PLANNING BOARD AGENDA
TUESDAY, FEBRUARY 17, 2026, 7:00 P.M.
COUNCIL CHAMBERS, 1ST FLOOR OF CITY HALL, 73 HARLOW STREET**

1. CHAIR INTRODUCTION

2. OLD BUSINESS

A. Adoption of Findings & Decision for Map-Lot R10-010-A&B - Odlin Road and 57 Bangor Mall Boulevard – A vote is needed to adopt these.

B. Meeting Minutes – February 3, 2026

3. NEW BUSINESS

A. Land Development Code Amendments

- i. **Zone Change – Ohio Street – Map-Lot R23-003-B – Rural Residence and Agricultural District (RR&A) to Government and Institutional Service District (G&ISD)** – To amend the Land Development Code by changing a parcel of land, located on Ohio Street, Map-Lot R23-003-B, from Rural Residence and Agriculture (RR&A) to Government and Institutional Service District (G&ISD). Said area of land contains approximately 6 acres total and is more particularly indicated on the map attached hereto and made part hereof. Applicant/Owner: The Rock Church
 - a. The applicant seeks to change the zoning of the property at Map-Lot R23-003-B on Ohio Street from Rural Residence and Agriculture (RR&A) to Government and Institutional Service District (G&ISD). The uses allowed in each of these zones are included in the public notice in your packets.
 - b. The land uses around the property consist primarily of a mix of residential, light commercial, and institutional. The zoning around the property consists of Rural Residence and Agriculture (RR&A), Government and Institutional Service District (G&ISD), High-Density Residential (HDR), and Low-Density Residential (LDR).
 - c. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this property in the Neighborhood Residential area which consists of “medium-density residential development with limited commercial and institutional uses that are complementary to the surrounding residential land uses.” Staff recommend that the Planning Board find this change to be in alignment with the Comprehensive Plan.

- ii. **To Amend the Land Development Code, Section 165-73 Parking Area Location and Screening to Remove the Buffer Requirement for Parking Lots Adjacent to Properties Zoned G&ISD, Except Where the Adjacent Property Contains a Residential, Cemetery, or School Use.**
 - a. This amendment would remove the requirement to create a vegetated buffer between off-street parking and parcels in the Government and Institutional Service District (G&ISD), except where the adjacent property that is zoned for G&ISD contains a residential, cemetery, or school use.
 - b. The reasoning for this change is that the G&ISD zone contains somewhat intensive uses, including some commercial uses, and does not significantly benefit from having a buffer between parking and these uses. The current requirement to provide a buffer from G&ISD in general seems excessive and can hinder commercial development in some cases.
 - c. The primary complaint heard from the public about parking is when parking lots are adjacent to residential areas. The Code does currently require vegetated buffers between parking and all residential zones and this would remain as is. Additionally, this change would still require a buffer from any residential uses in a G&ISD zone, such as permanent supportive housing, transitional housing, and nursing homes.
- iii. **To Amend the Land Development Code, Section 165-13 Definitions to remove State Street from the Minor Arterial Street Definition.**
 - a. This amendment would remove State Street from the minor arterial street category in the Land Development Code.
 - b. The criteria for major arterials are that they are “highways of regional significance with average annual daily traffic in excess of 10,000 vehicles and containing more than two lanes in at least some sections”. State Street is included as a minor arterial even though it meets all of the criteria of a major arterial. State Street appears to be erroneously included as a minor arterial since it is also listed as a major arterial.

4. OTHER BUSINESS

A. Draft Changes to Comply with New State Laws

Recently, the state passed new legislation that requires the City to update the Land Development Code; these laws are listed below. Staff have drafted an initial round of updates to the Code based on draft rulemaking that has been released for these new

laws. Included in your packets is a memo to the Business & Economic Development Committee that outlines the changes being made with this first round of edits. Staff will draft a second round of edits that addresses changes to the zones in the developing and rural areas of the City, ensures that residential uses are added to any remaining commercial zones in accordance with LD 997, and incorporates the requirement for Planning Board training into the City's Code.

- a. LD 1829, An Act to Build Housing for Maine Families and Attract Workers to Maine Business by Amending the Laws Governing Housing Density, decreases some of the barriers that limited density in residential areas such as reducing minimum lot sizes, increasing units per lot, and increasing height allowances for developments using the Affordable Housing Density Bonus.
- b. LD 427, An Act to Regulate Municipal Parking Space Minimums, reduces on-site parking requirements such as introducing and requiring the allowance of Parking Agreements.
- c. LD 997, An Act to Allow Residential Use Development in Commercial Districts, allows residential units inside of commercial buildings in commercial districts.

B. 2026 APA Trend Report

If you have time, please take a look at the 2026 Trend Report for Planners at this link to stay updated on the key issues and trends in the planning world this year:

https://planning-org-uploaded-media.s3.amazonaws.com/publication/download_pdf/2026-Trend-Report-for-Planners-Screen-Reader-Version.pdf

C. Follow Up/Thoughts on Land Use Plan Updates

This is the designated time for general discussion on updates to the land development code.

D. Adjournment



COMMUNITY & ECONOMIC DEVELOPMENT

CITY OF BANGOR

PLANNING DIVISION

February 17, 2026

Bangor Planning Board

Findings and Decision

Applicant/Owner:

Jason Cole
[REDACTED]

Agent:

Design and Engineering, Inc
[REDACTED]

Property Address:

57 Bangor Mall Boulevard, Map-Lot R61-015

Zoning District:

Shopping and Personal Service District & Stream Protection District (S&PS/SP)

Permit Request:

Land Development Permit for Minor Site Development and Conditional Use

Description:

Proposal for the renovation of an existing 4,128sqft commercial building with a drive-through service and associated minor site improvements.

Public Hearing Date:

February 3, 2026

Permitting Requirements:

§169-9, §165.111.A.(1)(3)(5) & §165-114

Board Members Present:

Chair Jonathan Boucher; Vice Chair Janet Jonas; Members Brush, Hayes, Hobson, Huhn, and Whitford; Alternate Member Cartier

Board Vote:

Motion carried 7-0 to approve the Land Development Permit.

I. The Record

The Planning Board reviewed the following exhibits:

1. Land Development Permit application, submitted by Design & Engineering on 12.23.2025
2. Revised site layout plan, submitted by Design & Engineering on 01.16.2026
3. Revised grading and utilities plan, submitted by Design & Engineering on 01.16.2026
4. Receipt for payment received by staff on 12.24.2025
5. Revised narrative, submitted by Design & Engineering on 01.21.2026
6. Land Development Permit checklist, sent to Design & Engineering via email on 01.09.2026
7. Applicant response to checklist, submitted by Design & Engineering on 01.16.2026
8. Fire Prevention sign-off, received via email on 01.16.2026
9. Bangor Water District sign-off, received via email on 01.16.2026
10. Code Enforcement sign-off, received via email on 01.16.2026
11. Comments from engineering, received and sent to Design & Engineering on 01.28.2026
12. List of abutters within 500ft of the subject property, generated by staff on 01.21.2026
13. Public notice sent to abutters within 500ft of the subject property on 01.22.2026
14. Notice of mailing by Planning Assistant Sarah Maquillan on 01.22.2026
15. Proof of ad run in the *Bangor Daily News* on 01.24.2026
16. Email from John Theriault with Maine DOT regarding applicant's Traffic Movement Permit and driveway layout, received on 01.06.2026
17. Email correspondence between Planning and applicant regarding lighting and traffic movement permit, received on 01.29.2026
18. Statement on existing light fixtures, received from the applicant on 01.29.2026
19. Proposed building-mounted light fixture specifications, received from the applicant on 01.29.26

II. Project Description and Permit Requirements

The Project will consist of the renovation of an existing 4,128sqft commercial building with a drive-through service and associated site improvements. The project will take place on Map-Lot R61-015, which is in the Shopping and Personal Service and Stream Protection Districts (S&PS/SP). As an allowed under §165-101, this project must also meet the requirements of Article II through XII and any applicable development standards of Article XIX of Chapter 165.

The building on the site was previously used as a drive-through, but the site was vacant for a number of years and therefore its conditional use approval as a drive-through, as well as its Maine DOT traffic movement permit, lapsed. Therefore the project must receive conditional use approval per §165-9 and a new traffic movement permit.

III. Procedural Background

1. The Application was deemed complete on February 3, 2026.
2. The Applicant paid all applicable fees (Exhibit 4).
3. The proposed Project is a Minor Site Development and Conditional Use.

IV. Applicable Provisions and Findings

Part 1 – The Project meets the requirements of Articles II through XII

1. The Board finds the, based on Exhibits 3 and 11, the applicant satisfied §165-33.1 of the Land Development Code requirements surrounding Erosion and Sediment Control.
2. The Board finds that, based on Exhibits 2 and 7, the applicant satisfied §165-72 of the Land Development Code requirements of required number of parking spaces for a restaurant, §165-73's requirements for parking area location and screening and §165-74's requirements of design, construction and maintenance.
3. The Board finds that, based on Exhibits 3, 5, and 9, the applicant satisfied §165-79 of the Land Development Code requirements for providing adequate utility services and §165-80's requirements for using public water and sewerage services when possible, and §165-83's requirements regarding providing adequate electrical service.
4. The Board finds that, based on Exhibits 2, 7, 17, and 18, the applicant satisfied §165-81's requirements of providing adequate outdoor lighting and preventing light trespass and pollution.
5. The Board finds that, based on Exhibits 3, 5, and 11, the applicant satisfied §165-84 of the Land Development Code requirements regarding providing adequate storm drainage and stormwater offset and §165-86's requirements on compliance with sewer regulations.

Part 2 – The Project meets the District Site Development Standards under Article XIX

The Board finds that, based on Exhibits 2, 5, 7, and 10, the applicant satisfied § 165-135 of the Land Development Code regarding impervious surface ratio and buffer yards.

Part 3 – The Project meets the requirements of § 165-101 – Shopping and Personal Service District (S&PS)

1. The Board finds that, based on the findings made in Parts 1 and 2 of this document, the Project meets the requirements of § 165-101B for uses within the Shopping and Personal Service District (S&PS).

2. The Board finds that, based on Exhibit 2, the Project meets the requirements of §165-101D(4) for drive-in businesses uses within the Shopping and Personal Service District (S&PS).

Part 4 – The Project meets the requirements of §165-114 – Land Development Approval Standards

1. The Board finds that, based on Exhibits 2, 5, 7, 11, and 16, the applicant satisfied Land Development Code §165-114B's requirement that the proposed parking and loading layout are arranged in a reasonable and safe configuration and §165-114C's requirement that all proposed access drives are reasonably necessary and safe.
2. The Board finds that, based on Exhibits 2, 3, and 11, the applicant satisfied Land Development Code §165-114D's requirement that the proposed development will not have unreasonable adverse effects on abutting or downstream properties or protected resources such as wetlands, lakes, streams or brooks, and that all downstream channels or municipal stormwater collection systems have adequate capacity to carry the flow without significant negative effects.
3. The Board finds that, based on Exhibits 2, 7, 17, and 18, the applicant satisfied Land Development Code §165-114E's requirements that all outdoor lighting shall be designed, installed and maintained to avoid unreasonable adverse effects from light pollution, with the condition that the building-mounted exterior lighting fixtures be downward facing and full cut-off in compliance with the City's Code.
4. The Board finds that, based on Exhibits 2, 5, 7, and 10, the applicant satisfied Land Development Code §165-114F's requirements for landscaping.
5. The Board finds that, based on Exhibits 2, 3, and 11, the applicant satisfied Land Development Code §165-114H's requirements regarding preventing unreasonable adverse environmental impacts and §165-114I's requirements regarding preventing unreasonable adverse impacts on nearby water resources.

Part 5 – The Project meets the criteria for a Conditional Use under of §165-9A

1. The Board finds that, based on the findings made in Parts 1-4, the applicant satisfied Land Development Code §165-9A(1)'s requirements on not requiring a variance of development or other standards.
2. The Board finds that, based on Exhibits 2, 5, 11, and 16, the applicant satisfied Land Development Code §165-9A(2)'s requirements of not creating unreasonable traffic congestion or hazardous conditions on contiguous or adjacent streets.
3. The Board finds that, based on the findings in Parts 1-4 of Section IV of this

document, the applicant satisfied Land Development Code §165-9A(3)'s requirements for providing and maintaining adequate and appropriate utilities, fire protection, drainage, parking and loading and other necessary site improvements.

4. The Board finds that, based on Exhibits 2 and 5, the applicant satisfied Land Development Code §165-9A(4)'s requirements on the proposed use being appropriate for the location in which it is sought.

V. Decision

The Board finds that the project meets the requirements for a Land Development Permit for a Minor Site Development and Conditional Use and therefore, the Board grants the Land Development Permit for the proposed Project with the following condition:

- 1. The applicant must provide evidence of an approved Maine DOT Traffic Movement Permit prior to construction.**
- 2. The proposed building-mounted light fixtures meet the standards in §165-81 and §165-114E.**
- 3. That modified plans be submitted to the Planning Division within 30 days of approval that show new light poles on the subject property to illuminate the area that is currently being illuminated by poles on the adjacent property, and that show that the light fixtures will be full cut-off and downward facing in compliance with the City's Code.**

VI. General Permit Requirements:

- A. This permit does not relieve the applicant from any other state or federal permits that may be required for the project.
- B. Prior to construction, the applicant must provide the City with evidence of an approved Maine DOT traffic movement permit.
- C. Prior to construction, the applicant should contact the Code Enforcement Office and Engineering Office for any additional permits that may be required.
- D. Applicant must commence construction within one year from the date of approval and complete the project by February 3, 2028, unless extensions of time are granted per the provision of Chapter 165-113E.
- E. No certificate of occupancy for any structure will be issued by the Code Enforcement Division until the property for which the certificate is sought is in compliance with all

applicable regulations, including but not limited to building, zoning, and stormwater requirements. A temporary certificate of occupancy may be issued when necessary under the provisions of § [165-113G of the City's Land Development Code](#).

- F. Upon completion, a digital as-built plan or plans shall be submitted to the Code Enforcement Officer. Additionally, a certificate of compliance stamped by a registered professional engineer or a registered land surveyor must be submitted to the Code Enforcement Office indicating that the site development has been completed in accordance with the approved revised plan.

- G. No change shall be made to a property approved for a conditional use that would cause the property to fail to comply with the details of the Board's approval under the standards of § [165-9A](#), unless approved by the Planning Board through a review of the changed conditional use.
 - (a) Building details. Changes to building elevations which impact the elements reviewed and approved by the Board may only be approved by the Planning Board. Changes to architectural details not within the scope of § [165-9A\(4\)](#) do not require Planning Board approval.
 - (b) Traffic analysis. Changes to trip generation or peak hour of generation do not require Planning Board approval if the following standards are met as determined by the Code Enforcement Officer in consultation with the City Engineer:
 - (1) The number of trips during the peak hour does not increase.
 - (2) The peak hour does not change to a different hour.
 - (3) The peak hour does not change from a weekday to a weekend day, or vice versa.

- H. Conditional uses which are discontinued for more than 12 consecutive months are deemed abandoned.

Failure to comply with the conditions listed above constitutes a violation of the Bangor Land Development Code as prescribed in Chapter 165-10G.

If you should have any questions or desire further information, please do not hesitate to give the Planning Division a call at 207.992.4280.

Sincerely,

City of Bangor Planning Board

_____	_____
_____	_____
_____	_____
_____	_____

CC: City of Bangor Planning Division
City of Bangor Code Enforcement Division

Building Permit and Certificate of Occupancy Checklist

Before applying for a Building Permit:

- Provide evidence of an approved Maine DOT Traffic Movement Permit.
- Submit modified plans to the Planning Division that show new light poles on the subject property to illuminate the area that is currently being illuminated by poles on the adjacent property, and that show that the light fixtures will be full cut-off and downward facing in compliance with the City's Code.

Before applying for a Certificate of Occupancy:

- Digital as-built plan or plans shall be submitted to the Code Enforcement Officer. Additionally, a certificate of compliance stamped by a registered professional engineer or a registered land surveyor must be submitted to the Code Enforcement Office indicating that the site development has been completed in accordance with the approved revised plan.
- The building-mounted light fixtures and new pole lighting must meet the standards in §165-81 and §165-114E.



COMMUNITY & ECONOMIC DEVELOPMENT

CITY OF BANGOR

PLANNING DIVISION

February 17, 2026

Bangor Planning Board

Findings and Decision

Applicant/Owner:

Bernard Holdings, LLC
[REDACTED]

Agent:

Hinckley Hill Designs, LLC
[REDACTED]

Property Address:

Odlin Road, Map-Lot R10-010-A & R10-010-B

Zoning District:

Urban Industry District (UID)

Permit Request:

Land Development Permit for Major Site Development and
Planned Group Development

Description:

Proposal for construction of two 250-foot by 60-foot
warehouse facilities, each with 10 individual warehouse units
with a single, shared driveway

Public Hearing Date:

February 3, 2026

Permitting Requirements:

§169-69, §165.111.A.(3)(5) & §165-114

Board Members Present:

Chair Jonathan Boucher; Vice Chair Janet Jonas; Members
Brush, Hayes, Hobson, Huhn, and Whitford; Alternate
Member Cartier

Board Vote:

Motion carried 7-0 to approve the Land Development Permit.

I. The Record

The Planning Board reviewed the following exhibits:

1. Land Development Permit application, submitted by Hinckley Hill Designs on 01.16.2026
2. Revised site plans, submitted by Hinckley Hill Designs on 01.16.2026
3. Proof of payment received by Planning Analyst Matt Altiero on 01.07.2026
4. Agent authorization, submitted by Hinckley Hill Designs on 01.16.2026
5. Narrative, submitted by Hinckley Hill Designs on 01.16.2026
6. Location map, submitted by Hinckley Hill Designs on 01.16.2026
7. Deed, submitted by Hinckley Hill Designs on 01.16.2026
8. Proof of water capacity, submitted by Hinckley Hill Designs on 01.16.2026
9. Proof of sewer capacity, submitted by Hinckley Hill Designs on 01.16.2026
10. Lighting cut sheets, submitted by Hinckley Hill Designs on 01.16.2026
11. Revised stormwater permit application, submitted by Hinckley Hill Designs on 01.16.2026
12. Land Development Permit checklist, sent to Hinckley Hill Designs via email on 01.09.2026
13. Engineering comments & applicant responses, received via email on 01.12.2026
14. Applicant response to comments, submitted by Hinckley Hill Designs on 01.16.2026
15. Code Enforcement sign-off, received via email on 01.20.2026
16. Bangor Water District sign-off, received via email on 01.21.2026
17. Engineering sign-off, received via email on 01.21.2026
18. Fire Prevention sign-off, received via email on 01.21.2026
19. List of abutters within 100ft of the subject property, generated by staff on 01.21.2026
20. Public notice sent to abutters within 100ft of the subject property on 01.22.2026
21. Notice of mailing by Planning Assistant Sarah Maquillan on 01.22.2026
22. Building elevations, submitted by Hinckley Hill Designs on 01.28.2026

II. Project Description and Permit Requirements

The Project will consist of the construction of two 250-foot by 60-foot warehouse/storage facilities, each with 10 individual warehouse/storage units with a single, shared driveway. The project will take place on Map-Lot R10-010-A and R10-010-B, which is in the Urban Industry District (UID).

This use is allowed under §165-96C.(1). As a use in the Urban Industry District, per §165-96B, this project must also meet the requirements of Article II through XII and any applicable development standards of Article XIX of Chapter 165. Additionally, since the development spans two parcels, this project must be considered a Planned Group Development, and must therefore meet the requirements of §165-69.

III. Procedural Background

1. The Application was deemed complete on February 3, 2026.
2. The Applicant paid all applicable fees (Exhibit 3).
3. The proposed Project is a Major Site Development and Planned Group Development.

IV. Applicable Provisions and Findings

Part 1 – The Project meets the requirements of Articles II through XII

1. The Board finds that, based on Exhibits 2, 11, and 17, the applicant satisfied §165-33.1 of the Land Development Code regarding best management practices of Erosion and Sediment Control.
2. The Board finds that, based on Exhibit 2, the applicant satisfied §165-68 of the Land Development Code regarding minimum lot frontage.
3. The Board finds that, based on Exhibit 2, the applicant satisfied §165-69 of the Land Development Code regarding the requirements for planned group developments.
4. The Board finds that, based on Exhibits 2, 5, and 15, the applicant satisfied §165-72 of the Land Development Code regarding the required number of parking spaces, §165-73's requirements regarding parking area location and screening, and §165-74's requirements regarding parking area design, construction and maintenance.
5. The Board finds that, based on Exhibits 2, 5, and 17, the applicant satisfied §165-79 of the Land Development Code regarding providing the necessary utility services required, §165-80's requirements regarding providing adequate water and sewerage services, and 165-83's requirements regarding providing adequate electrical service.
6. The Board finds that, based on Exhibit 2, 5, and 10, the applicant satisfied §165-81 of the Land Development Code regarding providing adequate lighting and preventing light pollution and trespass.
7. The Board finds that, based on Exhibits 2, 5, and 18, the applicant satisfied §165-82's requirements regarding having adequate fire protection.
8. The Board finds that, based on Exhibits 2, 5, 9, 11, and 17, the applicant satisfied §165-84 of the Land Development Code regarding adequate storm drainage and stormwater offset, §165-85's requirements regarding anticipated type and volume of sanitary flows and §165-86's requirements regarding compliance with sewer regulations.

Part 2 – The Project meets the District Site Development Standards under Article XIX

The Board finds that, based on Exhibits 2 and 22, the applicant satisfied § 165-135 of the Land Development Code regarding height limits, floor area ratio, impervious surface ratio, and buffer yards.

Part 3 – The Project meets the requirements of § 165-69 – Urban Industry District (UID)

The Board finds that, based on the findings made in Parts 1 and 2 of this document, the Project meets the requirements of § 165-96.C(1) for uses within the Urban Industry District (UID).

Part 4 – The Project meets the requirements of §165-114 – Land Development Approval Standards

1. The Board finds that, based on Exhibits 2 and 17, the applicant satisfied Land Development Code §165-114.B's requirement that the proposed parking and loading layout are arranged in a reasonable and safe configuration and §165-114C's requirement that all proposed access drives are reasonably necessary and safe.
2. The Board finds that, based on Exhibits 2, 11, and 17, the applicant satisfied Land Development Code §165-114D's requirement that the proposed development will not have unreasonable adverse effects on abutting or downstream properties or protected resources such as wetlands, lakes, streams or brooks, and that all downstream channels or municipal stormwater collection systems have adequate capacity to carry the flow without significant negative effects.
3. The Board finds that, based on Exhibits 2, 5, and 10, the applicant satisfied Land Development Code §165-114E's requirements that all outdoor lighting shall be designed, installed and maintained to avoid unreasonable adverse effects from light pollution.
4. The Board finds that, based on Exhibit 2, 5, 14, and 15, the applicant satisfied Land Development Code §165-114F's requirements for landscaping.
5. The Board finds that, based on Exhibit 2, the applicant satisfied Land Development Code §165-114G's requirement for the building setbacks and location to avoid unreasonable adverse effects on adjacent properties or public rights-of-way.
6. The Board finds that, based on Exhibits 2, 11, and 17, the applicant satisfied Land Development Code §165-114K's requirements regarding site plans needing approval under the provisions of 38 M.R.S.A. §420-D, as amended.

V. Decision

The Board finds that the project meets the requirements for a Land Development Permit for a Major Site Development and Planned Group Development and therefore, the Board grants the Land Development Permit for the proposed Project.

VI. General Permit Requirements:

- A. This permit does not relieve the applicant from any other state or federal permits that may be required for the project.
- B. Prior to construction, the applicant should contact the Code Enforcement Office and Engineering Office for any additional permits that may be required.
- C. The applicant should contact Engineering to get an address for the new buildings.
- D. As a planned group development, a signed copy of the plans must be recorded at the Registry of Deeds prior to applying for a building permit.
- E. Applicant must commence construction within one year from the date of approval and complete the project by February 3, 2028, unless extensions of time are granted per the provisions of Chapter 165-113E.
- F. No certificate of occupancy for any structure will be issued by the Code Enforcement Division until the property for which the certificate is sought is in compliance with all applicable regulations, including but not limited to building, zoning, and stormwater requirements. A temporary certificate of occupancy may be issued when necessary under the provisions of § [165-113G of the City's Land Development Code](#).
- G. Upon completion, a digital as-built plan or plans shall be submitted to the Code Enforcement Officer. Additionally, a certificate of compliance stamped by a registered professional engineer or a registered land surveyor must be submitted to the Code Enforcement Office indicating that the site development has been completed in accordance with the approved revised plan.

Failure to comply with the conditions listed above constitutes a violation of the Bangor Land Development Code as prescribed in Chapter 165-10G.

This If you should have any questions or desire further information, please do not hesitate to give the Planning Division a call at 207.992.4280.

Sincerely,

City of Bangor Planning Board

_____	_____
_____	_____
_____	_____
_____	_____

CC: City of Bangor Planning Division
City of Bangor Code Enforcement Division

Building Permit and Certificate of Occupancy Checklist

Before applying for a Building Permit:

- Please contact the Engineering Department for an address.
- Contact the Code Enforcement and Engineering Departments for any other permits that may be necessary.
- Record a signed copy of the plans at the Registry of Deeds.

Before applying for a Certificate of Occupancy:

- Digital as-built plan or plans shall be submitted to the Code Enforcement Officer. Additionally, a certificate of compliance stamped by a registered professional engineer or a registered land surveyor must be submitted to the Code Enforcement Office indicating that the site development has been completed in accordance with the approved revised plan and stormwater permit.



CITY OF BANGOR

PLANNING DIVISION

COMMUNITY & ECONOMIC DEVELOPMENT

**PLANNING BOARD
TUESDAY, FEBRUARY 3, 2026, 7:00 P.M.
COUNCIL CHAMBERS, 1ST FLOOR OF CITY HALL
73 HARLOW STREET**

MEETING MINUTES

Board Members Present:

Chair Jonathan Boucher
Vice Chair Janet Jonas
Ted Brush
Justin Cartier
Trish Hayes
Greg Hobson
Ken Huhn
Ross Whitford

City Staff Present:

Matt Altiero, Planning Analyst
Anja Collette, Planning Officer
Jefferson Davis, City Engineer
Grace Innis, Assistant Solicitor

Chair Boucher called the meeting to order at 7:00 P.M.

OLD BUSINESS

1. Meeting Minutes – January 20, 2026

Member Huhn moved to approve the minutes of January 20, 2026, seconded by Member Brush. All voting members in favor, none opposed. Motion passed.

2. Adoption of Notice of Decision for 861 Broadway – 861 Broadway, LLC and Map-Lot R21-009 – Pushaw Road – John Karnes

Vice Chair Jonas moved that the Board adopt the Notices of Decision for 861 Broadway – 861 Broadway, LLC and Map-Lot R21-009 – Pushaw Road – John Karnes. Seconded by Member Brush. Roll call vote conducted – all voting members in favor, none opposed. Motion passed.

NEW BUSINESS

PUBLIC HEARING - LAND DEVELOPMENT CODE AMENDMENTS

3. Amending the Land Development Code, Section 165-139 Development Requirements to allow short-term rentals in tiny home parks and amending the Short-Term Rental Licenses Code, Section 254-4 Licensing to add a cap for short-term rentals in tiny home parks and manufactured home parks.

Chair Boucher introduced the agenda item.

Planning Officer Anja Collette presented to the Board and provided several reminders about maintaining clear audio at the meetings. Collette then provided an overview of the proposed amendment.

Vice Chair Jonas asked about tiny home parks where some or all of the homes are privately owned. Planning Officer Collette responded that these would be treated the same way as a condominium building – there wouldn't be a cap on the number of rentals in the building/development, but there would still be a cap on the number per owner/operator.

Chair Boucher opened the public comments – there were none. Public comments closed.

Member Huhn moved that the Board recommend to City Council that the proposal to amend the Land Development Code by amending the Land Development Code, Section 165-139 Development Requirements to allow short-term rentals in tiny home parks and amending the Short-Term Rental Licenses Code, Section 254-4 Licensing to add a cap for short-term rentals in tiny home parks and manufactured home parks ought to pass. Seconded by Member Whitford. Roll call vote conducted – all in favor, none opposed. Motion passed.

PUBLIC HEARING – LAND DEVELOPMENT PERMITS

4. Land Development Permit – Minor Site Development and Conditional Use – 57 Bangor Mall Boulevard – Map-Lot R61-015 - Land Development Permit Application – Minor Site Development and Conditional Use for the renovation of an existing 4,128sqft commercial building with a drive-through service and associated site improvements at a property located at 57 Bangor Mall Blvd, Map-Lot R61-015, in the Shopping and Personal Service and Stream Protection districts (S&PS/SP). Applicant/Owner: Jason Cole.

Chair Boucher introduced the agenda item and asked the Board for any potential conflicts of interest – there were none.

Member Huhn moved that the Board find that the application was deemed complete on February 3, 2026, the applicant paid all applicable fees, and the proposed project is a Minor Site Development and Conditional Use. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Applicant Representative Tanner Reif presented to the Board via Zoom and provided an overview of the application.

Chair Boucher asked staff for any comments.

Planning Officer Anja Collette provided an overview of the proposed approval conditions.

Chair Boucher asked the Board for any questions or comments.

Alternate Member Cartier asked about the maintenance of the private drive at the subject property – Applicant Representative Reif responded that this does not fall under the applicant's scope. City Engineer Jefferson Davis clarified that this is a private drive not maintained by the City. Cartier asked if more research could be done regarding the ownership of this drive – City Engineer Davis responded that the applicant did own part of the drive according to the site plan and that abutters further up the drive owned their respective parts of the driveway. Planning Officer Collette clarified that this cannot be considered in land development approval and that any issues customers encountered with the road would fall on the property owner.

Vice Chair Jonas asked for clarification regarding trip counts for the traffic movement permit – City Engineer Davis responded and clarified.

Chair Boucher asked for clarification regarding the proposed approval conditions – Planning Officer Collette responded and clarified. Vice Chair Jonas asked for additional clarification regarding the inclusion of these conditions in the review standards – Collette responded and clarified.

Chair Boucher opened the public comments – there were none. Public comments closed.

Member Brush moved that the Board find that, based on Exhibits 3 and 11, the applicant satisfied §165-33.1 of the Land Development Code requirements surrounding Erosion and Sediment Control. Seconded by Member Huhn. Roll call vote conducted – all in favor, none opposed. Motion passed.

Vice Chair Jonas moved that the Board find that, based on Exhibits 2 and 7, the applicant satisfied §165-72 of the Land Development Code requirements of required number of parking spaces for a restaurant, §165-73's requirements for parking area location and screening and §165-74's requirements of design, construction and maintenance. Seconded by Member Huhn. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board find that, based on Exhibits 3, 5, and 9, the applicant satisfied §165-79 of the Land Development Code requirements for providing adequate utility services and §165-80's requirements for using public water and sewerage services when possible, and §165-83's requirements regarding providing adequate electrical service. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board find that, based on Exhibits 2, 7, 17, 18, and 20, the applicant satisfied §165-81's requirements of providing adequate outdoor lighting and preventing light trespass and pollution. Seconded by Member Brush. Roll call vote begun – Vice Chair Jonas opposed and asked about the handling of this standard due to it being addressed in the approval conditions. Planning Officer

City of Bangor Planning Division
Planning Board Meeting Minutes – Tuesday, February 3, 2026

Collette and Assistant City Solicitor Grace Innis responded and clarified. Roll call vote finalized – 5 in favor (Members Brush, Hayes, Huhn, and Hobson and Chair Boucher), 2 opposed (Vice Chair Jonas and Member Whitford). Motion passed. Vice Chair Jonas and Member Whitford clarified that their vote is due to not feeling that the standard is presently met. Chair Boucher asked for additional clarification regarding the approval condition pertaining to this standard – Collette responded and clarified.

Member Hayes moved that the Board find that, based on Exhibits 3, 5, and 11, the applicant satisfied §165-84 of the Land Development Code requirements regarding providing adequate storm drainage and stormwater offset and §165-86's requirements on compliance with sewer regulations. Seconded by Vice Chair Jonas. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board find that, based on Exhibits 2, 5, 7, and 10, the applicant satisfied § 165-135 of the Land Development Code regarding impervious surface ratio and buffer yards. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board find that, based on the findings made in Parts 1 and 2 of this document, the Project meets the requirements of § 165-101B for uses within the Shopping and Personal Service District (S&PS). Seconded by Member Hayes. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board find that, based on Exhibit 2, the Project meets the requirements of §165-101D(4) for drive-in businesses uses within the Shopping and Personal Service District (S&PS). Seconded by Vice Chair Jonas. Roll call vote conducted – all in favor, none opposed. Motion passed.

Vice Chair Jonas moved that the Board find that, based on Exhibits 2, 5, 7, 11, and 16, the applicant satisfied Land Development Code §165-114B's requirement that the proposed parking and loading layout are arranged in a reasonable and safe configuration and §165-114C's requirement that all proposed access drives are reasonably necessary and safe. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hayes moved that the Board find that, based on Exhibits 2, 3, and 11, the applicant satisfied Land Development Code §165-114D's requirement that the proposed development will not have unreasonable adverse effects on abutting or downstream properties or protected resources such as wetlands, lakes, streams or brooks, and that all downstream channels or municipal stormwater collection systems have adequate capacity to carry the flow without significant negative effects. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board find that, based on Exhibits 2, 7, 17, 18, and 20, the applicant satisfied Land Development Code §165-114E's requirements that all outdoor lighting shall be designed, installed and maintained to avoid unreasonable adverse effects from light pollution, with the condition that the building-mounted exterior lighting fixtures be downward facing and full cut-off in compliance with the City's Code. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board find that, based on Exhibits 2, 5, 7, and 10, the applicant satisfied Land Development Code §165-114F's requirements for landscaping. Seconded by Vice Chair Jonas. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hobson moved that the Board find that, based on Exhibits 2, 3, and 11, the applicant satisfied Land Development Code §165-114H's requirements regarding preventing unreasonable adverse environmental impacts and §165-114I's regarding preventing unreasonable adverse impacts on nearby water resources. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hayes moved that the Board find that, based on the findings made in Parts 1-4, the applicant satisfied Land Development Code §165-9A(1)'s requirements on not requiring a variance of development or other standards. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Vice Chair Jonas moved that the Board find that, based on Exhibits 2, 5, 11, and 16, the applicant satisfied Land Development Code §165-9A(2)'s requirements of not creating unreasonable traffic congestion or hazardous conditions on contiguous or adjacent streets. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board find that, based on the findings in Parts 1-4 of Section IV of this document, the applicant satisfied Land Development Code §165-9A(3)'s requirements for providing and maintaining adequate and appropriate utilities, fire protection, drainage, parking and loading and other necessary site improvements. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hobson moved that the Board find that, based on Exhibits 2 and 5, the applicant satisfied Land Development Code §165-9A(4)'s requirements on the proposed use being appropriate for the location in which it is sought. Seconded by Member Hayes. Roll call vote conducted – all in favor, none opposed. Motion passed.

Vice Chair Jonas moved that the Board find that the project meets the requirements for a Land Development Permit for a Minor Site Development and Conditional Use and therefore, the Board grants the Land Development Permit for the proposed Project with the following conditions:

1. The applicant must provide evidence of an approved Maine DOT Traffic Movement Permit prior to construction.
2. The proposed building-mounted light fixtures meet the standards in §165-81 and §165-114E.
3. That modified plans be submitted to the Planning Division within 30 days of approval that show new light poles on the subject property to illuminate the area that is currently being illuminated by poles on the adjacent property, and that show that the light fixtures will be full cut-off and downward facing in compliance with the City's Code.

Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

5. Land Development Permit – Major Site Development and Planned Group Development – Odlin Road – Map-Lots R10-010-A & R10-010-B - Land Development Permit Application – Major Site Development and Planned Group Development for the construction of two 250 foot by 60 foot warehouse facilities, each with 10 individual warehouse units with a single, shared driveway at a property located on Odlin Rd, Map-Lot R10-010-A & R10-010-B, in the Urban Industry District (UID). Applicant/Owner: Bernard Holdings, LLC.

Chair Boucher introduced the agenda item and asked the Board for any potential conflicts of interest – there were none.

Member Huhn moved that the Board find that the application was deemed complete on February 3, 2026, the applicant paid all applicable fees, and the proposed project is a Major Site Development and Planned Group Development. Seconded by Vice Chair Jonas. Roll call vote conducted – all in favor, none opposed. Motion passed.

Applicant Representative Justine Drake presented to the podium and provided an overview of the application.

Chair Boucher asked the Board for any questions or comments.

Member Huhn asked about the proposed shared electrical service – Applicant Representative Drake responded and clarified.

Vice Chair Jonas asked about the direction of drainage – Applicant Representative Drake responded and clarified.

Chair Boucher asked staff for any comments.

Planning Officer Anja Collette noted that the standard regarding yard space for group buildings should not be considered with this application.

Vice Chair Jonas asked about the purpose of the proposed bathroom facilities – Applicant Representative Drake responded and clarified. Planning Officer Collette provided an additional clarification regarding the proposed use and discussed with Jonas.

Chair Boucher opened the public comments – there were none. Public comments closed.

Member Brush moved that the Board find that, based on Exhibits 2, 11, and 17, the applicant satisfied §165-33.1 of the Land Development Code regarding best management practices of Erosion and Sediment Control. Seconded by Member Huhn. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hayes moved that the Board find that, based on Exhibit 2, the applicant satisfied §165-68 of the Land Development Code regarding minimum lot frontage. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board find that, based on Exhibit 2, the applicant satisfied §165-69 of the Land Development Code regarding the requirements for planned group developments. Seconded by Member Huhn. Roll call vote conducted – all in favor, none opposed. Motion passed.

Vice Chair Jonas moved that the Board find that, based on Exhibits 2, 5, and 15, the applicant satisfied §165-72 of the Land Development Code regarding the required number of parking spaces, §165-73's requirements regarding parking area location and screening, and §165-74's requirements regarding parking area design, construction and maintenance. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board find that, based on Exhibits 2, 5, and 17, the applicant satisfied §165-79 of the Land Development Code regarding providing the necessary utility services required, §165-80's requirements regarding providing adequate water and sewerage services, and 165-83's requirements regarding providing adequate electrical service. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board find that, based on Exhibit 2, 5, and 10, the applicant satisfied §165-81 of the Land Development Code regarding providing adequate lighting and preventing light pollution and trespass. Seconded by Member Huhn. Roll call vote conducted – all in favor, none opposed. Motion passed.

Vice Chair Jonas moved that the Board find that, based on Exhibits 2, 5, and 18, the applicant satisfied §165-82's requirements regarding having adequate fire protection. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board find that, based on Exhibits 2, 5, 9, 11, and 17, the applicant satisfied §165-84 of the Land Development Code regarding adequate storm drainage and stormwater offset, §165-85's requirements regarding anticipated type and volume of sanitary flows and §165-86's requirements regarding compliance with sewer regulations. Seconded by Member Hayes. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board find that, based on Exhibits 2 and 22, the applicant satisfied § 165-135 of the Land Development Code regarding height limits, floor area ratio, impervious surface ratio, and buffer yards. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hayes moved that the Board find that, based on the findings made in Parts 1 and 2 of this document, the Project meets the requirements of § 165-96.C(1) for uses within the Urban Industry District

(UID). Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board find that, based on Exhibits 2 and 17, the applicant satisfied Land Development Code §165-114.B's requirement that the proposed parking and loading layout are arranged in a reasonable and safe configuration and §165-114C's requirement that all proposed access drives are reasonably necessary and safe. Seconded by Member Huhn. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board find that, based on Exhibits 2, 11, and 17, the applicant satisfied Land Development Code §165-114D's requirement that the proposed development will not have unreasonable adverse effects on abutting or downstream properties or protected resources such as wetlands, lakes, streams or brooks, and that all downstream channels or municipal stormwater collection systems have adequate capacity to carry the flow without significant negative effects. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board find that, based on Exhibits 2, 5, and 10, the applicant satisfied Land Development Code §165-114E's requirements that all outdoor lighting shall be designed, installed and maintained to avoid unreasonable adverse effects from light pollution. Seconded by Vice Chair Jonas. Roll call vote conducted – all in favor, none opposed. Motion passed.

Vice Chair Jonas moved that the Board find that, based on Exhibit 2, 5, 14, and 15, the applicant satisfied Land Development Code §165-114F's requirements for landscaping. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hobson moved that the Board find that, based on Exhibit 2, the applicant satisfied Land Development Code §165-114G's requirement for the building setbacks and location to avoid unreasonable adverse effects on adjacent properties or public rights-of-way. Seconded by Member Whitford. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board find that, based on Exhibits 2, 11, and 17, the applicant satisfied Land Development Code §165-114K's requirements regarding site plans needing approval under the provisions of 38 M.R.S.A. §420-D, as amended. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board find that the project meets the requirements for a Land Development Permit for a Major Site Development and Planned Group Development and therefore, the Board grants the Land Development Permit for the proposed Project. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

OTHER BUSINESS

6. 2022 Comprehensive Plan Implementation Update

Planning Officer Anja Collette provided an update on the recently proposed Code amendment regarding Major Arterial definitions. Collette also provided an update on the implementation of the 2022 Comprehensive Plan.

Vice Chair Jonas expressed gratitude for the formatting of the report on implementation.

Chair Boucher asked about major implementation activities – Planning Officer Collette noted the upcoming Land Development Code update and that it would implement many of the Comprehensive Plan strategies.

7. Follow-Up/Thoughts on Land Use Plan Updates

No discussion.

Meeting adjourned at 8:12 pm.

Respectfully submitted,

Sarah Maquillan,
Development Assistant
Planning Division



Paid 2210.00
via check #13468
on 1-28-26-jm

APPLICATION FOR ZONING AND MAP AMENDMENT

CITY OF BANGOR
PLANNING DIVISION

Date: 01-08-2026

Date of Required Pre-Application Meeting with Staff: 01-06-2026
(please call (207) 992-4280 to set up an appointment if you have not had a pre-application meeting with staff)

To: The Planning Board & The City Council of the City of Bangor, Maine

1. Applicant Name: The Rock Church

2. Applicant Address: [Redacted]
Address [Redacted] City, State, Zip Code [Redacted]
[Redacted] Telephone Number [Redacted] Email Address [Redacted]

3. PROPERTY ADDRESS and Map & Lot 1249 Ohio St Bangor, Me | R23-003-B
Address Map Lot
Total Area: 6 Acres

4. GENERAL PROPERTY LOCATION (Example: South side of State Street 400 yards. East of Pine Street):
1249 Ohio Street Directly Across From CYR BUS.

5. LEGAL DESCRIPTION OF PROPERTY - Book 10125 Page 196

6. EXISTING ZONING DISTRICT: RR & A - Rural Residence and Agricultural District

7. PROPOSED ZONING DISTRICT: G & ISD

8. NAME AND ADDRESS OF OWNER OF RECORD: Same
Name (if different than applicant)
Same Address
Same Telephone Number Same Email Address

9. NAME AND ADDRESS OF CONTRACT OWNER N/A
Name
[Redacted] Address
[Redacted] Telephone Number [Redacted] Email Address

10. SIGNATURE OF Applicant: [Redacted]

11. REPRESENTATIVE OF APPLICANT: _____
Name
_____ Address

12. IS THIS A CONTRACT ZONING CHANGE? IF SO, ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

13. ATTACH DOCUMENT SUPPORTING ZONING CHANGE AND RELATION TO CITY COMP PLAN.

RETURN FORM & EXHIBIT TO PLANNING DIVISION, CITY HALL, BANGOR, ME.

(PLEASE READ OTHER SIDE FOR FEES AND PROCESSING PROCEDURE)

The Rock Church

01/08/2026

City of Bangor

13468

Date
01/08/2026**Type**
Bill**Reference****Original Amount**
2,210.00**Balance Due**
2,210.00**Payment**
2,210.00
2,210.00

Check Amount

Cash Accounts:Bang

2,210.00



CITY COUNCIL ACTION

Council Meeting Date: February 9, 2026

Item No:

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: R23-003-B

Title, Ordinance

Amending Chapter 165, Land Development Code, District Map to Re-zone a Property Located at R23-003-B from Rural Residence and Agricultural District (RR&A) to Government and Institutional Service District (G&ISD).

Summary

This ordinance would amend the Land Development Code, District Map to re-zone the property at Map-Lot R23-003-B, located on Ohio Street, from Rural Residence and Agricultural District (RR&A) to Government and Institutional Service District (G&ISD). The total area requested to be changed is approximately 6 acres. The applicant/owner of record is The Rock Church of Greater Bangor.

This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this property in the Neighborhood Residential area which consists of "medium-density residential with limited commercial and institutional uses that are complementary to the surrounding residential land uses".

Committee Action

Committee: Planning Board

Meeting Date: February 17, 2026

Action:

For:

Against:

Staff Comments & Approvals

City Manager

City Solicitor

Finance Director

Introduced for: First Reading and Referral



CITY COUNCIL ORDINANCE

Date: February 9, 2026

Assigned to Councilor:

ORDINANCE, Amending Chapter 165, Land Development Code, District Map to Re-zone a Property Located at R23-003-B from Rural Residence and Agricultural District (RR&A) to Government and Institutional Service District (G&ISD).

WHEREAS, the land uses around the property consist primarily of a mix of institutional, small-scale commercial, and residential;

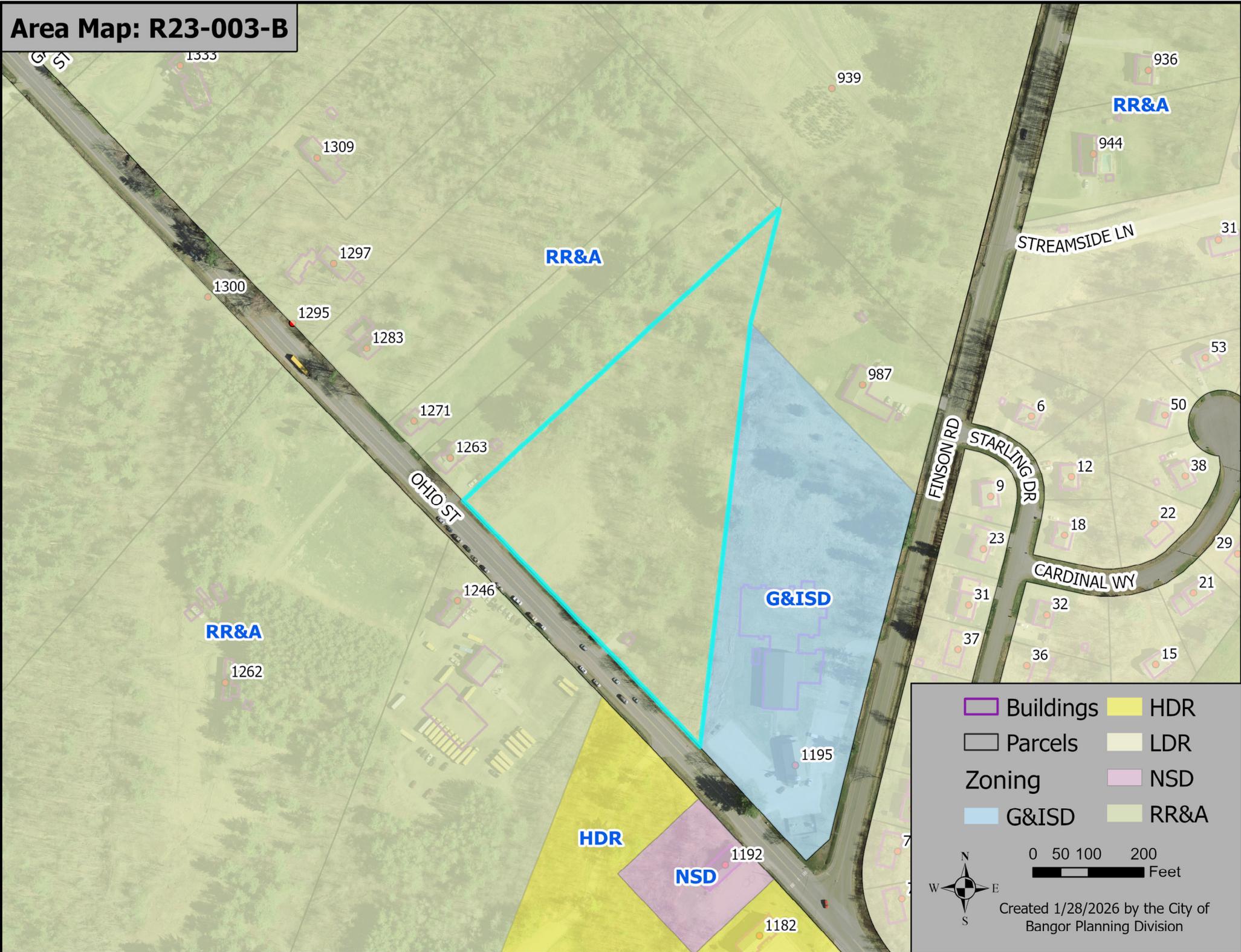
WHEREAS, the zoning around the property consists primarily of Government and Institutional Service District (G&ISD), Rural Residence and Agricultural District (RR&A), High-Density Residential District (HDR), and Neighborhood Service District (NSD);

WHEREAS, the 2022 Comprehensive Plan and the future land use map in the Plan shows this property in the Neighborhood Residential area which consists of "medium-density residential development with limited commercial and institutional uses that are complementary to the surrounding residential land uses";

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT

Chapter 165 of the Code of the City of Bangor, District Map, is amended to reclassify the property at R23-003-B, located on Ohio Street, from Rural Residence and Agricultural District (RR&A) to Government and Institutional Service District (G&ISD). The total area requested to be changed is approximately 6 acres and is shown in the attached exhibit.

Area Map: R23-003-B



- Buildings
- Parcels
- Zoning
- G&ISD
- HDR
- LDR
- NSD
- RR&A

0 50 100 200 Feet

Created 1/28/2026 by the City of Bangor Planning Division

OHIO STREET - R23-003-B - ABUTTERS WITHIN 100FT			
Owner	Owner 2	Owner Address 1	Owner Address 2
Keith L. Nickerson		1271 Ohio Street	Bangor, Maine 04401
Shelly M. Dyer	Brad H. Dyer	1263 Ohio Street	Bangor, Maine 04401
Ohio St. Evangelical Covenant	Church Cemetery Corporation	1195 Ohio Street	Bangor, Maine 04401
Douglas V. Reed	Alison V. JT Reed	387 Portsmouth Bay Avenue	Ponte Vedra, FL 32081
City of Bangor	Public Works	73 Harlow Street	Bangor, Maine 04401
Maine State Grange, P. of H.		36 Anthony Avenue, Suite 102	Augusta, Maine 04330
William E. Elliot	Joyce L. Elliot	1262 Ohio Street	Bangor, Maine 04401
John T. Cyr & Sons, Inc.		PO Box 368	Old Town, Maine 04468
St. Andre Home Inc.		PO Box 2373	Bangor, Maine 04402-2373



CITY OF BANGOR
Planning Division

COMMUNITY & ECONOMIC DEVELOPMENT

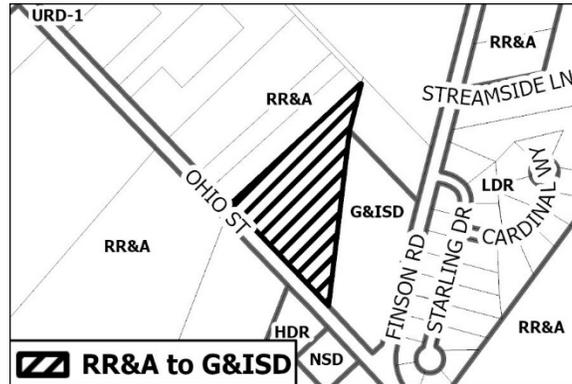
PUBLIC NOTICE

Date: February 4, 2026

Dear Property Owner:

Please be advised that the Planning Board of the City of Bangor will hold a public hearing on Tuesday, February 17, 2026, beginning at 7:00 p.m. in the Council Chambers on the 1st floor of City Hall (73 Harlow Street) and will consider the following application:

To amend the Land Development Code by changing a parcel of land, located on Ohio Street, at Map-Lot R23-003-B, from Rural Residence & Agricultural District (RR&A) to Government & Institutional Service District (G&ISD). Said area of land contains approximately 6 acres total and is more particularly indicated on the map attached hereto and made part hereof. Applicant/Owner: The Rock Church of Greater Bangor.



A copy of the application can be emailed or mailed to any interested party by emailing a request to planning@bangormaine.gov or calling the office at 207.992.4257. Copies of the application can also be picked up at City Hall's office at 262 Harlow Street. To submit comments in writing, please email comments to planning@bangormaine.gov or mail to 73 Harlow Street before 4 PM, February 13th, 2026. Interested parties can also make an appointment by email or phone to meet with Planning Division staff in person or on Zoom.

The public is welcome to attend the meeting in person or via Zoom. Public comments are allowed over Zoom; however, you must register before 9 AM, February 17th at <https://bangormaine.gov/504/Meeting-Participation>. Zoom details can be found at the city's website under www.bangormaine.gov/calendar. The Planning Board meeting may be streamed live via the City of Bangor's YouTube page; however, comments are not enabled during streaming. Please call our office if you have questions about the process or participation in the hearing process.

Anja Collette
Planning Officer
City of Bangor



Bangor is rewriting its Land Development Code! For more details and to sign up for updates, visit www.blueprintbangor.com

ZONE CHANGE PROCESS

1. Applicant files zone change request in the Planning Office.
2. The Planning Office places this ordinance amendment request on the next regularly scheduled meeting of the City Council.
3. The City Council refers the proposed zone change to the Planning Board for public hearing.
4. The Planning Board conducts a public hearing.
5. The Planning Board then makes its recommendations to the City Council.
6. After receipt of the Planning Board's recommendation, the City Council votes to either approve or reject the proposed zone change request.

Only the City Council can change zoning, as it is an ordinance amendment.

ABOUT THIS PROPOSED CHANGE

CURRENT PROPERTY ZONE: Rural Residence and Agricultural District (RR&A) - § 165-105

- **Allowed Uses**
 - Agriculture.
 - The sale of farm, nursery, dairy or poultry products within a structure having a gross floor area of not more than 500 square feet.
 - Sale of farm products where:
 - The retail area shall not exceed 2,500 square feet.
 - The property is located on a major arterial street.
 - The property is a working farm.
 - One-family dwellings and one-family detached manufactured housing units.
 - Home occupation or profession (subject to the requirements of Article IV).
 - Municipal uses.
 - Minor essential service facilities, under the conditions required by § 165-80.3.
 - Major essential service facilities.
 - Community living arrangements, in accordance with 30-A M.R.S.A. § 4357-A, as may be amended.
 - Cluster subdivision for detached single-family dwellings, provided that:
 - Such project has a minimum of five acres.

- Provision is made for the maintenance in perpetuity of open space areas in such a project.
 - Such project receives approval under Article XVI of this chapter.
 - Cellular telecommunication towers, provided that:
 - They do not exceed 195 feet in height, or the minimum height required under federal law, whichever is greater.
 - They are set back from property lines a minimum of 100% of the tower height.
 - They conform to the requirements of § 165-80.1.
 - Bed-and-breakfasts, provided that:
 - Meals provided are limited to patrons and their guests.
 - It is limited to a maximum of 10 guest rooms.
 - It provides, at a minimum, an A Buffer Yard or an equivalent of existing woody vegetation to buffer neighboring properties.
 - The applicant demonstrates compliance with the State Plumbing Code for the proposed number of units.
 - Small landscaping services business, provided that:
 - The landscaping services use is accessory to the primary use of the parcel as a residence.
 - Facilities, equipment, and storage areas are located at least 50 feet from the property line of any other parcel.
 - At least 50 feet of existing or planted woody vegetation creating an effective visual barrier must be provided between facilities, equipment and storage areas and the property line of any adjacent parcel.
 - No more than four people, including the owner, may be employed or used as independent contractors by the landscaping services business.
 - A stockade fence at least six feet in height must enclose any storage or parking area on any side not facing a building on the parcel or a street adjacent to the parcel.
 - Small day-care center, provided that it is operated at a dwelling by a resident or residents of the dwelling.
 - Accessory dwelling units, under the conditions required by § 165-31.2.
 - Tiny home park, provided that:
 - The site is located within the growth area delineated in the most recently adopted Comprehensive Plan.
 - The park meets the requirements of Article XX.
 - Accessory uses on the same lot and customarily incidental to and subordinate to the above uses and any use approved under Conditional Uses below.
- Conditional Uses
 - Excavations of soil or loam, provided that they meet the requirements of Article VI.[7]
 - Animal pounds, kennels, animal hospitals, animal clinics, and animal crematoria, provided that such facilities are located at least 100 feet from any residential district and at least 150 feet from any residential building on an adjoining parcel.
 - Tenting and camping areas, golf courses and driving ranges (except miniature golf courses), provided that:

- They are located on the following arterial highways: Route 15 (Broadway), Route 222 (Union Street) and Stillwater Avenue.
 - Such facilities are set back at least 50 feet from the street right-of-way line.
 - Access drives are so located and designed to provide free, unobstructed views of vehicles from the drives and from the street and adequate stopping sight distances to such drives are available on the street.
- Reconstruction of mobile home parks established prior to 1971 that are located outside the growth area delineated in the most recently adopted Comprehensive Plan, provided that the reconstruction is done consistent with the requirements of § 165-121C.
- Places of worship, provided that such site development is located on a major arterial street.
- Cemeteries, provided that they meet the requirements for access drives in Subsection D(3)(c) above and conform to state statutes.
- Large landscaping services business, provided that:
 - The property is five acres or larger in area.
 - The property is on a major arterial street.
 - Facilities, equipment, and storage areas are located at least 150 feet from the property line of any other parcel.
 - A stockade fence at least six feet in height must enclose any storage or parking area on any side not facing a building on the parcel or a street adjacent to the parcel, or, in the alternative, at least 50 feet of existing or planted woody vegetation creating an effective visual barrier must be provided between facilities, equipment, and storage areas and the property line of any adjacent parcel.
- Boardinghouses that are located on a major arterial street.

PROPOSED PROPERTY ZONE: Government and Institutional Service District (G&IS) - § 165-97

- Allowed Uses

- Facilities operated by public agencies or private nonprofit organizations limited to health, education, social welfare and cultural uses, but excluding chemical dependency treatment facilities.
- Places of worship.
- Day-care center (small or large)
- Cemeteries.
- Hospital complex when located on a major arterial street.
- Nursing home.
- Sports arenas and stadiums.
- Chemical dependency treatment facility, provided it is located on a major arterial street and has a curb cut on said arterial street which provides the primary point of vehicular access for the facility.
- Radio and television broadcast towers, provided that:
 - They do not exceed 195 feet in height, or the minimum height required under federal law, whichever is greater.
 - They are set back from all property lines a minimum of 100% of the tower height.
 - They are accessory to a public nonprofit use.

- They conform to the requirements of § 165-80.1.
 - Minor essential service facilities, under the conditions required by § 165-80.3.
 - Accessory uses on the same lot and customarily incidental to and subordinate to the above uses and to a use approved under Conditional Uses below.
- Conditional Uses
 - Medical office or clinic when:
 - Located in association with a hospital complex and on the same site; or
 - Located on a major arterial street.
 - Major essential service facilities, provided that:
 - Such facilities are not sited so as to create an extreme juxtaposition of the architectural scale or style to the detriment of existing buildings on adjacent lots.
 - Such uses must be certified as necessary in the particular location to service the area and the community.
 - That a Buffer Yard B be established for front, side and rear yards.
 - Transitional housing, permanent supportive housing.
 - Secure Level IV residential care facility, provided that:
 - The facility is located on the same parcel as an existing facility owned or operated by or on behalf of the state that provides residential care.
 - The parcel upon which the facility is located is on a major arterial street.



COMMUNITY & ECONOMIC DEVELOPMENT

CITY OF BANGOR

Planning Division

	Maximum District Height (Feet)	Minimum Lot Area (Acres)	Maximum Lot Coverage	Maximum Impervious Surface Ratio	Minimum Lot Width (Feet)	Minimum Front Yard Depth (Feet)	Minimum Side Yard Depth (Feet)	Minimum Rear Yard Depth (Feet)
Rural Residence and Agricultural District								
Permitted and conditional uses	40	1.5	15%	0.2	200	40	20	30
Cellular telecommunications towers*	195**	0.5	15%	0.2	100	100% of structure height	100% of structure height	100% of structure height
Cluster Subdivision 30% (5-acre minimum site)	40	1	15%	0.2	150	40	20	30

* Minimum buffer yard: Type B, C next to a residential district

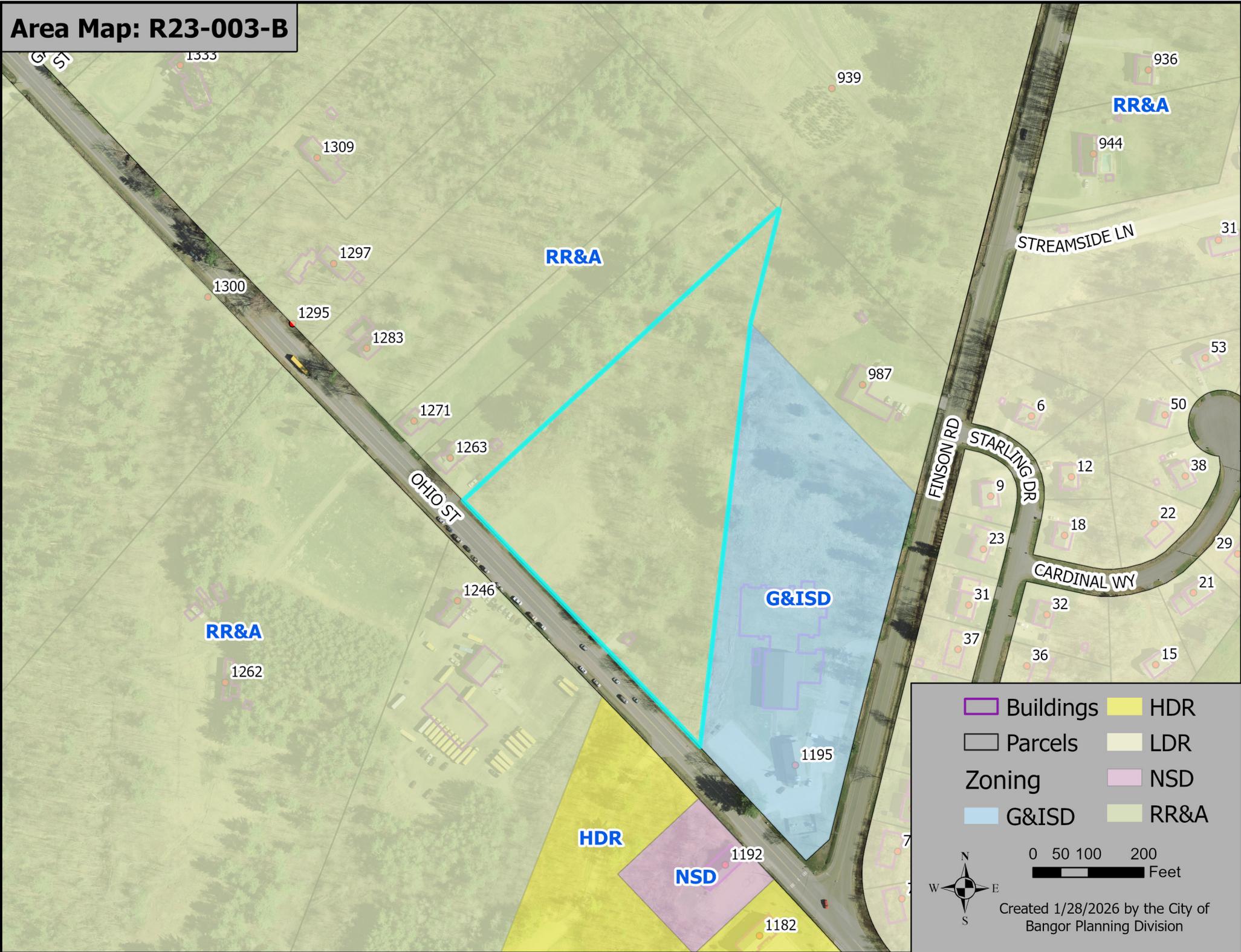
** Or the minimum height allowed under federal law, whichever is greater

	Maximum District Height (Feet)	Minimum Lot Area (Square Feet)	Maximum Lot Coverage	Minimum Lot Width (Feet)	Minimum Front Yard Depth (Feet)	Minimum Side Yard Depth (Feet)	Minimum Rear Yard Depth (Feet)	Maximum Impervious Surface Ratio	Minimum Water Setback (Feet)	Maximum Floor Area Ratio
Government and Institutional Service District	80	None	30%	None	30	20	30	None	2.0	2.0
Radio and television broadcast towers when accessory to a public nonprofit agency*	195**	20,000	30%	N/A	100% of tower height	100% of tower height	100% of tower height	None	N/A	2.0

* Minimum buffer yard: Type B, C next to a residential district

** Or the minimum height allowed under federal law, whichever is greater

Area Map: R23-003-B



- Buildings
- Parcels
- Zoning
- G&ISD
- HDR
- LDR
- NSD
- RR&A

0 50 100 200 Feet

Created 1/28/2026 by the City of Bangor Planning Division

Legal Notices



CITY OF BANGOR

Please be advised that the Planning Board of the City of Bangor will hold a public hearing on Tuesday, February 17, 2026, beginning at 7 p.m. in the Council Chambers on the 1st floor of City Hall (73 Harlow Street) and will consider the following application:

To amend the Land Development Code by changing a parcel of land, located on Ohio Street, at Map-Lot R23-003-B, from Rural Residence & Agricultural District (RR&A) to Government & Institutional Service District (G&ISD). Said area of land contains approximately 6 acres total and is more particularly indicated on the map attached hereto and made part hereof. Applicant/Owner: The Rock Church of Greater Bangor.



To receive a copy of the proposed amendments or to submit comments, please call 207.992.4257 or email planning@bangormaine.gov. Please submit any comments by 4 p.m. on February 13, 2026. Interested parties can also make an appointment by email or phone to meet with Planning Division staff. Bangor City Hall is open to attend the meeting in person. Interested parties may also attend the meeting on Zoom. Public comments are allowed over Zoom; however, you must register before 9 a.m. on February 17th at <https://bangormaine.gov/504/Meeting-Participation>. Zoom details can be found at the city's website under www.bangormaine.gov/calendar. The meeting may also be streamed live via the City of Bangor's YouTube page; however, comments are not enabled on this page. Please call our office if you have questions about the process or participation in the hearing process.

Anja Collette
Planning Officer

February 5, 10, 2026



CITY COUNCIL ACTION

Council Meeting Date: February 9, 2026

Item No:

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: n/a

Title, Ordinance

Amending the Land Development Code, Section 165-73 Parking Area Location and Screening to Remove the Buffer Requirement for Parking Lots Adjacent to Properties Zoned G&ISD, Except Where the Adjacent Property Contains a Residential, Cemetery, or School Use.

Summary

This amendment would remove the requirement to create a vegetated buffer between off-street parking and parcels in the G&ISD (Government & Institutional Service District) zone, except where the adjacent property that's zoned G&ISD contains a residential, cemetery, or school use. The reasoning for this change is that the G&ISD zone contains many intensive uses, including some commercial uses, and does not significantly benefit from having a buffer between parking and these uses.

The primary complaint heard from the public about parking is when parking lots are adjacent to residential areas. The Code does currently require vegetated buffers between parking and all residential zones and this would remain as is. Additionally, these proposed amendments would also require that a buffer remain for G&ISD properties that contain residential, cemetery, or school uses. However, the current requirement to provide a buffer from G&ISD in general seems excessive and can hinder commercial development in some cases.

Committee Action

Committee: Planning Board

Meeting Date: 2/17/2026

Action:

For:

Against:

Staff Comments & Approvals

City Manager
Director

City Solicitor

Finance

Introduced for: First Reading



CITY COUNCIL ORDINANCE

Date: February 9, 2026

Assigned to Councilor:

ORDINANCE, Amending the Land Development Code, Section 165-73 Parking Area Location and Screening to Remove the Buffer Requirement for Parking Lots Adjacent to Properties Zoned G&ISD, Except Where the Adjacent Property Contains a Residential, Cemetery, or School Use.

Whereas, the G&ISD (Government & Institutional Service District) zone contains many intensive uses, including some commercial uses, and does not significantly benefit from having a buffer between parking and these uses;

Whereas, the primary complaint heard from the public about parking is when parking lots are adjacent to residential areas;

Whereas, the Code does currently require vegetated buffers between parking and all residential zones and this would remain as is;

Whereas, the current requirement to provide a buffer from G&ISD seems excessive and can hinder commercial development in some cases;

Whereas, this amendment would remove the requirement to create a vegetated buffer between off-street parking and parcels in the G&ISD zone, except where the adjacent property that's zoned G&ISD contains a residential, cemetery, or school use;

Be it Ordered by the City Council of the City of Bangor that,

The Land Development Code shall be amended as shown below:

§165-73 Parking area location and screening.

....

D. Screening of parking. All parking lots containing five or more parking spaces, outdoor display areas, outdoor storage areas and all outdoor off-street loading areas shall be screened in accordance with the following requirements:

- (1) All parking lots and off-street loading areas shall have a C Buffer Yard as provided in Article XIX along any property line abutting any residential district, any Multifamily and Service District, any property in the Government and Institutional Service District that contains a residential, cemetery, or school use, any Rural Residence and Agricultural District, any Park and Open Space District, any Resource Protection District and any Stream Protection District; excepting that parking lots and off-street loading areas in URD-2, M & SD, and NSD containing no more than 10 parking spaces shall instead have an A Buffer Yard along such property lines.

Additions underlined, deletions ~~struck through~~



CITY OF BANGOR

Please be advised that the Planning Board of the City of Bangor will hold a public hearing on Tuesday, February 17, 2026, beginning at 7 p.m. in the Council Chambers on the 1st floor of City Hall (73 Harlow Street) and will consider the following application:

To amend the Land Development Code, §165-73 Parking Area Location and Screening, to remove the buffer requirement for parking lots adjacent to properties zoned Government & Institutional Service District (G&ISD), except where the adjacent property contains a residential, cemetery, or school use.

To receive a copy of the proposed amendments or to submit comments, please call 207.992.4257 or email planning@bangormaine.gov. Please submit any comments by 4 p.m. on February 13, 2026. Interested parties can also make an appointment by email or phone to meet with Planning Division staff. Bangor City Hall is open to attend the meeting in person. Interested parties may also attend the meeting on Zoom. Public comments are allowed over Zoom; however, you must register before 9 am on February 17th at <https://bangormaine.gov/504/Meeting-Participation>. Zoom details can be found at the city's website under www.bangormaine.gov/calendar. The meeting may also be streamed live via the City of Bangor's YouTube page; however, comments are not enabled on this page. Please call our office if you have questions about the process or participation in the hearing process.

Anja Collette
Planning Officer



CITY COUNCIL ACTION

Council Meeting Date: February 9, 2026

Item No:

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: n/a

Title, Ordinance

Amending the Land Development Code, Section 165-13 Definitions to Remove State Street from the Minor Arterial Street Definition

Summary

The Land Development Code currently defines certain streets as either major or minor arterial streets. The criteria for major arterials are that they are "highways of regional significance with average annual daily traffic in excess of 10,000 vehicles and containing more than two lanes in at least some sections". State Street appears to be erroneously included as a minor arterial since it is also listed as a major arterial and it meets the definition of a major arterial. This amendment would remove State Street from the minor arterial category.

Committee Action

Committee: Planning Board

Meeting Date: 2/17/2026

Action:

For:

Against:

Staff Comments & Approvals

City Manager
Director

City Solicitor

Finance

Introduced for: First Reading



CITY COUNCIL ORDINANCE

Date: February 9, 2026

Assigned to Councilor:

ORDINANCE, Amending the Land Development Code, Section 165-13 Definitions to Remove State Street from the Minor Arterial Street Definition.

Whereas, the Land Development Code currently defines certain streets as either major or minor arterial streets;

Whereas, State Street appears to be erroneously included as a minor arterial since it is also listed as a major arterial and it meets the definition of a major arterial;

Whereas, this amendment would remove State Street from the minor arterial category;

Be it Ordered by the City Council of the City of Bangor that,

The Land Development Code shall be amended as shown below:

§ 165-13 Definitions.

...

STREET, MINOR ARTERIAL

Generally, a street providing service for trips of moderate length, serving smaller geographic areas than major arterial streets, and offering connectivity to major arterial streets. Specifically, the following streets are to be considered minor arterial streets in Bangor: Mount Hope Avenue, Essex Street, Griffin Road, Kenduskeag Boulevard, Ohio Street, ~~State Street~~, Maine Avenue, and Fourteenth Street.

Additions underlined, deletions ~~struck through~~



CITY OF BANGOR

Please be advised that the Planning Board of the City of Bangor will hold a public hearing on Tuesday, February 17, 2026, beginning at 7 p.m. in the Council Chambers on the 1st floor of City Hall (73 Harlow Street) and will consider the following application:

To amend the Land Development Code, §165-13 Definitions, to remove State Street from the Minor Arterial Street definition.

To receive a copy of the proposed amendments or to submit comments, please call 207.992.4257 or email planning@bangormaine.gov. Please submit any comments by 4 p.m. on February 13, 2026. Interested parties can also make an appointment by email or phone to meet with Planning Division staff. Bangor City Hall is open to attend the meeting in person. Interested parties may also attend the meeting on Zoom. Public comments are allowed over Zoom; however, you must register before 9 am on February 17th at <https://bangormaine.gov/504/Meeting-Participation>. Zoom details can be found at the city's website under www.bangormaine.gov/calendar. The meeting may also be streamed live via the City of Bangor's YouTube page; however, comments are not enabled on this page. Please call our office if you have questions about the process or participation in the hearing process.

Anja Collette
Planning Officer



COMMUNITY & ECONOMIC DEVELOPMENT

CITY OF BANGOR

ANNE M. KRIEG AICP
DIRECTOR

Memorandum

To: Business & Economic Development Committee
From: Planning Division
Date: February 9, 2026
Regarding: Land Development Code Changes to Comply with New State Laws

As a review, the State has recently passed new legislation that requires the City to update our Land Development Code. LD 1829, An Act to Build Housing for Maine Families and Attract Workers to Maine Business by Amending the Laws Governing Housing Density, decreases some of the barriers that limited density in residential areas such as reducing minimum lot sizes, increasing units per lot, and increasing height allowances for affordable housing developments. LD 427, An Act to Regulate Municipal Parking Space Minimums, reduces on-site parking requirements such as introducing and requiring the allowance of Parking Agreements. LD 997, An Act to Allow Residential Use Development in Commercial Districts, allows residential units inside of commercial buildings in commercial districts.

Staff have prepared a first round of ordinance edits to begin to comply with these State laws. These edits focus on updating the urban zones (like URD-1 and URD-2), the land development permit requirements, parking requirements, accessory dwelling unit rules, and the affordable housing density bonus rules. The next round of edits will focus on updates to the zones in the City's developing and rural areas, updates to any remaining commercial zones that must allow residential, and incorporating the requirement for Planning Board training into the City's Code. Staff will also be reaching out to the State to determine how the new laws impact our rules on manufactured home parks.

Below is an outline of the changes included in this update:

A. ADUs (Accessory Dwelling Units)

- i. ADUs now allowed on lots with 1 to 3 dwelling units.
- ii. The minimum square footage has been reduced from 190 to 160 square feet.

B. Additional height allowance and reduced parking requirements for affordable housing

If a development meets the definition of an affordable housing development and is located in an area that allows the density bonus, the maximum height is increased by 14 feet and the minimum parking requirement must be no greater than 2 spaces for every 3 units. The Affordable Housing Density Bonus is allowed in URD-2, M&SD, NSD, USD, HDR, S&PS, and GC&S.

C. Units per lot minimum and minimum lot size in the urban zones

- i. URD-1 (Urban Residence 1 District)
 - a. If a lot is located inside the Growth Boundary and is served by public, special district or other centrally managed water system and sewer system, minimum lot size is 5,000sqft for 4 units, including ADUs. (No more than 4 units allowed)

E. Subdivision definition

Changing our current provisions for Land Development Permit to simply refer to the State subdivision statute, which has been changed to require subdivision approval for the creation of 5 or more units instead of 3 or more units.

G. Off-site Parking Agreements

Changing our provision to allow a developer to satisfy parking requirements with a legally binding agreement between the developer and the owner of an off-site parking facility within 0.25 miles of the development site.



CITY COUNCIL ACTION

Council Meeting Date:

Item No:

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: N/A

Title, Ordinance

Amending Chapter 165, Land Development Code, to Comply with New State Laws, LD 1829, LD 427, and LD 997.

Summary

The proposed changes would update the City's Land Development Code to comply with the requirements of the state laws known as LD 1829, 427, and 997. This update has the effect of These changes align with the Council goal of creating more housing. This is the first set of changes to comply with the new State laws. Another set of changes will be forthcoming that changes the zones in the City's developing and rural areas.

Committee Action

Committee: Planning Board

Meeting Date:

Action:

For:

Against:

Staff Comments & Approvals

 City Manager

 City Solicitor

 Finance Director

Introduced for: First Reading and Referral



CITY COUNCIL ORDINANCE

Date:

Assigned to Councilor:

ORDINANCE, Amending Chapter 165, Land Development Code, to Comply with New State Laws, LD 1829, LD 427, and LD 997.

WHEREAS, at present, LD 427 is a state law that requires municipalities to update land use codes to allow parking agreements to satisfy parking requirements;

WHEREAS, at present, LD 1829 is a state law that requires municipalities to update land use codes to reduce dimensional requirement restrictions for housing units and makes other changes to facilitate the creation of housing;

WHEREAS, at present, LD 997 is a state law that requires municipalities to allow residential uses in commercial areas;

WHEREAS, the proposed changes would update the City's Land Development Code to comply with the requirements of LD 427, 997, and 1829;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT

Chapter 165 of the Code of the City of Bangor is amended as follows:

§ 165-13. Definitions.

For the purpose of interpreting this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

...

AFFORDABLE HOUSING DEVELOPMENT

1. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs; and
2. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs.
3. For purposes of this definition, "housing costs" include, but are not limited to:
 - (a) For a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and

(b) For an ownership unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner’s insurance, condominium fees, and homeowners’ association fees.

4. To be eligible for the affordable housing density bonus, increased height allowance, and reduced parking requirement outlined in Article XXI, the development must execute a long-term affordability covenant in accordance with §165-143D and must be located in one of the zones listed in §165-143A(4).

...
AREA MEDIAN INCOME

The midpoint of a region’s income distribution calculated on an annual basis by the U.S. Department of Housing & Urban Development.

...
BASE DENSITY

The maximum number of units allowed on a lot not used for affordable housing based on the dimensional requirements listed for the zone(s) in which the lot is located. This does not include any other density bonuses, transferable development rights, or other similar means that could increase the density of lots not used for affordable housing.

...
CENTRALLY MANAGED WATER SYSTEM — A water system that provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year as regulated by 10-144 CMR Ch. 231, Rules Relating to Drinking Water. This water system may be privately owned.

...
COMPARABLE SEWER SYSTEM — Any subsurface wastewater disposal system that discharges over 2,000 gallons of wastewater per day as regulated by 10-144 CMR Ch. 241, Subsurface Wastewater Disposal Rules.

...
DWELLING UNIT, ACCESSORY (ADU) — A dwelling unit on a lot subordinate to a single-family dwelling or multi-family dwelling (for purposes of this definition, the principal dwelling) on the same lot. ADUs are secondary in size, form, and location to the single-family principal dwelling and may be attached, detached, or contained within an accessory building (e.g., garage) on the lot.

...
PARKING AGREEMENT

A legally binding agreement between a property developer and the owner of an off-site parking facility to provide required spaces.

...
POTABLE

Safe for drinking as defined by the U.S. Environmental Protection Agency’s (EPA) Drinking Water Standards and Health Advisories Table and Maine’s interim drinking water standards for six different perfluoroalkyl and polyfluoroalkyl substances (PFAS), Resolve 2021 Chapter 82, Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Level for Certain Substances and Contaminants.

...
§ 165-31.2. Accessory dwelling units (ADUs).

...
B. In districts where ADUs are allowed, the Code Enforcement Officer shall approve an ADU upon a determination that said ADU complies with the following conditions:

...

- (1) ADU square footage may not be more than 50% of the square footage of the principal dwelling or 1,000 square feet, whichever is less. However, an ADU must be at least ~~190~~ 160 square feet in size, unless the Technical Building Code and Standards Board, pursuant to 10 M.R.S.A. § 9722, adopts a different minimum standard; if so, that standard applies.

...

- (6) No more than one ADU is allowed per lot and an ADU may only be allowed on lots where there exists one to three residential dwelling units in any zone where residential uses are allowed ~~only one single family detached dwelling or one detached manufactured housing.~~

...

§ 165-72. Required number of spaces.

- B. Affordable housing developments as defined in §165-13: two spaces for every three dwelling units

§ 165-73. Parking area location and screening.

The location of off-street parking shall comply with the following requirements:

- A. All parking spaces shall be located on the same or adjacent lot ~~with to~~ the principal building or use served or within 0.25 miles of the site, provided the developer has a legally binding parking agreement with the owner of an off-site parking facility. If using an off-site parking agreement, the developer must provide documentation demonstrating the availability of sufficient capacity at the off-site parking facility, as determined by a professional parking study or similar evidence acceptable to the City. ,except that when such parking spaces cannot be reasonably provided on the same or adjacent lot, the Planning Board may authorize parking on another lot within 500 feet distance of the premises to be served by such parking, provided that such lot is held under the same ownership or lease and is located in the same or a less restrictive district as the building or use served.

§ 165-88. Urban Residence 1 District (URD-1).

C. Permitted uses. The following uses are permitted in this district:

- (1) ~~One family detached~~ Attached or detached dwellings with the following provisions, ~~with additional dwelling units permitted given the following:~~
 - (a) If a lot is inside the Growth Boundary defined in the City's most recently adopted Comprehensive Plan, or is served by both a public, special district, or other centrally-managed water system and a public, special district, or other comparable sewer system, up to 4 units are allowed, attached or detached, including accessory dwelling units. The lot is inside the Growth Boundary defined in the City's most recently adopted Comprehensive Plan.
 - (b) If a lot is outside of the Growth Boundary and not served by a public, special district or other centrally-managed water system or a public, special district or other comparable sewer system, up to 3 units are allowed, attached or detached, including accessory dwelling units. If no dwelling exists on a lot, up to four units are allowed, either detached or attached.
 - (c) ~~If one dwelling unit exists on the lot, up to two additional units are allowed, one being attached to or within the existing dwelling and one being detached.~~
 - (d) ~~If two dwelling units exist on a lot, no additional units are allowed.~~
 - (e) ~~If dwelling units are demolished after the date this section is adopted and the demolition results in an empty lot, there can be no increase in the number of units above what existed on the lot prior to demolition.~~

...

...

§ 165-89. Urban Residence 2 District (URD-2).

...

C. Permitted uses. The following uses are permitted in this district:

- (1) ~~One family, two family, three family and four family detached dwellings.~~ Attached or detached dwellings containing between 1 and 6 dwelling units.

...

§ 165-90. Multifamily and Service District (M&SD).

...

C. Permitted uses. The following uses are permitted in this district:

- (1) One-family, two-family and multifamily detached or attached dwellings.

...

§ 165-91. Neighborhood Service District (NSD).

...

C. Permitted uses. The following uses are permitted in this district:

- (10) One-family, two-family, three-family, and four-family detached or attached dwellings.

...

§ 165-92. Urban Service District.

...

C. Permitted uses. The following uses are permitted in this district:

...

- (18) A mixed residential and commercial use containing 1 to 6 dwelling units, provided that:

- (a) The commercial activity is a use permitted in this Subsection C.
- (b) The impervious surface limit for residential uses in the URD-2 District will be met.
- (c) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI.

D. Conditional uses. Subject to Planning Board approval under the provisions of § **165-9**, the following uses may be permitted in this district:

...

- ~~(5) A mixed residential and commercial use, provided that:~~

- ~~(a) The commercial activity is a use permitted in Subsection C above.~~
- ~~(b) In addition to the basic development standards required for the commercial use in this district in Article XIX, additional lot area will be provided commensurate to the requirements for residential units in the URD-2 District.~~
- ~~(c) Additional off street parking will be provided for the residential units in accordance with the off street parking requirements in Article X.~~
- ~~(d) The impervious surface limit for residential uses in the URD-2 District will be met.~~
- ~~(e) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI.~~

...

§ 165-111. Site developments requiring permit.

A. Any activity covered under this chapter shall require a land development permit under the following

conditions:

...

~~(6) Any use or site development meeting the definition of "subdivision" in 30-A M.R.S.A. § 4401, containing three or more primary use structures, including single family detached dwellings.~~

~~(7) Construction or placement of five or more dwelling units on a tract or parcel of land within a five year period, including the division of a new structure or structures on a tract or parcel of land into three or more dwelling units or the division of an existing structure or structures previously used for commercial or industrial use into three or more dwelling units. "Tract or parcel of land" and "new structure or structures" take the same definitions outlined in 30-A M.R.S.A. § 4401.~~

...

C. Exemptions. Notwithstanding the requirements of Subsections A and B above, a land development permit will not be required in the following cases:

...

~~(2) Any construction of a residential structure containing two four or fewer dwelling units on a lot, unless such construction results in the creation of a parking lot with 5 or more spaces, in which case it shall be considered a minor site plan revision and must meet the requirements of §165-116. or any two residential structures both of which contain fewer than two dwelling units.~~

~~(3) Construction of a parking lot containing between 5 and 20 spaces, unless such construction is expanding an existing parking lot that contains 20 or more spaces, in which case Land Development Permit approval is required. Construction of a new parking lot containing between 5 and 20 spaces shall be considered as a minor site plan revision and must meet the requirements of §165-116.~~

...

§ 165-141. Purpose.

This article provides for a density bonus and reduced height and parking restrictions for the creation of affordable dwelling units in certain zoning districts per Title 30-A Section 4364 in the State of Maine statutes.

§ 165-142. Definitions.

AFFORDABLE

~~When used for the purpose of claiming the Affordable Housing Density Bonus outlined in Article XXI, "affordable" means:~~

~~A. For rental housing, a household whose income does not exceed 80% of the area median income can afford to rent the dwelling unit without spending more than 30% of the household's monthly income on housing costs.~~

~~B. For owned housing, a household whose income does not exceed 120% of the area median income can afford to own the dwelling unit without spending more than 30% of the household's monthly income on housing costs.~~

~~C. For the purposes of this definition, "area median income" means the midpoint of a region's income distribution calculated on an annual basis by the U.S. Department of Housing & Urban Development.~~

~~D. For the purposes of this definition, "housing costs" include, but are not limited to:~~
~~(1) For a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and~~
~~(2) For an owned unit, the cost of the mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner's insurance, condominium fees, and homeowners' association fees.~~

BASE DENSITY

~~The maximum number of units allowed on a lot not used for affordable housing based on the dimensional requirements listed for the zone(s) in which the lot is located. This does not include any other density bonuses, transferable development rights, or other similar means that could increase the density of lots not used for affordable housing.~~

CENTRALLY MANAGED WATER SYSTEM

~~A water system that provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year as regulated by 10-144 CMR Ch. 231, Rules Relating to Drinking Water. This water system may be privately owned.~~

COMPARABLE SEWER SYSTEM

~~Any subsurface wastewater disposal system that discharges over 2,000 gallons of wastewater per day as regulated by 10-144 CMR Ch. 241, Subsurface Wastewater Disposal Rules.~~

§ 165-143. General requirements.

A. Density bonus. A residential or mixed-use development shall be allowed a maximum dwelling unit density of up to 2.5 times the base density (as defined in § 165-~~13~~142) permissible in the underlying zoning district if the project meets the following eligibility criteria:

(1) Affordability. ~~The development is an affordable housing development as defined in § 165-13. After completion of the project, more than half of the total dwelling units, existing and new, on the same lot shall be affordable (as defined in § 165-142) for a period of at least 30 years.~~

...

(3) Adequate utility capacity. ~~The owner or developer provides written verification that each unit of the housing development is proposed to be connected to adequate water and wastewater services prior to certification of the development for occupancy in accordance with the following: The lot has adequate water and wastewater services.~~

(a) If a housing unit is connected to a public, special district or other comparable sewer system, written verification includes proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system.

(b) If a housing unit is connected to a septic system, written verification includes proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector pursuant to 30-A M.R.S. § 4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, Subsurface Wastewater Disposal Rules.

(c) If a housing unit is connected to a public, special district or other centrally managed water system, written verification includes proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit.

(d) If a housing unit is connected to a well, written verification includes proof of access to potable water, including the standards outlined in 01-672 C.M.R. Ch. 10 section 10.25(J), Land Use Districts and Standards. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

...

F. Additional height allowance. ~~Except as otherwise prohibited under 38 M.R.S.A. Chapter 3 and Chapter 165 Article VII of the City’s Code (Shoreland Zoning), and subject to building permit review and~~

consultation with a municipal fire official or designee regarding the ability to serve with a fire apparatus, an affordable housing development is permitted to exceed the maximum height restriction by no less than one story or 14 feet.

- G. Reduced parking minimum. An affordable housing development is allowed to use a reduced off-street parking minimum of two spaces for every three dwelling units.