

Sec. 6. **Neighborhood conservation "A" district (NCA).**

- (a) *Statement of purpose.* The purpose of the neighborhood conservation "A" district is to promote neighborhood stability by requiring the development of new buildings or the reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood. The standards of the district restrict housing to single-family detached dwellings unless the existing pattern of use in the immediate neighborhood is two-family or predominantly multifamily dwellings.
- (b) *Applicability.* The standards of the neighborhood conservation "A" district shall apply to all land shown on the "official zoning map of the City of Lewiston" as being located within a neighborhood conservation "A" district.
- (c) *Permitted uses.* In a neighborhood conservation "A" district, any new building or structure which is constructed, any existing building or structure or part thereof which is used, altered or enlarged and any parcel of land, whether in whole or in part, may be used for one or more of the following:
- (1) Single-family detached dwellings and their accessory structures on individual residential lots;
 - (2) In-law apartments in accordance with the standards of article XII;
 - (3) Two-family dwellings provided the locational criteria of subsection (f) are met;
 - (4) Multifamily dwellings provided the locational criteria of subsection (f) are met;
 - (5) Single-family attached dwellings provided that the locational criteria of subsection (f) are met;
 - (6) Religious facilities including churches, synagogues and other houses of worship, rectories and parsonages and church-affiliated community purpose facilities;
 - (7) Forest management and timber harvest activities in accordance with the standards of article XII;
 - (8) Cemeteries;
 - (9) Family day care homes;
 - (10) Home occupations;
 - (11) Accessory buildings and uses;
 - (12) Small day care facilities accessory to public schools, religious facilities, multifamily or mixed residential developments and mobile home parks.
- (d) *Conditional uses.* In a neighborhood conservation "A" district, any new building or structure which is constructed, any existing building or structure or part thereof which is used, altered or enlarged and any parcel of land, whether in whole or in part, may be used for one or more of the following uses only after the issuance of a conditional use permit in accordance with article X of this Code:
- (1) Reservoirs, pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface;

- (2) Transformer stations, high voltage power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use;
 - (3) Public or private facilities for nonintensive outdoor recreation;
 - (4) Single-family cluster developments;
 - (5) Municipal buildings and facilities;
 - (6) Day care centers accessory to public schools, religious facilities, multifamily or mixed residential developments and mobile home parks.
 - (7) Reserved.
- (e) *Space and bulk standards.* The following space and bulk regulations shall apply to the development of existing lots of record as of the date of adoption of this Code having 20,000 square feet or more of lot area and to the creation of new lots after the date of adoption of this Code and the subsequent development of those lots:

TABLE INSET:

Minimum lot size	
single-family detached dwellings and group care facilities for eight (8) or fewer people serviced by public sewerage	7,500 square feet
single-family detached dwellings and group care facilities for eight (8) or fewer people not serviced by public sewerage	20,000 square feet
religious facilities	20,000 square feet
single-family cluster developments	5 acres
single-family attached and multifamily dwellings	20,000 square feet
two-family dwellings	12,500 square feet
all other uses	20,000 square feet
Minimum lot area per dwelling unit	
all residential uses other than detached single-family dwellings	5,000 square feet
Minimum frontage	
single-family detached dwellings and group care facilities for eight (8) or fewer people	75 feet
religious facilities	125 feet
single-family cluster developments with a single vehicular access	200 feet
single-family cluster developments with multiple vehicular accesses	50 feet/access
single-family attached and multifamily dwellings	125 feet
two-family dwellings	125 feet
all other uses	125 feet
Minimum front setback	
single-family detached dwellings	20 feet
religious facilities	50 feet
single-family cluster developments	50 feet
two-family, single-family attached and multifamily dwellings	20 feet
all other uses	20 feet
Minimum front yard	
single-family detached dwellings	20 feet

religious facilities	20 feet
single-family cluster developments	50 feet
two-family, single-family attached and multifamily dwellings	20 feet
all other uses	20 feet
Minimum side and rear setbacks	
single-family detached dwellings and group care facilities for eight (8) or fewer people	10 feet
religious facilities	30 feet
single-family cluster developments	30 feet
single-family attached and multifamily dwellings	30 feet
two-family dwellings	15 feet
all other uses	30 feet
Minimum side and rear yards	
single-family detached dwellings and group care facilities for eight (8) or fewer people	10 feet
religious facilities	30 feet
single-family cluster developments	30 feet
single-family attached and multifamily dwellings	30 feet
two-family dwellings	15 feet
all other uses	30 feet
Maximum building height - all buildings	35 feet
Maximum lot coverage ratio	0.30
The following space and bulk regulations shall apply to the development of existing lots of record as of the date of adoption of this Code having less than 20,000 square feet of lot area:	
Minimum lot size	None
Minimum lot area per dwelling unit. The minimum lot area for a two-family, multifamily or attached single-family dwelling shall be determined by computing the total lot area of all developed impacted properties divided by the total number of dwelling units legally existing on these lots as of the date of adoption of this Code and rounding up to the nearest 100 square feet. In determining the total area of the impacted properties, the tax records of the City of Lewiston shall be used unless the applicant or the owner of an impacted property presents definitive evidence to the contrary.	
Minimum street frontage	50 feet
Minimum front setback	15 feet unless otherwise provided for in subsection (f)
Minimum front yard	15 feet unless otherwise provided for in subsection (f)
Minimum side and rear setbacks	10 feet
Minimum side and rear yard	5 feet
Maximum building height. The maximum building height for lots within the district shall be the average of the number of stories of the principal structures on all developed impacted properties rounded to the nearest whole story.	
Maximum lot coverage ratio	0.50

(f) *Additional standards.*

- (1) The use of an existing building or structure shall be changed to another allowed use only if there is adequate off-street parking to meet the requirements of article XII for the new use without variation.
- (2) The expansion of an existing use by either the enlargement of the building or structure or the creation of additional dwelling units within an existing building shall be permitted only if off-street parking is provided in accordance with article

XII for the additional space or units.

- (3) Notwithstanding, the setback and yard requirements of subsection (e) and the provisions of article XII, subsection 17(f)(3), the area between the required front yard and the front wall of the portion of the building or structure closest to the street and running the full width of that portion of the building shall be maintained as a yard area, except that only one of the two following options may be instituted:
 - a. Access roads or drives in this area are permitted only when a minimum of 40 feet of front yard area can be maintained; or
 - b. No more than one parking space shall be created in this area.
- (4) In areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building may maintain this established relationship notwithstanding the provisions of subsection (e). An established uniform setback relationship is deemed to exist when the distances between the front face of the building and the edge of the travel way in the adjoining street for the two adjacent parcels fronting on the same street on each side of the subject parcel are within +/- five feet of mean of this distance for the four parcels. For the purposes of this provision, lots shall be deemed to be adjacent even if separated by a street or public easement.
- (5) Any required side or rear yard area for uses other than residential located within 50 feet of a lot containing a dwelling or a residential zoning district shall be maintained as a buffer area meeting the standards of article XIII.
- (6) A parcel may be developed with a two-family dwelling, only if both of the following criteria are met:
 - a. More than 50 percent of the impacted properties that are developed contain residential structures with two or more dwelling units; and
 - b. More than 50 percent of the adjoining properties that are developed contain residential structures with two or more dwelling units.
- (7) An existing single-family dwelling may be converted to a two-family dwelling only if both of the following criteria are met:
 - a. Forty percent or more of the impacted properties that are developed contain residential structures with two or more dwelling units; and
 - b. Forty percent or more of the adjoining properties that are developed contain residential structures with two or more dwelling units.
- (8) A parcel may be developed with a multifamily dwelling or with a single-family attached dwelling, an existing building may be converted to a multifamily dwelling or an existing multifamily structure may be altered to create additional units, only if both of the following criteria are met:
 - a. More than 50 percent of the impacted properties that are developed contain residential structures with three or more dwelling units; and
 - b. More than 50 percent of the adjoining properties that are developed

contain residential structures with three or more dwelling units.

- (9) Modifications (ie. relaxation of standards) of setbacks, yards, maximum lot coverage ratios, maximum impervious surface ratios, minimum open space ratios, and maximum building height as contained in subsection (e) may be granted by the board of appeals, planning board, staff review committee and the code enforcement official pursuant to articles V, VII, VIII, IX, and XIII of this Code.

(Ord. No. 89-3, 4-7-89; Ord. No. 89-11, 9-15-89; Ord. No. 90-3, 5-17-90; Ord. No. 91-8, 10-3-91; Ord. No. 92-25, 11-5-92; Ord. No. 92-27, 11-19-92; Ord. No. 92-34, 1-7-93; Ord. No. 95-12, 9-14-95; Ord. No. 97-7, 9-11-97; Ord. No. 98-6, 7-2-98; Ord. No. 00-18, 8-17-00; Ord. No. 00-19, 10-5-00; Ord. No. 00-27, 1-11-01; Ord. No. 03-18, 1-1-04)

Editor's note: See editor's note at article XI.