

Chapter 1: CAPITOL AREA RULES AND REGULATIONS

Summary: This chapter contains regulations governing the construction, reconstruction, or demolition of buildings within the Capitol Area of the City of Augusta as defined in 1 M.R.S.A. §814 as amended on September 29th, 2020 to reflect P.L 2015, Ch. 168 and 5 M.R.S.A. §303 thereafter sometimes referred to as "the area". They describe the procedure for site plan review and pronounce design requirements which include height, setback, driveway location, exterior design, landscaping, parking regulations, signage, and materials. They further set forth certain regulations establishing prohibited uses of structures within the area. These rules and regulations shall be known and may be cited as the "Capitol Area Rules and Regulations" and will be referred to herein as these "regulations". They have been adopted in accordance with 5 M.R.S.A. Chapter 14-A, as amended.

The purpose of this Chapter is to insure orderly development of the Capitol Area and provide effective planning for possible further growth of the governmental agencies of the State of Maine. It is the goal of the State of Maine to maintain and improve the integrity and individuality of the Capitol Area as a distinct planning area and develop all structures within the area with compatible design requirements and harmonious uses.

TABLE OF CONTENTS

SECTION 1 – General	2
SECTION 2 – Establishment of Districts.....	4
SECTION 3 – Definitions	7
SECTION 4 – Procedure for Review and Approval of Projects.....	10
SECTION 5 – Design Requirements for Projects	14
SECTION 6 – Land Use in Capitol Area	58
SECTION 7 – Variance & Appeals	60

SECTION 1 – General

1. Basic Requirements

All buildings or structures hereinafter erected, reconstructed, altered, enlarged or moved, and uses of premises in the Capitol Area shall be in conformity with the provisions of these regulations. No building shall be designed or used in any manner within the Capitol Area except as permitted by these regulations.

2. Non-Conforming Uses and Designs

A. Continuance of Non-Conforming Uses and Designs

- (1) The use and design of buildings or structures lawful at the time of adoption or subsequent amendment of these regulations may continue, although such uses and designs do not conform to the provisions of these regulations.
- (2) Non-conforming uses of structures may be continued but the area of non-conforming uses may not be extended or expanded except in conformity with these regulations.
- (3) Non-conforming uses and designs, if damaged or destroyed by fire or other natural disaster, may be replaced, reconstructed or reutilized in the same shape, size, design and manner within one (1) year.
- (4) A non-conforming use may not be changed to another non-conforming use without approval of the Commission. The Commission may grant approval only upon a determination that the proposed use is substantially similar in type, character, and scope to the existing non-conforming use, and that the new non-conforming use is consistent with the policies of the Commission as outlined in the enabling statute.

B. Discontinuance of Non-Conforming Uses

A non-conforming use which is discontinued for a period of one (1) year may not be resumed. The uses of structures shall thereafter conform to the provisions of these regulations.

C. Rule of Precedence

Whenever a non-conforming use or design of a structure is superseded by a permitted use or design, such use or design shall thereafter conform to these regulations and the non-conforming use or design may not thereafter be resumed.

D. Transfer of Ownership

Ownership of land and structures which remain lawful but become non-conforming by the adoption of these regulations or amendments to these regulations may be transferred and the new owner may continue the non-conforming use and design subject to the provisions of these regulations.

E. **Applications for Building Permits**

Nothing in these regulations shall require any change in the use or design of any building or structure or part thereof for which a building permit has been issued by the City of Augusta, provided construction shall start within sixty (60) days after issuance of any such permit; or upon which construction commenced prior to the adoption or amendment of these regulations.

F. **Buildings used for Residential Purposes**

These regulations shall not apply to the erection, reconstruction or repair of any building which is used for residential purposes and does not exceed eight (8) dwelling units. (These regulations shall apply, however, to constructions of multiple excepted dwelling units on contiguous parcels of property).

3. Validity and Severability

Should any section or provision of these regulations be declared by the Courts to be invalid, such decisions shall not invalidate any other section or provision of these regulations.

4. Conflict with other laws or Ordinances or Regulations

These regulations shall not repeal, annul or in any way impair or remove the necessity of compliance with any other rule, regulation, by-law, permit or provision of law. Where these regulations impose greater restrictions upon the use or design of buildings or structures the provisions of these regulations shall apply.

5. Amendments

Amendment of these regulations shall be conducted in accordance with the Administrative Procedure Act of Maine, 5 M.R.S.A. §§ 8051 - 8058.

SECTION 2 – Establishment of Districts

1. Zoning Districts

To implement the provisions of this Ordinance, the Capitol Area of Augusta is hereby divided into the following Districts:

- A. Arsenal Zone (ARZ)
- B. Capitol Complex Historic Zone (CCHZ)
- C. East Campus Zone (ECZ)
- D. Gateway Zone (GZ)
- E. Municipal Resource Zone (MRZ)
- F. Residential Zone (RZ)
- G. State Development Zone (SDZ)
- H. State House & Capitol Park Zone (SHCPZ)

2. Location of Districts

Said Districts are located and bounded as shown on the Capitol Planning Commission District Capitol Area Map, dated August 2006, and on file at the Bureau of General Services.

3. Uncertainty of Boundary Location

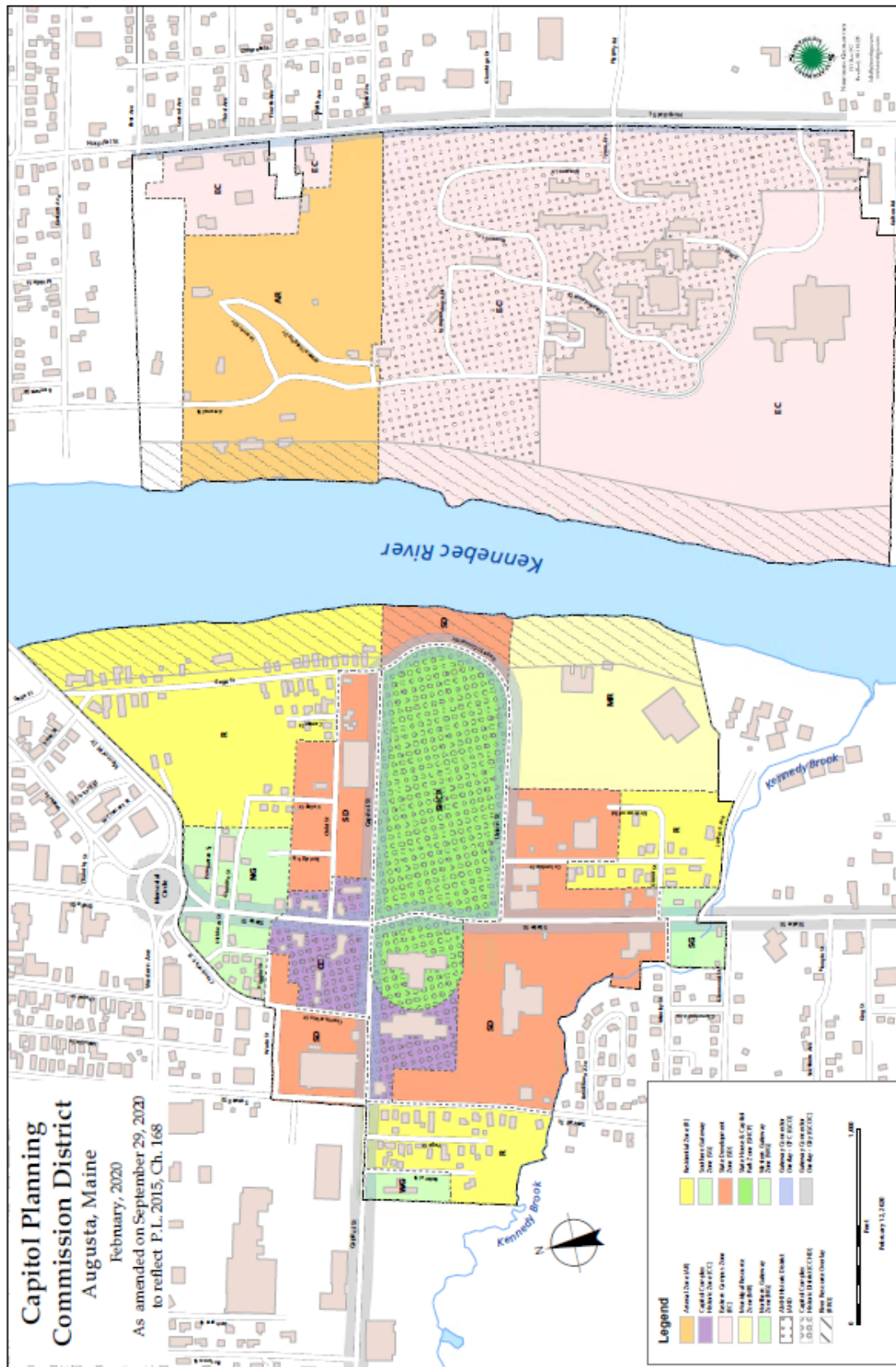
Where uncertainty exists with respect to the boundaries of the various Districts as shown on the Capitol Area Map, the following rules shall apply:

- A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
- B. Boundaries indicated as approximately following well established lot lines shall be construed as following such lot lines;
- C. Boundaries indicated as approximately following municipal limits shall be construed as following municipal limits;
- D. Boundaries indicated as following railroad lines shall be construed to follow such lines;
- E. Boundaries indicated as being parallel to or extensions of features indicated in sub-sections above shall be so construed. Distances not specifically indicated on the Capitol Area Map shall be determined by the scale of the map; and
- F. Where physical or cultural features existing on the ground are at variance with those shown on the Capitol Area Map, or in other circumstances not covered by sub-

sections above, the Capitol Planning Commission shall interpret the District boundaries.

4. Division of Lots by District Boundaries

Where a Zoning District boundary line divides a lot or parcel of land of the same ownership of record at the time such line is established by adoption or amendment of this Ordinance, the regulations applicable to the less restricted portion of the lot are applicable.



SECTION 3 – Definitions

1. Definitions

As used in this Chapter, unless the context otherwise indicates, the following terms have the following meanings:

- A. **Building Height** means the vertical height from the sidewalk or finished grade at the center of the front of the building to the highest point of the roof surface, if a flat roof; to the deck line of mansard roofs; and to the mean height between eaves and ridges for gables, hip, and gambrel roofs.
- B. **Family** means one (1) or more persons occupying a premise and living as a single housekeeping unit.
- C. **Eight Unit Dwellings** means a free standing building intended and designed to be occupied and used exclusively for residential purposes by each of not more than eight families.
- D. **Interested Parties** means State agencies such as the Department of Transportation, Maine Historic Preservation Commission, Maine Arts Commission, City Officials, abutters or neighbors across the street but are not limited to those stated herein.
- E. **Lot** means a registered or recorded parcel of land of at least sufficient size to meet minimum zoning requirements for use and dimensions and to provide such yards and other open spaces as are required. An easement shall not be considered a lot.
- F. **Lot Lines**
 - (1) **Front** means the line separating any lot from a street or streets.
 - (2) **Rear** means a line which is opposite and most distant from the front lot line; in the case of a triangular or irregular lot, a line ten (10) feet long within the lot, parallel to and farthest from the front lot line.
 - (3) **Side** means any lot line not a front or rear lot line.
- G. **Lot Measurements**
 - (1) **Lot Frontage** means the fee simple or leasehold boundary line of a lot which extends along a recorded or recordable street/road Right-of-Way which meets the minimum width requirements for the intended use on said lot. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered "frontage" and yards shall be provided as indicated under "yards" in this section.
 - (2) **Lot Depth** means the distance between the midpoint of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

- (3) **Lot Width** means the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard.
- H. **Non-Conforming Use** means the use of buildings, structures, premises, land or parts thereof which is not permitted in the district in which it is situated, but which is allowed to remain solely because it was in lawful existence at the time these rules and regulations or subsequent amendments took effect.
- I. **On Premise Sign** means a sign which is erected and maintained according to the standards set forth in these regulations upon the same real property that the residence, business, facility or point of interest is located. The signs shall only advertise the business, residence, facility or point of interest conducted thereon or the sale, rent, or lease of the property upon which it is located.
- J. **Parking Lot** means a parcel or area of land designed for the parking of motor vehicles.
- K. **Project** means any changes as described in these regulations to buildings or property within the zoning districts noted that require review by the Capitol Planning Commission.
- L. **Quasi-Public** means a public or non-profit corporation or institution.
- M. **Re-construction** means the rebuilding of a structure or building in which changes are made to the structure so that the spaces enclosed and/or the shape and/or the size of the building is changed.
- N. **Renovation** means repairs and improvements which do not change the external structure, shape, or size of the building.
- O. **Setback** means the nearest horizontal distance from a lot line or normal high-water line to the nearest part of a structure, road, parking space or other regulated object or area.
- P. **Story** means that portion of a building including between the surface of any floor and the surface of the floor or the roof next above it. A basement shall be considered a story for the purpose of height measurement where more than one-half (1/2) of its height is above the average level of the adjoining ground.
- Q. **Streets** mean any public or private Right-of-Way of a specified width, or a Right-of-Way shown on a recordable subdivision plan approved by the City of Augusta Planning Board, not including State owned driveways.
- R. **Structural Alteration** means changes in supporting members of a building, such as supporting walls, beams, columns, and girders.
- S. **Structure** means anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences, utility poles and associated appurtenances, sidewalks and handicap ramps. The term includes structures permanently or temporarily located, such as decks, signs, gas or liquid storage tanks that are principally stored above ground and satellite dishes.

Any structure having a roof supported by columns or walls. Buildings separated only by party walls or abutting walls without openings shall be deemed to be separate buildings.

T. Yard

- (1) Front means a yard adjoining the front lot line, extending between the principal structure and the street.
- (2) Rear means a yard adjoining the rear lot line and extending between the rear lot line and the principal structure.
- (3) Side means a yard adjoining a side lot line extending from the front lot line to the rear lot line as required by district regulations.

SECTION 4 – Procedure for Review and Approval of Projects

1. Basic Requirements

All projects in the Capitol Area must be reviewed and approved by the Capitol Planning Commission before any construction, development, demolition, or change of use of property within the area takes place unless otherwise exempted by these regulations.

2. Procedure for Approval of Projects

A. Preliminary Concept:

Any person contemplating a project within the Capitol Area shall submit concept plans and a written description of the project to the Director of the Bureau of General Services and the Capitol Planning Commission.

- (1) Submissions shall include appropriate information such as site plans showing boundaries, topography, size of plot, buildings, parking on site, location of streets and utilities, pictures of property and buildings, and construction materials, as applicable.
- (2) The Director or Commission may request additional information if further clarification is required.
- (3) Upon receipt, the Capitol Planning Commission shall review the plans and by majority vote, approve or disapprove the plan within thirty (30) days unless an extension is required by the Commission.
- (4) Within one (1) week of receipt, the Commission may invite review by any groups, agencies or parties as it may deem appropriate. Said reviews shall be completed within ten (10) days of notice or it will be assumed that no comments are to be made.
- (5) Preliminary approval of the plans may be conditioned upon compliance with specific conditions to be met in the final design submission.
- (6) Preliminary approval of concept plans shall be valid for a period of one (1) year.
- (7) If preliminary approval is denied, the applicant may request and receive a public hearing with the Capitol Planning Commission.
- (8) If a public hearing is scheduled, notice to interested parties shall be given in accordance with 5 M.R.S.A. §§ 9052 - 9064 of the Administrative Procedure Act. (A.P.A.)

B. Final Design

- (1) If preliminary approval has been granted, the final design shall be submitted to the Director of the Bureau of General Services and the Capitol Planning Commission within a reasonable time, but in no event later than one (1) year from the date of the preliminary approval.

(2) Final Design Submission

Two (2) copies of final design submissions shall include appropriate information such as plans, materials, and color selections, as applicable, demonstrating the following:

- (a) Compliance with all conditions set forth in any preliminary concept plan approved.
 - (b) Be at a scale of 1:10 or as otherwise agreed by the Director of the Bureau of General Services.
 - (c) Show location and sizes of all utilities.
 - (d) Show the entire plot of land, adjacent properties, streets and topography.
 - (e) Show elevation drawings.
 - (f) Show landscaping, site furnishings, and fixtures.
 - (g) Be accompanied by a statement and signature/seal of a registered architect or registered engineer that all design requirements of the Capitol Area rules and regulations are adequately met in the plans.
 - (h) Show samples of exterior materials and color selections.
 - (i) A model of the new construction or reconstruction with detailed fenestration, landscaping, and parking at a scale of $\frac{1}{4}" = 1'-0"$, or a scale mutually agreeable to the applicant and the Commission may also be submitted for consideration.
 - (j) The Director or Commission may request additional information to satisfactorily demonstrate compliance with the design requirements enumerated in Section 5.
- (3) Within one (1) week of submission the Capitol Planning Commission shall invite interested parties to review the plans.
- (4) Final design submission shall be reviewed upon their receipt by the Commission and a public hearing held within thirty (30) days unless an extension is agreed upon.
- (5) Final approval of design submission shall be voted by a majority of the Commission. The Commission shall provide notice to the applicant of approval or disapproval within ten (10) days of hearing.
- (6) If final approval is not granted, the Commission shall prepare a written report to be recorded and delivered to the applicant stating the reasons for disapproval of the plans.

- (7) Notice of public hearing shall be provided in accordance with the Maine A.P.A. 5 M.R.S.A. §§ 9052 - 9064.

C. Special or Temporary Use Permit

Special or Temporary Use Permits may be issued by the Capitol Planning Commission under the following provisions:

- (1) General

A Special or Temporary Use Permit may be issued to permit an applicant to undertake an activity within the Capitol Area that otherwise is prohibited by the provisions of these Regulations. The Capitol Planning Commission may act on a request for issuance of Special or Temporary Use Permits at a regular meeting.

- (2) Application

The person or organization seeking a Special or Temporary Use Permit shall submit an application to the Commission, and stating the intended use, activity, operation or undertaking; the dates on which it would be initiated and terminated; location; name of the sponsoring entity, organization or individual; and a description of the use or activity including hours of operation and anticipated effect on surrounding properties. All other provisions of these Regulations with respect to the application process are applicable.

- (3) Standards

In carrying out the purpose of this section, the Commission shall be influenced by the following standards, and the appropriateness of these standards shall be determined at the discretion of the Commission for each specific Special or Temporary Use location.

- (a) The proposed use or activity is so designated, located and proposed to be operated that the public health, safety and welfare will be protected.
- (b) The proposed use or activity is compatible with and will not adversely affect other property in the area where it is proposed to be located.

- (4) Permit

The permit as may be issued by the Commission shall stipulate the name of the sponsoring entity, the location of the activity or use, the permissible hours and days of operation, the designated date on which the activity or use will commence and the date for termination, and any special conditions or safeguards the Commission may impose.

D. Administrative Procedure Act

In the event these regulations are interpreted to conflict with the requirements of the Maine Administrative Procedure Act, the Administrative Procedure Act shall control. Further it is noted that the Administrative Procedure Act shall apply to any circumstances not covered by these rules and regulations.

SECTION 5 – Design Requirements for Projects

1. Purpose

The Capitol Area is distinct from other areas within the city and state in both form and function. The following design requirements include guidelines and standards formulated to protect the Capitol Area from development inconsistent with its unique characteristics, which could diminish its historic importance and emphasis on the open and easy access to state government by all. These requirements define the policy of the State of Maine such that development in the Capitol Area shall proceed in a manner that reflects careful planning and consideration of aesthetic quality, wise use of resources, and historic context, with due regard for the interests of the public involved.

2. Basic Requirements

All projects in the Capitol Area must comply with the design requirements set forth herein and be developed in a manner reflective of their spirit and intent.

A. Standards and Guidelines

The Capitol Area is divided into eight types of zones, as indicated on the Capitol Area Map. Design standards and guidelines for building and site construction are provided for each zone.

Standards are used to determine the appropriateness of proposals for adding new buildings or site development within the zone. Meeting the applicable standards for each zone is a requirement for approval of any project by the Capitol Planning Commission.

Guidelines, also provided for each zone in a separate document titled Guidelines for the Design of Projects in the Capitol Area, are more general design and technical recommendations that are meant to help applicants apply the standards. It includes information to assure that such projects take into account the character-defining features of each zone.

Guidelines should be considered recommendations, whereas standards should be considered requirements.

3. Building Height

New building construction in the Capitol area shall be relative to location within the District, proximity to state buildings, and size of lot as follows:

- A.** Within the Capitol Complex Historic (CCHZ), and Western Gateway (WGZ) zones, height shall not exceed 6 stories, or as further defined herein. No building, building related structure or appurtenance shall be greater in height than the base of the State House dome.
- B.** Within the Eastern Campus (ECZ) zone, height shall not exceed 5 stories.

- C. Within the Arsenal (AZ) zone, height in Development Zone shall not exceed 5 stories. Height in the Limited Development Zone shall not exceed 3 stories.
- D. Heights of buildings in all other zones shall conform to city standards.
- E. Within the State Development (SDZ) Zone, height shall not exceed 3 stories (45 feet from highest point of grade around the building) or exceed that of the lowest immediately adjacent structure.

4. Building Setbacks

Placement of new building construction shall conform to and respect established building lines along city streets within the District, reinforcing the street edge and maintaining a cohesive campus environment. Where prescribed front setbacks would create a non-conforming situation that would be visually conflicting with greater than 50% of the existing structures within the block, the Commission may elect to waive or modify the setback requirements.

Building setbacks shall be as defined in the City of Augusta ordinance except as follows:

- A. Sewall Street
 - (1) 35 feet front setback within the State Development (SD), Capitol Complex Historic (CC), and Western Gateway (WG) zones.
 - (2) 25 feet front setback within the Residential (R) zone.
 - (3) Side and rear setbacks as per City of Augusta ordinance.

5. Driveways

Driveway size and placement shall be per city standard except as noted herein:

- A. Driveways shall be limited to one per lot unless the lot exceeds 200 feet of frontage on any one street, in which case two driveways may be allowed.
- B. Driveways shall be a minimum of 50 feet from street intersections as measured from the projection of the intersection of the street rights-of-way to the nearest edge of driveway paving.

6. Space and Bulk

New development within the District shall be in keeping with the context within which the new development is to be located, preserving and enhancing the campus environment. Lot coverage, impervious surface coverage, and floor area ratio for development within the District shall conform to city standards except as noted herein.

7. Cross-Referencing

The applicant shall be responsible for reviewing standards for Capitol Area zones that abut the zone in which the proposed project resides. In some cases, standards for one zone may contain standards that apply or refer to, or impact, other zones.

8. Building and Site Construction Design Standards

A. Existing Buildings

The Capitol Planning Commission, with the assistance of the Maine Historic Preservation Commission, shall use The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings, for the evaluation of proposed projects relating to the existing buildings of the various zones, and only the existing historic buildings in the RZ. Projects involving additions to the existing buildings, and only the existing historic buildings in the RZ, will be subject to both the New Construction Design Standards and the Secretary of the Interior's Standards for the Treatment of Historic Properties.

B. New Construction Design Standards

These standards establish the framework for placing new buildings in the various zones. In addition, The Secretary of the Interior's Standards for the Treatment of Historic Properties shall apply as appropriate. Because each of the zones represents a unique set of circumstances and a distinct context, design standards will be provided for individual zones where applicable. If no designation is given, the standard applies to all areas.

(1) Color

Exterior paint and finish material colors shall be reviewed and approved by the CPC.

(2) Materials

Exterior wall materials shall be reviewed and approved by the CPC.

(3) Accessibility (exceptions: RZ)

All new buildings and additions shall be fully accessible to persons with disabilities.

(4) Sustainability

Projects involving State-owned, State-leased, or State-occupied buildings shall comply with the energy provisions to the extent possible and appropriate for historic buildings. Sustainable design provisions shall not result in the loss of or damage to character-defining features. Solar panels, wind turbines, and other similar technology used for sustainable energy features shall be reviewed and approved by the CPC. The designer shall incorporate the standards developed by the United States Green Building Council's Leadership in Energy and Environmental Design ("LEED") Version 2.1, or the most recent version, to achieve maximum energy efficiency and environmental sustainability, provided this can be accomplished cost effectively, considering construction and operating costs

over the life cycle of the building being constructed or expanded, and, in the case of an addition, provided this can be accomplished without compromising any of the character defining features of the existing building. State requirements for sustainable design shall be met.

(5) Building-Mounted Lighting

Building-mounted lighting shall be architectural and decorative, of high quality, and integrated with the building design. Wall packs and “cobra heads” are prohibited.

(6) Building Quality (exceptions: GZ, RZ)

New buildings shall be constructed of enduring materials, components and systems, designed and constructed to provide the best value possible, resulting in “100-year buildings” and to match or complement those of adjacent historic buildings.

C. New Site Development Design Standards

These standards are supplemental to those set forth in the “Guidelines for Rehabilitating Cultural Landscapes”, part of The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes (most recent version), hereinafter referred to as the “Secretary’s Standards.” In these, key factors that contribute to the nature of a cultural landscape are:

- Spatial organization and land patterns
- Topography
- Vegetation
- Circulation
- Water features, and,
- Structures, furnishings and objects

Important steps when considering development in a cultural landscape and how it might be affected in these general categories are:

- Identify existing historic features and materials
- Protect and maintain historic features and materials
- Repair or replace deteriorated historic materials and features
- Design for the replacement of missing historic features and alterations/additions for new use(s)

Consideration is also given to accessibility, health and safety, environmental quality, and energy efficiency.

All proposed construction must meet or exceed all applicable local, state, and federal standards in addition to conforming with CPC rules and being approved by the Capitol Planning Commission. Site plans must be prepared by a registered professional possessing design, planning, and technical expertise, such as a licensed landscape architect, or similarly qualified individual.

(1) Pedestrian Access

Issues of accessibility shall be addressed as required by the Americans with Disabilities Act (ADA).

(2) Walks and Curbs

Sidewalks shall be a minimum of 6 feet in width, or the minimum allowed by ADA, and a maximum of 8 feet. Vertical granite curbing shall line roadway edges. Where buildings come up to the property line (0 setback), the walk may abut the building face, providing opportunity for more of a public gathering space and/or provision of site furnishings. Acceptable walk materials include:

West Campus Standard: cast-in-place concrete with joints placed to accentuate and respond to surrounding elements.

West Campus Special: precast concrete pavers (8-inch x 8-inch on bituminous pavement or other structural base; running bond pattern perpendicular to axis of primary pedestrian flow) in mixed gray tones, with granite edging (4-inch x 12-inch – vertical and flush with the paving surface) defining the inside edge unless building faces do so.

West Campus Accent: granite accent paving should be used to emphasize areas of special interest or importance.

East Campus: where the landscape is more open, in the ECZ and AZ zones, bituminous pavement shall be used. As the scale becomes tighter in the Municipal and East Campus zones, cast-in-place concrete shall be used.

Sidewalks and curbs meeting these standards shall be provided on all public streets within the applicable zones.

(3) Site Lighting (exceptions: ARZ, ECZ)

Lighting fixtures shall be consistent with the Capitol Area standard, and shall be especially oriented and sized to be compatible with a pedestrian-oriented environment. Lighting fixtures for different functions shall come from the same family or be judged by the Commission or its advisors to be functionally and aesthetically compatible. Roadway and parking area lighting shall be from the same family as pedestrian-oriented lighting while meeting local illumination and safety requirements, or guidelines established by the Illumination Engineering Society of North America (IESNA).

Rule:

In general, the Capitol Area standard shall be the “single-acorn” style fixture currently in use on the East Campus roadways. Special emphasis shall be placed on the Connector Overlays (portions of State, Capitol, Hospital and

Union Streets), where the “double-acorn” style fixture shall be used, consistent with the City of Augusta’s emphasis in the downtown area and on east Capitol Street along Capitol Park.

(4) Planting (exceptions: ARZ, ECZ)

Street tree planting shall be implemented utilizing species that are well adapted to survive and thrive in the urban environment. Special attention shall be paid to tree planting in paved areas to insure that adequate soil mix, water, and air are made available to foster healthy tree growth and reduce the need for replacement. Plant materials shall be vigorous, healthy, and well developed, typical of their species and kind. The largest materials shall be employed to the greatest extent possible to promote a more dignified and mature landscape. Plant sizes shall be a minimum of (proportions to be per American Association of Nurserymen Standards, latest edition):

Large Deciduous Trees: 4-inch caliper
 Small Flowering Trees: 1 ¾” – 2” caliper
 Evergreen Trees: 8’ – 10’ height
 Large Shrubs: 3’ – 4’ height
 Small Shrubs: 18”-24” spread
 Groundcovers: #2 container

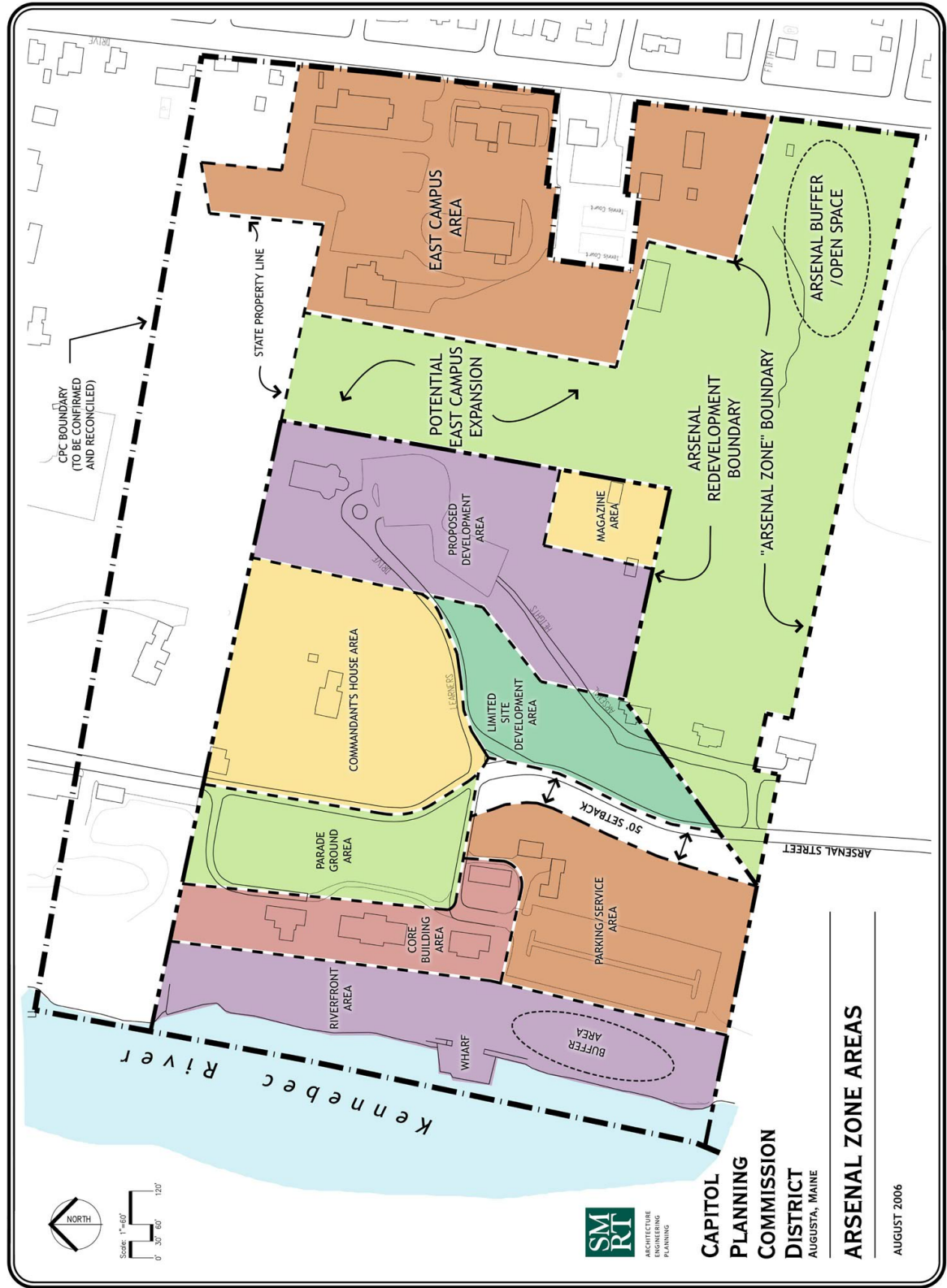
Other site landscaping such as screening or buffering at service functions, parking lots and side setbacks shall be in accordance with City requirements.

(5) Utilities

New telephone, lighting and power, cable TV, internet, and other wiring and cabling shall be installed underground at all locations. Where existing overhead utilities are present, they shall be placed underground whenever feasible. Road reconstruction projects and major utility replacement projects should include placement of overhead utilities underground.

(6) Site Furnishings (exceptions: ARZ, ECZ)

A palette of site elements, including benches, bollards, flags and banners, drinking fountains, trash receptacles, bicycle racks, etc., is maintained by the CPC. These items shall be employed to provide added interest, design consistency, protection, convenience, and comfort as needed and appropriate.



D. Arsenal Zone (ARZ)

(1) New Construction Design Standards

The New Construction Design Standards that follow shall apply to new development proposed for the Development and Limited Development areas.

(a) Context

New buildings shall be of their own time, obviously new and with no attempt to adopt a period appearance or otherwise duplicate the historic buildings of the Arsenal. At the same time, new buildings shall be designed to be compatible with these historic buildings and structures.

(b) Scale and Massing

The mass and scale of new buildings shall be compatible with the mass and scale of the existing historic buildings of the Arsenal.

(c) Building Height

Building height shall not exceed five stories in the Development Zone (with the intent that new development shall not exceed the height of Old Max). Building height shall not exceed three stories in the Limited Development Zone. In no case shall the building be less than two stories above grade at the façade. Architectural elements such as towers, cupolas, etc., may exceed the building height requirement.

(d) Rooftop Equipment

Roofs shall be designed to avoid the visibility of accessory roof structures and equipment penthouses normally built above the roof. Mechanical equipment, whether on the roof or elsewhere on the building, or on the ground, shall be screened from view within the site and from the West and East campuses by architectural or landscape elements.

(e) Outbuildings and Support Structures

Outbuildings and support structures shall be constructed of the same materials used for the primary building. Brick and architectural metals will be considered by the CPC for limited applications.

(f) Buffering

New buildings abutting other zones shall be buffered from adjacent buildings.

(g) Pedestrian Environment

New development shall facilitate pedestrian movement within the zone and minimize the impact of vehicles within the zone. New development planning shall also consider movement and access between buildings and throughout the Arsenal Complex.

(h) Views

New development shall offer opportunities for public views of the State House, Capitol Park, the river, the Arsenal buildings and grounds, and the East Campus.

(i) Amenities

New development shall offer opportunities for public amenities such as viewpoints or sheltered areas, interpretive displays, or visitor facilities.

(2) New Site Development Design Standards

The following standards focus on site design and construction associated with new development efforts in the Kennebec Arsenal zone.

(a) Vehicular Access and Parking

Existing parking in the parking and service area shall be buffered with vegetative screening from views to it from the west and east, minimizing its visual impact on the site.

Road widths shall be kept to a minimum. Materials in keeping with the historic resource shall be considered whenever possible. Curbing, if needed, shall be granite, but kept to a minimum as it sets a more urban tone than would originally have existed. Alternate methods of stormwater direction or pedestrian-vehicular separation shall be investigated. Additional parking and vehicle circulation if required shall be sited so as to minimize their visual impact on immediately adjoining and distant vantage points. Emergency and/or service access to the historic wharf area, if required, shall balance the requirements of modern vehicles with use of historically appropriate materials and surfacing treatments.

(b) Pedestrian Access

Pedestrian access shall be enhanced and provided for from point to point within the site, and in links from the site to the city and East Campus beyond.

The placement of sidewalks or paths within the Arsenal Zone shall be carefully considered. Research to determine the location of

original sidewalks and paths shall be undertaken to determine appropriate locations for pedestrian access routes. Only the most heavily traveled routes shall be designated for improvement. Otherwise, lawns shall be strengthened with grass varieties that can support pedestrian use.

(c) Earthwork

New development shall be positioned to minimize earth movement to the greatest extent practicable.

(d) Vegetation

Planting in and around the core shall be minimal, leaving views to the west largely open. Shrub planting in the core may be installed adjacent to non-river facing areas, but only as approved. Screen planting shall be installed to block views of the parking and service area and other auxiliary functions throughout the site.

(e) Site Elements and Furnishings

New site furnishings shall be contextually appropriate and in accordance with the Secretary's Standards. Similarly, site signage shall be kept to a minimum for wayfinding, building identification, and interpretation. A comprehensive signage and graphics approach shall be employed that is sensitive to the historical resource.

(f) Lighting

New site lighting shall be compatible with adjoining city and campus systems, promoting integration into the surroundings, providing adequate and safe levels of light for its users. Light fixtures in parking and new development areas shall minimize direct glare and skyward oriented light pollution (low or full cut-off photometrics). Fixture styling shall be appropriate for the development and historic context. Bulb type (high pressure sodium, incandescent, metal halide) shall be consistent throughout the Arsenal. Architectural accent lighting may be allowed on an individual building basis subject to approval and in accordance with the Secretary's Standards.

(g) Historic Site Features

Care must be taken to maintain the historical resources of the extensive remaining granite base and wrought iron fence defining the Arsenal boundary, the wharf, the granite gate posts at the northern entry, the large powder magazine, the small magazine, the parade ground, and the historic buildings and grounds themselves.

(h) Utilities

Sufficient storm, sanitary sewer, and water services exist within a relatively short distance from the Arsenal site. New transformers and other aboveground communications or power related equipment shall be adequately screened with architectural screens or planting. Stormwater management and control shall take place underground throughout the site (mandatory below Arsenal Street) to minimize introduction of excessive earthwork or control structures and ponds. Effort shall be made to foster positive drainage by sheet flow into existing vegetative areas, maximizing their natural buffering capacity in accordance with state stormwater requirements.

E. Capitol Complex Historic Zone (CCHZ)

(1) New Construction Design Standards

(a) Context

Because any new structures that might be constructed in the CCHZ must be closely related to the existing historic buildings in the district, physically, visually and functionally, such construction must be designed to be compatible with the historic buildings and landscapes of the Capitol Complex Historic District.

(b) Roofs

Roof shall be compatible with adjacent buildings in forms and materials. Skylights are not permitted on roof surfaces visible from a public way or from the State House or the Blaine House or their associated grounds unless historically accurate.

(c) Rooftop Equipment

No rooftop mechanical equipment will be allowed in this zone. Mechanical equipment shall be located on the ground and shall be screened from view by architectural or landscape elements. Elevator overruns shall be accommodated within the building unless a penthouse design is reviewed and approved by the CPC.

(d) Building Height

Building height shall not exceed that of the lowest immediately adjacent structure. No new architectural elements such as towers, cupolas, etc., that would visually compete with existing historic structures, are permitted within this zone. In no case shall building height exceed six stories (90 feet maximum) or the height of the base of the State House dome.

Rules:

New construction shall not alter historic relationships between buildings or settings of the Historic District.

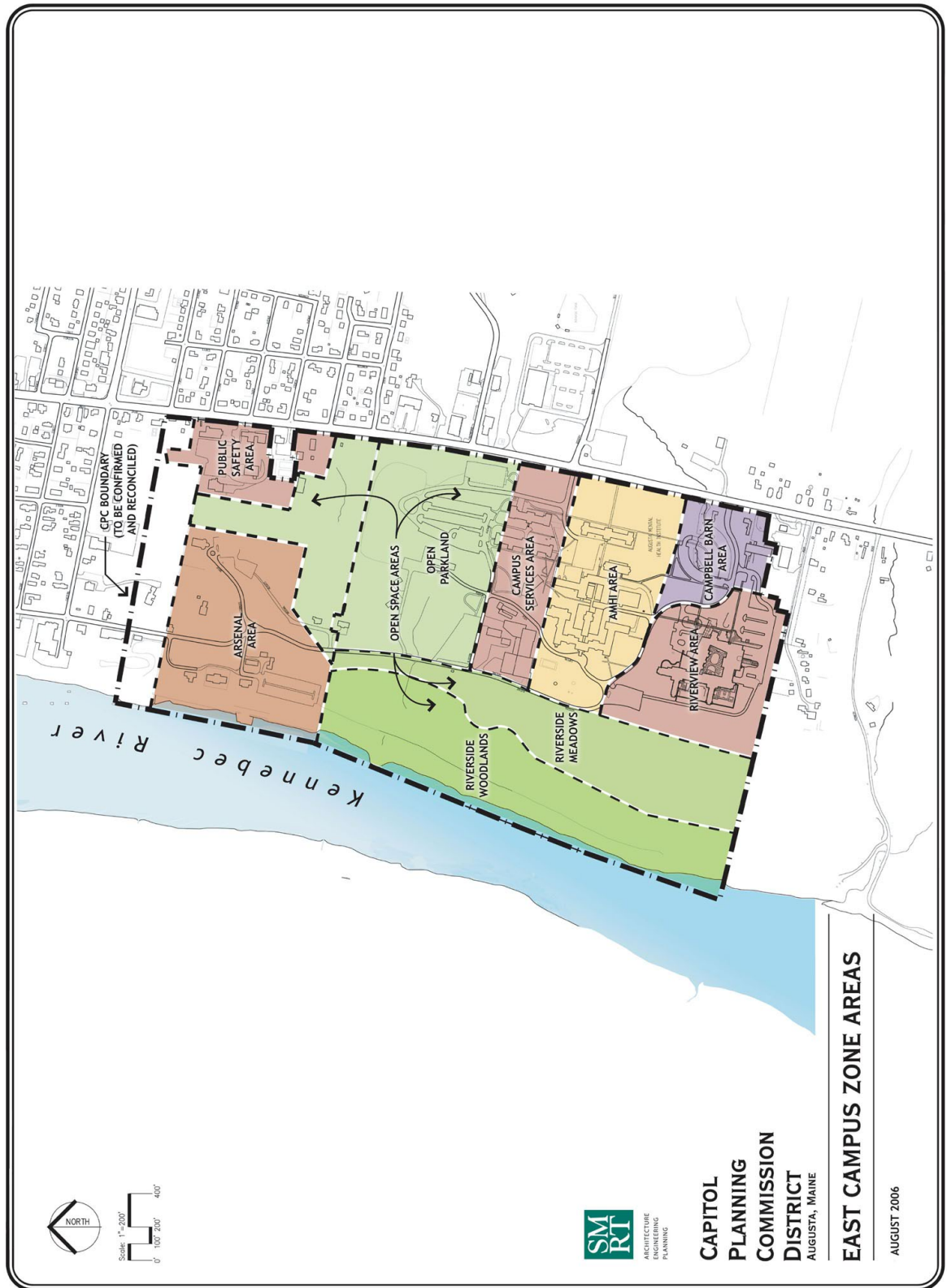
No historic buildings, building features, or landscape features shall be removed as a result of a new construction project within the CCHZ.

If any of the existing historic buildings within this zone are destroyed, State Development Zone design standards and guidelines will apply to new replacement construction.

(2) New Site Development

The landscapes of the CCHZ and the SHCPZ that abuts it feature broad lawns, mature trees, and site structures such as fences and walls. In most cases these elements are historic features or are modern construction that was designed to be compatible with the architectural and landscape resources of the historic district. These are the characteristics of the Blaine House and State House grounds, and to a lesser extent of the other residential properties on State Street. The site design standards are designed to protect and enhance these elements.

However, the CCHZ also features large expanses of paved and unpaved parking lots, and there are additional lots in other zones that directly abut the CCHZ. The new site development standards are intended to foster the improvement of these areas, either through redesign and additional landscaping of the lots, or through appropriate site development if any of these lots are replaced by new construction.



**CAPITOL
PLANNING
COMMISSION
DISTRICT**
AUGUSTA, MAINE

EAST CAMPUS ZONE AREAS

AUGUST 2006

F. East Campus Zone (ECZ)

(1) New Construction Design Standards

The following standards focus on positive aspects of the historic architecture of the East Campus to provide direction for contemporary designers and are provided for each of the areas identified above. They are offered to assure that the core former AMHI buildings are preserved and re-used, while promoting the concept of the potential expansion of some of these buildings and the construction of new buildings within the historic campus context according to well-established design principles.

In general, the designers of new buildings and additions in the AMHI and Campus Service areas on the East Campus shall take into consideration the character-defining elements of the original buildings, using them selectively to help integrate the new buildings into the historic setting and to unify the former AMHI campus.

Those responsible for the design of new buildings within the East Campus Zone are required to meet these standards.

(a) Outbuildings and Support Structures

Outbuildings and support structures shall be constructed of the same materials used for the primary building. Brick and architectural metals will be considered by the CPC for limited applications.

(b) Buffering

New buildings abutting other zones shall be buffered from or be compatible with adjacent buildings.

(c) Views

New development shall offer opportunities for public views of the State House, Capitol Park, the river, the Arsenal buildings and grounds, and other East Campus buildings and landscapes.

(d) Amenities

New development shall offer opportunities for public amenities.

(e) AMHI and Campus Service Areas Design Standards

(i) Scale, Height and Massing

Buildings shall be horizontal in orientation, consistent with the river axis and the grain of the land. Larger structures shall be broken by vertical elements on the facades and perpendicular projections to the rear, similar

to those found on the existing historic buildings. The height of a new building shall not exceed that of buildings directly adjacent, nor applicable City of Augusta zoning requirements. Maximum building height shall be five stories. Minimum building height shall be two stories.

(ii) Façade Composition

Façades shall follow the traditional compositional framework of base, middle and top. Finish wall materials shall extend to or below grade.

(iii) Roofs

Roofs shall be sloped, in either hipped or gable form. If gable forms are used, end wall parapets shall be utilized, and mid-building parapets may be provided if the length of the building is such that vertical divisions are used. Roof materials shall be non-reflective. Slate or dark asphalt shingles are appropriate. Non-glare metal roofing such as copper, lead-coated copper, or terne metal standing seam roofing may be appropriate. Roof forms can be animated through the use of turrets, chimneys, cupolas, ventilators, or other elements similar to those found on the existing buildings. Skylights shall be permitted at the discretion of the CPC.

(iv) Fenestration

Façades shall contain vertically-oriented windows or window groups recessed within, rather than flush with, the exterior walls. Windows may be larger than those found on the existing buildings but there shall still be sufficient solid wall material to reflect the strength and simplicity of the wall construction of the original buildings. Wall planes shall appear predominantly solid. Large expanses of glass shall be used judiciously.

(v) Entrances

Main and secondary entrances shall be prominently defined.

(vi) Wall Materials

Primary and secondary wall materials shall harmonize with the color, texture, scale and reflectivity of the AMHI buildings. Stone, brick, cast-in-place concrete, precast concrete, cast stone, and glass, in wooden or metal frames, are the most appropriate materials.

Appendages may be of other high-quality materials found in the complex such as historical metals (iron, steel, copper, lead), or wood, in addition to the primary and secondary wall materials.

(vii) Trim and Decorative Elements

Trim elements and linear components such as water courses, belt and string courses and cornices, may be used to contribute interest and to the predominantly horizontal lines of building elevations.

(viii) Outbuildings and Supporting Structures

Outbuildings and support structures shall be constructed of materials as outlined above and located as addressed in the site construction standards. Screens for trash collection areas, etc., shall be of permanent construction, coordinated with adjacent buildings and of the same quality of materials (for example, screen walls in the core shall be constructed of brick with precast or stone caps; wooden fences of any kind are not permitted).

(ix) Rooftop Equipment

Rooftop equipment and elevator penthouses shall be avoided if possible. Roofs shall be designed to minimize the visibility of accessory roof structures and equipment penthouses normally built above the roof. Mechanical equipment, whether on the roof, elsewhere on the building, or on the ground, shall be screened from view within the site and from the West and East campuses by architectural and/or landscape elements.

(x) Adaptability and Phasing

New buildings shall be designed to adapt to changing functional and operational requirements over the life of the structure. The first phase of a multi-phased building, and each phase thereafter, shall result in a building that looks like and functions as a complete building.

(xi) Image

New buildings shall be distinguished, as appropriate for the seat of State Government, reflecting the history of the institution of State Government in the State of Maine.

(xii) Pedestrian Environment

New development shall facilitate pedestrian movement and minimize the impact of vehicles within the zone. New development planning shall also consider movement and access between buildings and throughout the Arsenal and East Campus zones.

(f) Riverview Area Design Standards

(i) Scale, Height and Massing

Any new construction in the Riverview Area shall be directly related to the existing Psychiatric Treatment Hospital. If an addition is to be constructed, it shall be designed to refer to adjacent construction in scale, height and massing. If a free-standing building is to be located elsewhere on the site, the new structure shall be no higher than the existing building, and shall be designed in plan and elevation to include elements of similar scale. Orientation shall be aligned with the adjacent components of Riverview. Any new construction shall not project toward the Kennebec River beyond a line representing the setback of the former AMHI warehouse/coal pocket complex.

(ii) Proportion

Whether an addition or a free-standing building, new construction in this precinct shall reflect the proportions of the existing building and its sub-components.

(iii) Fenestration

The window and door patterns and trim of the existing Riverview facility are major elements of its design. New construction in this zone shall be similar to the main building in these respects.

(iv) Entries

The existing building has several different types of entries, from major public entrances to secure patient, staff and service locations. Any new construction will likely present a similar variety of special entrance issues, but public entries shall be similar to that of Riverview, i.e. obvious as to location, and presenting a welcoming yet dignified and secure image to visitors. Staff entrances shall be friendly, and service entrances hidden from public view.

(v) Symmetry

Due to the many specialized program areas within its walls, Riverview is asymmetrical. The exterior design of free-standing new buildings shall reflect their plans and programs in similar fashion.

(vi) Materials and Color

The color and material palette of the existing facility is varied and offers the designer of new construction within this precinct considerable latitude for design expression.

(vii) Roofs

Roofs shall be similar in form and materials to those of the Riverview facility. Roof materials shall be non-reflective. Skylights shall be permitted at the discretion of the CPC.

(viii) Pedestrian Environment

New development planning shall also consider movement and access between buildings and throughout the East Campus and Campbell Barn zones.

(g) Public Safety Area Design Standards

(i) Scale, Height and Massing

A new free-standing building of two or three stories (the exact height would have to be confirmed according to City zoning requirements) with its mass close to and extending along Hospital Street would form a strong gateway to the northern corner of the East Campus and relate to the busy street. The scale of the principle façade shall relate to the street environment while helping to establish a friendly pedestrian environment that will link the neighborhoods to the north with the Open Space Area and the remainder of the Campus. Thus even though the main building entrance will be on the west elevation (as parking will be located behind the building), a major pedestrian entrance shall be provided on the Hospital Street side to provide a human scale. The building can be linear in nature along the street, but shall be broken into two or more elements to relate the mass of the building to the neighborhood context.

An addition to either the Crime Lab or the Medical Examiner's Building shall adhere to the design vocabulary of the existing building in terms of height,

scale and massing. The design should also take into account proximity to the Large Powder Magazine if new construction is to be considered proximate to this historic structure. This means low height and small scale, with footprints necessarily being relatively small because of the amount of land available after parking is provided per City ordinance. The low height will allow an addition to the Medical Examiner's Building to present a minimal face to the Arsenal Zone and to views from across the river.

(ii) Proportion

Proportions of major elements of a significant new building on this site shall relate to the surrounding structures. Windows and doors shall be proportioned to relate to pedestrians walking past and using the building, and to the buildings of the AMHI Area. Classical proportions appropriate for use on institutional buildings may be referenced.

(iii) Fenestration

The designer has considerable latitude in this precinct for door and window sizes, types and placement. The new building may be quite transparent, but shall have enough wall mass to complement the nearby historic structures of the AMHI Area and the Arsenal Zone. Punched windows or window groupings are preferred, but some high-quality curtain walls, using materials identified elsewhere in these standards, would be appropriate. Glare that could affect residential neighborhoods to the north and east and the West Campus shall be minimized.

Doors and windows of additions to the two buildings to remain shall harmonize with those of the existing buildings.

(iv) Entries

Major entrances at the new building shall be provided to access both the interior site parking lot and Hospital Street. Entrances for additions to the two newer buildings shall harmonize with existing entrances and face the main parking lot.

(v) Symmetry

There is no precedent for symmetry within the Public Safety Area context, so the designer is free to explore

varied approaches to resolving programming, plan and elevation issues.

(vi) Color and Materials

The two existing buildings to remain in the precinct are red brick with stone or precast trim, some metal wall panels, and metal-framed windows. Major new buildings constructed for Maine State Government shall be 100-year buildings presenting a dignified yet welcoming image. The material palette for a proposed new building shall include brick, stone, high-quality architectural metals, and non-reflective glazing in metal frames. Colors shall be limited to those of the natural materials and restrained, coordinating colors on painted elements.

Materials and colors of additions to the two remaining buildings shall match those of the existing structures.

(vii) Roofs

Roofs shall be similar in form and materials to those of the existing buildings in this area and/or to those of the adjacent Arsenal Zone buildings, i.e. gable or hipped. Roof materials shall be non-reflective. Skylights shall be permitted at the discretion of the CPC.

(viii) Pedestrian Environment

New development planning shall also consider movement and access between buildings and to and from the East Campus and Arsenal zones.

(h) Campbell Barn Area Design Standards

(i) Scale, Height and Massing

As there is only one likely site for a free-standing new building within this precinct, and the two existing buildings, the Campbell Barn and the Farm Manager's House, strongly reflect the agricultural history of the former AMHI, any new buildings shall continue this historical theme by using scale, height and massing to recall previously-existing groupings of agricultural buildings. Any new free-standing building shall be of smaller mass than the barn, and lesser height and smaller scale to allow the barn to remain the dominant structure within the precinct. Simple rectangular forms would be most appropriate, with gable or gambrel roofs. A wide variety of agricultural structures of varying scale existed nearby on the AMHI campus for most of the institution's

existence. Photographic evidence is available which could guide the designer toward appropriate shapes and sizes of buildings for this precinct.

Additions to either building shall be subservient to the original main structure. In the case of the Farm Manager's House, the traditional Maine "big house, little house, back house" approach shall be followed. As for the barn, the mass and scale of this building, and the availability of precedents, are such that additions shall be relatively small, but there could be several and they could be varied.

(ii) Proportion

The proportions of the farm house are easily documented and utilized for additions. Windows and doors and dimensions of the different parts of the composition, are human in scale and shall be replicated in any addition.

The proportions of the Campbell Barn are related to the original use. Consequently, everything, with the exception of the windows, is big. The stone and wood surfaces of the barn and the main barn doors are quite large; thus the windows and pedestrian doors appear very small, even in proportion to residential windows and doors. New additions designed for human habitation, rather than animal habitation and the storage of feed, may incorporate more human-proportioned windows and doors. Eave heights and other major features of new construction shall strike a balance between remaining secondary to the barn and maintaining a human scale.

Proportions of new construction shall find the same balance between simple forms and large wall planes with small windows and doors, and significant amounts of glazing and design emphasis at appropriate locations such as entrances and public spaces within the overall composition.

(iii) Fenestration

Windows and doors in new construction shall reflect agricultural antecedents as found on the Campbell Barn or in photos of AMHI farm buildings no longer standing for most wall surfaces, with accents and emphasis at entrances and other special places created through the use of more extensive glazing.

(iv) Entries

Entries shall follow agricultural precedents, providing the designer with many possible avenues. For example, many barns on Maine farms exhibited large doors with transoms at gable ends (in contrast with the Campbell Barn, which has no doors in the gable ends). Thus a new building in the form of a smaller, gable- or gambrel-roofed barn could have relatively solid side walls with small windows and doors, with an amply-glazed entrance wall on one or both of the gable ends.

(v) Symmetry

Neither existing building in the precinct is symmetrical, although the form of the Campbell Barn is very “regular.” Precedents can be found for symmetrical or asymmetrical facades and elevations on a variety of agricultural buildings. Thus the designer shall be free to develop a form that is appropriate for its use and its exact location within the precinct.

(vi) Color and Materials

The Farm Manager’s House is constructed of brick, with windows which may be wood or clad. The barn features clapboard siding, slate roof, and wood windows and doors. A new building shall be clad in brick or wood clapboard depending on its use and location within the precinct. The designer shall determine the original colors or continue using the existing color palette, which is appropriate for the historic or new buildings.

The roof of a new building could appropriately be covered with slate shingles, asphalt shingles, or standing seam metal (in a neutral, low-reflectance, color). Windows in new construction shall be wood or clad; doors shall be wood.

(vii) Pedestrian Environment

New development planning shall also consider movement and access between buildings and to and from the AMHI and Riverview areas.

(viii) Views

New development shall offer opportunities for public views of the State House, Capitol Park, the river, and the AMHI Area buildings and landscapes.

(i) Open Space Areas Standards for New Construction

The only Open Space area where new construction is permitted is the Open Parkland Area. Consequently these standards apply only to that area.

(i) Scale, Height and Massing

New structures shall be human-scaled, low in height and of minimal mass to be secondary to the landscape.

(ii) Proportion

Eaves shall be low, overhangs shall be wide, and roof pitches shall be relatively shallow to shelter visitors and occupants and, again, to allow the emphasis to be placed on the landscape. Window and door proportions shall be appropriate for the intended purpose of the structure. A flat roof may be considered only if it is to be a green roof.

(iii) Fenestration

Depending on the use of the building, doors and windows shall be human-scaled and welcoming. Where appropriate, large amounts of glass shall provide views from a sheltered environment to the surrounding open spaces (such an approach would obviously not be appropriate for a comfort station, where an elegantly-detailed wood clapboard or masonry wall with small, frosted, multi-light windows would be a desirable fenestration solution). Doors shall be easy to find but blended into the wall design. Service buildings shall be just as carefully considered as buildings for human occupancy. Equipment doors shall be of the same material and level of detailing as pedestrian doors.

(iv) Entries

Entrances shall be readily-discernable, but well-integrated into the overall design of the building so as not to call unnecessary attention to themselves at the expense of the surrounding environment.

(v) Symmetry

As there are no existing buildings within the area to use as context (except for the visitor's center in the Arboretum), symmetry need not be a concern unless placement on the site (for example, at the head of a major walkway or landscape feature) demands a

classically-derived solution. In that case, a symmetrical building may be the most appropriate approach.

(vi) Color and Materials

Colors and materials shall be derived from nature's palette. Colors shall be earth tones with some subdued accent colors possible. Materials shall be wood, brick or stone with high-quality architectural metals such as copper, bronze, brass, or in some cases aluminum as accents. Roofs shall be clad with standing seam copper or lead-coated copper, galvanized metal (in low-gloss earth-tones or pre-weathered natural finish); slate; wood shingles; or architectural asphalt shingles. Windows and doors shall be wood, metal-clad wood, appropriately-finished colored aluminum, or painted steel.

(vii) Signage

Signage shall also be in accordance with a CPC-approved overall landscape and signage plan for the proposed memorial park.

(viii) Pedestrian Environment

New development planning shall also consider movement and access between buildings and to and from the East Campus and Arsenal zones.

(2) New Site Development Design Standards

The following standards focus on site design and construction associated with redevelopment and new development on the East Campus under the auspices of the Capitol Planning Commission.

These standards are intended to provide an approach for site construction and improvement, creating a consistent level of high quality development that respects and unifies the diversity of the campus.

(a) Vehicular Access and Parking

Drives and roads shall be kept to the minimum width required for safe and efficient vehicle, service, and emergency access. Granite curbing shall be used where pedestrian walks must be located directly adjacent to drives, and at intersections. Provisions shall be made for bicycle traffic through use of dedicated bike lanes, or widened paved shoulders where wider pavement would not negatively impact the historic character of the area. Pedestrian crosswalks with appropriate signage shall be provided at intersections, or where through-site pedestrian paths cross. Surface

parking facilities shall contain breaks or islands for landscaping and direction of flows.

(b) Pedestrian access

Pedestrian access shall be facilitated and enhanced throughout the East Campus, providing safe and efficient access between buildings and parking, between areas, and to the surrounding city via links to existing municipal walks, open spaces, and recreational trails. In all instances, walkway design and connections shall be in accordance with applicable standards and guidelines, and as required by the Americans with Disabilities Act (ADA). Modern materials are acceptable, subject to CPC approval. All proposed materials in the AMHI Area shall be sensitive to the historical context in accordance with the Secretary's Standards.

(c) Topography

New development shall be positioned to minimize earth movement to the greatest extent practicable by working with, not against, existing grades and landforms.

(d) Vegetation

Planting shall reinforce and enhance the exterior environment, and serve to guide circulation, highlight important areas, guide or screen views, and provide visual relief in heavily developed areas. Invasive non-native species shall be avoided and native plants shall be used whenever possible. Mono-cultural planting, especially of street trees, shall be avoided, and a gradual transition from the more highly maintained to the more natural landscape shall be created.

(e) Site Furnishings

A palette of site furnishings shall be chosen that works with the site context and is in accordance with the Secretary's Standards in the core AMHI precinct.

(f) Lighting

New site lighting shall be compatible with existing Arsenal Street lighting and the Capitol Area standard, promoting integration into the surroundings, and providing adequate and safe levels of light for its users. Light fixtures in parking and new development areas shall minimize direct glare and skyward oriented light pollution (low or full cut-off photometrics). Fixture styling shall be appropriate for the development and historic context. Bulb type (high pressure sodium, incandescent, metal halide) shall be consistent throughout the East Campus.

Buildings and signs shall be lit with external hidden or shielded lighting fixtures to wash the sign or building surface. Recessed step or wall lights or low-level walkway lights shall be used to provide security illumination where required. Building-mounted wall pack lighting shall be avoided.

(g) Utilities

New transformers and other aboveground communications or power related equipment shall be adequately screened with architectural screens or landscape planting. Underground vaults are strongly encouraged for these items to minimize visual impact. Sufficient storm, sanitary sewer, and water services exist within the site. Stormwater management and control shall take place underground throughout the site (mandatory below Arsenal Street) to the greatest extent practical to avoid introduction of excessive earthwork or control structures/ponds. Effort shall be made to foster positive drainage by sheet flow into existing vegetative areas, maximizing their natural buffering capacity in accordance with state stormwater requirements.

(h) Standards for Specific East Campus Areas

(i) AMHI Area

Preserve and maintain the historic landscape character in and around buildings. Preserve the open lawn between the Ray Building and Hospital Street. Preserve and, if possible, restore original landscape elements in the original front lawn between the Stone Building and Arsenal Street. Maintain and enhance pedestrian access in and around the buildings, and to adjoining precincts. This includes facilitation of pedestrian linkages available for public use between the Kennebec Greenway at river's edge, through the campus, and into the Arboretum and municipal recreation resources to the east. Locate the parking so as to maintain major north-south campus walkway between the Stone Building and the Male and Female Pavilions to the Open Space. Screen or conceal modern service functions and components using architecturally compatible forms and materials. Trash and recycling containers, loading docks, and utility equipment shall be located in areas hidden or away from primary pedestrian and vehicular circulation routes. Accommodations for vehicles shall be kept principally outside the area except for the minimum spaces required for temporary visitor, handicapped, service, and emergency access needs.

(ii) Campus Services Area

Redevelopment, consisting primarily of utilitarian functions, shall be compatible with and sensitive to the adjacent historic AMHI area. The area shall be appropriately screened and otherwise visually integrated into the landscape to minimize jarring visual impact to views from the north and east. The existing “front lawn” between the historic AMHI buildings and Hospital Street shall be reclaimed in this area, tying the campus frontage together visually, and providing a green linkage to adjoining open spaces.

(iii) Campbell Barn Area

Promote and insure development that is compatible and supportive of the high visibility location. The Campbell Barn could be redeveloped as a conference/training facility. While such a facility would be available to all of State Government, and perhaps to the public and to private sector groups, the most frequent users would likely be occupants of East Campus facilities. Therefore, promote pedestrian connections between it and these adjacent structures. Provide appropriate screening of adjoining parking areas.

(iv) Riverview Area

New development shall be compatible with and reflect the design and quality standards of the AMHI area and existing Riverview development, as well as the mission of the Riverview facility. Maintain and promote pedestrian linkages with adjoining precincts and open spaces as appropriate and within the necessary limitations of the Riverview function. Site development shall enhance the role of the landscape surrounding the Riverview facility as a therapeutic environment.

(v) Public Safety Area

New building construction massing and form shall be compatible with the Arsenal as a whole, recognizing that this area forms the Arsenal’s upper visual boundary. New development shall respect the urban context and street environment within which it lies. This area forms the northern “gateway” to the eastern Capitol Area and, as such, introduces the visitor from the north to the state facilities. Promote efficient and safe pedestrian connections to the rest of the East Campus and the Arsenal. Lighting shall be designed to minimize glare

and reflectance. Buffer new construction from the residential neighborhood to the north.

(vi) Open Space Area

Maintain and preserve existing landscape, visual, and environmental character.

Riverside Woodlands

Enhance pedestrian access and connections to neighboring areas.

Riverside Meadows

Limit landscape maintenance to periodic mowing to minimize a “manicured” appearance in favor of a more field-like one. Promote pedestrian access through the area from adjoining precincts to the Riverside Woodlands trail.

Open Parkland

Provide for appropriate site development (for significant memorials and monuments) for the East Campus, reflecting Capitol Park on the West Campus. Promote pedestrian circulation and movement within and connecting adjoining areas. Preserve and enhance views to the Arsenal, river, and the Capitol Complex.

G. Gateway Zones (NGZ, SGZ, WGZ)

(1) New Construction Design Standards

(a) Building Quality

Buildings shall reflect high quality design principles and shall be constructed of durable materials, components and systems to contribute to an attractive and appropriate approach to the State campuses.

(b) Context

New buildings shall be of their own time, obviously new and with no attempt to adopt a period appearance or otherwise duplicate the historic buildings of the State campuses. At the same time, new buildings shall be designed to be compatible with these buildings.

(c) Rooftop Equipment

Because all gateway zones incorporate viewsheds toward historic State-owned buildings, roofs shall be designed to minimize the visibility of accessory roof structures and equipment penthouses normally built above the roof. Mechanical equipment, whether on the roof, elsewhere on the building, or on the ground, shall be screened from view within the site and from adjacent zones by architectural or landscape elements.

(d) Building Height

Building height shall not exceed the height limits of City of Augusta municipal ordinances, except a maximum height of six stories (90 feet maximum) is permitted in the WGZ.

No part of any building within the North Gateway Zone, except for those at the northern end of the zone fronting on Memorial Circle or Memorial Drive, should be higher than the Blaine House cupola.

(e) Façade Orientation

The façades of new buildings should face the primary gateway streets.

(f) Buffers

New Gateway Zone buildings abutting residential districts within the Gateway zones and in adjacent zones shall be buffered from and be compatible with adjacent residential buildings.

(g) Neighborhood Character

In order to protect the character of adjacent neighborhoods, new development to be implemented on or near zone boundaries should recognize neighborhood character, views, established pedestrian and vehicular circulation patterns, historic resources, and activities as design parameters.

(h) Views

New buildings shall be sited so as to preserve views from major streets to the historic buildings of the State campuses. New development shall offer opportunities for public views of the significant and historic buildings and landscapes of the State campuses.

(i) Pedestrian Movement

New development shall facilitate pedestrian movement within the zone and minimize the impact of vehicles within the zone. New development shall also consider movement and access between the Gateway zones and adjacent zones.

H. Municipal Resource Zone (MRZ)

(1) New Construction Design Standards

(a) Context

New buildings shall be of their own time, obviously new and with no attempt to adopt a period appearance or otherwise duplicate the historic buildings of the East or West campuses. At the same time, new buildings shall be designed to be compatible with the historic buildings and structures that form the context of the two MRZ areas.

(b) Image

New buildings shall be distinguished, as appropriate for use by significant governmental agencies and other institutions.

(c) Building Height

Building height shall be per City of Augusta municipal ordinances. In no case shall the building be less than two stories above grade at the façade. Along the northern boundary of the MRZ adjacent to Capitol Park, maximum building height shall not exceed 3 stories (45 feet maximum from the highest point of grade around the building) or exceed that of the lowest immediately adjacent structure.

(d) Façade

The façades of buildings on Union Street or Hospital Street should face the street.

(e) Rooftop Equipment

Roofs shall be designed to minimize the visibility of accessory roof structures and equipment penthouses normally built above the roof. Mechanical equipment, whether on the roof, elsewhere on the building, or on the ground, shall be screened from view within the site and from the West and East campuses by architectural or landscape elements. Elevator penthouses and mechanical equipment located on the roof shall be as unobtrusive as possible.

(f) Pedestrian Movement

New development shall facilitate pedestrian movement and minimize the impact of vehicles within the Zone. New development planning shall also consider movement and access between buildings and throughout the East and West campuses.

(g) Views

New development shall offer opportunities for public views of the State House, Capitol Park, the river, the Arsenal buildings and grounds, and the East or West Campus as applicable.

(h) Public Amenities

New development shall offer opportunities for public amenities for employees, customers and visitors.

I. Residential Zone (RZ)

(1) New Construction Design Standards

(a) Building Height

Building height shall be in accordance with City zoning requirements.

(b) Building Massing and Scale

Building massing and scale shall reflect the vernacular residential character of surrounding buildings.

(c) Windows and Doors

Large expanses of glass shall be avoided in favor of window and door groupings with divisions to reduce the scale of glass surfaces and to minimize large reflecting surfaces.

(d) Decks

Deck levels and design shall be coordinated with adjacent buildings and shall be as simple in detail as possible.

(e) Roofs and Dormers

Dormers and roof shapes shall reflect the residential character of nearby structures. Mansard roofs shall not be permitted. Roof materials shall be non-reflective.

(f) Materials

Materials shall be residential in character.

(g) Service and Parking Areas

Where visible from across the river, service areas and parking areas shall be enclosed in construction matching the primary structure, or shall be screened using the same materials as used for the primary structure.

(h) Mechanical Equipment

Heating, ventilating and air conditioning equipment shall be screened with plant material or enclosed with construction matching the primary structure.

(2) New Site Development

(a) Applicability of Design Standards

Any proposed change in use or density within these areas or development impacting the Zone shall be subject to CPC review. Visual impact shall include consideration of views to and from the proposed development, as well as from surrounding buildings and sites. Impacts to the District may include, but are not limited to, changes to views to, from and within the District, and/or increases in traffic within the District.

Project review shall be based on the application of site development standards for zones abutting the Residential Zone area under consideration. In cases where the proposed development abuts more than one CPC district zone, the CPC shall determine which zone standards shall be used to evaluate proposed development. Where appropriate, more than one set of standards and may be applied.

Site construction or alterations not relating to a change of use or density and conforming to City ordinances shall not be subject to CPC review, except in the area of the Kennebec River Embankment. Site construction or alterations relating to a change of use or density shall be subject to City site plan review as well as CPC review.

(b) Overlay New Site Development Design Standards at the Kennebec River Embankment

Due to the high degree of visibility of the rear elevations of buildings on the east side of Gage Street within the Gage Street Area from the Arsenal, from the East Campus, from downtown Augusta, and from up and down the river, the CPC shall review

proposed new site development that is visible from public ways in this area. The CPC shall use City zoning and site plan provisions as its review criteria, and in addition shall review primarily for site landscaping and screening of parking areas and mechanical located under or at the rear of proposed development.

(i) Screening of Parking Areas and Mechanical Equipment

Parking areas, garage entrances, and mechanical equipment such as air conditioning condenser units, where visible from a public way, including from the riverbanks in the Arsenal and East Campus areas, shall be screened from view by landscape materials and/or by architectural screens constructed of the same materials as the primary building.

J. State Development Zone (SDZ)

(1) New Buildings Design Standards

New buildings in the SD zone should be differentiated from adjacent older buildings and should be compatible with the character-defining features of historic neighboring buildings.

(a) Context

New buildings shall be of their own time, obviously new and with no attempt to adopt a period appearance or otherwise duplicate the historic buildings of the Capitol Complex Historic District. At the same time, new buildings shall be designed to be compatible with these historic buildings and structures.

(b) Image

New buildings shall be distinguished, as appropriate for the seat of State Government, reflecting the history of the institution of State Government in the State of Maine.

(c) Building Height

Building height shall not exceed 3 stories (45 feet maximum from highest point of grade around the building) or exceed that of the lowest immediately adjacent structure. Along Union Street, the reference to the lowest immediately adjacent structure does not include residential structures. Architectural elements such as towers, cupolas, etc., may exceed the allowable height with the approval of the CPC.

(d) Roofs and Rooftop Equipment

Roofs shall be designed to minimize the visibility of accessory roof structures and equipment penthouses normally built above the roof. Mechanical equipment, whether on the roof, elsewhere on the building, or on the ground, shall be screened from view within the site and from the West and East campuses by architectural or landscape elements.

Skylights are prohibited from all roof surfaces that face the Historic District.

(e) Buildings Facing Capitol Park

The primary façades of buildings on Capitol Street east of State Street or on Union Street should face Capitol Park.

(f) Building Environment

New construction shall result in a safe, healthy, productive, appropriate and functional environment for State employees, customers and visitors.

(g) Amenities

New development shall offer opportunities for public amenities for State employees, customers and visitors.

(h) Adaptability

New buildings shall be designed to adapt to changing functional and operational requirements over the life of the structure. The first phase of a multi-phased building, and each phase, thereafter, shall result in a building that looks like and functions as a complete building.

(i) Pedestrian Environment

New development shall facilitate pedestrian movement within the zone and minimize the impact of vehicles within the zone. New development planning shall also consider movement and access between buildings and throughout the Capitol Complex.

(j) Views

New development shall offer opportunities for public views of the State House, Capitol Park, the river, the Arsenal buildings and grounds, and the East Campus.

(k) Buffering

New buildings abutting the residential portion of the Historic District (north of Capitol Street), or abutting residential zones, shall be buffered from or be compatible with adjacent residential buildings.

(l) Sensitivity to Neighborhoods

In order to protect neighborhood character, paths, views, pedestrian and vehicular circulation patterns, historic resources, and activities of the surrounding neighborhoods shall be recognized as design parameters for all facilities located on or near SD Zone boundaries.

(m) Outbuildings and Support Structures

Outbuildings and support structures shall be constructed of the same materials used for the primary building.

K. State House and Capitol Park Zone (SHCPZ)

(1) Introduction

The State House and Capitol Park Zone (SHCPZ) includes the Maine State House building and grounds, and the grounds and structures of Capitol Park. These resources are listed as contributing in the Capitol Complex Historic District.

(2) Applicability to Projects

Because the preservation of these buildings and grounds, and review and approval of any changes proposed to them are under the authority of the State House and Capitol Park Commission (SHCPC), which has dedicated legislation and rules for the review of any proposals in this regard, the SHCPZ is specifically excluded from the Capitol Area as defined in the Capitol Planning Commission Capitol Area Rules and Regulations, and these same Rules and Regulations do not apply within this Zone.

The CPC recognizes, however, that any developments in areas of the Capitol Complex Historic Zone adjacent to the SHCPZ, or in the SHCPZ itself, would be functionally and visually related and have an impact on each other. The CPC therefore recommends that developments that may affect both zones should be the subject of coordinated planning by the CPC and the SHCPC through an advisory joint review process, to allow members of either commission the opportunity to review and comment upon projects proposed for the SHCPZ.

L. Parking Structures

(1) New Parking Structures and Additions Design Standards

(a) Overlay Design Standards:

A proposed new parking structure, whether an addition or free-standing new construction, shall be designed according to the standards for the zone in which it is to be constructed. The application of these standards to parking structures shall be subject to modification according to the Design Guidelines for parking structures, which shall apply to a proposed parking structure in any zone.

The five possible parking structure sites are located in two different CPC zones:

State Development Zone:

DOT/Child Street site
Cross Building site
Existing Parking Deck site
Cultural Building site

East Campus Zone:

Core Campus/East Campus site

(2) New Site Development Design Standards

(a) Overlay Design Standards

A proposed new parking structure, whether an addition or free-standing new construction, shall be designed according to the standards for the zone in which it is to be constructed. The application of these standards to parking structures shall be subject to modification according to the Design Guidelines for parking structures, which shall apply to a proposed parking structure in any zone.

(b) Setbacks

A new parking deck should harmonize with the surrounding landscape environment and architectural context. An adequate setback should be maintained to allow the introduction of green space containing plantings to help soften, screen, and bring down to pedestrian scale, between new structures and existing or proposed pedestrian ways, driveways, or streets. The CPC shall determine the appropriate depths of such setbacks depending on the proposed site.

Note: P.L. 2015, Ch. 168 eliminated the Western Gateway Zone parking structures site formerly identified as “MDOT / Capitol Street Site.”

M. Capitol Hill Entry Plaza (Green Space)

(1) New Site Development Design Standards

All physical items incorporated into the Plaza as described below shall be of high quality and long-lasting manufacture, made with durable materials and finishes.

(a) Scale and Form

The Plaza area shall be stately and respectful of the important structures and functions that surround it. The form shall emphasize and support a unified connection in scale with its surroundings.

(b) Paving Materials

Use of special paving shall be employed to differentiate areas of special significance and importance, and to help define and separate vehicular and pedestrian dominated areas. Paving materials shall be consistent with the palette currently established in the Capitol Complex. Curbing, where required, shall be vertical granite, and limited principally to islands or other similar protected areas. Abrupt level changes shall be avoided in pedestrian areas, especially.

(c) Site Lighting

Lighting fixtures in the Plaza shall be consistent with those already approved for the Capitol Complex and shall be especially oriented and sized to the pedestrian. A separate and distinct lighting style, currently established at the State House, shall be employed within the limits of the berm. Architectural accent lighting may be utilized to highlight and accentuate the three main buildings as appropriate, reinforcing their positions of civic importance.

(d) Planting

A variety of trees, shrubs, and annual and perennial groundcovers shall be utilized to accentuate and reinforce the Plaza design. Properly placed planting provides guidance, directs views, provides shade, and provides visual interest in what could be an otherwise harsh landscape.

9. Signs

A. Purpose

The purpose of the following standards is to protect the public health, safety, and welfare, and enhance the natural, historical, architectural and landscape environment of the area of the City of Augusta comprising the Capitol Area as defined elsewhere in these Capitol Area Rules and Regulations by ensuring signs that:

- (1) Enhance the appearance and dignity of the campuses and environs of Maine State Government;
- (2) Harmonize with the architectural style of the buildings or structures with which they are associated, and with the New England character of the City;
- (3) Allow pedestrians, motorists, and cyclists to see one another clearly, to readily discern their destinations, to park their vehicles in appropriately-designated and designed areas, and to reach their destinations in a safe, convenient, pleasant, and timely fashion; and
- (4) Pose no hazards to people or property.

B. Adoption of the City of Augusta Sign Regulations

The Capitol Planning Commission (CPC) hereby adopts by reference the City of Augusta Ordinances, entitled Sign Regulations, as the Sign Standards for the CPC Rules, applicable to all properties within the Capitol Area, except as amended, supplemented, or modified by the following provisions.

These Rules will always refer to the latest version of the City of Augusta Regulations Municipal Ordinance. However, the CPC reserves the right to review all proposed revisions to the Ordinance in whole or in part, and to make changes or revisions to any portion of the Ordinance to be applied in the Capitol Area in order to maintain the Purpose of these Rules. The Code Enforcement Officer (CEO) of the City of Augusta shall notify the CPC of all proposed revisions to the Ordinance, and shall forward proposed modified language to BGS for distribution to and review and comment by the CPC. The CPC shall have the opportunity to review and comment on these proposed modifications before a final action to adopt is implemented so that any changes proposed by the CPC, with consideration by the City, may be incorporated in the revised Ordinance.

C. General Standards

- (1) Permit required: A sign or advertising device of any nature, except as allowed by these standards, may not be erected, assembled, affixed out of doors, or painted on the exterior of a building or structure, without a permit from the CEO of the City of Augusta following the provisions of the Ordinance and State Law. Before any permit is granted for a sign, plans and specifications shall be filed with the CEO showing the location, dimensions, materials, landscaping, and required details of construction, including loads, stresses, and anchorage.

- (2) Review by the CPC: As a prerequisite to obtaining a sign permit from the CEO of the City of Augusta, applications for a sign permit in the following categories must be reviewed for appropriateness and compliance with the standards of this section of the Rules by the CPC:
 - (a) any application filed by an agency of Maine State Government or an authorized agent or representative thereof
 - (b) any application filed by a private property owner within the State, Development, Gateway, or Arsenal zones of the Capitol Area
 - (c) any application filed by a property owner within any other zone of the Capitol Area when the subject property has frontage on Capitol Street, State Street, Union Street, Arsenal Street, Child Street, or Hospital Street.
 - (d) any municipal, county, regional, or federal governmental agency proposing to erect a sign within the Capitol Area.
- (3) Application process: Applications falling within any one or more of these categories, after preliminary review and approval by the Augusta CEO, shall be forwarded by the CEO to the State of Maine Bureau of General Services (BGS), which shall submit the application to the CPC for review according to a process detailed in these Rules. If the application meets applicable requirements, a Certificate of Appropriateness will be issued by BGS on behalf of the CPC to the CEO. Receipt of the Certificate of Appropriateness will be a prerequisite to final approval of the applications and issuance of a permit by the City of Augusta CEO.
- (4) Longevity of permits: Permits for signs within the Capitol Area shall be valid for five (5) years. When permits expire, another permit must be obtained and the sign must conform to existing requirements of these regulations and their amendments to receive a renewed permit.
- (5) Materials: Materials such as corrugated plastic, bulbous plastic letters, non-textured plastic, and gloss tile are prohibited. Traditional, durable materials such as wood, stone, or architectural metals are encouraged. Concrete may be used with CPC approval. Sign materials should be compatible with those of the building to which the sign is to be attached.
- (6) Clarity: Signs should be simple and use a minimal number of type faces or lettering styles in order to present a clear message.
- (7) Colors: Multiple colors may be used but the color scheme must be respectful of the sign's context (the landscape and neighboring buildings) and the colors of the building to which it is to be attached. The mounting fixtures for the sign may be a different, coordinated color. All colors must be approved by the CPC. In general, fewer colors are better, and the colors should be tasteful and coordinated with each other.

- (8) Placement: New signs should respect the size, scale and design of buildings and/or landscapes with which they are associated. New signs should not obscure significant features of the buildings or landscape elements to which they are attached or relate.
- (9) Existing signs, if determined to be of historic significance in their own right or to be a character-defining feature of a designated historic building or structure, or of a building or structure determined to be eligible for designation by the Maine Historic Preservation Commission, shall be retained and restored if necessary, unless the applicant can provide proof that to do so would compromise the public health, safety, and welfare.

D. Variations from the City of Augusta Sign Regulations

The following revisions, supplements, and alterations to the City of Augusta Sign Regulations, Article 5.1.17 of the Municipal Ordinances, apply to all applications for signs to be erected, assembled, affixed out-of-doors, or painted on the exterior of a building or structure that affect properties within the Capitol Area.

- (1) With reference to (3), off-premises signs shall be prohibited.
- (2) With reference to (4), internally-lit signs are prohibited.
- (3) With reference to (4)(a)(ii)(D), neon lighting is prohibited within the State Development, State House, Arsenal, East Campus, Riverview, and Capitol Complex Historic District zones.
- (4) With reference to (4)(a)(ii)(E), the CPC shall not permit any signage on private property that uses similar designs to those proposed by the State, unless the subject property is leased by a State agency, in which case signage shall be designed, fabricated and installed with review and approval by the CPC.
- (5) With reference to (4)(a)(ii)(G), no signage shall be erected or maintained upon trees or painted or drawn on rocks or other natural features.
- (6) With reference to (4)(b)(v), portable signs are prohibited.
- (7) With reference to (4)(d), roof signs are prohibited.
- (8) With reference to (4)(e), graphic displays shall be restricted to awning valances only.
- (9) With reference to (4)(f), vehicular signs are prohibited.
- (10) With reference to (4)(g), franchise signs are prohibited within the SD, SHCP, EC, Gateway, Arsenal, and CCHD zones.
- (11) With reference to (5)(a)(i), public safety sign design and location within the CCHD, SD, SHCP, EC, Arsenal, Gateway, and Riverview zones must be reviewed by the CPC.

- (12) With reference to (5)(a)(iii)(A), organization signs are prohibited within the SHCP, CCHD, SD, Arsenal, East Campus, Riverview, and Gateway zones.
- (13) With reference to (5)(a)(iii)(B), real estate signs are prohibited within the SHCP, CCHD, SD, Gateway, Arsenal, East Campus, and Riverview zones.
- (14) With reference to (5)(a)(iii)(D), temporary home sales signs are prohibited within the SHCP, CHD, SD, Arsenal, East Campus, Riverview, and Gateway zones.
- (15) With reference to (5)(a)(iii)(E), political signs are prohibited within the SHCP, CCHD, SD, East Campus, and Riverview zones.
- (16) With reference to (5)(a)(iv), signs identifying occupants of residential property are prohibited within the SHCP, CCHD, SD, Arsenal, East Campus, Riverview, and Gateway zones.
- (17) With reference to (5)(a)(v), flags or insignia of any government within the SHCP, CCHD, SD, Arsenal, East Campus, Riverview, and Gateway zones shall be reviewed by the CPC.
- (18) With reference to (5)(a)(vi), public notices within the SHCP, CCHD, SD, Arsenal, East Campus, Riverview, and Gateway zones shall be reviewed by the CPC.
- (19) With reference to (5)(b)(ii, iii, and iv), institutional signs, directional signs, and directories proposed by State and local governmental agencies shall be located, designed and installed with review and approval by the CPC.
- (20) With reference to (5)(b)(v), advertising and promotional signs are prohibited.
- (21) With reference to (5)(b)(vii), signage approved by the CPC shall supersede this section of the Augusta Sign Regulations in the SHCP, CCHD, SD, EC, and Riverview zones.
- (22) With reference to (5)(c)(iv)(A), projecting signs may be permitted if reviewed and approved by the CPC.
- (23) With reference to (5)(c)(iv)(D), internally lit signs are prohibited in the Capitol Area.

E. State Facilities Signage and Wayfinding

Signs proposed for erection, assembly, affixing out of doors, or painted on the exterior of a building or structure within the Capitol Area by any agency of Maine State Government must be designed, fabricated, erected, installed, reviewed and approved by the CPC.

Signs for special government sites, parks and memorials may vary as described below.

F. Special Government Sites, Parks and Memorials

Large parcels of property within the Capitol Area owned by the State, County, Local, or Federal Government that are designed as special entities, such as parks or memorials, may incorporate signs based on unique signage and wayfinding plans that are integral with the landscape and/or architectural design of these entities, provided that such signage plans are reviewed and approved by the CPC. Signage and wayfinding plans shall be submitted to the CPC as part of the schematic, design development, and contract document packages during the design process.

New signs proposed for parks, memorials or sites after the initial installations are complete (i.e. subsequent installations) shall be designed, located and installed according to the standards of the original signage and wayfinding plan, preferably designed by the designer of the original installation, and shall be reviewed and approved by the CPC.

In no case shall standard State sign designs be used for subsequent signage on State-owned parcels, nor shall a sign protocol differing from the original designs be used unless proposed by the original sign designer and approved by the CPC.

Size, installation height, and quantity regulations for all signs in such areas shall be reviewed and approved by the CPC.

G. Privately-Owned Campuses

Large privately-owned parcels of property within the Capitol Area that are designed as special entities, such as an office park or a residential development (such as the Arsenal), may incorporate signs based on unique signage and wayfinding plans that are integral with the landscape and/or architectural design of these entities, provided that such signage plans are reviewed and approved by the CPC. Signage and wayfinding plans shall be submitted to the CPC as part of the schematic, design development, and contract document packages during the design process.

New signs proposed for such parcels after the initial installations are complete (i.e. subsequent installations) shall be designed, located and installed according to the standards of the original signage and wayfinding plan, preferably designed by the designer of the original installation, and shall be reviewed and approved by the CPC. In no case shall the standard State sign protocol be used for subsequent signage, nor shall a different sign protocol be used unless proposed by the original sign designer and approved by the CPC.

Size, installation height, and quantity regulations for all signs in such areas shall be reviewed and approved by the CPC.

H. Memorial Signs, Tablets and Plaques

Memorial signs, tablets or plaques containing the names of buildings, date of construction, or names of persons associated with the planning, design, funding and construction of a building, when cut into masonry surface or when constructed of bronze or other appropriate, durable, historically-appropriate materials shall be

permitted in addition to other permitted signs, when reviewed and approved by the CPC. Such signs, plaques or tablets shall respect the size, scale and design of buildings, structures, site development and landscape component that represent the context of the proposed new element(s).

I. Applicability of CPC Rules

Title 23 M.R.S.A. sections 1091-1025 and City of Augusta Ordinances shall always apply where they impose more restrictive provisions than these regulations and to all circumstances not otherwise covered by these provisions.

10. Landscaping

Landscape planting shall be provided as specified within each zone. Other landscape requirements as defined by municipal ordinance, such as those for buffer yards, service screening, and parking lots, shall apply. All landscaped areas shall be preserved, protected, and maintained in good condition.

11. Parking

Parking areas shall be developed and constructed as specified within each zone and shall meet municipal ordinance standards and requirements for layout, size, and quantity.

12. Energy

Maine is dedicated to the mutually compatible goals of energy efficiency, environmental protection, and economic growth, and to providing its employees with healthy, safe, efficient and effective work environments. In addition, Maine is committed to meeting the goals and policies of the Energy Conservation in Buildings Act, 5 M.R.S.A. 1761 et. Seq. ("ECBA"), as applicable to State buildings, which promotes evaluation of life cycle costs and energy efficiency in the design of public improvements.

To this end, all State-owned, State-leased, or State-occupied buildings constructed, renovated, and/or expanded within the Capitol Area as defined in these Rules, shall be subject to An Order Regarding the Use of "LEED" Standards for State Buildings, issued as an Executive Order by John E. Baldacci, Governor, on November 24, 2003. The Executive Order excludes school administrative districts and municipalities from meeting these requirements.

The LEED Green Building Rating System is a voluntary, consensus-based, market-driven building rating system based on existing proven technology. It evaluates environmental performance from a whole building perspective over a building's life cycle, providing a definitive standard for what constitutes a "green building."

The Executive Order is incorporated in these Rules by reference.

Applicants proposing projects that are not to be State-owned, State-leased, or State-occupied, will be encouraged to meet energy efficiency and sustainability standards and principles as appropriate for the scale of the project being submitted.

13. Demolition

Demolition or removal of any existing building within the Capitol Complex Historic Zone (CCHZ), Arsenal Zone (ARZ), or East Campus Zone (ECZ), is prohibited without the express written approval of the Capitol Planning Commission.

The CPC shall direct the Maine Historic Preservation Commission to review and comment on any proposed demolition within these zones. The MHPC shall offer recommendations for mitigation.

The CPC shall only consider demolition if such demolition or removal is called for in the Augusta State Facilities Master Plan, and/or, in the case of a building or structure, if there is no feasible and prudent alternative for re-use, either as a stand alone building or as expanded. The CPC shall approve an application for demolition only after all other options for retaining and using the building or structure have been fully explored.

SECTION 6 – Land Use in Capitol Area

1. Arsenal, Capitol Complex, East Campus, Gateway, Municipal Resource, State Development, and State House & Capitol Park Zones

A. Purpose

To protect the integrity and majesty of the Maine State Capitol Building, Blaine House, and other State Buildings and functions, and to insure that only governmental and limited related and essential uses be permitted in this area, thereby providing a central and accessible complex of State government buildings, departments, and information centers for the Citizens of Maine.

B. Permitted Uses

Public, Quasi-Public, Institutional, Residential.

2. Residential Zone

A. Purpose

To provide for and protect the traditionally residential areas surrounding the Maine State Capitol and provide for home occupation or professional uses.

B. Permitted Uses

Residential and home occupation or professional uses. A home occupation or professional use is: accessory to a residential use and is customarily carried on in a dwelling unit or in a building or other structure accessory to a dwelling unit; carried on by a member of the family residing in the dwelling unit; clearly incidental and secondary to the use of the dwelling unit for residential purposes and conforms with the following conditions:

- (1) The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto.
- (2) Not more than two people outside the family shall be employed in the home occupation. There shall be no stock in trade.
- (3) There shall be no exterior display, no exterior sign (except as expressly permitted by this regulation), no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building.
- (4) No nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be generated.
- (5) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in the neighborhood.

- (6) In addition to the off-street parking provided to meet the normal requirements of the dwelling, adequate off-street parking shall be provided for the vehicles of each employee and the vehicles of the maximum number of users the home occupation may attract during peak operating hours and otherwise in accordance with this regulation.
- (7) The home occupation shall not utilize more than 30% of the total floor area of the dwelling unit, but not more than 500 square feet. A home occupation shall include, but not be limited to, the following:

- Art Studio
- Dressmaking Shop
- Hairdressing Shop
- Teaching or Tutoring Facilities
- Office of a Physician, Dentist, Optometrist, Lawyer,
Engineer, Architect, or Accountant
- Office of a Real Estate Broker or Agent
- Office of an Insurance Agent or Broker

3. Prohibited Uses - All Zones

The following uses shall be prohibited: New and used car sales lots, or other sales of snowmobiles, boats or recreational equipment, sales of farm equipment or industrial equipment, pet or livestock stores, amusement centers, furniture stores, appliance stores, gasoline and/or automobile service stations, and all industrial, manufacturing and warehousing uses and all other uses not specifically permitted in either zone.

SECTION 7 – Variance & Appeals

1. Variance Application Procedure

A variance from the terms of these regulations shall not be granted by the Capitol Planning Commission unless and until a written application for a variance is submitted to the Commission and Bureau of General Services, containing:

- A. Name, address and telephone number of applicants;
- B. Legal description of the property; and
- C. Description of variance requested.

2. Variance Standard

The Capitol Planning Commission, by 2/3 majority vote, may grant a variance only where strict application of the regulations, or a provision thereof, to the applicant and his property would cause undue hardship. The words "undue hardship" as used in this subsection mean:

- A. That the land in question cannot yield a reasonable return unless a variance is granted;
- B. That the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood; and
- C. That the granting of a variance will not alter the essential character of the locality.

3. Findings

A variance shall not be granted unless the Commission makes specific findings of fact based directly upon the particular evidence presented to it which support conclusions that the standards and conditions imposed by this section have been met by the applicant.

4. Appeal

Any person aggrieved by approval or disapproval of a project within the Capitol Area by the Capitol Planning Commission shall be entitled to judicial review thereof in the Superior Court.

5. Procedure

The appeal process is more specifically set forth in the Maine Administrative Procedure Act 5 M.R.S.A. §§ 11002-11008.

STATUTORY AUTHORITY: 5 M.R.S.A. §298

EFFECTIVE DATE:

September 27, 1983

EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 1, 1996

REPEALED AND REPLACED:

July 10, 2007 – filing 2007-279

AMENDED:

September 29, 2020 to reflect P.L 2015, Ch. 168