



TOWN OF GRAY
GRAY TOWN COUNCIL WORKSHOP
AGENDA • SEPTEMBER 6, 2022

**Gray Town
Council Workshop**

Town Council Chambers
24 Main Street, Gray, ME 04039
<https://us06web.zoom.us/j/87112338079>
Phone 646-558-8656 / Meeting ID: 871 1233 8079

6:00 PM

CALL to ORDER

Roll Call

EXECUTIVE SESSION

The Council will enter Executive Session under MRS Title 1 Chapter 13 Section 405.6.E to consult with Town's attorney.

WORKSHOP 6:30-6:55 PM (estimated)

-Discussion of Self Storage Ordinance

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

August 30, 2022

TO: Gray Town Council
Nate Rudy, Town Manager

FROM: Doug Webster

RE: Self-storage facilities-background & draft standards
Discussion item at Council 9-6-22 meeting

Introduction

As the Council is aware, the town adopted a moratorium on self-storage facilities this past January. Since the moratorium became effective, the ordinance advisory committee (OAC) as well as the council has provided input regarding the various standards and elements that should be required. The various provisions detailed herein are intended to reflect the input received to date.

Anticipated Timeline

The timeline below is proposed taking into account the currently in effect moratorium:

- 9-12: Send ad for first read to paper
- 9-16: Ad appears in paper
- 9-19: Send ad for second read/adoption to paper
Post notice with final language at Town Hall
- 9-23: Second ad appears in paper
- 9-27: Finalize packet materials to Council, send to Jon
- 10-4: TC first reading/public hearing
- 10-13: PB required statutory public hearing at regular meeting
- 10-14: Send update to TC re PB public hearing
- 10-18: TC second reading/adoption
- 11-17: Ordinance amendments become effective

Council input requested

The primary purpose of this memo is to solicit council input on the draft language. When the council last discussed this topic at the 5-5-22 workshop, the consensus was that proposed language should come back to the council for discussion before first reading of the new standards are placed on an agenda. It would be helpful if the council were to weigh in on the following specifics to make the necessary adjustments to the new standards and guide policies for future zoning districts:

1. Does the council endorse the approach of capping the size as detailed in Section D below?
2. Is the buffer depth sufficient for the respective uses including storage buildings and outdoor storage?
3. Does the council endorse the standards below that specifically disallow roofs over outdoor storage areas and requiring all buildings to have permanent sides (see G-1 & F-4 below)?

4. For future use, for future new zoning districts, is it appropriate for self-storage facilities to be allowed on larger parcels in predominantly residential districts provided that there is deep, dense vegetated buffer completely around the facility?
5. Does the council endorse limiting ZBA/PB authority for reducing minimum setbacks as detailed in Section C-4 below?
6. Should new facilities only be allowed in the LMOD portions of the existing commercial district?
7. Does the council endorse the maximum building sizes detailed in Section F below?
8. Does the council endorse requiring a fence and/or gate or should this be left to the applicant/owner? (please see D-9 & 10 as well as G-5)

Standards in effect prior to moratorium & proposed temporary limit to Commercial only

As shown on the attached, prior to the moratorium, self-storage facilities were a permitted use in the following Zoning districts: Business Development 1 & 2, Commercial, and Business Transitional-1 (near Shaker/Libby Hill intersection). Given the anticipated new zoning districts, predicated on the future land use map in the adopted Comprehensive Plan, it may be in the best long-term interest of the town to only allow additional self-storage facilities in the current Commercial district. Once the boundaries of the new zoning districts begin to crystalize, the forthcoming discussions regarding appropriate uses for the respective districts could include self-storage. In the interim, the council may wish to consider allowing new self-storage facilities only in the current commercial districts.

As a further fine-tune, for this interim period, the council may wish to consider allowing self-storage facilities only in the light manufacturing overlay district (LMOD) that includes the existing commercial districts on Lewiston Road and only the southerly commercial district on Portland Road. The LMOD *does not* include the relatively small commercial district area on Portland Road just north of Gray flats. When the LMOD was established, the then council made the policy decision that higher-value commercial uses should be encouraged for this portion of the commercial district given the proximity to the village and Gray corner. As such, this commercial district was not included in the LMOD.

Current Commercial District depth

Given the proposed standards detailed below, including the 300' minimum from most roads, I measured the current "depth" (how far back from the respective road) of existing commercial districts to ensure that the proposed standards practically allowed for additional self-storage facilities to be constructed. The existing commercial district depths are:

Lewiston Road/Rt. 100 North: West side: 600' to 900'
East side: 1,000'

Portland Road/Rt. 100 South: West side: 300'
East side: 950'

Based on these depths, it is apparent that there is sufficient area to allow for self-storage to meet the proposed new standards.

Proposed new self-storage standards

Proposed *New* Section 402.8.11: Self-storage facility standards:

A. Purpose: The purpose of these standards is to maximize the use and value of commercial uses for road frontage properties and minimize adverse aesthetic impacts of self-storage facilities on abutting and neighboring properties.

B. Applicability

1. In addition to applicable review standards established in Article 10 (Site Plan Review), all self-storage facilities proposed after the adoption of these standards are required to comply with all requirements in this section.
2. Any self-storage facility that is proposed to be expanded, or undertakes rebuilding of one or more buildings (greater than 50% of the value of the respective structure/s) after the adoption of these standards shall be required to obtain planning board approval and shall be subject to all practically achievable self-storage performance standards as determined by the planning board.
3. Any outdoor storage, including if added to an existing facility, must comply with all outdoor storage standards as specified in this section and as required in Article 10.

C. Minimum setbacks

1. Any portion of any element of a self-storage facility must be at least three-hundred (300) feet from the edge of a road or right-of-way, whichever is greater, that is either publicly owned or has a public easement for winter maintenance. No component of a self-storage facility other than one access/driveway may be located within this three-hundred (300) foot setback. All other components of any self-storage facility must respect this minimum three-hundred (300) feet setback specifically including the perimeter buffer, fill extensions, buildings, outdoor storage, drainage ditches, or stormwater infrastructure.
2. A perimeter buffer of at least seventy-five (75) feet, in accordance with standards specified below in this section, is required around the entirety of the facility. Stormwater infrastructure is specifically prohibited from this buffer. Only one vehicular accessway shall be allowed in this perimeter buffer unless the planning board determines that through-traffic is necessary to allow a second accessway. Multiple accessways through the buffer are specifically prohibited. The width of any such accessway through the perimeter buffer shall be limited to the practical functionality necessary as determined by the planning board.
3. Any outdoor storage shall be located at least one-hundred (100) feet from any property line and shall be subject to additional standards as detailed below in this section. If an outdoor storage area is located adjacent to the perimeter of the facility abutting a property line(s), the

depth of the perimeter buffer, in accordance with standards specified below in this section, shall be increased from seventy-five (75) to one-hundred (100) feet.

4. Neither the Zoning Board of Appeals nor the Planning Board shall have the authority to reduce any of the minimum setbacks established above in this section.

or (Pending TC input)

4. Neither the Zoning Board of Appeals nor the Planning Board shall have the authority to reduce the three-hundred (300) foot minimum setback for any component of a self-storage facility required above in this section.

D. General standards

1. Review and approval by the planning board is required for any new self-storage facility. The planning board shall review the proposed development under Site Plan Review, as applicable, and shall ensure that the performance standards in this section are met.
2. The minimum size of the portion of the parcel utilized for the self-storage facility use, located least three-hundred (300) feet from the road/ROW, must be a minimum of four (4) acres/174,240 sq. ft. Any portion of the parcel located less than three-hundred (300) feet from the road/ROW shall not be utilized for determining if this four (4) acre minimum parcel size standard is met.
3. All standards for the self-storage facility, excluding the perimeter buffer as detailed below in this section, must be met and maintained on a parcel owned in fee by one owner/party/entity. In no event shall the ownership of one or more buildings be transferred to separate parties/entities such as condominium(s).
4. In the event that applicable standards for the perimeter buffer are met and maintained via an easement, all applicable perimeter buffer standards shall be included in the description of easement language, as determined by the Code Enforcement Officer with input from the Planner, that is recorded at the registry of deeds prior to the issuance of a building permit for the project. A condition of approval memorializing this requirement shall be part of the Planning Board approval.
5. The maximum combined footprint of any developed portion of a self-storage facility consisting of buildings, accessways, and outdoor storage shall not exceed three (3) acres/130,680 sq. ft. (approximately a 350' x 350' area) Calculation of this maximum combined footprint shall not include the perimeter buffer.
6. In the event that the developed portion of a self-storage facility in excess of three (3) acres is proposed, the planning board shall require appropriately placed buffers within the parcel to separate the developed areas to the maximum extent practically feasible given site conditions. Such site-internal buffers separating two (2) developed self-storage facilities that contain a maximum developed portion of three (3) acres, per above, shall be a minimum

depth of fifty (50) feet and shall predominantly conform to the perimeter buffer requirements below. As determined by the planning board, limited portions of such internal fifty (50) foot buffers may contain stormwater infrastructure provided that the aesthetic separation between the two areas is maximized.

7. In the event that two or more self-storage areas are proposed in the same development, each of which contains a maximum of three (3) acres of a combined developed footprint as required above, each two (2) such areas shall be required to be separated by the seventy-five (75) foot perimeter buffer requirement as detailed in this section.

Old Language retained for temporary reference purposes only: There shall be a maximum of two (2) self-storage facilities, each containing.. The seventy-five (75) foot perimeter buffer requirement shall be applicable for separating each two developed portion of a self-storage facility consisting of buildings, accessways, and outdoor storage that may be a maximum of three (3) acres each per above.

8. No maintenance and/or repair work of any type shall be allowed to occur on a self-storage facility site on any vehicle and/or equipment that contains any type of petroleum-based fluid or any fluid that potentially contaminates soil and/or groundwater if leaked. In the event that maintenance and/or repair is proposed, all applicable standards for the additional use(s) must be met and maintained specifically including provisions in Article 6 of this ordinance which addresses lot(s) and use(s). The operator of the facility shall be required to disclose this information to all parties utilizing the self-storage facility.
9. All self-storage facilities shall be gated with security provisions sufficient to ensure access to the site only by patrons, owners, and those persons needing to access for operations and/or maintenance.
10. The entire perimeter, except the gated entry, of all self-storage facilities areas shall have a fence to discourage/prevent access. Fence details shall be shown on planning board submittals.
11. One office area to provide administrative services solely serving the self-storage facility may be permitted provided that the cumulative area devoted to this use does not exceed two hundred (200) square feet. In the event that such space is part of a facility, a minimum of two (2) dedicated parking spaces shall be required that do not block access to any accessway or self-storage unit(s).
12. In addition to applicable lighting requirements established in Article 10, Site Plan Review, all self-storage facilities shall be required to comply with standards in the USA Pattern Lighting Code in the International Dark Sky Association Outdoor Lighting Code Handbook version 1.14.2002 dated December 2000/September 2002. The Planning Board shall review compliance with such standards, with peer review as necessary at applicant expense, as an integral part of reviewing a proposed facility.

E. Perimeter buffer requirements

1. The entirety of the perimeter buffer shall consist of dense, mature, natural vegetation meeting and maintaining standards as established in this section.
2. Any of the following site components shall not be located or considered part of the minimum perimeter buffer: driveways, vehicular accessways, fill extensions for roads and/or buildings, drainage ditches, stormwater infrastructure.
3. The full depth of the perimeter buffer shall consist of dense mature natural vegetation as determined by the Planning Board. In order for the Planning Board to determine the specifications for the dense mature natural vegetation, the Board shall utilize the point system standards as the minimum standards for any 25 foot by 50 foot for the first one-hundred (100) feet established for a "Shoreland Buffer Strip" contained in Section 15 of the Gray Shoreland Zoning Ordinance (Chapter 403) entitled "Clearing or Removal of Vegetation for Development Activities other than Timber Harvesting". In accordance with the purpose of maintaining the perimeter buffer, all standards for the "Shoreland Buffer Strip" in Section 15 of Chapter 403 that address removal of vegetation, pruning of branches on the lower one-third of a tree, clearing of vegetation for development, and existing cleared openings shall not be applicable for this Section 402.8.11, Self-Storage Facility Standards.
4. In the event that existing conditions do not meet this requirement at the time the application is before the Planning Board, the Board shall have the authority to require the applicant to plant trees (preferably evergreens) and other appropriate vegetation to establish a buffer meeting standards established in this section within a reasonable time period as determined by the Planning Board. Ideally, a sufficient buffer should be achieved within five (5) years.
5. In order to ensure that the perimeter buffer meets and maintains standards, the Planning Board shall have the authority for a peer review, at the applicant's expense, and shall also have the authority to require that the applicant post a sufficient financial performance bond for any necessary replanting per Section 402.10.17 in accordance with professionally accepted practices such as an eighty (80) percent survival rate for a five (5) year period.
6. In the event that any portion of a proposed self-storage facility is located within one or more viewshed(s) from a public road, including roads that have a public easement for winter maintenance, the Planning Board shall be authorized to require additional buffering and screening, including additional plantings, to maximize the density of the mature natural vegetation emphasizing using evergreen species. In order to make this determination, the Planning Board shall have the authority to require the applicant to submit accurate renderings of existing conditions and the anticipated proposed buffer at periodic time intervals, including at maturity.

F. Building requirements (*NOTE: Need to verify max height, max footprint, & design stnds.*)

1. One-story self-storage building standards:
 - a. Maximum length: two-hundred (200) feet (*NOTE: Council interested in 150' max?*)
 - b. Maximum width: forty (40) feet.
 - c. Maximum height: twenty (20) feet.
2. Two-story self-storage building standards:
 - a. Maximum footprint of any one structure: seventy-five hundred (7,500) feet
 - b. Maximum height: twenty-five (25) feet
3. Minimum separation between buildings/minimum drive aisle width: twenty-five (25) feet
4. All buildings/structures utilized for self-storage purposes shall be completely enclosed with permanent sides/siding. In no event shall such buildings/structures have one or more open sides. Seasonal installation and/or removal of temporary sides, such as fabric or similar, shall not be permitted and shall not be considered to be permanent sides/siding.
5. All buildings/structures shall comply with Town of Gray Design Standards for self-storage facilities (attached). The applicant shall submit scaled color renderings of all proposed buildings/structures as part of the submittal and the planning board will review these as an integral part of their review. The planning board shall have the authority to interpret the design standards and require changes consistent with the purpose and intent of the design standards and these performance standards.

G. Outdoor self-storage standards

1. Outdoor storage areas shall not have any type of roof over the items that are being stored.
2. All outdoor storage areas that are storing any vehicles and/or equipment that use or contain any type of petroleum-based fluid, or any fluid that potentially contaminates soil if leaked, shall be impervious with pavement or concrete. Stormwater sheet-flow from such areas shall be directed in water-tight drainage piping to oil/water separators in accordance with professionally accepted practices. Stormwater discharge from the separators shall be daylighted to a readily accessible location that allows for the soil adjacent to stormwater daylighting to be tested in the event of leaks from such vehicles and/or equipment.
3. No maintenance and/or repair work of any type shall be allowed to occur on a self-storage facility site on any vehicle and/or equipment that contains any type of petroleum-based fluid or any fluid that potentially contaminates soil and/or groundwater if leaked. In the event that maintenance and/or repair is proposed, all applicable standards for the additional use(s) must be met and maintained specifically including provisions in Article 6 of this ordinance which addresses lot(s) and use(s). The operator of the facility shall be required to disclose this information to all parties utilizing the self-storage facility.

4. Any outdoor storage shall be located at least one-hundred (100) feet from any property line and shall be subject to subject to additional standards as detailed below in this section. If an outdoor storage area is located adjacent to the perimeter of the facility abutting a property line(s), the depth of the perimeter buffer, in accordance with standards specified below in this section, shall be increased from seventy-five (75) to one-hundred (100) feet.
5. For security purposes, any outdoor storage area shall be enclosed by buildings, fencing, or other means as determined by the planning board. (Note: Is this a town concern or leave to discretion of applicant/owner?)
6. The maximum cumulative footprint of all area(s) utilized for outdoor self-storage shall not exceed twenty-five (25) percent of developed portion of the self-storage facility consisting of buildings, accessways, etc. Based on the three (3) acre maximum footprint of the developed portion of the facility specified in D above in this section, the maximum size of an outdoor storage area is .75 of an acre/32,670 sq. ft. (NOTE: For reference purposes; a full regulation soccer field is 100' x 300'=30,000 sq. ft. and a full regulation football field is 160' x 360'=57,600)

Chapter 402 Gray Zoning Ordinance

		RRA	LD*	MD	BD-1	BD-2	C	VC*	VCP*	BT-1*	BT-2*	WH-1*	WH-2*	LMOD
45.	Personal Services				C	C	C	C	C	C				
46.	Planned Unit Development ‡				C	C	C	C	C	C				
47.	Places for Public Assembly, Indoor and Outdoor	C	C		C	C		P	P					
48.	Private Assembly				C	C	C	C	C					
49.	Private Landing Strips for Personal Aircraft ‡	C			C	C								
50.	Public Utilities	C	C	C	C	C	C	C	C	C	C	C	C	
51.	Redemption Center						C			C			P	
52.	Registered Caregiver*				C	C	C	C						
53.	Registered Caregiver Cultivation Area*				C	C	C	C						
54.	Repair Service				P	P	C	P	P		C		C	
55.	Research Facility				C	C		C	C					
56.	Residential Open Space Subdivisions	P	P	P										
57.	Restaurant				P	P	C	P	P	C	C			
58.	Retail Trade				P	P	C	P	P	C	C		C	
59.	School	P	P	P		C	C	C	C	C	C		C	
60.	Self-Storage Facility				C	C	C			C				
61.	Single-Family Dwelling	P	P	P	P	P	P	P	P	P	P	P	P	
62.	Similar Uses	C	C	C	C	C	C	C	C	C	C	C	C	
63.	Tavern					C	C	C	C					
64.	Trucking Terminal				C	C								
65.	Two-Family Dwelling	P	P	P	P	P	P	P	P	P	P		P	
66.	Warehousing				P	P								P/C
67.	Wholesale Trade				C	C		P	P					
68.														

Town of Gray Design Standards for self-storage facilities

Use- specific performance standards to become: 402.8.11

These design standards apply to all self-storage facilities, as defined in the Town of Gray Land Use Ordinance.

PURPOSE:

The Town has set these standards in response to increased interest in development of self-storage facilities, both within the Town and in surrounding towns. This use has historically seen the installation of multiple long, single-story metal buildings, which can be visually monotonous and unattractive, detracting from the community's desired image. Variations in roofline elements and façade treatments are proposed herein to break up the scale of such buildings and add visual interest.

These standards seek to promote an aesthetically pleasing appearance for self-storage facilities, in the interest of retaining Gray's rural character, and protecting property values within the town and specifically within the districts in which the self-storage use is conditionally permitted.

Photographs and captions included herein are meant to provide visualizations of the intended design effect.

APPLICABILITY:

These standards apply to all developments defined as "self-storage" use per the Gray Zoning Ordinance, presented to town staff, Staff Review Committee or Planning Board as of the effective date of these standards, and are meant to supplement the existing standards of the Gray Zoning Ordinance.

DESIGN ELEMENTS:

The architectural design elements outlined below are options that can be combined to meet the stated purpose of improving the appearance of self-storage facilities, particularly by breaking up long, monotonous facades.

Materials: The Town recognizes that many self-storage facilities are metal buildings with metal roofs. For complementary architectural design elements to such buildings, such as the façade treatments listed below, a traditional Northern New England appearance is preferred, such as brick, clapboard and shingles. Contemporary materials with similar appearance, such as veneers, composites, vinyl and dyed concrete can be used to achieve this end on all or part of metal buildings.

Roofs: Pitched roofs are required, with a minimal pitch of at least 5/12. Buildings with projecting rooflines should be designed to create strong patterns of shade and shadow.

Façade treatments: Blank, unadorned or unscreened walls facing public roads, residential neighborhoods, or the front or side of abutting properties should be avoided. In addition to landscape buffering, façade treatments such as those listed below should be added to provide depth and visual interest on extended walls.

- wall plane projections and recesses,
- roof elevation variations,
- Faux windows, with or without shutters
- Decorative lighting
- Exterior artwork (i.e., building murals)
- canopies
- variations in siding materials and orientations, such as patterns or a combination of vertical and horizontal siding
- wainscoting
- awnings
- decorative dormers



Clockwise from top: Brick façade; pitched roof with appropriate colors and stone wainscoting; decorative canopy; faux windows with stone brick façade; overhang canopy; dormer.

Buffering: The reviewing authority shall have the ability to require buffering and screening of self-storage facility building(s) sufficient to minimize the impact on abutting properties and any publicly maintained road from which the development is visible.

These buffers/screens can include, but are not limited to: plantings, hedges, fencing, berms, walling, and combinations thereof.

New plantings must be tolerant species of sufficient height and blend with existing vegetation, which should also be retained as buffering whenever possible. Long term, plantings must be maintained or replaced to continue to serve as buffers. Fencing should be in colors compatible with the building and with the rural image of the town.

Colors: Building colors should be compatible with surrounding properties, to include earth tones and neutral colors, compatible with traditional New England construction. Roof colors shall be those commonly found on residential buildings, including but not limited to brown, black, gray and green, and shall be of a dark hue.

Lighting: All building and site lighting must be directed downward to minimize light pollution. Lights should be aimed and shielded to avoid any light directed onto the road, sidewalks or abutting properties. Lights should be directed only onto the building or the site. Light fixtures should be considered to highlight design elements as well as illuminate entry points and improve site security.

ADMINISTRATIVE PROCEDURE:

The Planning Board shall administer these standards as part of the site plan review process for a self-storage development, per Article 10 of the Gray Zoning Ordinance. Appeals of the Planning Board's decisions are to be made according to the provisions of site plan review, 402.10.17.