

PROPOSED AMENDMENTS TO APPENDIX K LAND USE ORDINANCE

SECOND PLANNING BOARD READING 1-8-18

The proposed amendments are presented in four parts for review purposes.

Part 1 addresses Resource Protection zoning changes.

Part 2 addresses Industry Development and Industry Development Shoreland Overlay District land use changes

Part 3 addresses accessibility standards changes.

Part 4 addresses miscellaneous land use and zoning map changes.

PART 1

PROPOSED RESOURCE PROTECTION SHORELAND OVERLAY DISTRICT AMENDMENTS

The proposed changes to Section 7 bring the description of a Resource Protection District into conformance with the language in DEP regulations. Rather than referencing individual water bodies, the emphasis is on identifying shoreland areas where adverse impacts would likely occur from development. Removing water body names also simplifies the process to change RP zoning that was required in 2009 back to Limited Residential.

SECTION 7 ESTABLISHMENT OF DISTRICTS

~~{AMENDED 11-10-11 EFFECTIVE 12-10-11}~~

7.1.12 RESOURCE PROTECTION SHORELAND OVERLAY (RPO): An area within 250 feet of the shoreline of any wetland with moderate or high value as rated by the Maine Department of Inland Fisheries and Wildlife; or within 250 feet of the shoreline of Silver Lake, Mud Pond, McGann Bog, Narramissic River, Penobscot River, Copeland Brook and Whites Brook. Land within this area is primarily undeveloped or developed with residential uses. The intent of regulations affecting the use of land and buildings within this overlay district is to protect water bodies, wetlands and wildlife, and scenic, historical and natural resources in the area. Land within this area is not suitable for commercial uses, but may be suitable for the limited development of residential and recreational uses, subject to compliance with more restrictive regulations than those that are applicable in other shoreland districts. any shoreline in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas, except as otherwise identified in Sections 7.1.12.2 and 7.1.12.3:

~~7.1.12.1 The RPO District is based on DEP districting guidelines for the establishment of a Resource Protection District, which include:~~

- ~~1) Areas where development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district excludes areas meeting the criteria of a Stream Protection District, Limited Commercial, General Development or Commercial Fisheries/Maritime Activities District.~~
- ~~2) Areas rated "moderate" or "high" value waterfowl and wading bird habitat (including nesting and feeding areas) by the Maine Department of Inland Fisheries and Wildlife that are within 250 feet of the shoreline of a freshwater wetland, salt marsh, salt meadow or a~~

wetland associated with a great pond or river. Freshwater wetland ratings are depicted as of December 31, 2008 and coastal wetland ratings are depicted as of January 1, 1973. For the purposes of this paragraph, "wetlands associated with great ponds and rivers" includes areas characterized by non-forested wetland vegetation and hydric soils that are contiguous with a great pond or river, and that have a surface elevation at or below the water level of the great pond or river during the period of normal high water. Wetlands associated with great ponds are considered part of the great pond or river. ~~Reserved.~~

- ~~3) Floodplains along coastal wetlands, rivers and artificially formed great ponds along rivers, defined by the 100-year flood as shown on FEMA's Flood Insurance Rate Maps for the Town of Bucksport.~~
- ~~4) Areas of 2 or more contiguous acres with sustained slopes of 20% or greater.~~
- ~~5) Areas of 2 or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater or coastal wetland as defined, and which are not connected to the surface of a water body during the period of normal high water.~~
- ~~6) Land areas along rivers subject to severe bank erosion, undercutting, or river bed movement, and lands adjacent to tidal waters which are subject to severe erosion or mass movement, such as steep coastal bluffs.~~
- ~~7) Land areas surrounding Silver Lake, the town's public water supply.~~

1) Floodplains along rivers and floodplains along artificially formed great ponds along rivers, defined by the 100 year floodplain as designated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or the flood of record, or in the absence of these, by soil types identified as recent floodplain soils. This district shall also include 100 year floodplains adjacent to tidal waters as shown on FEMA's Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

- 2) Areas of two or more contiguous acres with sustained slopes of 20% or greater.
- 3) Areas of two or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater or coastal wetland as defined, and which are not surficially connected to a water body during the period of normal high water.
- 4) Land areas along rivers subject to severe bank erosion, undercutting, or river bed movement, and lands adjacent to tidal waters which are subject to severe erosion or mass movement, such as steep coastal bluffs.

7.1.12.1 The Town of Bucksport adds the following districting guideline for the establishment of a Resource Protection Overlay District:

- 1) Land areas surrounding Silver Lake, the town's public water supply, except any developed area that was in existence before December 10, 2009.

7.1.12.2 Shoreland areas in the Tannery Brook or Stream Protection Overlay District, or that meet the criteria in Section 7 for the Route 1 Shoreland, Downtown Shoreland, or Commercial Fisheries/Maritime Activities District need not be included within the Resource Protection Overlay District.

7.1.12.3 Any currently developed shoreland area that was in existence before December 10, 2009, need not be included within the Resource Protection Overlay District.

Official Zoning Map of Bucksport, Maine Sheet 1 of 2

0 1,250 2,500 5,000 7,500 10,000 Feet
1 inch equals 1,500 feet

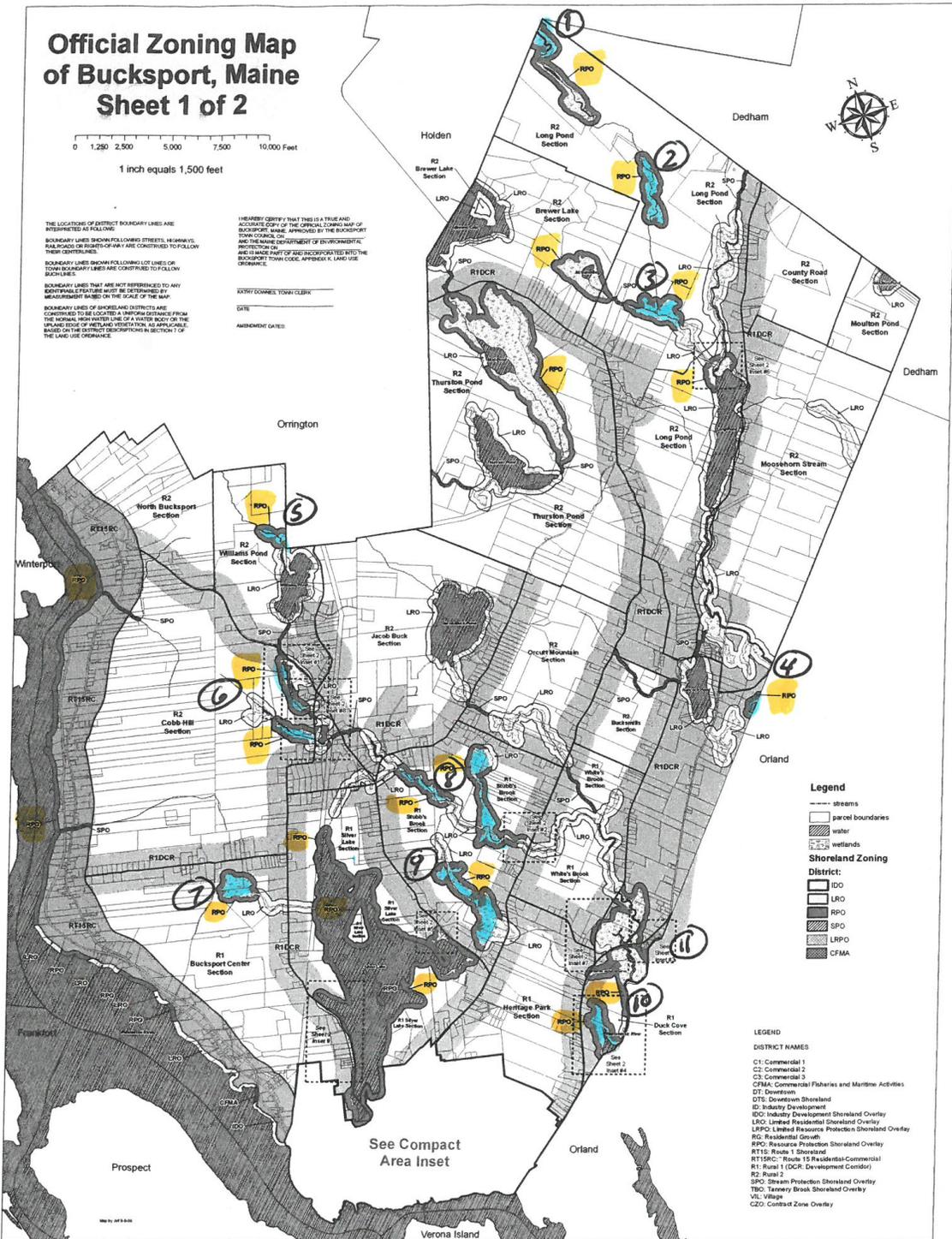
THE LOCATION OF DISTRICT BOUNDARY LINES ARE INTERPRETED AS FOLLOWS:
BOUNDARY LINES SHOWN FOLLOWING STREETS, HIGHWAYS, RAILROADS OR RIGHTS-OF-WAY ARE CONSIDERED TO FOLLOW THEIR CENTERLINES.
BOUNDARY LINES SHOWN FOLLOWING LOT LINES OR TOWN BOUNDARY LINES ARE CONSIDERED TO FOLLOW BUCK LINES.
BOUNDARY LINES THAT ARE NOT REFERENCED TO ANY SPECIFICALLY LISTED DISTRICT SHOULD BE DETERMINED BY MEASUREMENT BASED ON THE SCALE OF THE MAP.
BOUNDARY LINES OF SHORELAND DISTRICTS ARE CONSIDERED TO BE LOCATED A UNIFORM DISTANCE FROM THE NORMAL HIGH WATER USE OF A WATER BODY ON THE PLAINE SIDE OF THE LAND WITHIN THE JURISDICTION BASED ON THE DISTRICT DESCRIPTIONS IN SECTION 7 OF THE LAND USE ORDINANCE.

MEMBER CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE OFFICIAL ZONING MAP OF BUCKSPORT, MAINE, APPROVED BY THE BUCKSPORT TOWN COUNCIL ON SEPTEMBER 27, 2009. THE NAME OF THE TOWN OF BUCKSPORT AND THE TOWN ENGINEER'S SIGNATURE AND TITLE ARE TO BE PRINTED IN THE SPACE PROVIDED HEREON.
TOWN ENGINEER: _____
APPROVED DATE: _____

ENTRY FORMER TOWN CLERK: _____

DATE: _____

APPROVED DATE: _____



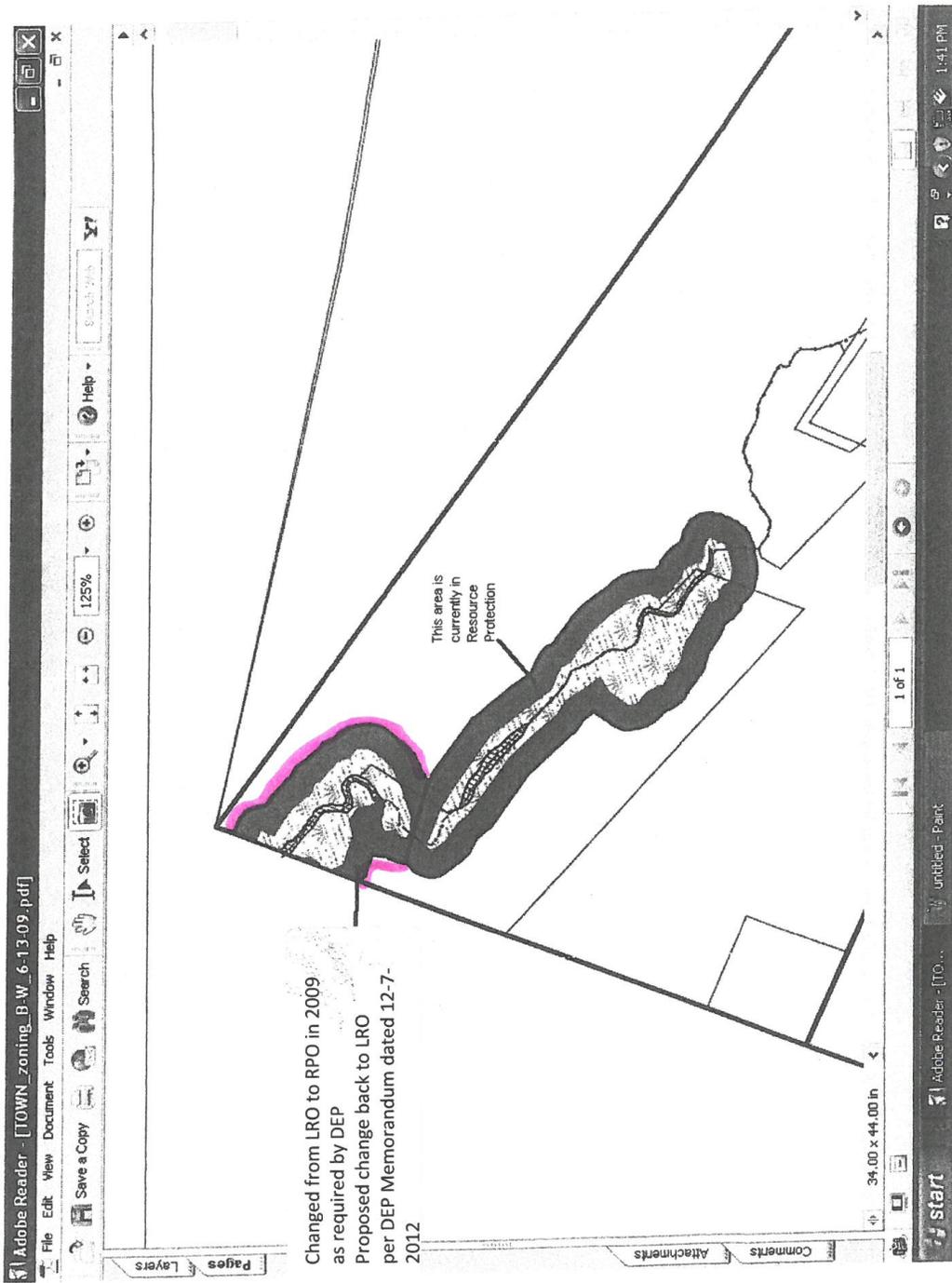
Legend

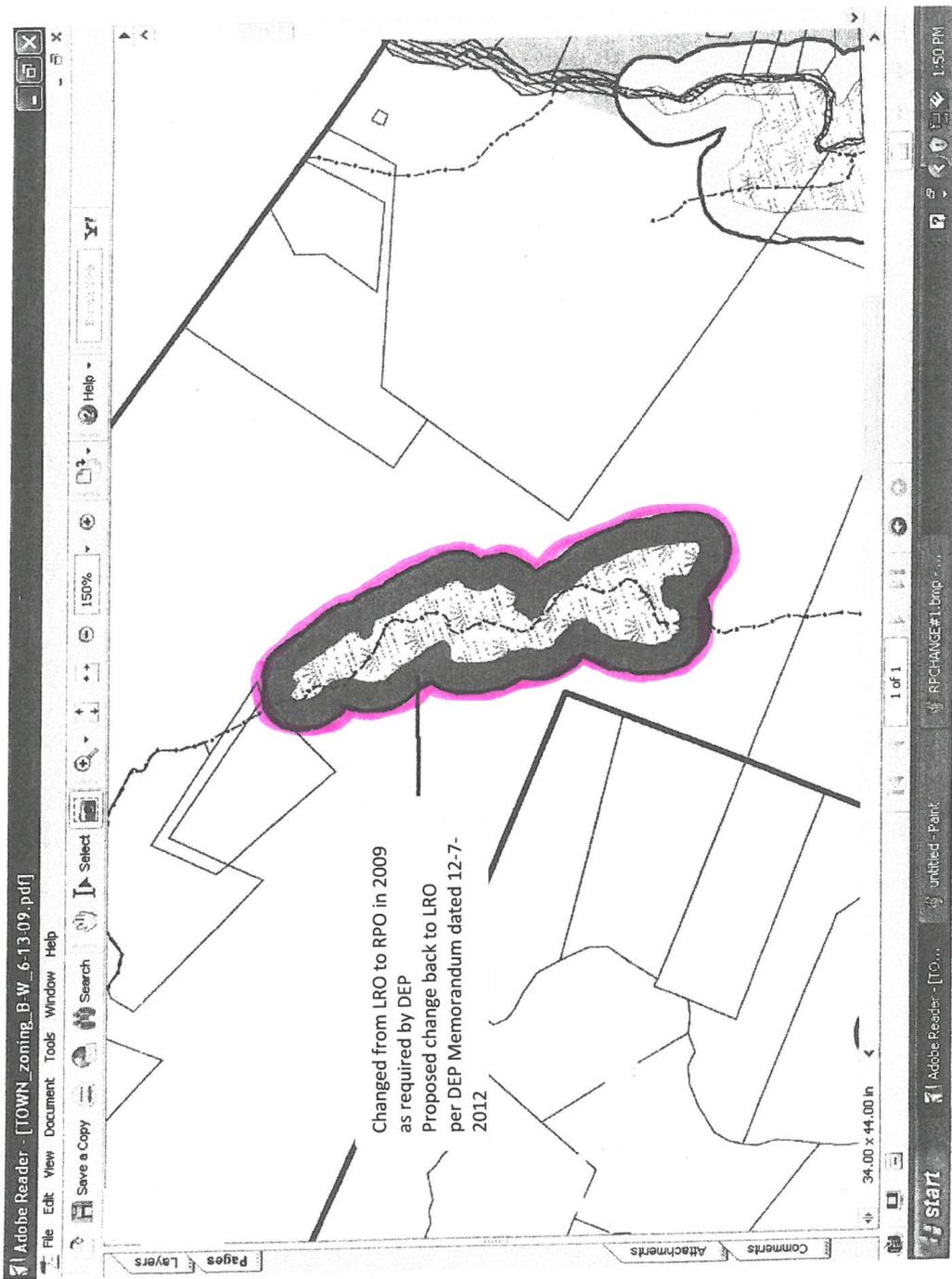
- streams
 - parcel boundaries
 - water
 - wetlands
- Shoreland Zoning**
- DDO
 - LRO
 - RPO
 - SPO
 - LRPO
 - CFMA

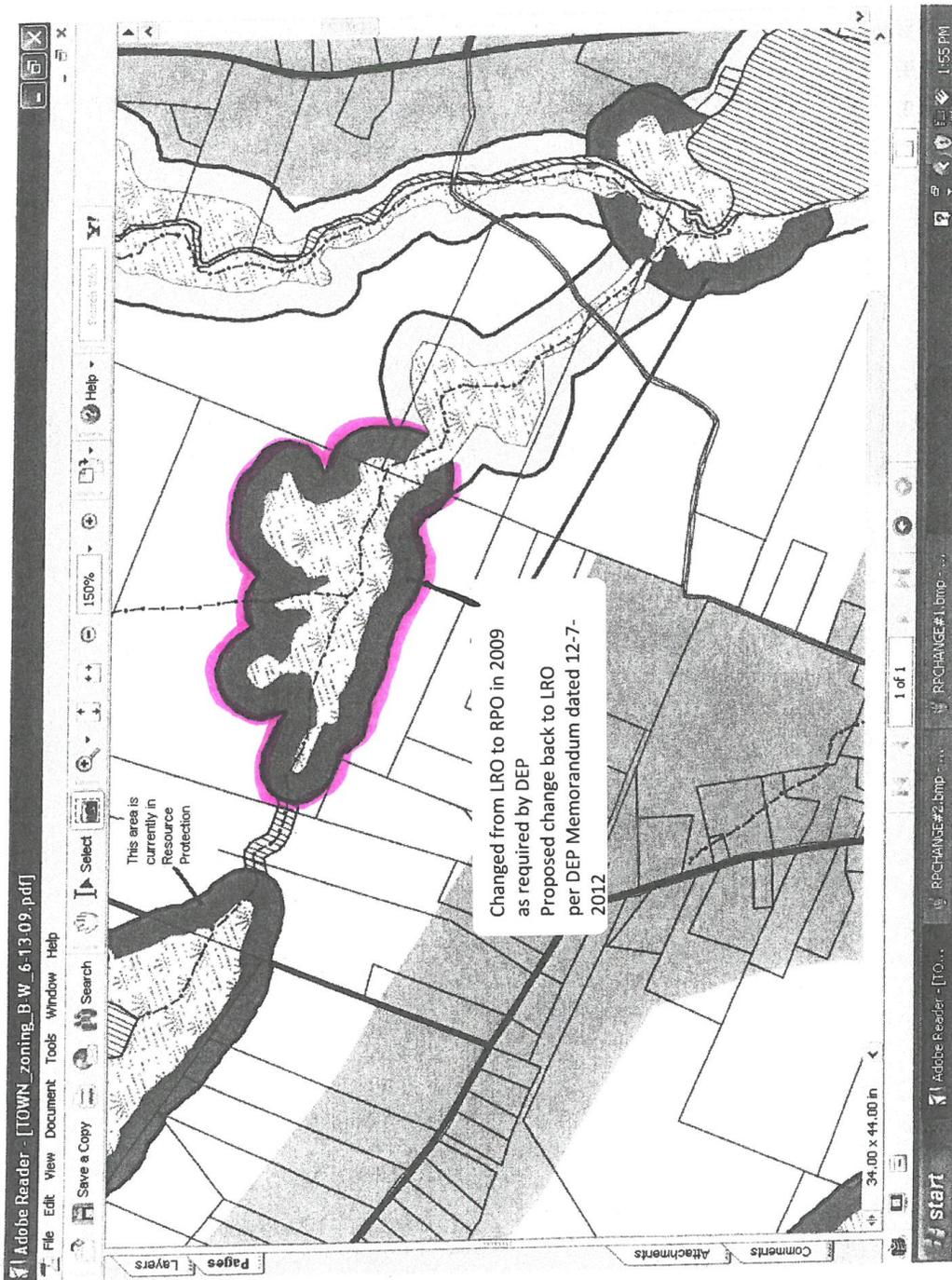
LEGEND

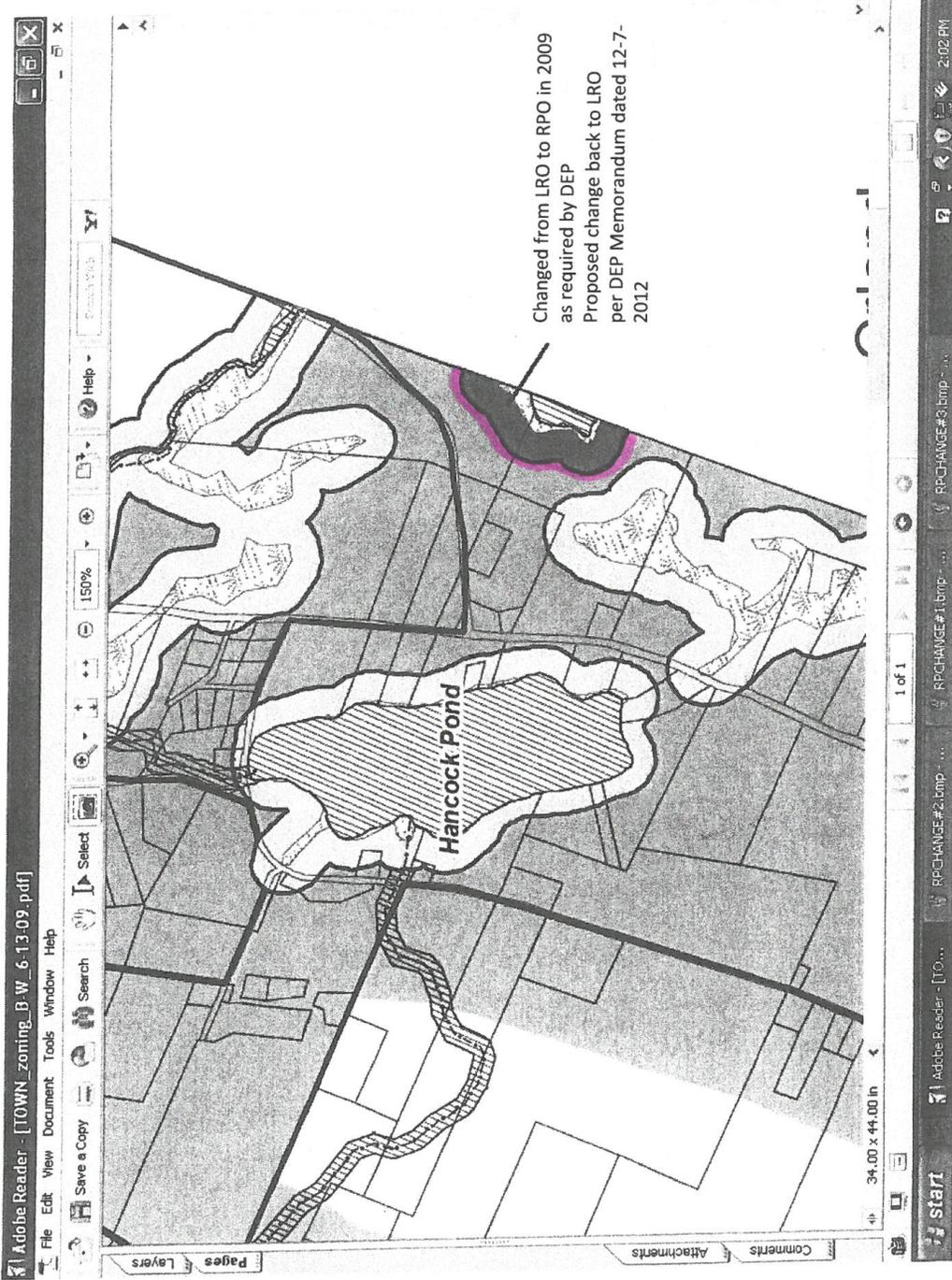
- DISTRICT NAMES**
- C1: Commercial 1
 - C2: Commercial 2
 - C3: Commercial 3
 - CFMA: Commercial Fisheries and Maritime Activities
 - DT: Downtown
 - DS: Downtown Shoreland
 - ID: Industry Development
 - IDO: Industry Development Shoreland Overlay
 - LRO: Limited Residential Shoreland Overlay
 - LRPO: Limited Resource Protection Shoreland Overlay
 - RD: Residential Overlay
 - RPO: Resource Protection Shoreland Overlay
 - RT1S: Route 1 Shoreland
 - RT15RC: Route 15 Residential-Commercial
 - R1: Rural 1 (DCR, Development Control)
 - R2: Rural 2
 - SPO: Stream Protection Shoreland Overlay
 - TBO: Tannery Brook Shoreland Overlay
 - VLL: Village
 - CZO: Context Zone Overlay

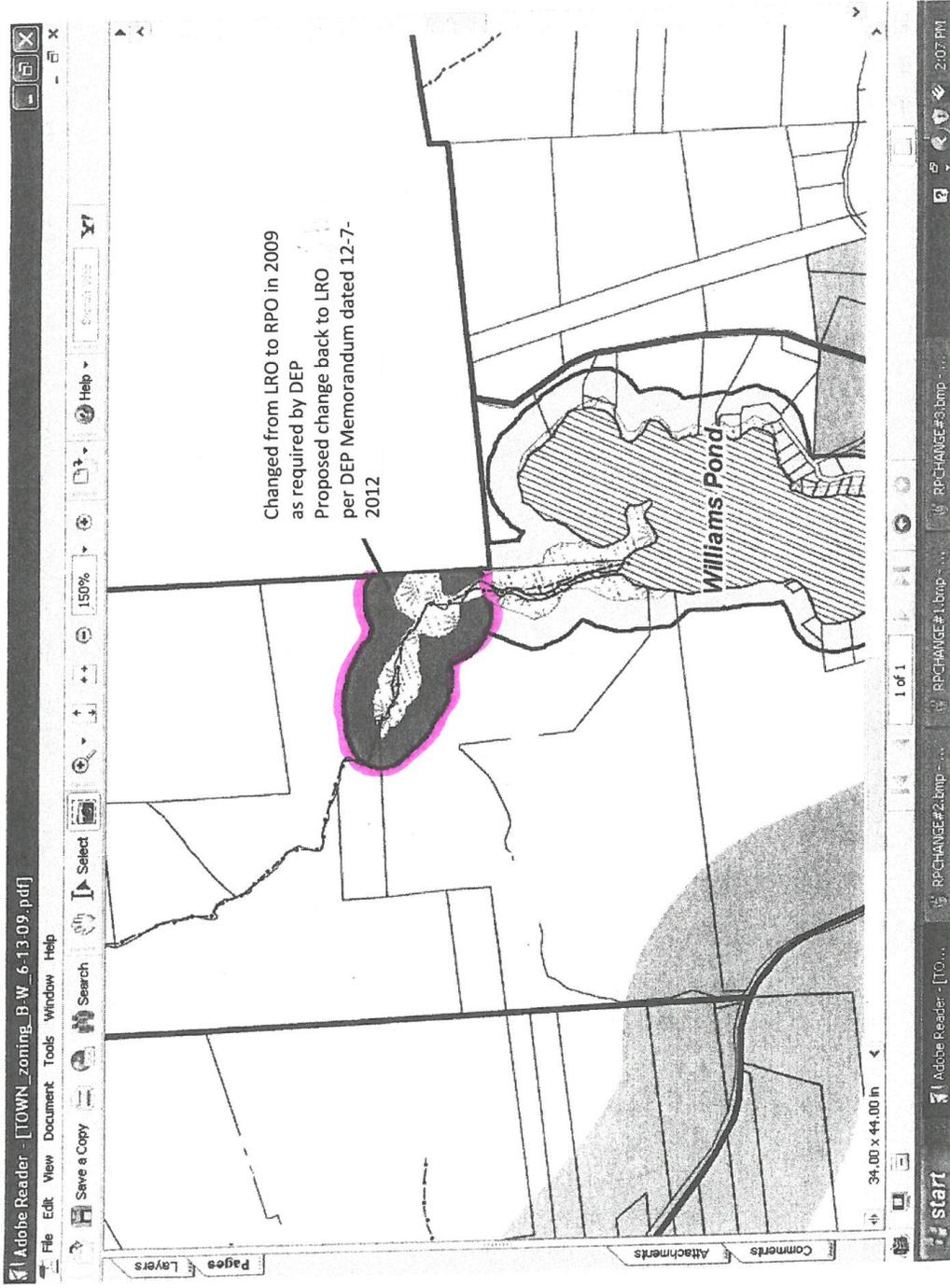
CHANGED TO RPO IN 2009











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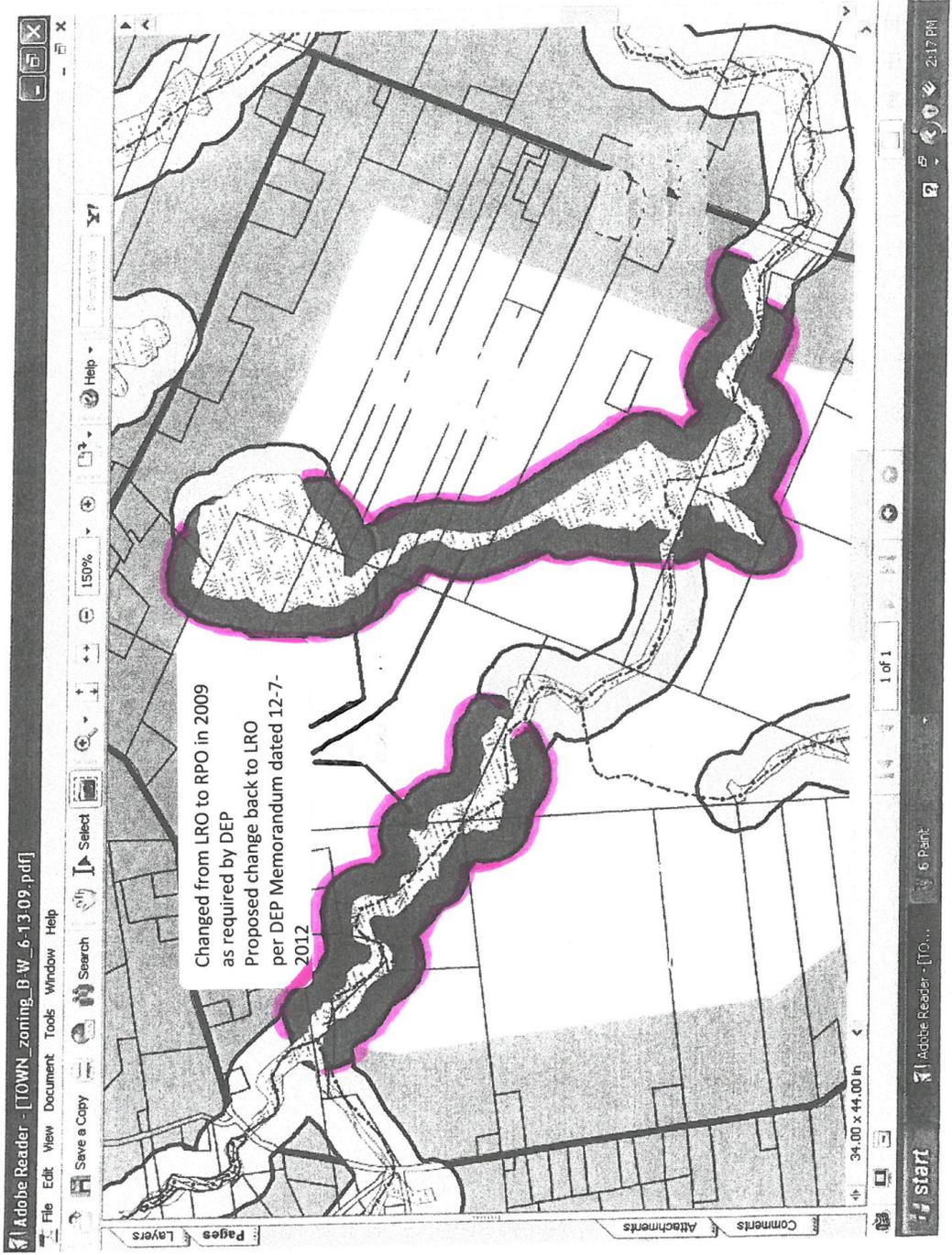
R11

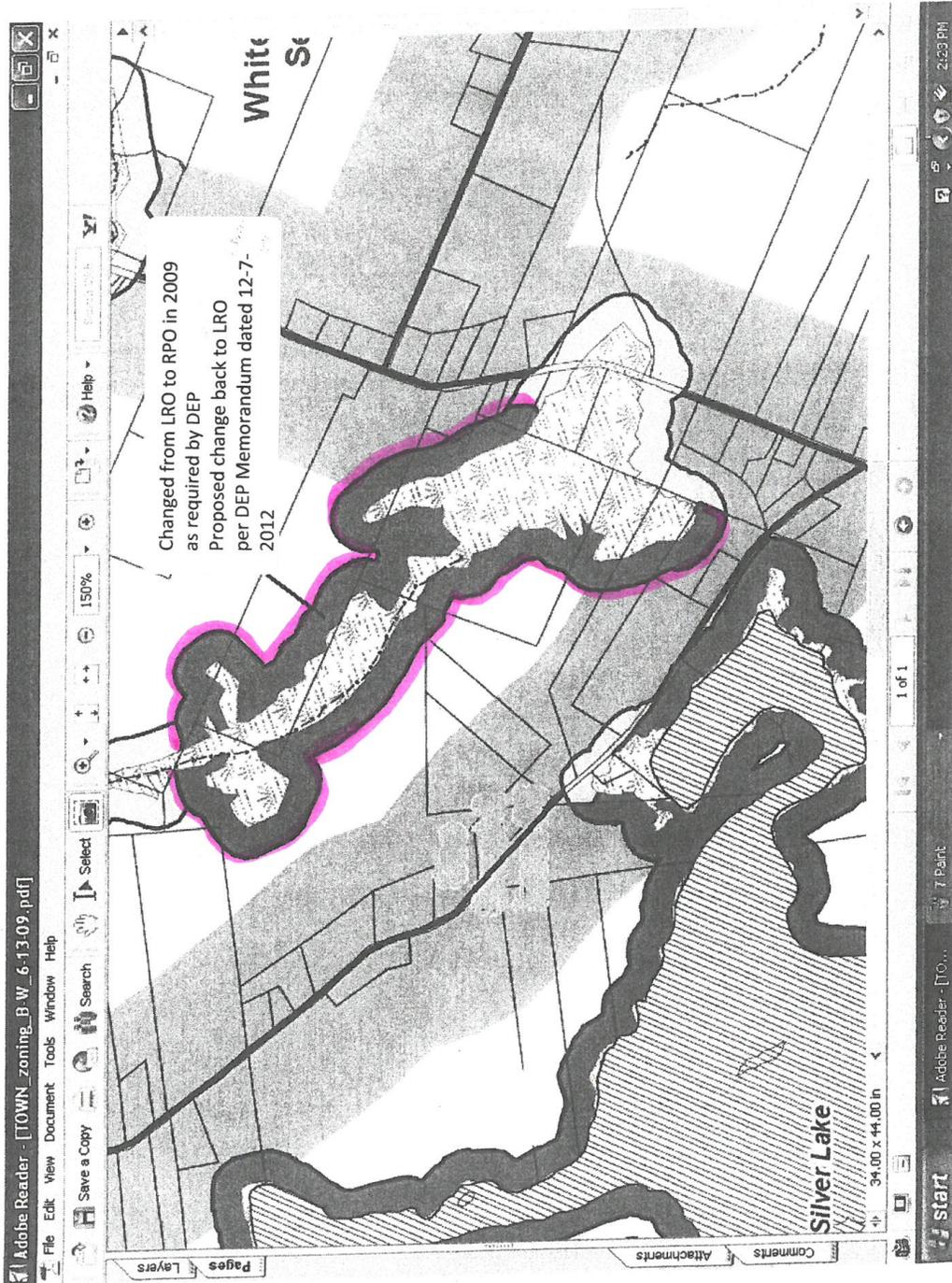
Changed from LRO to RPO in 2009 as required by DEP Proposed change back to LRO per DEP Memorandum dated 12-7-2012

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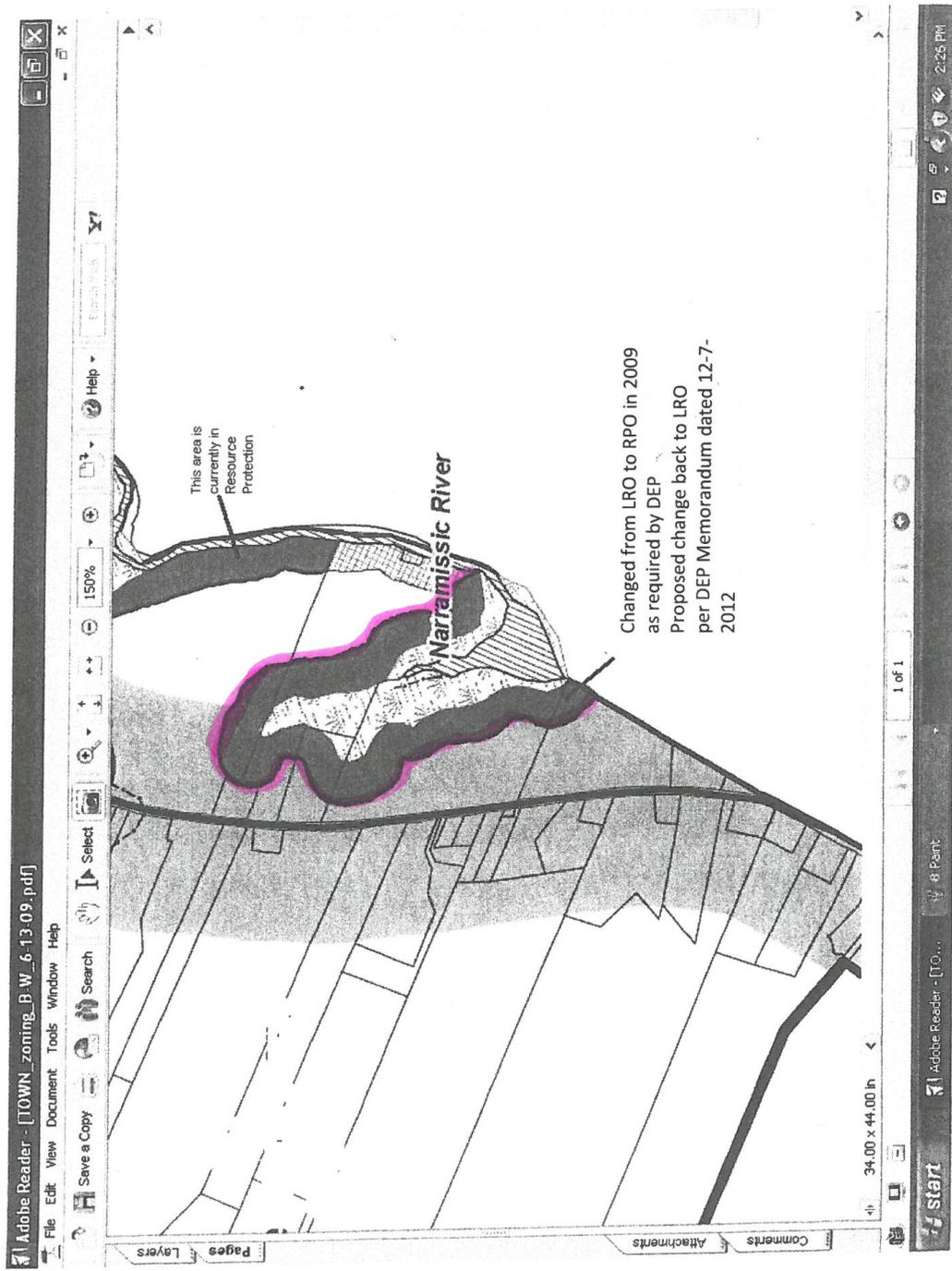
The image is a screenshot of the Adobe Reader application displaying a zoning map. The map features a grid of streets and various zoning districts. Two specific areas are highlighted with a thick pink border. A text box is overlaid on the map, providing a detailed explanation of the zoning changes. The text reads: 'Changed from LRO to RPO in 2009 as required by DEP Proposed change back to LRO per DEP Memorandum dated 12-7-2012'. The Adobe Reader interface is visible, including the top menu bar (File, Edit, View, Document, Tools, Window, Help), a toolbar with icons for search, select, and zoom, and a status bar at the bottom showing the page number (1 of 1) and the document size (34.00 x 44.00 in). The Adobe Reader title bar indicates the file name is 'TOWN_zoning_B_W_6-13-09_.pdf'. The Windows taskbar at the bottom shows the 'start' button and several open windows, including 'Adobe Reader - [TOWN_zoning_B_W_6-13-09_.pdf]', 'RCHANGE#2.lbm...', 'RCHANGE#3.lbm...', and 'RCHANGE#5.lbm...'. The system clock shows the time as 2:09 PM.



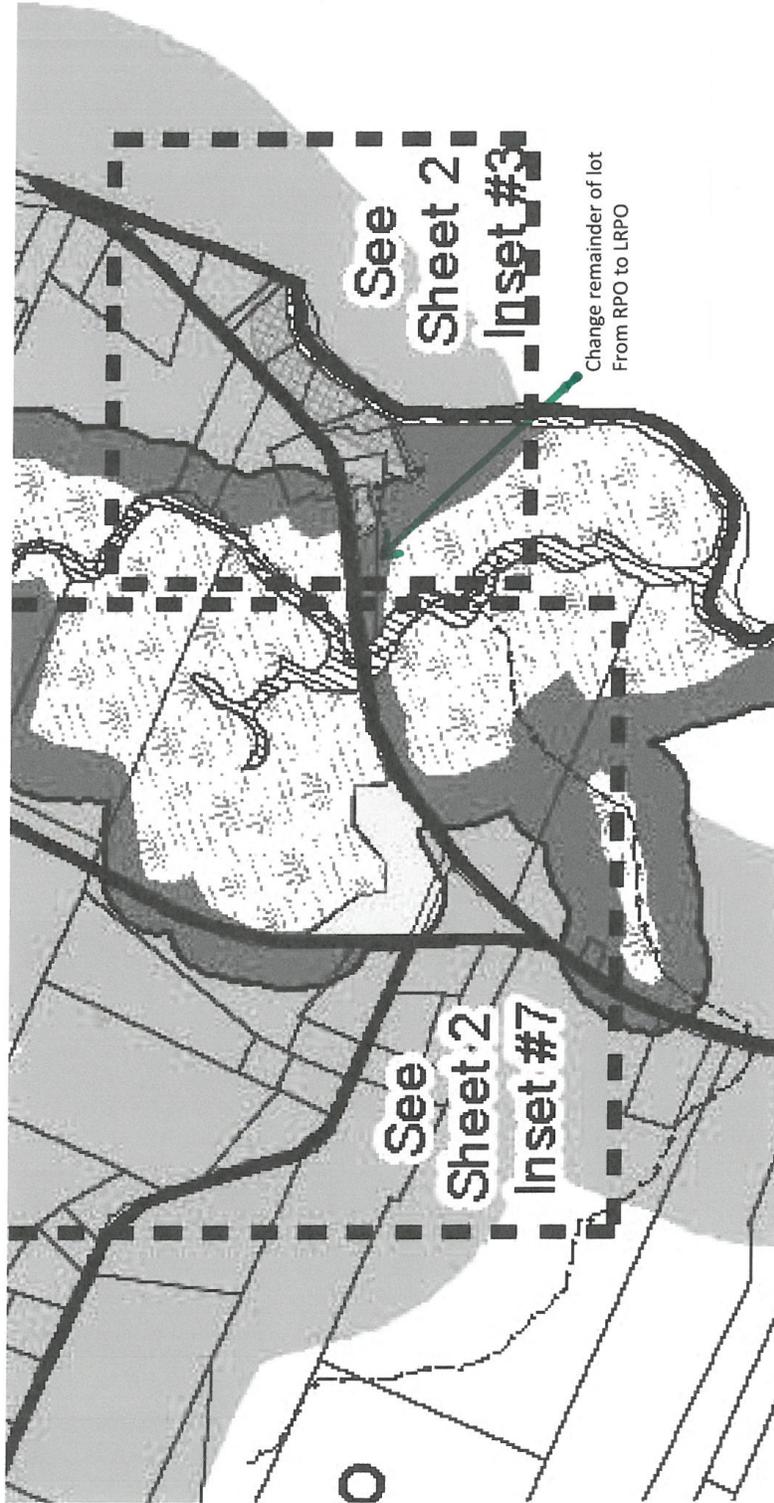




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PART 2

PROPOSED INDUSTRY DEVELOPMENT AND INDUSTRY DEVELOPMENT SHORELAND OVERLAY DISTRICT AMENDMENTS

TABLE 9.5.2 is amended to identify auction houses, meeting facilities and indoor recreational facilities as compatible commercial uses in the ID and IDO Districts.

9.5.2 ASSEMBLY LAND USES

DISTRICTS →	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LR PO	RG	RP O	RT IS	RT 15 RC	R1	R2	SP O	TB O	V I L
DISTRICT NOTES →	D 1	D 2	D 3	D 4	D 5	D 6	D 7	D 8	D 9	D 10	D 11	D 12	D 13	D 14	D 15	D 16	D 17	D 18	D 19
2.1 AUCTION HOUSES	L2	L2	L2	L2	X	X	X L2	X L2	X	X	X	X	X	L2	L2 B.2	X	X	X	X
2.2 ENTER- TAINMENT ESTABLISH- MENTS §13.3.2	L2 B.1	L2 B.1	L2 B.1	L2 B.1	X	X	X	X	X	X	X	X	X	L2 B.1	L2 B.2 B.3	X	X	X	X
2.3 FUNERAL HOMES	L2 B.4	X	L2	L2	X	X	X	X	X	X	X	X	L2	L2	X	X	X	X	X
2.4 LIBRARIES	L2	L2	L2	L2	X	X	X	X	X	X	L2	X	L2	L2	L2 B.2	X	X	X	L2
2.5 MEETING FACILITIES	L2	L2	L2	L2	X	X	X L2	X L2	X	X	X	X	X	L2	L2 B.2	X	X	X	X
2.6 MUSEUMS	L2	L2	L2	L2	X	X	X	X	X	X	X	X	L2	L2	L2 B.2	X	X	X	L2
2.7 PLACES OF WORSHIP	L2	L2	L2	L2	X	X	X	X	X	X	L2	X	L2	L2	L2 B.2	X	X	X	L2
2.8 RECREA- TIONAL FACILITIES (INDOOR)	L2	L2	L2	L2	L2	X	X L2	X L2	X	X	X	X	L2	L2	L2 B.2	X	X	X	X
2.9 RESTAU- RANTS §13.3.9	L2	L2	L2	L2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2.10 RETAIL MARIJUANA SOCIAL CLUBS	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2.11 TAVERNS	L2	L2	L2	L2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

9.5.2.1 ASSEMBLY LAND USE NOTES

- B.1 Entertainment establishments that include adult entertainment are prohibited.
- B.2 The land use is not allowed in R1(SL) unless it is provided with public sewer service.
- B.3 Adult entertainment establishments are not allowed in R1(DCR).
- B.4 The land use may not be located on any lot with frontage on Main Street.

TABLE 9.5.3 is amended to identify all educational facilities as schools and consider the use as a compatible use in the ID and IDO Districts when limited to schools that provide specialized training or recertification or licensing training. Also, to allow administrative offices for these schools, as well as post-secondary schools, research facilities and small educational/scientific/nature interpretation facilities.

9.5.3 EDUCATION LAND USES

DISTRICTS →	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LR PO	RG	RP O	RT IS	RT 15 RC	R1	R2	SP O	TB O	V I L
DISTRICT NOTES →	D 1	D 2	D 3	D 4	D 5	D 6	D 7	D 8	D 9	D 10	D 11	D 12	D 13	D 14	D 15	D 16	D 17	D 18	D 19
3.1 POST- SECONDARY EDUCATION FACILITIES	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u>	X	X	X	X	X	<u>L2</u>	X	X	<u>L2</u>	<u>L2</u> C.3	X	X	X	<u>L2</u>
3.2 PRIVATE SCHOOLS	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u> C.1	X	X	X	X	X	<u>L2</u>	X	X	<u>L2</u>	<u>L2</u> C.3	X	X	X	<u>L2</u>
3.3 PUBLIC SCHOOLS	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u> C.2	X	X	X	X	X	<u>L2</u>	X	X	<u>L2</u>	<u>L2</u> C.3	X	X	X	<u>L2</u>
3.4 3.1 RESEARCH FACILITIES	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u>	X	X <u>L2</u>	X <u>L2</u>	X	X	<u>L2</u>	X	X	<u>L2</u>	<u>L2</u>	<u>L2</u>	X	X	<u>L2</u>
3.2 SCHOOLS	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u> C.1	X	X <u>L2</u> C.1	X <u>L2</u> C.1	X	X	<u>L2</u>	X	X	<u>L2</u>	<u>L2</u> C.3	X	X	X	<u>L2</u>
3.5 3.3 SCHOOL ADMINIS- TRATIVE OFFICES	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u>	<u>L2</u>	X	X <u>L2</u> C.2	X <u>L2</u> C.2	X	X	<u>L2</u>	X	<u>L2</u>	<u>L2</u>	<u>L2</u> C.3	X	X	X	<u>L2</u>
3.6 3.4 SMALL EDU- CATIONAL/ SCIENTIFIC/ NATURE INTERPRE- TATION FACILITIES	<u>L1</u>	<u>L1</u>	<u>L1</u>	<u>L1</u>	X	X	X <u>L2</u>	X <u>L2</u>	<u>L1</u>	<u>L1</u>	<u>L1</u>	<u>L2</u>	<u>L1</u>	<u>L1</u>	<u>L1</u>	<u>L1</u>	<u>L2</u> C.4	<u>L1</u>	<u>L1</u>

9.5.3.1 EDUCATION LAND USE NOTES

- C.1 ~~The land use is Private schools are limited to those schools that offer training and education to meet licensing or certification prerequisites, schools that offer specialized training, schools that offer adult education or and schools that offer post-secondary education. Private K-12 schools are prohibited.~~
- C.2 ~~Public schools are limited to those that offer training and education to meet licensing or certification prerequisites, schools that offer specialized training, schools that offer adult education or schools that offer post-secondary education. Public K-12 schools are prohibited.~~
The land use is limited to administrative offices for schools allowed in the district.
- C.3 The land use is not allowed in R1(SL) unless it is provided with public sewer service.
- C.4 New structures for the use require a setback variance from the board of appeals.

TABLE 9.5.5 is amended to identify dormitories as a compatible commercial use in the ID and IDO Districts.

9.5.5 HOUSING LAND USES

DISTRICTS →	DT	DT S	C1	C2	C3	CF M A	ID	ID O	LR O	LR PO	R G	RP O	RT IS	RT 15 RC	R1	R2	SP O	TB O	V I L
DISTRICT NOTES →	D 1	D 2	D 3	D 4	D 5	D 6	D 7	D 8	D 9	D 10	D 11	D 12	D 13	D 14	D 15	D 16	D 17	D 18	D 19
5.1 ADULT FAMILY CARE HOMES §13.6.1	L2	L2	L2	L2	X	X	X	X	L2	L2	L2	X	L2	L2	L2	X	X	L2	L2
5.2 DAYCARE CENTERS §13.6.2	L2	L2	L2	L2	X	X	X	X	X	X	L2	X	L2	L2	L2 E.8	X	X	X	L2
5.3 DAYCARE HOMES §13.6.3	L1	L1	L1	L1	X	X	X	X	L1	L1	L1	X	L1	L1	L1	L1	L2 E.12	L2	L1
5.4 DORMI- TORIES	L2	L2	L2	L2	X	X	X L2	X L2	X	X	L2	X	L2	L2	L2	X	X	X	L2
5.5 DWELLING UNITS §13.6.5	L1 E.9 E.10	L1 E.9 E.10	L1 E.9	L1 E.9	X	X	X	X	X	X	L1 E.9	X	L1 E.9	L1 E.9	L1 E.9	L1 E.9	X	X	L1 E.9
5.6 INDEPEN- DENT HOUSING WITH SERVICES	L2	L2	L2	L2	X	X	X	X	X	X	L2	X	L2	L2	L2 E.8	X	X	X	L2 E.1
5.7 MOBILE HOMES §13.6.7	X	X	X	X	X	X	X	X	X	X	X	X	X	L1	L1	L1	X	X	X

9.5.5.1 HOUSING LAND USE NOTES

- E.1 The land use is only allowed in buildings existing on the effective date of this ordinance.
- E.8 The land use is not allowed in R1(SL) unless it is provided with public sewer service.
- E.9 Subdivision review is required if three or more dwelling units are added to a building, including expansions, in a five-year period.
- E.10 Dwelling units are limited to a secondary use in commercial or noncommercial buildings.
- E.12 New structures require a variance from the board of appeals.

TABLE 9.5.9 is amended to identify public recreation and public bathrooms as compatible uses in the ID and IDO Districts. Public recreation is currently allowed in the IDO District. **After First Reading on December 18, 2018, Table 9.5.9 is further amended to identify public information centers as a compatible use in the ID and IDO Districts.**

9.5.9 MUNICIPAL LAND USES

DISTRICTS →	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LR PO	RG	RP O	RT IS	RT 15 RC	R1	R2	SP O	TB O	V I L
DISTRICT NOTES →	D 1	D 2	D 3	D 4	D 5	D 6	D 7	D 8	D 9	D 10	D 11	D 12	D 13	D 14	D 15	D 16	D 17	D 18	D 19
9.1 ANIMAL IMPOUND- MENTS §13.10.1	X	X	X	X	X	X	X	X	X	X	X	X	X	L2	L2	L2	X	X	X
9.2 CEMETERIES	X	X	L2	L2	X	X	X	X	X	X	X	X	X	L2	L2	L2	X	X	L2
9.3 PARKING FACILITIES	L2	L2	L2	L2	L2	L2	L2	L2	X	X	L2	X	L2	L2	L2	X	X	X	L2
9.4 PUBLIC BATHROOMS §13.10.4	L2 I.1	L2 I.1	L2 I.1	L2 I.1	X	X	X L2	X L2	X	X	X	L2 I.1	L2 I.1	L2	L2	L2	X	X	L2 I.1
9.5 PUBLIC INFORMA- TION CENTERS	L2	L2	L2	L2	X	L2	X L2	X L2	X	X	X	X	L2	L2	L2	L2	X	X	L2
9.6 PUBLIC RECREATION	L2	L2	L2	L2	X	L2	X L2	L2	L2	L2	L2	L2	L2	L2	L2	L2	L2	L2	L2
9.7 PUBLIC SAFETY FACILITIES	L2	L2	L2	L2	X	L2	L2	L2	X	X	X	X	L2	L2	L2	L2	X	X	L2
9.8 PUBLIC TRANSPOR- TATION FACILITIES	L2 I.2	L2 I.2	L2	L2	L2	L2	L2	L2	X	X	L2 I.2	X	L2	L2	L2	X	X	X	L2 I.2
9.9 PUBLIC WORKS FACILITIES	X	X	L2 I.1	L2 I.1	X	L2 I.1	L2 I.1	L2 I.1	X	X	X	X	L2 I.1	L2 I.1	L2 I.1	L2 I.1	X	X	X
9.10 SOLID WASTE DISPOSAL FACILITIES	X	X	L2 I.1	L2 I.1	X	L2 I.1	L2 I.1	L2 I.1	X	X	X	X	X	L2 I.1	L2 I.1	L2 I.1	X	X	X

9.5.9.1 MUNICIPAL LAND USE NOTES

- I.1 The land use may only be conducted by the town.
I.2 The land use is limited to passenger loading and disembarking of transportation vehicles.

TABLE 9.5.11 is amended to identify business offices as a compatible use in the ID and IDO Districts

9.5.11 **PROFESSIONAL LAND USES [AMENDED 4-14-11, EFFECTIVE 5-14-11]**

DISTRICTS →	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LR PO	RG	R P O	RT IS	RT 15 RC	R1	R2	SP O	TB O	V I L
11.1 BUSINESS OFFICES	L2	L2	L2	L2	L2	X	X L2	X L2	X	X	X	X	L2	L2	L2 K.2	X	X	X	L2 K.1

TABLE 9.5.14 is amended to identify boat launching facilities as a compatible use in the ID District. It is currently allowed in the IDO District and making this change would allow the use to expand over district boundaries if necessary for site development.

9.5.14 **SITE WORK LAND USES**

DISTRICTS →	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LRP O	RG	RP O	RT IS	RT 15 RC	R1	R2	SP O	TB O	V I L	
DISTRICT NOTES →	D 1	D 2	D 3	D 4	D 5	D 6	D 7	D 8	D 9	D 10	D 11	D 12	D 13	D 14	D 15	D 16	D 17	D 18	D 19	
14.1 ARCHEO- LOGICAL EXCAVA- TIONS §13.15.1	L2 N.4	L2 N.4	L2 N.4	L2 N.4	L2 N.4	L2 N.4	L2 N.4	L2 N.4	L2 N.4	L2 N.4	L2 N.4	L2 N.4	L2 N.4	L2 N.4						
14.2 BOAT LAUNCH- ING FACILITIES §13.15.2	X	L2	X	X	X	L2	X L2	L2	L2	L2	X	L2	L2	X	X	X	X	X	X	X
14.3 DRIVE- WAYS §13.15.3	L2 ↓	L2 ↓	L2 ↓	L2 ↓	L2 ↓	L2 N.1 ↓	L2 ↓	L2 ↓	L2 ↓	L2 ↓	L2 ↓	L2 ↓	L2 ↓	L2 ↓						
14.3.1 RESI- DENTIAL DRIVE- WAYS	O	L1	O	O	O	O	O	O	L1	L1	O	L2 N.1	L1	O	O	O	L2	L1	O	
14.4 EMER- GENCY OPERA- TIONS	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O
14.5 FOREST MANAGE- MENT ACTIVITIES	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O

9.5.14.1 **SITE WORK LAND USE NOTES**

- N.1 New driveways are prohibited, except the reviewing authority may grant a permit to construct a driveway in accordance with Section 13.15.3.6.
- N.4 Archaeological excavations conducted by an archaeologist listed on the State Historic Preservation Officer’s level 1 or level 2 approved list is not subject to review.

TABLE 9.5.2 is amended to identify on-site service businesses as compatible commercial uses in the ID and IDO Districts. Off-site service businesses are currently allowed.

9.5.15 TRADE LAND USES

DISTRICTS →	DT	DT S	C1	C2	C3	CF M A	ID	ID O	LR O	LRP O	RG	RP O	RT IS	RT 15 RC	R1	R2	SP O	TB O	V I L
DISTRICT NOTES →	D 1	D 2	D 3	D 4	D 5	D 6	D 7	D 8	D 9	D 10	D 11	D 12	D 13	D 14	D 15	D 16	D 17	D 18	D 19
15.1 HOME- BASED TRADES §13.16.1	L1 O.3	L1 O.3	L1 O.3	L1	X	X	X	X	L1 O.3	L1 O.3	L1 O.3	X	L1 O.3	L1	L1	L1	L1 O.3	L1 O.3	L1 O.1 O.3
15.2 OFF-SITE SERVICES	L2	L2	L2	L2	L2	X	L2	L2	X	X	X	X	L2	L2	L2	L2	X	X	L2
15.3 ON-SITE SERVICES	L2 ↓	L2 ↓	L2	L2	L2	X	X L2	X L2	X	X	X	X	L2	L2	L2	L2	X	X	X
15.3.1 BOTTLE RECYCLING FACILITIES	X	X	L2	L2	L2	X	X L2	X L2	X	X	X	X	L2	L2	L2	L2	X	X	X
15.3.2 MOTOR- CYCLE SERVICE GARAGES	X	X	L2	L2	L2	X	X L2	X L2	X	X	X	X	L2	L2	L2	L2	X	X	X
15.3.3 SMALL ENGINE SERVICE GARAGES	X	X	L2	L2	L2	X	X L2	X L2	X	X	X	X	L2	L2	L2	L2	X	X	X
15.3.4 STORAGE/ SELF- STORAGE FACILITIES	X	X	L2	L2	L2	X	X L2	X L2	X	X	X	X	L2	L2	L2	L2	X	X	X
15.3.5 WELDING SERVICES	X	X	L2	L2	L2	X	X L2	X L2	X	X	X	X	L2	L2	L2	L2	X	X	X

9.5.15.1 TRADE LAND USE NOTES

- O.1 The land use is limited to location in the principal dwelling.
- O.3 The land use may not include small engine repairs or automobile repairs.

Section 20 Definitions is amended to remove definitions for different types of schools, and include all types of schools, publicly or privately funded, under one label.

Section 20 Definitions

PRIVATE SCHOOL: A publicly or privately-funded facility providing educational opportunities for a fee.

- KINDERGARTEN
- MIDDLE SCHOOL
- HIGH SCHOOL
- ADULT/COMMUNITY EDUCATION
- ALTERNATIVE EDUCATION
- TRADE/TECHNICAL SCHOOL
- ACADEMY
- COLLEGE
- UNIVERSITY

~~**PUBLIC SCHOOL:** A publicly-funded facility providing educational opportunities up to and including grade level twelve.~~

~~**POST-SECONDARY EDUCATIONAL FACILITY:** A public-funded or private-funded school providing educational opportunities beyond grade level 12.~~

- ~~ACADEMY~~
- ~~COLLEGE~~
- ~~UNIVERSITY~~

PART 3

PROPOSED ACCESSIBILITY AMENDMENTS

The proposed change to Table 9.5.1 will only require stairs and ramps for public use to be subject to review, which is consistent with the permitting requirements in Chapter 5. Any stair or ramp in shoreland areas will be subject to review, regardless of size or use.

SECTION 9 LAND USES: ALLOWED, PROHIBITED

9.5 TABLE OF LAND USES

9.5.1 ACCESSORY LAND USES ~~(AMENDED 4-14-11, EFFECTIVE 5-14-11)~~

1.4 DECKS, PORCHES, STAIRS, RAMPS	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1
	A. 10	A. 12	A. 10	A. 10	A. 10	A. 12	A. 10	A. 12	A. 12	A. 10	A. 12	A. 10	A. 12	A. 12	A. 10				

9.5.1.1 ACCESSORY LAND USE NOTES

- A.10 The installation of stairs and ramps that are not for public use is not subject to review or approval.
- ~~A.12 The installation of stairs is not subject to review or approval if the stairs have no landing or if they have a landing that is no larger than 16 square feet. The installation of ramps is not~~

~~subject to review or approval if the ramp is no larger than 16 square feet.~~

A new public safety standard is proposed to address compliance with accessibility requirements. The planning board would review site improvements for compliance. The CEO would review buildings and structures for compliance.

SECTION 12 GENERAL LAND USE STANDARDS

PUBLIC SAFETY STANDARDS

12.29 ACCESSIBILITY

OBJECTIVE: To ensure the accessibility of public facilities.

- 12.29.1 New site improvements and alterations to existing site improvements, including, but not limited to, parking lots, sidewalks, stairways, ramps and accessible routes to buildings and structures, must comply with applicable accessibility requirements identified in the Maine Uniform Building and Energy Code.
- 12.29.2 New public buildings and structures, and alterations to existing public buildings and structures must comply with the applicable accessibility requirements identified in the Maine Uniform Building and Energy Code.
- 12.29.3 The reviewing authority may require secondary documentation prepared by a qualified professional to verify compliance with applicable accessibility requirements. Plans must be submitted for any project subject to barrier-free certification by the State Fire Marshal's Office.

PART 4

MISCELLANEOUS LAND USE AMENDMENTS

SECTION 9 LAND USES: ALLOWED, PROHIBITED

9.5 TABLE OF LAND USES

The proposed change to Table 9.5.11 allows home-based professions that are conducted without any visible evidence of the business activity outside the home, except a sign, to be exempt from permitting.

9.5.11 PROFESSIONAL LAND USES ~~[AMENDED 4-14-11, EFFECTIVE 5-14-11]~~

<u>DISTRICTS</u> →	<u>DT</u>	<u>DT S</u>	<u>C1</u>	<u>C2</u>	<u>C3</u>	<u>CF MA</u>	<u>ID</u>	<u>ID O</u>	<u>LR O</u>	<u>LR PO</u>	<u>RG</u>	<u>R P O</u>	<u>RT 1S</u>	<u>RT 15 RC</u>	<u>R1</u>	<u>R2</u>	<u>SP O</u>	<u>TB O</u>	<u>V I L</u>
<u>11.3. HOME-BASED PROFESSIONS §13.12.3</u>	<u>L1 K.3</u>	<u>L1 K.3</u>	<u>L1 K.3</u>	<u>L1 K.3</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>L1 K.3</u>	<u>L1 K.3</u>	<u>L1 K.3</u>	<u>X</u>	<u>L1 K.3</u>	<u>L1 K.3</u>	<u>L1 K.3</u>	<u>L1 K.3</u>	<u>L1 K.3</u>	<u>L1 K.3</u>	<u>L1 K.1 K.3</u>

9.5.11.1 PROFESSIONAL LAND USE NOTES

K.3 A home-based professions business may be conducted without a land use permit when

customers do not come to the business location and products are not shipped from the business location.

The proposed change to Table 9.5.10 adds small sawmill facilities as a specific type of manufacturing facility to be regulated. Where allowed, the use would be subject to compliance with the existing noise standard in Section 12.18.

9.5.10 **PRODUCTION LAND USES (continued)**

DISTRICTS →	DT	DT S	C1	C2	C3	CF MA	ID	ID O	LR O	LR PO	RG	RP O	RT IS	RT 15 RC	R1	R2	SP O	TB O	V I L
DISTRICT NOTES →	D 1	D 2	D 3	D 4	D 5	D 6	D 7	D 8	D 9	D 10	D 11	D 12	D 13	D 14	D 15	D 16	D 17	D 18	D 19
10.6 JUNKYARDS §13.11.6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	L2 J.1	L2 J.2	X	X	X
10.7 MANUFAC- TURING FACILITIES	X	X	L2 ↓	L2 J.3	L2 ↓	L2 ↓	L2 ↓	L2 ↓	X	X	X	X	X	L2 ↓	X ↓	X ↓	X	X	X
10.7.1 RETAIL MARIJUANA PRODUCTS MANUFAC- TURING FACILITIES	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
10.7.2 SMALL SAWMILL FACILITIES	X	X	X	L2 J.8	L2 J.8	X	L2 J.8	L2 J.8	X	X	X	X	X	L2 J.8	L2 J.8	L2 J.8	X	X	X
10.8 METALLIC MINERAL MINING §13.11.8	X	X	X	X	X	X	L2	L2	X	X	X	X	X	X	L2	L2	X	X	X
10.9 MINERAL EXTRAC- TIONS §13.11.9	X	X	X	X	X	X	L2 J.7	L2 J.7	X	X	X	X	X	X	L2 J.4 J.7	L2 J.5 J.7	X	X	X
10.10 SALVAGE YARDS	X	X	X	X	X	X	L2	L2	X	X	X	X	X	X	L2 J.1	L2 J.2	X	X	X

9.5.10.2 **PRODUCTION LAND USE NOTES**

- J.1 The land use is not allowed in R1(DCR), R1(SL) or R1(DC).
- J.2 The land use is not allowed in R2(JB) or R2(LP).
- J.3 The land use is only allowed on lots that front on or have access fronting on State Route 46.
- J.4 Rock excavations subject to DEP approval are only allowed in R1(BC) and must be directly accessed from River Road.
- J.5 Rock excavations subject to DEP approval must be directly accessed from River Road or State Route 46.
- J.7 Excavations of borrow, clay, topsoil, or silt that are less than 3 acres are subject to L1 review, provided blasting is not required.
- J.8 Small sawmill facilities are subject to compliance with Section 12.18 Noise.

Section 20 is amended to add a definition for small sawmill facility.

SECTION 20 DEFINITIONS

SAWMILL FACILITY (SMALL): A land use that includes the use of gas-powered portable cutting equipment to process logs into firewood or lumber. A small sawmill facility does not include the use of any other wood processing equipment, except a chipper may be included to process unwanted wood waste. Portable cutting equipment operated under the control of a property owner on their own land to process logs for the property owner's own personal use is not considered a small sawmill facility.

The proposed change to the zoning map expands the Village District for Bayview Avenue to include an adjacent lot developed with a residential use. After First Reading on December 18, 2018, the proposed zoning change below was tabled until abutting lot owners on Bayview Avenue were notified about the proposed change.

