



Building and Land Use Ordinance Amendments – March 2011

The following amendments are proposed to the Building and Land Use Ordinance. This document identifies the 5 amendments and below each displays the actual change that would be made to the Building and Land Use ordinance should the amendments pass. No amendments may be made to this article on the floor of open town meeting, and the proposed amendments are all part of the same article, so that if the question on the town meeting warrant passes, all the amendments are approved.

Key: ***Bold, Italic*** = new language in ordinance
~~Strikethrough~~ = language stricken from ordinance

Amendments 1 and 2

#1 SECTION 4 H. Table of Land Uses.

Change: Line 12. Home Occupations -- permitting authority in ALL zones from PB to CEO. (assigning Home Occupations permitting authority to CEO)

#2 Add NEW to SECTION 4 H:

Line 13: Essential Services. List PB as the permitting authority in ALL zones
(Renumber lines 13 – 33 to 14-34.)

Section 4 H. Table of Land Uses

Land Use Descriptions	Residential Zone (RZ)	Development Zone (DZ)	Rural & Ag Zone (RAZ)
12. Home Occupations	<i>PBCEO</i>	<i>PBCEO</i>	<i>PBCEO</i>
<i>13. Essential Services (non residential)</i>	<i>PB</i>	<i>PB</i>	<i>PB</i>
14. Industries - Assembling & Manufacturing Goods & Products	N	PB	N
15. Industries & Business - Assembling & Manufacturing Products Related to the Secondary Processing of Wood/Marine Products	N	PB	PB
16. Mineral Exploration ²	PB	PB	PB
17. Mobile Home Parks ¹	N	N	PB
18. Motels, Hotels	N	PB	PB
19. Nurseries & Garden Centers	N	PB	PB
20. Nursing Homes, Congregate Care	N	PB	PB
21. Other Uses Similar to Those Requiring Planning Board Review	PB	PB	PB
22. Petroleum Storage, and Distillation Facilities	N	N	N
23. Quarries	N	PB	N
24. Restaurants	N	PB	PB
25. Retail Business, Business & Professional Offices	N	PB	PB
26. Salvage Yards, Junkyards, Scrap Metal Processing	N	PB	N
27. Sand/Gravel Pits, Etc. ²	N	PB	PB

28. Service Stations, Vehicle	N	PB	N
29. Shops: Automobile Repair	N	PB	PB
30. Shops: Plumbing; Electrical; Carpentry	N	PB	PB
31. Signs	CEO	CEO	CEO
32. Small Lodging & Tourist Bed & Breakfast (5 Rooms or Less for Rent)	PB	PB	PB
33. Stand, Produce, Fruit & Vegetables	CEO	CEO	CEO
34. Subdivisions	PB	PB	PB

Amendment # 3 - Section 12 I 3. Fire Protection. Subdivisions. (Pg. 31)

Delete: the first existing paragraph of (3) and insert instead:

Revision:

3. Each subdivision shall supply a minimum of 10,000 gallons of water for fire suppression and related activities. The water supply shall:

- a. be held in tanks buried in the ground or in other properly engineered containment facility approved by the chief of the Lamoine Volunteer Fire Department or his/her designee;
- b. be located so that no lot is more than 2,000 feet from a tank or containment facility;
- c. meet all Fire Department and National Fire Protection Association (NFPA) construction requirements. (Current requirements are available from the NFPA.);
- d. be maintained by the Town.

~~3. Subdivisions of 5 lots or more shall make a minimum of 10,000 gallons of water accessible for fire suppression and related activities, unless the proposed subdivision is less than 2000 feet from an existing fire department approved primary water supply. The water supply shall be held in a buried storage tank meeting all fire department and National Fire Protection Association (NFPA) construction requirements (current requirements available from the Chief of the Lamoine Fire Department). The water supply shall be placed in a central location along the main access road within the subdivision. The storage tank shall be maintained by the town. Snow removal around the water supply shall be maintained by the town.~~

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- a. be held in tanks buried in the ground or in other properly engineered containment facility approved by the chief of the Lamoine Volunteer Fire Department or his/her designee;**
- b. be located so that no lot is more than 2,000 feet from a tank or containment facility;**
- c. meet all Fire Department and National Fire Protection Association (NFPA) construction requirements. (Current requirements are available from the NFPA.);**
- d. be maintained by the Town.**

There must be a fire zone parking area around the hydrant head. This area shall be set back no less than twelve feet from the edge of the road. The fire zone parking area shall extend five feet beyond the hydrant head, away from the road, and twenty-five feet in both directions along the road. The fire zone parking area around the hydrant head shall be built to the same standard as the subdivision access road.

A deeded right of way or easement shall be given to the Town granting the town the right, to be exercised at its sole discretion, to maintain and use the water supply system, including the hydrant head, access road and fire zone parking area. Acceptance of this right of way or easement shall not constitute acceptance of any part of the subdivision or its road system as town property, a town road, or a town facility. The Board of Selectmen is authorized to accept, on behalf of the Town, such deed(s) as are required to implement the purpose of this paragraph.

Amendment # 4 Section 15 E 6 c Fire Protection. Commercial and Industrial Uses. (Pg 46)

Delete: first existing paragraph of (c) and insert instead:

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Amendment # 5 Section 15 A. Commercial and Industrial Uses (to correct a typing error in the last edition)

Correct it to read:

A. Scope

This section governs the establishment of buildings, developments, or other structures for commercial/industrial uses and the use of lands, buildings, or structures for purposes of producing income from the buying and selling of goods and/or services. This section does not apply to home occupations and the rental of residential buildings and/or dwelling units.

The establishment of 3 or more commercial, industrial, institutional, or retail establishments on any one tract or parcel of land shall constitute a subdivision. (See Section 12.)

A. Scope

This section governs the establishment of buildings, developments, or other structures for commercial/industrial uses: ***and*** the use of lands, building, or structures, ~~other than a home occupation, the intent of which is the production of income from the buying and selling of goods and/or services, exclusive of rental of residential buildings and/or dwelling units.~~ ***for purposes of producing income from the buying and selling of goods and/or services. This section does not apply to home occupations and the rental of residential buildings and/or dwelling units.***

The establishment of 3 or more commercial, industrial, institutional, or retail establishments on any one tract or parcel of land shall constitute a subdivision. (see section 12)