

Index: List of Ordinances (alphabetical order)

1. ADDRESSING
2. ADULT-ONLY BUSINESS
3. ALARM SYSTEM
4. ANIMAL CONTROL
5. AQUIFER PROTECTION / WELLHEAD PROTECTION
6. AUTO GRAVEYARD, JUNKYARD & RECYCLING BUSINESS
7. BUILDING CODE
8. CURFEW
9. DANGEROUS DOG
10. DISBURSEMENT WARRANT
11. DRIVEWAY PERMIT
12. FIREWORKS
13. FLOODPLAIN
14. GENERAL ASSISTANCE
15. MARTIN'S POINT
16. MASS GATHERING
17. MASSAGE ESTABLISHMENTS
18. MOBILE HOME PARK
19. MOBILE VENDOR
20. NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)
21. NON-STORMWATER DISCHARGE
22. OUTPATIENT ADDICTION
23. PARKING AND TRAFFIC
24. SABATTUS POND DAM (INTERLOCAL AGREEMENT)
25. SEXUAL CONTACT
26. SHORELAND ZONING
27. SIGNS
28. SITE PLAN REVIEW
29. SOLID WASTE / TRANSFER STATION
30. SPECIAL AMUSEMENT
31. STORMWATER (MS4)
32. STREET CONSTRUCTION
33. STREET OPENINGS – EXCAVATIONS
34. SUBDIVISION REGULATIONS
35. VEHICLE WEIGHT
36. WIRELESS TELECOMMUNICATIONS
37. ZONING ORDINANCE
38. 2ND AMENDMENT
39. REFERENCE DOCUMENTS (NOT PART OF ORDINANCES)
 - Town of Sabattus Fee Schedule
 - Permit Fee Structure
 - Solid Waste / Transfer Station Schedule 1 and 2
 - Title 30-A M.R.S.A §4452

ZONING ORDINANCE

Section 1. Title

This ordinance will henceforth be known as the "Town of Sabattus Zoning Ordinance."

Section 2. Purpose

The purpose of this ordinance is to provide basic land use regulations for the municipality of Sabattus.

Section 3. Authority

This ordinance is adopted pursuant to and consistent with Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A M.R.S.A. Section 3001.

Section 4. Administration

This ordinance shall be administered by the Code Enforcement Officer and/or the Town of Sabattus Planning Board as required based on the applicable land use being proposed.

Section 5. Zone Classifications

The Town of Sabattus is broken down into 5 Zones as follows:

Resource Protection

General Residential

Village

Commercial / Mixed Use

Commercial / Industrial

Section 6. Resource Protection

Purpose:

The purpose of the resource protection district is to:

- (1) Prevent and control water pollution;
- (2) Protect spawning grounds, fish, aquatic life, bird and other wildlife habitat;
- (3) Control building sites, placement of structures and land uses; and

- (4) Conserve shore cover, visual as well as actual points of access to inland areas, especially on flood prone areas and slopes unsuitable for development.

Areas:

- (a) The resource protection district includes areas in which development would adversely affect water quality, productive habitat, biotic systems, or scenic and natural values.
- (b) This district shall include:
 - (1) Freshwater wetlands and areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands as depicted on the official zoning map.
 - (2) *Floodplains*. Floodplains 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.
 - (3) *Slopes*. Areas having sustained slopes greater than 25 percent, or unstable soil subject to slumping, mass movement, or severe erosion, when these areas are two acres or more in size.
 - (4) *Water supply*. Town water supply protection.
 - (5) *Wildlife habitat*. Significant wildlife habitat.
 - (6) *Scenic areas*. Natural sites of significant scenic or aesthetic value.
 - (7) *Natural areas*. Areas designated by federal, state or town governments as significant natural areas to be protected from development.
 - (8) Other areas depicted on the Official Zoning Map.
 - (9) Areas of two or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater wetland as defined, and which are not surficially connected to a water body during the period of normal high water.

Permitted uses:

Uses identified in Section 11. Land Use Chart are permitted by right in a resource protection district if they comply with all applicable federal, state and town laws and regulations.

Conditional uses:

The following Uses may be permitted in a resource protection district only upon the authorization of a conditional use permit by the planning board and upon compliance with all applicable federal, state and town laws and regulations:

- (1) *Single-family dwelling, three acres*. Single-family dwelling on a lot of three acres or more upon a finding of the planning board that the following criteria are met:
 - a. *Waste disposal*. Sanitary waste shall be adequately disposed of on suitable soils at least five feet in elevation above any inland wetland or floodplain.

- b. *Drainage field.* A minimum setback of the drainage field shall be 150 feet from the normal high water elevation of any water body or upland edge of a freshwater wetland.
 - c. *Building setback.* A minimum setback of any building shall be 100 feet from the normal high water elevation of any water body or upland edge of a freshwater wetland.
 - d. *Frontage.* A minimum street and shore frontage of 200 feet shall be provided.
 - e. *Other.* All other applicable requirements of this chapter shall be met in full.
 - f. *Floodplain areas.* The planning board shall determine that the applicant has met all of the following criteria for areas within 250 feet of the normal high water line in resource protection zones due to the 100-year floodplain:
 - 1. There is no location on the property, other than a location within the resource protection district, where the structure can be built.
 - 2. The lot on which the structure is proposed is undeveloped and was established as a lot of record and recorded in the county registry of deeds before the adoption of the resource protection district.
 - 3. The proposed location of all buildings, sewage disposal systems and other improvements are:
 - i. Located on natural ground slopes of less than 20 percent; and
 - ii. Located outside the floodway of the 100-year floodplain along rivers based on detailed flood insurance studies and as delineated on the Federal Emergency Management Agency's flood boundary and floodway maps and flood insurance rate maps; all buildings, including basements, are elevated at least one foot above the 100-year floodplain elevation.
 - 4. The total ground floor area of all principal and accessory structures located within the district is limited to a maximum of 1,500 square feet.
- (2) *Single-family dwelling, two acres.* Single-family dwelling on a lot of two acres upon a finding of the planning board that the following criteria are met:
- a. Water; sewer. Public water and sanitary sewer are available and shall be connected;
 - b. Setback. A minimum setback of any building shall be 100 feet from the normal high water elevation of any water body or upland edge of a freshwater wetland;
 - c. Frontage. A minimum street and shore frontage of 200 feet shall be provided;
 - d. Other. All other applicable requirements of this chapter shall be met in full; and
 - e. *Floodplain areas.* The planning board shall determine that the applicant has met all of the following criteria for areas within 250 feet of the normal high water line in resource protection zones due to the 100-year floodplain:
 - 1. There is no location on the property, other than a location within the resource protection district, where the structure can be built.

2. The lot on which the structure is proposed is undeveloped and was established as a lot of record and recorded in the county registry of deeds before the adoption of the resource protection district.
3. The proposed location of all buildings, sewage disposal systems and other improvements are:
 - i. Located on natural ground slopes of less than 20 percent; and
 - ii. Located outside the floodway of the 100-year floodplain along rivers based on detailed flood insurance studies and as delineated on the federal emergency management agency's flood boundary and floodway maps and flood insurance rate maps; all buildings, including basements, are elevated at least one foot above the 100-year floodplain elevation.
4. The total ground-floor area of all principal and accessory structures located within the resource protection district is limited to a maximum of 1,500 feet.

Prohibited uses:

Uses which are not specifically allowed as permitted uses or conditional uses in this division are prohibited.

Dimensional requirements:

Lots in the resource protection district shall meet or exceed the minimum requirements as identified Section 12. Minimum Lot Size and Dimensional Requirements.

Section 7. General Residential

Purpose:

The purpose of the general residential district is to provide for the uses and activities generally found in developed residential neighborhoods, while protecting the health, safety, welfare and property values of residents and property owners from encroachment by incompatible uses.

Permitted uses:

Uses identified in Section 11. Land Use Chart are permitted in the general residential district.

Conditional uses:

Uses identified in Section 11. Land Use Chart may be permitted in the general residential district only upon the authorization of a conditional use permit by the planning board.

Prohibited uses:

Uses which are not specifically allowed as permitted uses or conditional uses in this division are prohibited.

Dimensional requirements:

Lots in the general residential district shall meet or exceed the minimum requirements as identified in Section 12. Minimum Lot Size and Dimensional Requirements.

Section 8. Village

Purpose:

The purpose of the village district is to:

- (1) Provide for the variety of land uses in a village where residential, public, semipublic, service, and retail activities are commonly mixed.
- (2) Maintain the historical and architectural integrity of existing village development and to ensure that future development is compatible both in character and use.

Permitted uses:

Uses identified in Section 11. Land Use Chart are permitted in the village district.

Conditional uses:

Uses identified in Section 11. Land Use Chart may be permitted in the village district only upon the authorization of a conditional use permit by the planning board, in accordance with the provisions of article III of this chapter.

Prohibited uses:

Uses which are not specifically allowed as permitted uses or conditional uses in this division are prohibited.

Dimensional requirements:

Lots in the village district shall meet or exceed the minimum requirements as identified in Section 12. Minimum Lot Size and Dimensional Requirements.

Section 9. Commercial / Mixed Use

Purpose:

The purpose of the commercial district is to:

- (1) Encourage the location of commercial uses on those lands within the town which are best suited for such development.
- (2) Provide minimum controls on those uses which, by virtue of their size or external effects (waste discharge, noise, glare, fumes, smoke, dust, odors, or auto, truck, or rail traffic) could otherwise create a public nuisance or endanger public health and safety.
- (3) Avoid the blight, congestion and inconvenience caused by inappropriate and poorly located development of commercial facilities.

Permitted uses:

Uses identified in Section 11. Land Use Chart are permitted in the commercial / mixed use district.

Conditional uses:

Uses identified in Section 11. Land Use Chart may be permitted in the commercial district only upon the authorization of a conditional use permit by the planning board.

Prohibited uses:

Uses which are not specifically allowed as permitted uses or conditional uses in this division are prohibited.

Dimensional requirements:

Lots in the commercial district shall meet or exceed the minimum requirements as identified in Section 12. Minimum Lot Size and Dimensional Requirements.

Section 10. Commercial / Industrial

Purpose:

The purpose of the commercial Industrial district is to:

- (1) Encourage the location of Industrial uses on those lands within the town which are best suited for such development.
- (2) Provide minimum controls on those uses which, by virtue of their size or external effects (waste discharge, noise, glare, fumes, smoke, dust, odors, or auto, truck, or rail traffic) could otherwise create a public nuisance or endanger public health and safety.

- (3) Avoid the blight, congestion and inconvenience caused by inappropriate and poorly located development of Industrial facilities.

Permitted uses:

Uses identified in Section 11. Land Use Chart are permitted in the commercial district.

Conditional uses:

Uses identified in Section 11. Land Use Chart may be permitted in the commercial district only upon the authorization of a conditional use permit by the planning board.

Prohibited uses:

Uses which are not specifically allowed as permitted uses or conditional uses in this division are prohibited.

Dimensional requirements:

Lots in the commercial district shall meet or exceed the minimum requirements as identified in Section 12. Minimum Lot Size and Dimensional Requirements.

Section 11. Land Use Chart

Land uses:

All land use activities, as indicated in the Table of Land Uses, shall conform to all of the applicable performance standards. The district designation for a particular site shall be determined from the Zoning Map of Sabattus, Maine.

(1) Key to Table of Land Uses:

P	Permitted by right if they comply with all applicable federal, state and town laws and regulations and the performance standards. Uses may also require Subdivision and/or Site Plan Review approvals pursuant to other provisions of this Code.
C	Permitted upon authorization of a Conditional Use Permit by the planning board. Uses may also require Site Plan Review and/or Subdivision approval
No	Prohibited

(2) Abbreviations:

RP	Resource Protection
GR	General Residential
V	Village
C	Commercial / Mixed Use
CI	Commercial / Industrial

Table of land uses:

<u>Resource Based & Recreation Uses</u>	GR	V	C	CI
Conservation/recreation	P	P	C	C
Piers/Docks/Floats	P	P	C	C
Agriculture	P	C	C	C
Forest Management Activities	P	P	P	P
Timber Harvesting	P	P	P	P
Open Space Use	P	P	C	C
Public/Private Recreation Facilities	P	P	C	C
Kennels & Animal Hospitals	C	C	C	C
Accessory uses/structures	P	P	P	P
<u>Residential Uses</u>	GR	V	C	CI
Single-family Dwelling	P	P	P	NO
Two-Family Dwelling	P	P	P	NO
Mobile Home	P	NO	NO	NO
Multifamily Dwelling	C	P	P	C
Mobile Home Parks	C	NO	C	NO

Home Occupations (See Home Occupation Ordinance for description)	P	P	P	NO
Raising of nondomestic animals	p ¹	p ¹	p ¹	p ¹
Raising of Domestic Pets (Limit set by State Guidelines for Kennels)	P	P	P	P
Accessory Uses & Structures	P	P	P	P
<u>Public/Semi-Public Uses</u>	GR	V	C	CI
Utility/Public Works	C	C	C	P
Church/Place of Worship, Parish House, Rectory, Convent & Religious Institutions	C	P	C	NO
Public, Private, Parochial Schools	C	P	C	C
Public Buildings	C	P	P	C
Semipublic activities, clubs & institutions	C	C	C	C
Parking Lot Public/Private	NO	P	P	P
Public Utilities	P	P	P	P
Public Garages and Storage Yards	C	C	P	P
Accessory Uses & Structures	P	P	P	P
<u>Commercial/Business Uses</u>	GR	V	C	CI
Child day care in home/twelve or fewer children (as established by the State of Maine guidelines)	C	C	C	NO
Children's Day Care Facility	C	C	C	C
Nursery school	C	P	C	C
Offices/office buildings not exceeding 2,500 sq. ft.	NO	P	P	P
Office Building greater than 2,500 sq. ft.	NO	C	P	P
Convalescent, rest, nursing, or boarding homes	C	C	P	C
Campgrounds	C	C	NO	NO

Hotel, motel, inn, tourist home, B&B	C	P	P	C
Medical/dental office or facility	NO	P	P	P
Retail Store or outlet, such as grocery, drug, furniture	NO	P	P	C
Service Establishment, such as barbershop, beauty parlor, cleaner	NO	P	P	C
Lawn & garden equipment sales/service	NO	P	P	C
Snowmobile, motorcycle, recreational vehicle, ATV, boat sales/service	NO	P	P	C
Automobile sales, etc	NO	P	P	C
Auto service station, auto repair, gasoline service establishment	NO	P	P	C
Bakery or Food Shop	NO	P	P	C
Eating Place	NO	P	P	C
Recreational use such as bowling, theaters, dance hall	C	P	P	C
Funeral home	NO	P	P	C
Auditoriums, gymnasiums, places of amusement or places of assembly	C	P	P	C
Self-storage facility	C	C	P	C
Shop of painter, carpenter or other skilled worker	NO	P	P	C
Wholesale establishment	NO	P	P	P
Warehouses	NO	P	P	P
Laboratory or research facility	NO	P	P	P
Laundry/dry cleaning	NO	P	P	C
Retail sales of lumber/building supplies	NO	P	P	C
Yards of electrical, heating, painting, or roofing contractor	NO	C	P	C
Light manufacturing	NO	P	P	P
Retail sales of products manufactured or produced on premises	C	P	P	C
Accessory Uses & Structures	NO	P	P	P

<u>Industrial Uses</u>	GR	V	C	CI
Junkyards	C	NO	C	C
Transmission facilities-radio, television, power, telephone	C	C	C	C
Sawmills	C	NO	C	C
Truck Terminal	NO	NO	P	P
Bottling & beverages	NO	C	P	P
Manufacturing, processing, assembly of products or Goods.	NO	P	P	P
Above ground storage of propane or flammable petroleum fuel products stored in accordance with rules promulgated by the state fire marshal	NO	C	C	C
Commercial & industrial uses and facilities not meeting criteria for permitted uses	NO	C	C	C
Accessory Uses & Structures	NO	NO	P	P

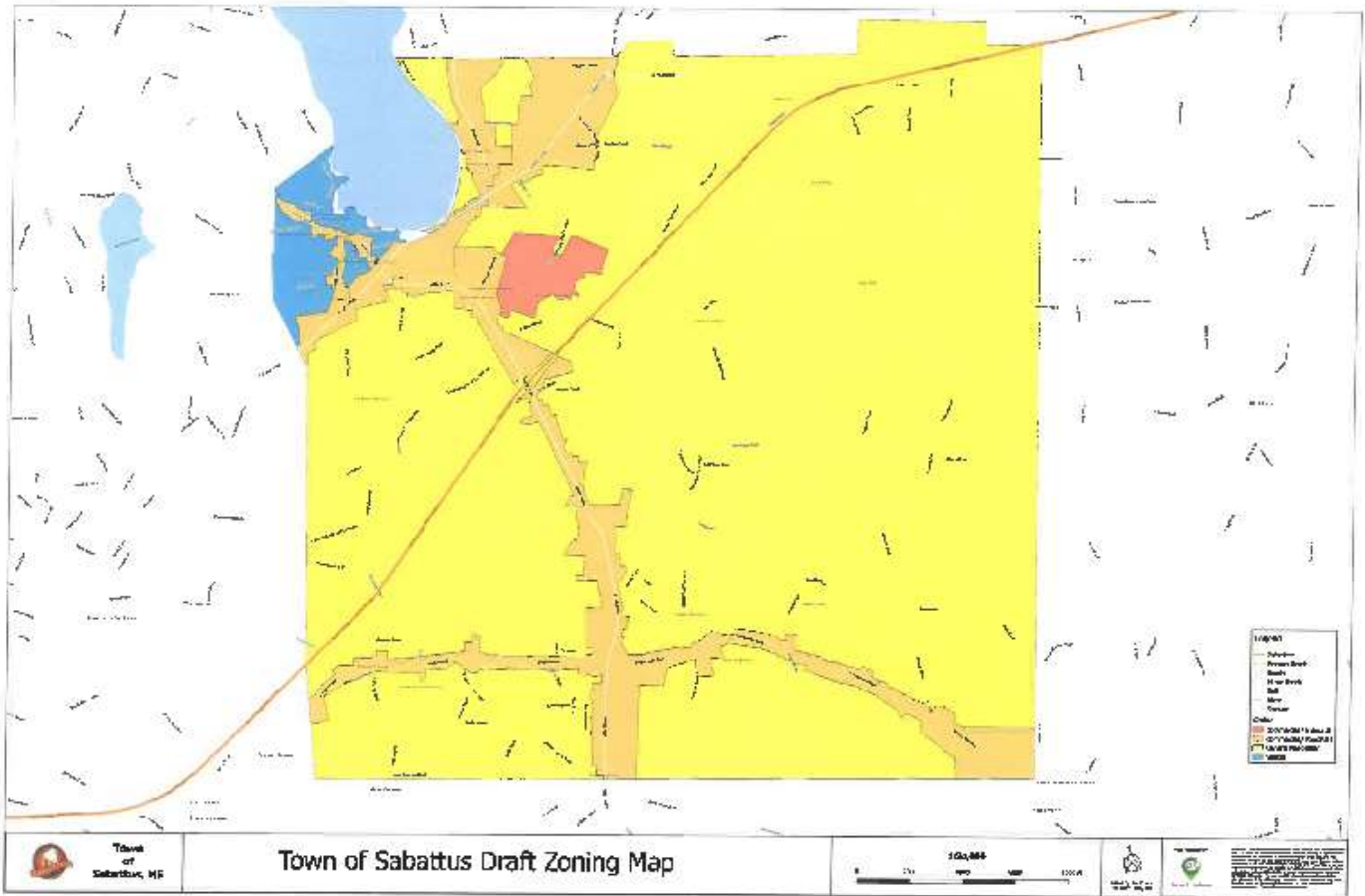
Notes:

1. Minimum Lot Size must be 40,000 sf. to raise nondomestic animals

Section 12. Minimum Lot Size and Dimensional Requirements

1. Lots served by the public sewer system shall be 20,000 square feet with a minimum road frontage of 100 feet.
2. Lots located over an aquifer delineated on the Sand and Gravel Aquifer Maps produced by the Maine Geological survey and not connected to the public sewer system shall be a minimum lot size of 80,000 square feet.
3. The minimum lot size shall be 40,000 square feet with a minimum road frontage of 200 feet
4. Lots in the Resource Protection District must comply with all State and Federal regulations. Specific dimensional standards are listed in Section 6. Resource Protection.
5. Set Backs. All building shall be set back at least 25 feet from the right of way and not less than 10 feet from an adjoining lot line.

Section 13. Zoning Map



Section 14. Effective Date

This ordinance shall become effective as of _____ (date).

Accepted: _____
Original Adoption: _____
Revision Dates: _____ _____ _____