

Albion Land Use Ordinance

Change

Page 7, **Article 3: Land Use Districts Definitions and Requirements**

Page 14, **Section 2. Subsection D: Non-conforming Uses,**

Part (3) Change of Use

The determination of appropriateness shall be based on HHE-211 Interior Plumbing, HHE-200 Subsurface Wastewater Disposal System, NFPA 101 – Life Safety Code and on the probable changes in traffic (volume and type), parking, noise, potential for litter, wastes or by-products, fumes, odors, or other nuisances likely to result from such change of use. The performance standards of this Ordinance shall apply to such requests to establish new non-conforming uses.

Page 7, **Article 3: Land Use Districts Definitions and Requirements**

Page 16, **Section 3. Change of Use of Existing Conforming Structures**

An existing conforming structure use may be changed to another conforming structure use provided that the Planning Board finds, after receiving a written application, that the proposed use is equally or more appropriate to the district than the existing conforming use, and that the proposed use will have no greater adverse impact on adjacent properties than the former use.

The determination of appropriateness shall be based on HHE-211 Interior Plumbing, HHE-200 Subsurface Wastewater Disposal System, NFPA 101 – Life Safety Codes and on the probable changes in traffic (volume and type), parking, noise, potential for litter, wastes or by-products, fumes, odors, or other nuisances likely to result from such change of use. The performance standards of this Ordinance shall apply to such requests to establish new conforming uses.

In determining that “no greater adverse impact” will occur, the Planning Board shall require written documentation from the applicant, describing the probable effects on public health and safety, erosion and sedimentation, water quality, fish and wildlife habitat, vegetative cover, visual and actual points of public access to waters, natural beauty, flood plain management, archaeological and historic resources, and commercial fishing and maritime activities, and other functionally water-dependent uses.

Page 18, **Section 2 Land Use Permit**

Subsection C. Procedure for Applying for Land Use Permit

Part (1) a) Application Form

Every applicant for a land use permit from the Albion Planning Board shall submit seven copies of the written Land Use Permit Application, including seven copies of the scaled plans of proposed structure(s) as they will sit on the lot, on a form provided by the Town of Albion, to the Town Office for review as provided above.

Page 18, **Section 2 Land Use Permit**

Subsection C. Procedure for Applying for Land Use Permit

Part (1) c) Application Form

All applications shall be signed by the person proposing the activity, or their authorized agent, certifying that the information in the application is complete and correct. If the person signing the application is not the owner or lessee of the property, then that person shall submit a letter with a notarized signature of authorization from the owner or lessee.

Page 19, Section 2 Land Use Permit

Subsection C. Procedure for Applying for Land Use Permit

Part (2) a) Plumbing Permit

A valid HHE-211, Interior Plumbing Permit and a complete HHE-200, Subsurface Wastewater Disposal System design (~~HHE-200 or as amended~~) shall be submitted whenever the nature of the proposed structure would require the installation of a subsurface sewage disposal system.

Page 19, Section 2 Land Use Permit

Subsection C. Procedure for Applying for Land Use Permit

Part (3) a) Installation of Public Utility Service

A public utility, water district, sanitary or any utility company of any kind may not install service on any lot or structure located in any established Land Use District in the Town of Albion unless a written authorization attesting to the validity and currency of all local permits required under this or any previous Ordinance has been issued by the Code Enforcement Officer, Planning Board, or other written arrangements have been made between the municipal officials and the utility.

Article V. General Land Development Standards

Page 29, Section 14, Subdivision Design Options

Subsection B. Table V-1

TABLE V – 1: MINIMUM DIMENSIONAL STANDARDS FOR SUBDIVISION LOTS				
Performance Area	District			
	Village Area and Growth Area		Rural Area	
	Traditional Design	Open Space Design	Traditional Design	Open Space Design
Maximum Project Density	1.5 acres/unit	1 acre/unit	3 acres/unit	2 acres/unit
Minimum Lot Size	1.5 acres	.75 acre	3 acres	1 acre
Minimum Frontage:				
Public Road	200'	150'	300'	200'
Private Road	150'	75'	200'	150'
Minimum <u>Setback from road right-of-way or from property lines:</u>				
Front	50'	30'	100'	50'
Side and Rear	30'	15'	50'	20'
Minimum Screening/Landscaping:				
Public Road	25%	0	35%	10%
Private Road	25%	0	35%	0

Article VII – Specific Use Performance Standards

TABLE VII-2: Dimensional Standards for Multi-Family Buildings			
	District		
	Village Area	Growth Area	Rural Area
Lot Size*	1 acre plus 10,000 squares feet for each additional unit after second	1.5 acres plus 15,000 square feet for each additional unit after second	2 acres plus 15,000 squares feet for each additional unit after second
Frontage:			
Public Road	150'	200'	300'
Private Road	<u>75'</u>	150'	200'
<u>Minimum Setback from edge of road right-of-way or from property lines:</u>			
Front	10'	50'	100'
Side	15'	30'	50'
Rear	15'	30'	50'

Page 45, **Section 5, Multiple Dwelling Units on a Lot**

Part A, Accessory Apartment

- (1) Accessory apartments are allowed in all districts as an attached or a separate structure following issuance of a Land Use Permit by the Code Enforcement Officer.
- (2) Accessory apartments shall conform to all provisions of the Maine State Plumbing Code and no dwelling that is served by an on-site wastewater disposal system shall be modified to create an accessory apartment until a site evaluation has been conducted by a licensed site evaluator which demonstrates either that the existing system can handle both dwelling units or that a new system can be installed to meet the disposal needs of both dwelling units. If the Accessory Apartment is a separate structure then it needs to have its own Subsurface Wastewater Disposal System.
- (3) The applicant shall demonstrate that adequate off-street parking will be provided.
- (4) The principal dwelling unit must be owner-occupied. There are no restrictions on occupancy of the accessory apartment.

Page 50, **Article VIII. Definitions**

Section 2, Definition of Terms

Accessory apartment - a secondary dwelling unit attached to a single-family residence or a separate structure that may be occupied by a family member or tenant of the owner-occupants of the main dwelling unit.

Shoreland Zoning Ordinance Changes

Section 15. Land Use Standards

Page 13, A. Minimum Lot Standards

1.)

TABLE: Dimensional Standards for <u>Structures in Shoreland Zones</u>					
<i>Use of Structure</i>	Minimum Lot Area (sq. ft.)	Minimum Shore Frontage (ft.)	Minimum side setback <u>from property line</u> (ft.)	Minimum rear setback <u>from property line</u> (ft.)	Minimum road setback <u>from right-of-way</u> (ft.)
<i>Governmental, Institutional, Commercial, or Industrial per principal structure</i>	60,000	300	5	5	10
<i>Public and Private Recreational Facilities</i>	40,000	200	5	5	10

Page 37, Section 16. Administration

Subsection C. (2) Permit Application

All applications shall be signed by the owner or individual who can show evidence of right, title, or interest in the property or by an agent, representative, tenant, or contractor of the owner ~~with~~ who has a letter with a notarized signature of authorization from the owner to apply for a permit hereunder, certifying that the information in the application is complete and correct.

Page 39, **Section 16. Administration**

Subsection G. Installation of Public Utility Service

A public utility, water district, sanitary district or any utility company of any kind may not install services to any new structure located in the shoreland zone unless written authorization attesting to the validity and currency of all local permits required under this or any previous Ordinance has been issued by the ~~appropriate municipal officials~~ Code Enforcement Officer, Planning Board, or other written arrangements have been made between the municipal officials and the utility.