

2026 Town of Richmond Land Use Ordinance Section 1 Amendment Breakdown

Article 3

Amendments were focused on adding definitions in reference to the State mandated LD. 2003 “An act to implement the recommendations of the commission to increase housing opportunities in Maine by studying zoning and land use restrictions”.

Updating current existing definitions.

Article 4

Amendments were focused on housekeeping items such as removal of repetitive language, grammar issues and layout.

Amendments also included changes to the table of use to include accessory dwellings units and multifamily units required for LD. 2003.

Article 5

Amendments to the standards to include language from LD. 2003 for accessory dwelling units and affordable housing.

Addition of exceptions for the current noise ordinance.

Amendments were focused on housekeeping items such as removal of repetitive language, grammar issues and layout.

Amendments were also made to section AA which was solely to replace the word marijuana to cannabis. No other changes were made to this section.

Article 12

Amendments were made to replace the word marijuana to cannabis and update current State status.

State Mandated LD 2003 reflects most of the 2026 amendments to the Richmond Land Use Ordinance

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
H.P. 1489 - L.D. 2003

**An Act To Implement the Recommendations of the Commission To Increase
Housing Opportunities in Maine by Studying Zoning and Land Use
Restrictions**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §13056, sub-§7, as amended by PL 2003, c. 159, §3, is further amended to read:

7. Contract for services. When contracting for services, to the maximum extent feasible, seek to use the State's private sector resources in conducting studies, providing services and preparing publications; ~~and~~

Sec. 2. 5 MRSA §13056, sub-§8, as enacted by PL 2003, c. 159, §4, is amended to read:

8. Lead agency for business assistance in response to certain events. Be the lead agency for the State to provide information and business assistance to employers and businesses as part of the State's response to an event that causes the Department of Labor to carry out rapid-response activities as described in 29 United States Code, Sections 2801 to 2872 (2002); and

Sec. 3. 5 MRSA §13056, sub-§9 is enacted to read:

9. Establish statewide housing production goals. Establish, in coordination with the Maine State Housing Authority, a statewide housing production goal that increases the availability and affordability of all types of housing in all parts of the State. The department shall establish regional housing production goals based on the statewide housing production goal. In establishing these goals, the department shall:

A. Establish measurable standards and benchmarks for success of the goals;

B. Consider information submitted to the department from municipalities about current or prospective housing developments and permits issued for the construction of housing; and

C. Consider any other information as necessary to meet the goals pursuant to this subsection.

Sec. 4. 30-A MRSA §4364 is enacted to read:

§4364. Affordable housing density

For an affordable housing development approved on or after July 1, 2023, a municipality with density requirements shall apply density requirements in accordance with this section.

1. Definition. For the purposes of this section, "affordable housing development" means:

A. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs; and

B. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.

2. Density requirements. A municipality shall allow an affordable housing development where multifamily dwellings are allowed to have a dwelling unit density of at least 2 1/2 times the base density that is otherwise allowed in that location and may not require more than 2 off-street parking spaces for every 3 units. The development must be in a designated growth area of a municipality consistent with section 4349-A, subsection 1, paragraph A or B or the development must be served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system. The development must comply with minimum lot size requirements in accordance with Title 12, chapter 423- A, as applicable.

3. Long-term affordability. Before approving an affordable housing development, a municipality shall require that the owner of the affordable housing development have executed a restrictive covenant, recorded in the appropriate registry of deeds, for the benefit of and enforceable by a party acceptable to the municipality, to ensure that for at least 30 years after completion of construction:

A. For rental housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and

B. For owned housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

4. Shoreland zoning. An affordable housing development must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

5. Water and wastewater. The owner of an affordable housing development shall provide written verification to the municipality that each unit of the housing development is connected to adequate water and wastewater services before the municipality may certify the development for occupancy. **Written verification under this subsection must include:**

A. If a housing unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system;

B. If a housing unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under section 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under Title 22, section 42;

C. If a housing unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and

D. If a housing unit is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

6. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with subchapter 4.

7. Restrictive covenants. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

8. Rules. The Department of Economic and Community Development shall adopt rules to administer and enforce this section. The department shall consult with the Department of Agriculture, Conservation and Forestry in adopting rules pursuant to this subsection. The rules must include criteria for a municipality to use in calculating housing costs. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 30-A MRS §4364-A is enacted to read:

§4364-A. Residential areas, generally; up to 4 dwelling units allowed

1. Use allowed. Notwithstanding any provision of law to the contrary, except as provided in Title 12, chapter 423-A, for any area in which housing is allowed, a municipality shall allow structures with up to 2 dwelling units per lot if that lot does not contain an existing dwelling unit, except that a municipality shall allow up to 4 dwelling units per lot if that lot does not contain an existing dwelling unit and the lot is located in a designated growth area within a municipality consistent with section 4349-A, subsection 1, paragraph A or B or if the lot is served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system in a municipality without a comprehensive plan.

A municipality shall allow on a lot with one existing dwelling unit the addition of up to 2 dwelling units: one additional dwelling unit within or attached to an existing structure or one additional detached dwelling unit, or one of each.

A municipality may allow more units than the number required to be allowed by this subsection.

2. Zoning requirements. With respect to dwelling units allowed under this section, municipal zoning ordinances must comply with the following conditions.

A. If more than one dwelling unit has been constructed on a lot as a result of the allowance under this section or section 4364-B, the lot is not eligible for any additional increases in density except as allowed by the municipality.

B. A municipal zoning ordinance may establish a prohibition or an allowance for lots where a dwelling unit in existence after July 1, 2023 is torn down and an empty lot results.

3. General requirements. A municipal ordinance may not establish dimensional requirements or setback requirements for dwelling units allowed under this section that are greater than dimensional requirements or setback requirements for single-family housing units, except that a municipal ordinance may establish requirements for a lot area per dwelling unit as long as the required lot area for subsequent units on a lot is not greater than the required lot area for the first unit.

4. Water and wastewater. The owner of a housing structure must provide written verification to the municipality that the structure is connected to adequate water and wastewater services before the municipality may certify the structure for occupancy. Written verification under this subsection must include:

A. If a housing structure is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the structure and proof of payment for the connection to the sewer system;

B. If a housing structure is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under section 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under Title 22, section 42;

C. If a housing structure is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the structure, proof of payment for the connection and the volume and supply of water required for the structure; and

D. If a housing structure is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

5. Municipal implementation. In adopting an ordinance, a municipality may:

A. Establish an application and permitting process for housing structures;

B. Impose fines for violations of building, zoning and utility requirements for housing structures; and

C. Establish alternative criteria that are less restrictive than the requirements of subsection 4 for the approval of a housing structure only in circumstances in which the municipality would be able to provide a variance under section 4353, subsection 4, 4-A, 4-B or 4-C.

6. Shoreland zoning. A housing structure must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

7. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with subchapter 4.

8. Restrictive covenants. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

9. Rules. The Department of Economic and Community Development may adopt rules to administer and enforce this section. The department shall consult with the Department of Agriculture, Conservation and Forestry in adopting rules pursuant to this subsection. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

10. Implementation. A municipality is not required to implement the requirements of this section until July 1, 2023.

Sec. 6. 30-A MRS §4364-B is enacted to read:

§4364-B. Accessory dwelling units

1. Use permitted. Except as provided in Title 12, chapter 423-A, a municipality shall allow an accessory dwelling unit to be located on the same lot as a single-family dwelling unit in any area in which housing is permitted.

2. Restrictions. An accessory dwelling unit may be constructed only:

A. Within an existing dwelling unit on the lot;

B. Attached to or sharing a wall with a single-family dwelling unit; or

C. As a new structure on the lot for the primary purpose of creating an accessory dwelling unit.

This subsection does not restrict the construction or permitting of accessory dwelling units constructed and certified for occupancy prior to July 1, 2023.

3. Zoning requirements. With respect to accessory dwelling units, municipal zoning ordinances must comply with the following conditions:

A. At least one accessory dwelling unit must be allowed on any lot where a single-family dwelling unit is the principal structure; and

B. If more than one accessory dwelling unit has been constructed on a lot as a result of the allowance under this section or section 4364-A, the lot is not eligible for any additional increases in density except as allowed by the municipality.

4. General requirements. With respect to accessory dwelling units, municipalities shall comply with the following conditions.

A. A municipality shall exempt an accessory dwelling unit from any density requirements or calculations related to the area in which the accessory dwelling unit is constructed.

B. For an accessory dwelling unit located within the same structure as a single-family dwelling unit or attached to or sharing a wall with a single-family dwelling unit, the setback requirements and dimensional requirements must be the same as the setback requirements and dimensional requirements of the single-family dwelling unit, except for an accessory dwelling unit permitted in an existing accessory building or secondary building or garage as of July 1, 2023, in which case the requisite setback requirements for such a structure apply. A municipality may establish more permissive dimensional and set back requirements for an accessory dwelling unit.

C. An accessory dwelling unit may not be subject to any additional parking requirements beyond the parking requirements of the single-family dwelling unit on the lot where the accessory dwelling unit is located.

5. Shoreland zoning. An accessory dwelling unit must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

6. Size requirements. An accessory dwelling unit must meet a minimum size of 190 square feet. If the Technical Building Codes and Standards Board under Title 10, section 9722 adopts a different minimum size, that standard applies. A municipality may impose a maximum size for an accessory dwelling unit.

7. Water and wastewater. The owner of an accessory dwelling unit must provide written verification to the municipality that the accessory dwelling unit is connected to adequate water and wastewater services before the municipality may certify the accessory dwelling unit for occupancy. Written verification under this subsection must include:

A. If an accessory dwelling unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the accessory dwelling unit and proof of payment for the connection to the sewer system;

B. If an accessory dwelling unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under section 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under Title 22, section 42;

C. If an accessory dwelling unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the accessory dwelling unit, proof of payment for the connection and the volume and supply of water required for the accessory dwelling unit; and

D. If an accessory dwelling unit is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

8. Municipal implementation. In adopting an ordinance under this section, a municipality may:

A. Establish an application and permitting process for accessory dwelling units;

B. Impose fines for violations of building, zoning and utility requirements for accessory dwelling units; and

C. Establish alternative criteria that are less restrictive than the requirements of subsections 4, 5, 6 and 7 for the approval of an accessory dwelling unit only in circumstances in which the municipality would be able to provide a variance under section 4353, subsection 4, 4-A, 4-B or 4-C.

9. Rate of growth ordinance. A permit issued by a municipality for an accessory dwelling unit does not count as a permit issued toward a municipality's rate of growth ordinance as described in section 4360.

10. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with subchapter 4.

11. Restrictive covenants. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid or enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

12. Rules. The Department of Economic and Community Development may adopt rules to administer and enforce this section. The department shall consult with the Department of Agriculture, Conservation and Forestry in adopting rules pursuant to this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

13. Implementation. A municipality is not required to implement the requirements of this section until July 1, 2023.

Sec. 7. 30-A MRSA §4364-C is enacted to read:

§4364-C. Municipal role in statewide housing production goals

This section governs the responsibilities and roles of municipalities in achieving the statewide and regional housing production goals set by the Department of Economic and Community Development in Title 5, section 13056, subsection 9.

1. Fair housing and nondiscrimination. A municipality shall ensure that ordinances and regulations are designed to affirmatively further the purposes of the federal Fair Housing Act, 42 United States Code, Chapter 45, as amended, and the Maine Human Rights Act to achieve the statewide or regional housing production goal.

2. Municipalities may regulate short-term rentals. A municipality may establish and enforce regulations regarding short-term rental units in order to achieve the statewide or regional housing production goal. For the purposes of this subsection, "short-term rental unit" means living quarters offered for rental through a transient rental platform as defined by Title 36, section 1752, subsection 20-C.

ARTICLE 3. DEFINITIONS

A. Construction of Language

In the interpretation and enforcement of this Ordinance, all words other than those specifically defined in the Ordinance, shall have the meaning implied by their context in the Ordinance or their ordinarily accepted meaning. In the case of any difference of meaning or implication between the text of the Ordinance and any map, illustration or table, the text controls.

The Board of Appeals shall decide any dispute as to the interpretation of the Ordinance or the meaning of any word or phrase upon the filing of an administrative appeal.

The following terms shall be interpreted in the following manner:

The word "lot" includes the words "plot" and "parcel."

The words "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged, or designed to be used or occupied."

The words "town" or "municipality" mean the Town of Richmond, Maine.

The present tense includes the future tense, the singular number includes the plural, and the plural numbers include the singular.

The words "shall" and "will" are mandatory, the word "may" is permissive.

B. Definitions

In this Ordinance, the following terms and phrases shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

Abutter: The owner of record of any abutting property.

Abutting Property: Any lot located in whole or in part within Richmond that is physically contiguous at any point with the lot in question, or separated from the lot in question only by a body of water, road or right-of-way.

Accessory Building: A building that is customarily both incidental and subordinate to the principal structure on the property and utilized in conjunction with a lawful principal or accessory use.

Accessory Dwelling Unit:

As defined in 30-A M.R.S.A. §4301(1-C), as may be amended, "Accessory dwelling unit" means a self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land.

Accessory Use: A use, which is customarily both incidental and subordinate to the principal use of the parcel. The term "incidental" in reference to the use shall mean subordinate and minor in significance to the principal use.

Adjacent: Lying next to or adjoining the land in question.

Affordable Housing Development:

1. For rental housing, a development in which a household whose income does not exceed 80% of the area median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat 888, Section 8, as may be amended, can afford a majority of the units that the development designates as affordable without spending more than 30% of the household's monthly income on housing costs; and
2. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat 888, Section 8, as may be amended, can afford a majority of the units that the development designates as affordable without spending more than 30% of the household's monthly income on housing costs.
3. For purposes of this definition, "majority" means more than half of proposed and existing units in the development.
4. For purposes of this definition, "housing costs" include, but are not limited to:
 - a. For a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and
 - b. For an owned unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner's insurance, condominium fees, and homeowner's association fees.

Agriculture: The cultivation of the soil, production of crops, including crops in greenhouses, the raising and keeping of livestock, including animal husbandry, the commercial processing and sale of wood and wood products, the processing of agricultural products, and the sale of agricultural products produced on the premises.

Alteration: Any change, addition, or modification, to a structure other than routine maintenance or repairs.

Area Median Income: The midpoint of a region's income distribution calculated on an annual basis by the US Department of Housing and Urban Development.

Area of Special Flood Hazard: The land in the floodplain having a one percent or greater chance of flooding in any given year, as specifically identified on the Flood Hazard Boundary Map (Reference: Richmond Flood Management Ordinance).

Attached: Connected by a shared wall to the principal structure or having physically connected finished spaces.

Authorized Agent: Anyone authorized to act on behalf of a property owner, so long as such authorization is made by way of a written document signed by the property owner.

Automobile Graveyard: As defined by 30-A M.R.S.A. § 3752, as may be amended, a yard, field or other area used to store three (3) or more uninspected

or ~~unregistered discarded, worn-out or junked~~ motor vehicles as defined in 29 M.R.S.A. § 107 or parts thereof, **as may be amended**, for purposes other than temporary storage by an establishment primarily engaged in auto repair work (also see "Junkyard")." Automobile Graveyard includes an area used for automobile dismantling, salvage and recycling operations. Please see 29-A MRSA § 101, **as may be amended**, for what "Automobile graveyards" do not include.

Automobile Recycling Business: means the business premises of a dealer or a recycler licensed under 29-A MRSA §§851 to 1112, **as may be amended**, who purchases or acquires salvage vehicles for the purpose of reselling the vehicles or components parts of the vehicles or rebuilding or repairing salvage vehicles for the purpose of resale or for selling the basic materials in the salvage vehicles, as long as 80% of the business premises specified in the site plan application, Article 7 of this Ordinance or 30-A MRSA § 3755-A, subsection 1, paragraph C, **as may be amended**. Please see 30-A MRSA § 3752 definitions, **as may be amended**, for what Automobile Recycling Business does not include.

Automobile Repair Garage: A place where, with or without the attendant sale of engine fuels, the following services may be carried out: general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of automobiles.

Automobile Service Station: A facility which sells at retail from the premises to the public: gasoline; any other automobile engine fuel; kerosene; motor oil; lubricants and minor accessories; and which may offer the servicing and repair of automobiles, but not including: storage of unlicensed vehicles; or body, frame or fender repair.

Average original grade: except for buildings wholly or partially within the flood plain, average original grade shall be calculated by taking the original grade elevations every ten feet along the perimeter of the foundation or proposed foundation, beginning at the lowest point. The average of all of these elevations shall be the average original grade from which the height of building is measured.

Base Density: The maximum number of units allowed on a lot not used for affordable housing based on dimensional requirements set forth in this ordinance. This does not include local density bonuses, transferable development rights, or other similar means that could increase the density of lots not used for affordable housing.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year ~~alternately referred to as~~, commonly called the 100-year flood. (Reference: ~~Richmond Flood Management Ordinance~~ **Floodplain Management Ordinance for the Town of Richmond, Maine**) ~~Which was adopted [June 1987]~~

Basement: A portion of the building partly underground but having less than half its clear height below the average grade of the adjoining ground.

Bed and Breakfast: A single-family, owner-occupied dwelling in which the primary use is residential and no more than five (5) rooms are offered as lodging with or without meals to guests for compensation.

Board: The Planning Board of the Town of Richmond, Maine.

Boathouse: A nonresidential structure designed for the purpose of protecting or storing boats and boating equipment for noncommercial purposes.

Body of Water: A pond, lake, stream, brook, river, or tidal area.

Buffer: A portion of a lot reserved for the purpose of mitigating the impacts of the parcel's use on significant natural resources or adjacent properties.

Building: Any structure and its attachments such as decks, breezeways and porches, designed or used for the housing or enclosure of persons, animals, or personal property.

Building Height: The vertical distance between the highest point of the roof and the average original grade of the ground adjoining the building.

Building Inspector: Code Enforcement Officer.

Bulk Storage: The storage of materials in quantities greater than those used on the premises and stored in containers or packages of sizes that are larger than those used in the retail sales of the product.

Campground: Premises licensed by the State of Maine for use as temporary, paid accommodations for two (2) or more tents or recreational vehicles.

Cellar: A portion of the building partly underground, but having half or more of its clear height below the average grade of the adjoining ground.

Certificate of Occupancy: The municipal approval for occupancy granted pursuant to 25 M.R.S.A. §2357-A or the *Maine Uniform Building and Energy Code* (MUBEC) adopted pursuant to Title 10 Chapter 1103, as may be amended. Certificate of Occupancy may also be referred to as issuance of certificate of occupancy or other terms with a similar intent.

Change of Use: The change of the use of a premises or portion of a premises from one category of nonresidential use, as defined by the two digit major groups set forth in the most current Standard Industrial Classification Manual published by the Federal Office of Management and Budget, to another, or the change from a residential use to a nonresidential use or vice-versa.

Channel: A natural or artificial watercourse with definite bed and banks that confine and conduct continuously or periodically flowing water. Channel flow is water flowing within the limits of the defined channel.

Cluster Development: A form of residential subdivision in which the required minimum individual lot size is reduced in exchange for the creation of permanent open space within the development.

~~All tidal and sub-tidal lands including all lands below any identifiable debris line left by tidal action, and any swamp, marsh, bog, beach, flat or other contiguous low land which is subject to tidal action during the maximum spring tide level as identified in current tide tables published by the National Ocean Service~~ **All tidal and subtidal lands; all lands with vegetation present that is tolerant of salt water and occurs primarily in a salt water or estuarine habitat; and any swamp, marsh, bog, beach, flat or other contiguous low land that is subject to tidal action during the highest tide level for the year in which an activity is proposed as identified in tide tables published by the National Ocean Service. Coastal wetlands may include portions of coastal sand dunes.**

Note: All areas below the highest annual tide level are coastal wetlands. These areas may consist of rocky ledges, sand and cobble beaches, mud flats, etc., in

addition to salt marshes and salt meadows. (Reference: Guidelines for Municipal Shoreland Zoning Ordinances)

Code Enforcement Officer: A person appointed by the Municipal Officers to administer and enforce the Town's ordinances, including such persons as an official designee or any Town Building Inspectors, Plumbing Inspectors, Electrical Inspectors, and the like where applicable.

Commercial Use: A use involving the buying or selling of goods or services or the provision of facilities for a fee.

Complete Application: An application shall be deemed to be complete when the Planning Board has reviewed it and the Board has found that the application contains the required submissions for each item listed in the ordinance submission requirements. If the Board has determined that one or more submission requirements are not applicable to a given application and/or the Board has granted for good cause a waiver of one or more submission requirements, the Board shall consider the requirement for those specific items to have been met.

Comprehensive Plan: A document consistent with 30-A M.R.S.A. §4326(1)-(4), as may be amended, including the strategies for an implementation program that are consistent with the goals and guidelines established pursuant to 30-A M.R.S.A Chapter 187 Subchapter II, as may be amended.

Conforming Use: A use of buildings, structures or land that complies with all applicable provisions of this Ordinance.

Constructed: Includes built, erected, altered, reconstructed, moved upon, or any physical operations on the premises, which are required for construction. Excavation, fill, drainage, and the like shall be considered a part of construction.

Construction Trailer: A trailer on or in close proximity to a construction site, used for temporary offices, living quarters, storage or fabrication for the duration of a construction project.

Contiguous: Land, which is next to, bordering, or abutting.

Density Requirements: Maximum number of dwelling units allowed on a lot, subject to dimensional requirements.

Designated Growth Area: An area that is designated in Richmond's Comprehensive Plan as suitable for orderly residential, commercial, or industrial development, or any combination of those types of development, and into which most development projected over ten (10) years is directed. Designated Growth Areas may also be referred to as priority development zones or other terms with a similar intent.

Dimensional Requirements: Density requirements which govern the size and placement of structures including, but not limited to, the following requirements: building height, lot area, minimum frontage, and lot depth.

District: A portion of the municipality delineated on the Official Zoning Map or defined in the Ordinance, within which distinct requirements or regulations apply.

Disturbance incidental to Rights of way: The removal of materials that are essential and necessary for building, maintaining, repairing or removing public or private rights of way.

Dwelling: Any building or structure or portion thereof designed or used for residential purposes.

1. **Single-Family Dwelling** shall mean any building containing only one (1) dwelling unit for occupation by not more than one (1) family.
2. **Two-Family Dwelling** shall mean a building containing only two (2) dwelling units, for occupation by not more than two (2) families.
3. **Multifamily Dwelling** shall mean a building containing three or more dwelling units for occupation by three (3) or more families.

Dwelling Unit: A room or group of rooms designed and equipped exclusively for use as living quarters for one family, including provisions for living, sleeping, cooking, eating, and sanitary facilities. The term shall include manufactured housing, but shall not include recreational vehicles.

Earth Materials: Topsoil, sand, gravel, clay, peat, rock, or other minerals.

Equipment and Motor Repair: A business establishment engaged in general repair, engine rebuilding, parts replacement, rebuilding or reconditioning of motor vehicles, body, frame or fender straightening and repair, painting and undercoating, and mechanized washing of automobiles but where no engine fuels are sold at retail.

Essential Services: The construction, alteration or maintenance of facilities or distribution systems for gas, electricity, communication, steam, fuel or water. Such systems may include towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories, but shall not include buildings which are necessary for the furnishing of such services.

Eutrophication: The process of nutrient enrichment of water bodies.

Excavation: Any removal of earth or earth material from its original position.

Excavation, Storage, and Processing of Earth Materials: Any use which involves the excavation or storage of earth materials for commercial purposes or for removal from the site except in conjunction with approved construction or which involves the processing of earth materials on the site.

Existing Dwelling Unit: A residential unit in existence on a lot at the time of submission of a permit application to build additional units on that lot.

Existing Non-Residential or Commercial: Any existing building providing for non-residential or commercial use.

Existing Residential: Any existing building housing a residential use.

Family: One or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, or hotel.

Filling: Depositing or dumping any matter on or into the ground or water.

Fisheries: Areas identified by a governmental agency such as the Maine Department of Inland Fisheries and Wildlife, Atlantic Salmon Authority, or Maine Department of Marine Resources such as having significant value as fisheries and any areas identified in the Comprehensive Plan.

Flood or Flooding:

1. A **general and** temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters.
 - b. The unusual and rapid accumulation of ~~of~~ or runoff of surface waters from any source.
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined ~~above in paragraph a.1. of this definition.~~ (Reference: ~~Richmond Flood Management Ordinance.~~ **Floodplain Management Ordinance for the Town of Richmond, Maine**)

~~Flood Hazard Boundary Map (FHBM)~~ **Flood Insurance Rate Map (FIRM):** An official map of the ~~a~~ community, on which the ~~Administrator of the Federal Insurance Administration~~ **Federal Insurance Administrator** has delineated both the special hazard areas and the risk premium zones applicable to the community. (Reference: ~~Richmond Flood Management Ordinance.~~ **Floodplain Management Ordinance for the Town of Richmond, Maine**)

Floodplain or Flood-Prone Area: Any land area susceptible to being inundated by water from any source (~~see flooding~~). (Reference: ~~Richmond Flood Management Ordinance.~~ **Floodplain Management Ordinance for the Town of Richmond, Maine**)

~~Flood Proofing~~ **Floodproofing:** ~~Structural and/or nonstructural.~~ **Any combination of structural and non-structural additions, changes, or adjustments to structures in order to which reduce or eliminate flood damage to structures, and their contents, real estate, or water and sanitary facilities **real estate or improved real property, water and sanitary facilities, structures and contents.** (Reference: ~~Richmond Flood Management Ordinance.~~ **Floodplain Management Ordinance for the Town of Richmond, Maine**)**

Floor Area, Gross: The sum, in square feet, of the total area of all floors within the roofed portions of a building, as measured from the interior faces of the exterior walls and including the area of unenclosed portions of a structure such as porches and decks. (~~Reference: Guidelines for Municipal Shoreland Zoning Ordinances~~).

Forest Management Activities: Timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, management planning activities, timber stand improvement, pruning, regeneration of forest stands, and other similar or associated activities, exclusive of timber harvesting and the construction, creation or maintenance of roads associated with such activities. (~~Reference: Guidelines for Municipal Shoreland Zoning Ordinances~~).

Forested Wetland: a freshwater wetland dominated by woody vegetation that is (6) meters tall (**approximately twenty (20) feet**) or taller. (Reference: **Guidelines for Municipal Shoreland Zoning Ordinances**)

Freshwater Wetland: Freshwater swamps, marshes, bogs and similar areas, other than forested wetlands which are:

1. Of ten (10) or more contiguous acres; or of less than ten (10) contiguous acres and adjacent to a surface water body, excluding any river, stream, or brook, such that in a natural state, the combined surface area is in excess of ten (10) acres; and
2. Inundated or saturated by surface or groundwater at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

Freshwater Wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition. (Reference: Guidelines for Municipal Shoreland Zoning Ordinances)

Note: The U.S. Army Corps of Engineers' definition of wetland is different from this definition.

Frontage, Shore: The horizontal distance, measured in a straight line, between the intersections of the side lot lines with the shoreline at normal high water elevation.

Frontage, Street: The linear distance between the sidelines of a lot, measured along the lot line that borders upon a public street, proposed street shown on an approved and recorded subdivision plan, or an approved private road. In the case of a lot situated on a curve of a way, the measurement of frontage shall include the entire length of the property line along such curve.

Frost Wall: A foundation wall extending below the ground surface, supported by footing located below the frost line to protect structures from frost heaves.

Functionally Water-dependent Uses: Uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal and inland waters and which that cannot be located away from these waters. The uses include, but are not limited to, commercial and recreational fishing and boating facilities, finfish and shellfish processing, fish-related storage and retail and wholesale fish marketing facilities, waterfront dock and port facilities, shipyards and boat building facilities, marinas, navigation aids, basins and channels, industrial uses dependent upon waterborne transportation or requiring large volumes of cooling or processing water and which cannot that can not reasonably be located or operated at an inland site, and uses which that primarily provide general public access to ~~marine or tidal~~ coastal or inland waters. Recreational boat storage buildings are not considered to be a functionally water-dependent use. (Reference: Guidelines for Municipal Shoreland Zoning Ordinances)

Gardening: The activity of lying out, cultivating or tending a plot of ground where flowers, shrubs or other ornamental plants, vegetables, fruits or herbs are planted.

Governing Authority: The legislative body of the municipality, which is the voters of the Town at a Town Meeting.

Grade: The degree of slope.

Grade Beam: That part of a foundation system located at the ground surface (usually in a building without a basement), which supports the exterior wall of the superstructure.

Great Pond: Any inland body of water which in a natural state has a surface area in excess of ten (10) acres, and any inland body of water artificially formed or increased which has a surface area in excess of thirty (30) acres. (Reference: 30 M.R.S.A. § 480-B - Natural Resources Protection Act, **as may be amended**).

Group Home: A housing facility for eight (8) or fewer mentally handicapped or developmentally disabled persons, which are approved, authorized, certified or licensed by the State. A group home may include a foster home or intermediate care facility.

Hazardous Material: Any material identified by a federal or state agency as a hazardous material.

Hazardous Waste: A waste substance or material in any physical state, designated as hazardous by the Board of Environmental Protection under 38 M.R.S.A. §1303-A, **as may be amended**.

Historic Area: The area nominated to the National Register of Historic Places in September of 1973 and was entered on the Register on November 12, 1973. The area is a sub-district in the Village District. It is depicted on the Official zoning map and described under Special Performance Standards for the Village, in Article 4 Section 4G, Subsection (4) of this Ordinance. **It is not a Zoning District as defined in this Article.**

Historic Building: Any building that has been entered on the National Register of Historic Places or listed on the September 1973 Nomination for National Register of Historic Places inventory or which is eligible for listing on the National Register of Historic Places.

Historic or Archaeological Resources: Areas identified by a governmental agency such as the Maine Historic Preservation Commission as having significant value as historic or archaeological resources and any areas identified in the Comprehensive Plan.

Home Occupation: An activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit or in an accessory structure, except that a retail marijuana establishment shall not be operated as a home occupation.

Hotel: A building in which lodging, with or without meals, is offered to the general public for compensation and in which access to lodging rooms is made primarily through an inside lobby or office. The hotel may contain accessory services and facilities such as newsstands, personal grooming facilities, and restaurants.

Housing: Any part of a structure which, through sale or lease, is intended for human habitation, including single-family and multifamily housing, condominiums, time-share units, and apartments.

Incidental to Construction: Activity which is necessary as part of a construction project, is clearly subsidiary and related to the construction, and occurs within the immediate proximity of the construction site.

Industrial Use: The use of real estate, buildings or structures or any portion thereof, for assembling, fabricating, finishing, manufacturing, packaging or processing operations, or for warehousing and distribution.

Inn: A building, which contains a dwelling unit, occupied by an owner or resident manager in which up to ten (10) lodging rooms are offered, with or without meals, to the general public for compensation, and in which entrance to lodging rooms is made through a lobby or other common room. The term may include guesthouses, lodging houses and tourist houses, but not bed and breakfasts, hotels or motels, which are separately defined.

Institutional Use: The nonprofit, public, or quasi-public use of real estate, buildings or structures or any portion thereof for a governmental, educational, charitable, religious, medical or similar purpose.

Junkyard: Any parcel of land or portion thereof used for the storage, collection, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal or other discarded goods or materials. The term includes land meeting the definition of junkyards in 30-A M.R.S.A. § 3752, **as may be amended**. (Also see Automobile Graveyards.)

Kennel: A commercial establishment in which an owner or customer's dogs or other domesticated animals more than one year old are housed, groomed, bred, boarded, trained or sold.

Lagoon: An artificial enlargement of a water body, primarily by means of dredging and excavation.

Land Use Ordinance: The local ordinance of general application adopted by the Richmond legislative body which controls, directs, or delineates allowed uses of land and standards for those uses.

Level of Service: A measure of the operational performance of a street or intersection as determined in accordance with current procedures of the Institute of Traffic Engineers (ITE).

Lot: A parcel of land in single ownership described on a deed, plot or similar legal document.

Lot Area: The total horizontal area within the lot lines.

Lot, Corner: A lot with at least two (2) contiguous sides abutting upon a street or streets.

Lot, Coverage: The percentage of the lot covered by all structures, parking lots, and all non-vegetated surfaces. In shoreland areas lot coverage includes all non-vegetated areas including buildings, driveways and parking areas.

Lot, Interior: Any lot other than a corner lot.

Lot Lines: The lines bounding a lot as defined below:

- 1. Front Lot Line:** On an interior lot, the line separating the lot from the street. On a corner or through lot, the line separating the lot from either street.
- 2. Rear Lot Line:** The lot line opposite the front lot line. On a lot pointed at the rear, the rear lot line shall be an imaginary line between the side lot lines parallel to the front lot line, not less than ten (10) feet long, lying farthest from the front lot line. On a corner lot, the rear lot line shall be opposite the front lot line of least dimension.
- 3. Side Lot Line:** Any lot line other than the front lot line or rear lot line.

Lot Width: The distance between the sides boundaries of the lot measured at the front setback line.

Lot of Record: A parcel of land, a legal description of which or the dimensions of which are recorded on a document or map on file with the County Register of Deeds or in common use by Town or County Officials.

Lot, Shorefront: Any lot abutting a water body.

Lot, Through: Any interior lot having frontages on two (2) more or less parallel streets, or between a street and a water body, or between two (2) water bodies, as distinguished from a corner lot. All sides of through lots adjacent to streets and water bodies shall be considered frontage, and front yards shall be provided as required.

Manufactured Housing: "Manufactured Housing" as that term is defined in 30-A M.R.S.A § 4358 (1)(A), as may be amended.

Marina: A shorefront commercial facility with provisions for one (1) or more of the following: boat storage, boat launching, or the sale of supplies and services for watercraft, their equipment and accessories.

Medical Marijuana Cannabis Establishment: A medical marijuana cannabis retail store, medical marijuana cannabis manufacturing facility, medical marijuana cannabis dispensary, or medical marijuana testing facility.

Medical Marijuana Cannabis Dispensary: A "registered dispensary" as that term is defined in 22 M.R.S § 2422(6), as may be amended. A medical marijuana cannabis dispensary is an entity registered and licensed to acquire, possess, cultivate, manufacture, deliver, transfer, transport, sell, supply or dispense marijuana cannabis or related supplies and educational materials to qualifying patients and the caregivers of those patients.

Medical Marijuana Cannabis Manufacturing Facility: A "manufacturing facility" as that term is defined in 22 M.R.S. § 2422(4-F), as may be amended. A medical marijuana cannabis manufacturing facility is a registered tier 1 or tier 2 manufacturing facility or a person or entity authorized to engage in marijuana cannabis extraction under 22 M.R.S § 2423-F, as may be amended.

Medical Marijuana Cannabis Retail Store: A retail establishment operated by a single medical marijuana cannabis registered caregiver where harvested marijuana cannabis is sold by that medical marijuana cannabis registered caregiver to medical marijuana cannabis qualifying patients for patients' medical use and may include an area for consultation with patients. Two or more medical marijuana cannabis registered caregivers are prohibited from forming, owning or operating a medical marijuana cannabis retail store as a single medical marijuana cannabis retail store.

Medical Marijuana Cannabis Testing Facility: A "marijuana cannabis testing facility" as that term is defined in 22 M.R.S. § 2422(5-C), as may be amended. A medical marijuana cannabis testing facility is a public or private laboratory that is authorized in accordance with 22 M.R.S § 2423-A(10), as may be amended, to analyze contaminants in and the potency and cannabinoid profile of samples; and is accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the Main Department of Administrative and Financial Services.

Mobile Home Park: A “mobile home park” as that is defined in 30-A M.R.S.A §4358(1)(B), as may be amended.

Modular Home: A “modular home” as that term is defined in 30-A M.R.S.A. §4358(1)(A)(2), as may be amended.

Motel: A building in which lodging is offered to the general public for compensation, and where entrance to rooms is made directly from the outside of the building.

Natural Areas and Natural Communities, Unique Natural Areas and Natural Communities: Areas identified by a governmental agency such as the Maine Department of Conservation Natural Areas Program as having significant value as a natural area and any areas identified in the municipality's Comprehensive Plan.

Net Residential Acreage: The acreage available for development, excluding the areas for streets, required private rights-of-way or access, utility easements, and the areas which are unsuitable for development, including intertidal areas, areas covered with standing water for all or most of the year, Class 1 or Class 2 wetlands as defined by the Maine DEP, areas of special flood hazard, and areas with slopes greater than 25%.

Net Residential Density: The number of dwelling units per net residential acre.

New Non-Residential or Commercial: Any new building being erected for non-residential or commercial use.

New Residential: Any new building being erected for residential use.

New Mobile Home: A “newer mobile home” as that term is defined in 30-A M.R.S.A § 4358 (1)(A)(1), as may be amended.

Nonconforming Use: Use of land or structures that is not otherwise permitted, but which is allowed to continue solely because it was in lawful existence at the time the Ordinance or subsequent amendment took effect.

Nonconforming Structure: A structure that does not meet all dimensional requirements, setbacks, height, and lot coverage standards but is nonetheless allowed to continue solely because it was in lawful existence at the time the Ordinance or subsequent amendments took effect.

Normal High Watermark Water Mark of Coastal Waters: The elevations along coastal or tidal waters at which vegetation changes from predominantly salt tolerant to predominantly non-salt tolerant. By way of illustration, coastal or tidal vegetation includes, but is not limited to, salt marsh grass, salt meadow hay, black arrow grass, seaside lavender, silverweed, salt marsh bulrush, seaside plantain, salt marsh sedge, and salt marsh aster. In places where vegetation is not present, the high watermark water mark shall be the identifiable debris line left by non-storm tidal action. ~~(Reference: Richmond Flood Management Ordinance.~~

Normal High Watermark Water Mark of Inland Waters: That line of the shores and banks of non-tidal waters which is apparent because of the different character of the soil or the vegetation due to the prolonged action of the water. Relative to vegetation, it is that line where the vegetation changes from predominantly aquatic to predominantly terrestrial ~~(by~~ By way of illustration, aquatic vegetation includes but is not limited to the following plant and plant groups: water lily, pond lily, pickerelweed, cattail, wild rice, sedges, rushes, and marsh grasses. Terrestrial vegetation includes but is not limited to the following

plants and plant groups: upland grasses, aster, lady slipper, wintergreen, partridgeberry, sarsaparilla, pines, cedars, oaks, ashes, alders, elms, and maples). In places where the shore or bank is of such character that the high watermark ~~water mark~~ cannot be easily determined (rock slides, ledges, rapidly eroding or slumping banks), the normal high watermark ~~water mark~~ shall be estimated from places where it can be determined by the above method. (~~Reference: Richmond Flood Management Ordinance.~~)

Office Trailer: A trailer designed or used primarily as an office or for display or demonstration purposes and which is not used as living quarters.

Official Business Directional Sign: A sign erected and maintained in accordance with the Maine Traveler Information Services Act, 23 M.R.S.A. § 1901, et. Seq., ~~as may be amended~~, which points the way to public accommodations and facilities or other commercial facilities.

Open Space Use: The portion of a lot or site which is maintained in its natural state to preserve scenic resources, farm and forest land, wetlands, groundwater recharge areas, wildlife habitat, public access to water bodies, and other important or environmentally sensitive areas, or to be used for outdoor recreation purposes. Such uses do not include structures, earth-moving activity, or the removal or destruction of vegetative cover, spawning grounds, or fish, aquatic life, bird and other wildlife habitat.

Original Grade: The grade of the land that exists prior to the beginning of the proposed construction; provided, however, that if the grade has been altered in the twelve months prior to the application for a building permit for the proposed construction, as evidenced by a building permit or an excavation permit, ~~issued pursuant to (applicable articles)~~ the original grade shall be the grade of the land that existed prior to the alteration. (See *also* "Average Original Grade").

Parking Space: A paved or graveled area meeting the standards of Article 5 and designated for the parking of one motor vehicle.

Passive Recreation: Outdoors recreational activities which involve no structures or motorized equipment, such as, but not limited to the following: skiing, horseback riding, cycling, hiking, walking, or picnicking.

Person: Any individual, firm, association, organization, partnership, trust, company, corporation, or other legal entity.

Piers and Docks: Structures other than streets, roads and drainage facilities located in or above the waters of any body of water for the purpose of gaining access to the water.

Planned Unit Development: Land under unified management, planned and developed as a whole according to comprehensive and detailed plans, including streets, utilities, lots or building sites, site plans and design principles for all buildings intended to be located, constructed, used and related to each other, and for other uses and improvements on the land. Development may be a single operation or a programmed series of operations including all lands and buildings, with provision for operation and maintenance of such areas and improvements and facilities necessary for common use by the occupants of the development. A planned unit development does not include a mobile home park.

Plat: A map of a town, section or subdivision showing the location and boundaries of individual parcels of land subdivided into lots with streets, alleys, easements, etc., usually drawn to scale.

Premises: One or more lots under common ownership, which are contiguous or separated only by a road or water body, including all buildings, structures and improvements.

Prime Farmlands: Any parcel of land that has 5 or more acres used in agricultural production within the past 3 years.

Principal Building or Structure: The building or structure in which the principal use of the lot is conducted.

Principal Use: The primary use to which the premises are devoted, and the main purpose for which the premises exist.

Private Road: A road constructed, owned and maintained by a person or entity other than a public body and constructed to the Town standards for private roads in Article 5 section S of this Ordinance.

Public or Private Owned Outdoor Recreation Facility: A commercial establishment that offers entertainment, exercise, or relaxation activities that are principally outdoors. Such facilities include but are not limited to amusement parks, outdoor swimming pools, parks, shooting ranges, riding ranges, go-kart racetracks, and all terrain vehicle racetracks.

Public Sewerage: The system of sanitary sewers, pump stations and sewage treatment facilities owned and operated by the Richmond Utilities District.

Public Utility: Any person, firm, corporation, municipal department, board or commission authorized to furnish gas, steam, electricity, waste disposal, communication facilities, transportation or water to the public.

Receipt of an Application: The formal acceptance of an application by the Planning Board for a determination of its completeness. The receipt of an application shall occur only at a regular meeting of the Board.

Recreational Vehicle: A vehicle or vehicular attachment designed for temporary sleeping or living quarters for one (1) or more persons, which is not a dwelling and which may include a pickup camper, travel trailer, tent trailer, camp trailer, and motor home. The recreational vehicle shall be designed and constructed to be readily moveable and used for short-term occupancy. If the recreational vehicle is connected to sewerage, water, or electricity, those connections shall be temporary.

Regulatory Floodway:

1. The channel of a river or other ~~watercourse~~ **water course** and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot, and
2. ~~in Zone A~~ **when not designated on the community's Flood Insurance Rate Map, it is considered to be the channel of a river or other ~~watercourse~~ water course** and the adjacent land areas to a distance of one-half the width of the floodplain, as measured from the normal high ~~watermark~~ **water mark** to the upland limit of the floodplain.

(Reference: ~~Richmond Flood Management Ordinance.~~ **Floodplain Management Ordinance for the Town of Richmond, Maine**)

Re-subdivision: The further division of an existing subdivision or any changes of the lot size therein, or the relocation of any street or lot line in a subdivision.

Restrictive Covenant: A provision in a deed, or other covenant conveying real property, restricting the use of the land.

Retail Marijuana Cannabis: means cannabis that is cultivated, manufactured, distributed or sold by a licensed retail marijuana cannabis establishment.

Retail Marijuana Cannabis Cultivation Facility: A retail marijuana cannabis "cultivation facility" as that term is defined in 7 M.R.S.A §2442(35) 28-B M.R.S.A, as may be amended. A retail marijuana cannabis cultivation facility is an entity licensed to cultivate, prepare and package retail marijuana and sell marijuana to retail marijuana cannabis establishments. A retail marijuana cannabis cultivation facility is only authorized as a principal use, and not as an accessory use.

Retail Marijuana Cannabis Establishment: A "retail marijuana cannabis establishment" as that term is defined in 7 M.R.S.A §2442(36), 28-B M.R.S.A as may be amended. A retail marijuana cannabis establishment is a retail marijuana cannabis cultivation facility, retail product manufacturing facility, retail marijuana cannabis store, or retail marijuana cannabis testing facility. A retail marijuana cannabis establishment is only authorized as a principal use, and not as an accessory use.

Retail Marijuana Cannabis Product: A "retail marijuana cannabis product" as that term is defined in 7 M.R.S.A §2442(37), 28-B M.R.S.A as may be amended. Retail marijuana cannabis products are concentrated retail marijuana cannabis and retail marijuana cannabis products that are composed of retail marijuana cannabis and other ingredients, and are intended for use or consumption, including, but not limited to, edible products, ointments and tinctures.

Retail Marijuana Cannabis Product Manufacturing Facility: A "retail marijuana cannabis product manufacturing facility" as that term is refined in 7 M.R.S.A §2442(38), 28-B M.R.S.A as may be amended. A retail marijuana cannabis products manufacturing facility is an entity licensed to purchase retail marijuana cannabis; manufacture, prepare and package retail marijuana cannabis products; and sell retail marijuana cannabis and retail marijuana cannabis products only to other retail marijuana cannabis products manufacturing facilities, and retail marijuana cannabis stores. A retail marijuana cannabis product manufacturing facility is only authorized as a principal use, and not as an accessory use.

Retail Marijuana Cannabis Store: A "retail marijuana cannabis store" as that term is defined in 7 M.R.S.A §2442(40), 28-B M.R.S.A as may be amended. A retail marijuana cannabis store is an entity licensed to purchase retail marijuana cannabis from a retail marijuana cannabis cultivation facility and to purchase retail marijuana cannabis products from a retail marijuana cannabis products manufacturing facility and to sell retail marijuana cannabis and retail marijuana cannabis products to consumers. A retail marijuana cannabis store is only authorized as a principal use and not as an accessory use.

Retail Marijuana Cannabis Testing Facility: A "retail marijuana cannabis testing facility" as that term is defined in 7 M.R.S.A §2442(41) 28-B M.R.S.A, as may be amended. A retail marijuana cannabis testing facility is an entity licensed and certified to analyze and certify the safety and potency of retail marijuana cannabis and retail marijuana cannabis products. A retail marijuana cannabis testing facility is only authorized as a principal use, and not as an accessory use.

Retail Use: A commercial activity involving the sale of goods to the ultimate consumer for direct use and consumption and not for trade or resale.

Richmond Historic Area: The area nominated to the National Register of Historic Places in September of 1973 and was entered on the Register on November 12, 1973. The area is a sub-district in the Village District. It is depicted on the Official zoning map and described under Special Performance Standards for the Village, in Article 4 Section 4 , Subsection (4) of this Ordinance. It is not a (Zoning) District as defined in this Article.

River: A channel between defined banks including the floodway and associated floodplain wetlands where the channel is created by action of surface water and characterized by the lack of upland vegetation or presence of aquatic vegetation and by the presence of a bed devoid of top soil containing water borne deposits of exposed soil, parent material, or bedrock. (Reference: 30 M.R.S.A. § 480-B.9, **as may be amended.**) (A free-flowing body of water including its associated flood plain wetlands from that point which it provides drainage for a watershed of twenty five (25) square miles to its mouth.)

Road: See "Street."

Road Association: A private nonprofit corporation responsible for the ownership and maintenance of one (1) or more private roads.

School: Commercial: An institution for education or instruction which is commercial or profit-oriented. Examples include but are not limited to for-profit dancing, music, riding, and correspondence, aquatic, driving or business schools. For the purposes of this Ordinance such facilities shall be considered to be commercial uses.

School: Public and Private: An institution for education or instruction that satisfies either of the following requirements:

1. The school is not operated for a profit; or
2. The school teaches courses of study, which are sufficient to qualify attendance thereby in compliance with State compulsory education requirements.

Such facilities shall be considered to be institutional uses for the purposes of this Ordinance.

Setback: The minimum horizontal distance from a lot line to the nearest part of a structure. Front setback shall be measured from the edge of the travel portion of the road or edge of the Right of Way (ROW), whichever is closer to the structure.

Setback from Water: The minimum horizontal distance from the normal high water elevation to the nearest part of a structure.

Sight Distance: The distance at which approaching vehicles can be seen from intersecting streets or drives as measured in accordance with current standards of the Maine Department of Transportation.

Sign: An object, device or structure, or part thereof, situated outdoors or displayed in a window, visible from a public and or a private way, free standing or attached, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location, by any means including words, letters, figures, design, symbols, advertising flags, banners, fixtures, colors, streamers, placards, illuminations or

projected images. Each face of a sign shall constitute a separate sign except that a sign with two faces directly opposite one another shall be counted as one sign.

Significantly Expanded: The change of a use in such a manner that it increases the measurable impacts of that use on abutting properties or on the public streets.

Skew Angle: The interior angle formed between the centerline of a street and the centerline of an intersecting street or drive.

Slope: The degree of deviation of a surface from the horizontal expressed in a percentage and calculated by dividing the change in elevation over a given distance.

Soil Survey: A map and accompanying narrative report identifying the soils on a site and their characteristics and done in accordance with the current Standards for Soil Surveys adopted by the Maine Association of Professional Soil Scientists.

~~**Soil Survey: Class A. High Intensity:** A soil survey meeting the current standards of MAPSS for Class A soil surveys.~~

~~**Soil Survey: Class B. High Intensity:** A soil survey meeting the current standards of MAPSS for Class B soil surveys.~~

~~**Soil Survey: Class C. Medium Intensity:** A soil survey meeting the current standards of MAPSS for Class C soil surveys.~~

~~**Soil Survey: Class D. Medium Intensity:** A soil survey meeting the current standards of MAPSS for Class D soil surveys.~~

Solid Waste: Any waste defined by 38 M.R.S.A. §1303 (10), **as may be amended**, which is useless, unwanted or discarded solid material with insufficient liquid content to be free flowing, including by way of example, and not by limitation, rubbish, garbage, refuse derived fuel, scrap materials, junk, refuse, inert fill material, and landscape refuse, but not including septic tank sludge, or agricultural waste.

The fact that a solid waste, or a part or constituent of the waste, may have value or other use or may be sold or exchanged does not exclude it from the definition of "solid waste."

The term includes any residue or material, which exists in excess to the owner at the time of such discard or rejection.

Special Waste: Any non-hazardous waste defined by 38 M.R.S.A. §1303 (10-B), **as may be amended**, which is generated by sources other than domestic and typical commercial establishments that exists in such an unusual quantity or in such a chemical or physical state, or any combination thereof, which may disrupt or impair effective waste management or threaten the public health, human safety or the environment and requires special handling, transportation and disposal procedures. Special waste includes, but is not limited to:

1. Oil, coal, wood and multi-fuel boiler and incinerator ash;
2. Industrial and industrial process waste;
3. Wastewater treatment plant sludge, paper mill sludge and other sludge waste;
4. Debris and residuals from non-hazardous chemical spills and cleanup of those spills;
5. Contaminated soils and dredge spoils;
6. Asbestos and asbestos containing waste;

7. Sand blast grit and non-liquid paint waste;
8. Medical and other potentially infectious or pathogenic waste;
9. High and low pH wastes;
10. Spent filter media residue;
11. Shredder residue; and
12. Other waste designated by the Board of Environmental Protection, by rule.

Stream or Brook: A channel between defined banks including the floodway and associated floodplain wetlands where the channel is created by the action of surface water and characterized by the lack of upland vegetation or presence of aquatic vegetation and by the presence of a bed devoid of topsoil containing waterborne deposits of exposed soil, parent material or bedrock (Reference 30 M.R.S.A. § 480-B.9, *as may be amended*).

Street: An existing state, county, or town way, a street dedicated for public use and shown upon a plan duly approved by the Planning Board or on a plan recorded in the County Registry of Deeds prior to the establishment of the Planning Board and the grant to the Planning Board of its power to approve plans for a private road. The term "street" shall not include those ways that have been discontinued or abandoned.

Structure: Anything constructed or erected, the use of which requires a fixed location on or in the ground, or an attachment to something having a fixed location on the ground, including buildings, commercial park rides and games, carports, decks, porches, and other building features, but not including fences.

Sub divider: A person, firm, association, syndicate, partnership, corporation, trust, or any other legal entity, or agent thereof, that proposes to create a subdivision. The term "sub divider" includes, where applicable, "developer" and "builder."

Subdivision: Any activity, which is defined by the State of Maine as a subdivision in 30-A M.R.S.A. § 4401.4 *as it may, from time to time, be amended, as may be amended*; provided however, that a parcel of 40 acres or more shall be counted as a lot in determining if a subdivision is created.

Substantial Improvement: Any repair, reconstruction, or improvement of a structure within a period of five (5) years, the value of which equals or exceeds 50% of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred.

Subsurface Sewage Disposal System: ~~A collection of treatment tank(s), disposal area(s), holding tank(s) and pond(s), surface spray system(s), cesspool(s), well(s), surface ditch (es), alternative toilet(s), or other devices and associated piping designed to function as a unit for the purpose of disposing of wastes or wastewater on or beneath the surface of the earth in accordance with the Maine State Plumbing Code. The term shall not include a wastewater discharge system licensed under 38 M.R.S.A. §414; any surface wastewater disposal system licensed under 38 M.R.S.A. §413 § 1 A, or any public sewer.~~
Any system designed to dispose of waste or waste water on or beneath the surface of the earth; includes, but is not limited to: septic tanks; disposal fields; grandfathered cesspools; holding tanks; pretreatment filter, piping, or any other

fixture, mechanism, or apparatus used for those purposes; does not include any discharge system licensed under 38 M.R.S.A. §414, any surface waste water disposal system, or any municipal or quasi-municipal sewer or waste water treatment system. The term shall not include a wastewater disposal system designed to treat wastewater which is in whole or in part hazardous waste as defined in 38 M.R.S.A. Chapter 13, subchapter 1 §13(1), as may be amended. (Reference: Guidelines for Municipal Shoreland Zoning Ordinances)

Timber Harvesting: The cutting and removal of trees from their growing site, and the attendant operation of cutting and skidding equipment and machinery but not the construction or creation of road associated with such operations. Timber harvesting does not include the clearing of land for approved construction.

Trailer, Utility: A vehicle without motive power, designed to be towed by a motor vehicle but not designed for human occupancy and which may include such items as a boat trailer, horse trailer, or snowmobile trailer.

Undue Hardship: A condition in which a parcel of land meets all of the following tests: that the land in question cannot yield a reasonable return unless a variance is granted; that the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood; that the granting of a variance will not alter the essential character of the locality; and that the hardship is not the result of action taken by the applicant or a prior owner. (Reference: 30-A M.R.S.A. § 4353, as may be amended)

Upland Edge of a Wetland: The boundary between upland and wetland. For purposes of a coastal wetland, this boundary is the line formed by the landward limits of the salt tolerant vegetation and/or the highest annual tide level, including all areas affected by tidal action. For purposes of a freshwater wetland, the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation; or where the soils support the growth of wetland vegetation, but such vegetation is dominated by woody stems that are six (6) meters (approximately twenty (20) feet) tall or taller. (Reference: Guidelines for Municipal Shoreland Zoning Ordinances)

Use: The purpose for which land or a structure is arranged, designed, or intended, or for which land or a structure is or may be occupied.

Variance: A relaxation of the terms of this Ordinance granted by the Zoning Board of Appeals, the granting of which would not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this Ordinance would result in undue hardship. A financial hardship shall not constitute grounds for granting a variance.

As used in this Ordinance, a variance is authorized only for height, area, and size of structures or size of yards or open spaces. Establishment or expansion otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the Zoning District or uses in adjoining Zoning Districts.

Waste Processing: The preparation, production, treatment, or burning by a particular method of garbage, refuse, manufacturing or natural resource by products. Waste processing does not include temporary storage or burying on site of such wastes.

Waste Processing Facility: "Processing facility," means any land area, structure, equipment, machine, device, system, or combination thereof, other than incinerators, which is operated to reduce the volume or change the chemical or physical characteristics of solid waste. Processing facilities include but are not limited to facilities that employ shredding, baling, mechanical and magnetic separation, and composting or other stabilization techniques to reduce or otherwise change the nature of solid waste.

Wetland: See freshwater wetlands and coastal wetlands.

Wildlife Habitat, Significant Wildlife Habitat: Areas identified by a governmental agency such as the Maine Department of Inland Fisheries and Wildlife as having significant value as habitat for animals and any areas identified in the municipality's Comprehensive Plan.

Yard: The area of land on a lot not occupied by the principal building (see also setback).

Yard, Front: The area of land between the front lot line and the nearest part of the principal building.

Yard, Rear: The area of land between the rear lot line and the nearest part of the principal building.

Yard, Side: The area of land between a side lot line and the nearest part of the principal building.

Zoning Ordinance: A type of ordinance that divides a municipality into districts and that prescribes and reasonably applies different regulations in each district.

(END OF ARTICLE III)

ARTICLE 4 ESTABLISHMENT OF DISTRICTS AND LAND USE REQUIREMENTS

A. ZONING DISTRICTS

To implement the provisions of this Ordinance, the Town of Richmond is hereby divided into the following Districts:

1. Shoreland District
2. Agricultural District
3. Village District
4. Residential District
5. Commercial Industrial District
6. Highway Commercial District

B. LOCATION OF DISTRICTS

Said Districts are located and bounded as described in the text of this Ordinance or as shown on the **current** Official Zoning Map, entitled "Richmond Land Use Districts" dated ~~June 13, 1974~~, and on file in the office of the Municipal Clerk. The Official Map shall be signed by the Municipal Clerk and Chairman of the Planning Board at the time of adoption or amendment of this Ordinance certifying the date of such adoption or amendment. Additional copies of this map may be seen in the office of the Municipal Officers.

C. UNCERTAINTY OF BOUNDARY LOCATION

Where uncertainty exists with respect to the boundaries of the various Districts as shown on the Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
2. Boundaries indicated as approximately following well established lot lines shall be construed as following such lot lines;
3. Boundaries indicated as approximately following municipal lines shall be construed as following municipal limits;
4. Boundaries indicated as following railroad lines shall be construed to follow such lines;
5. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of natural change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center line of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;
6. Boundaries indicated as being parallel to or extensions of features indicated in subsections (1) through (5) above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map; and

7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections (1) through (6) above, the Board of Appeals shall interpret the District boundaries.

D. DIVISION OF LOTS BY DISTRICT BOUNDARIES

Where a Zoning District boundary line divides a lot or parcel of land of the same ownership of record at the time such line is established by adoption or amendment of this Ordinance, the regulations applicable to the less restricted portion of the lot may be extended not more than 50 feet into the more restricted portion of the lot, subject to the provisions below.

Extension of use shall be considered a Conditional Use, subject to the approval of the Planning Board and in accordance with the provisions of Article 6.

E. LAND USES

Land uses permitted in each district, in conformance with the general performance standards in Article 5 and where appropriate special performance standards of this Article, are shown on the following tables.

The Planning Board shall determine, consistent with the Comprehensive Land Use Ordinance, those requirements for uses not explicitly listed.

Keys to Tables:

Y	Yes, permitted without any permit
Y^{PS}	Yes, subject to Performance Standard in Article 5
Y^{SPS}	Yes subject to Special Performance Standard in Article 5
CEO	Requires a building permit or review by Code Enforcement Officer
DR	Requires Development Review and Permit according to Article 8
N	Prohibited Use

District Abbreviations

V	Village District
CI	Commercial Industrial District
R	Residential District
AG	Agricultural District
HC	Highway Commercial District

CATEGORY OF USES		ZONES			
1. Rural	AG	V	R	CI	HC
Agriculture	Y	N	Y	Y	Y
Timber Harvesting	Y	N	Y	Y	Y
Sale of Produce raised on Premises	Y	Y	Y	Y	Y
Seasonal Produce/Plants not raised on Premises	Y	DR	Y	Y	Y
Campgrounds	DR	DR	DR	N	DR
Accessory Uses & Structures	DR	CEO	CEO	CEO	CEO
Uses which are similar to above uses	DR	DR	DR	DR	DR
Public or Private Outdoor Recreation Facility	DR	DR	DR	DR	DR
Individual Private Camp-Sites	Y	Y	Y	N	N
Filling and Earth Moving <100 cubic yards	Y	Y	Y	Y	Y
Filling and Earth Moving >100 cubic yards	CEO	CEO	CEO	CEO	CEO

Keys to Tables:

Y ————— Yes, permitted without any permit

Y^{PS} ————— Yes, subject to Performance Standard in Article 5

Y^{SPS} ————— Yes subject to Special Performance Standard in Article 5

CEO ————— Requires a building permit or review by Code Enforcement Officer

CEO^{PS} ————— Requires a building permit or review by Code Enforcement and is subject to Performance Standards In Article 5

DR ————— Requires Development Review and Permit according to Article 8

N ————— Prohibited Use

District Abbreviations

V — Village District

CI — Commercial Industrial District

R — Residential District

AG — Agricultural District

HC — Highway Commercial District

CATEGORY OF USES	ZONES				
	AG	V	R	CI	HC
2. Residential					
One and two family residential	CEO Y	CEO	CEO	CEO	CEO
Modular Home	CEO ^{PS}	CEO ^{PS}	CEO ^{PS}	CEO ^{PS}	CEO ^{PS}
Newer Mobile Homes	CEO ^{PS}	N CEO	CEO ^{PS}	CEO ^{PS}	CEO ^{PS}
Conversion from seasonal to year around	CEO	CEO	CEO	CEO	CEO
Multi-family Dwelling *	N	DR Y ^{PS}	DR Y ^{PS}	DR Y ^{PS}	N-DR
Planned Unit or Cluster Development	DR	N	DR	N	N
Mobile Home Park	N	N	DR	N	N
Accessory Uses & Structures	CEO	CEO	CEO	CEO	CEO
Home Occupations	Y	CEO	Y	Y	Y

Accessory Dwelling Unit	CEO	CEO	CEO	CEO	CEO
Similar Uses as Above	CEO	CEO	CEO	CEO	CEO

~~*Newer Mobile Homes are allowed in the Commercial Industrial District, except in the following area: The section of Main Street from Williams Street easterly to Front Street.~~

*Multifamily dwelling can be located in the designated growth area as defined in the Town of Richmond Comprehensive Plan.

Draft 3/26/2026

Keys to Tables:

- Y — Yes, permitted without any permit
- Y^{PS} — Yes, subject to Performance Standard in Article 5
- Y^{SPS} — Yes subject to Special Performance Standard in Article 5
- CEO — Requires a building permit or review by Code Enforcement Officer
- DR — Requires Development Review and Permit according to Article 8
- N — Prohibited Use

District Abbreviations

- V — Village District
- CI — Commercial Industrial District
- R — Residential District
- AG — Agricultural District
- HC — Highway Commercial District

CATEGORY OF USES	ZONES				
	AG	V	R	CI	HC
3. Commercial & Industrial					
Automobile Graveyards, Automobile Recycling Businesses, and Junk Yards Junkyards	DR	N	N	DR N	DR
Facilities & Activities which are functionally Water Dependent	NA	DR	NA	NA	NA
Commercial Uses Less than 1,000 sq. ft.	DR	DR	DR	DR	DR
Conversion of Existing Residential Structures to Commercial Uses	DR	DR	N	DR	DR
Bed and Breakfasts	DR	DR	DR	DR	DR
Hotels, Motels and Inns	N	N	N	DR	DR
Other Commercial & Industrial Uses	DR	DR	DR	DR	DR
Filling and Earth Moving <100 cubic yards	Y ^{PS}	Y ^{PS}	Y ^{PS}	Y ^{PS}	Y ^{PS}
Filling and earth moving >100 cubic yards	CEO	CEO	CEO	CEO	CEO

Accessory Uses & Structures	DR	DR	DR	DR	DR
Gasoline station and/or repair garage	DR	DR	N	DR	DR
Manufacturing	DR	DR	DR	DR	DR
Automobile Racetracks	N	N	N	N	DR
Warehousing and outdoor storage	DR	DR	DR	DR	DR
Retail or wholesale businesses and service establishments	DR	DR	DR	DR	DR

CATEGORY OF USES	ZONES				
	AG	V	R	CI	HC
3. Commercial & Industrial					
Sand and Gravel Extraction	DR	N	N	N	DR
Disposal of hazardous waste	N	N	N	DR	DR
Structures accessory to Permitted uses and Conditional uses	DR	DR	N	DR	DR
Research facilities	DR	DR	DR	DR	CEO
Motor Vehicle Sales, New and Used	DR	DR	DR	DR	DR
Retail Marijuana Cannabis Establishment	N	N	N	N	DR
Medical Marijuana Cannabis Establishment	DR	N	DR	DR	DR

*Any retail marijuana cannabis establishment is also subject to the performance standards and licensing requirements set forth in Articles 5 and 12 of this ordinance.
(1)

Keys to Tables:

Y — Yes, permitted without any permit

Y^{PS} — Yes, subject to Performance Standard in Article 5

Y^{SPS} — Yes subject to Special Performance Standard in Article 5

CEO — Requires a building permit or review by Code Enforcement Officer

DR — Requires Development Review and Permit according to Article 8
N — Prohibited Use

District Abbreviations

V — Village District ————— CI —
Commercial Industrial District
R — Residential District
AG — Agricultural District —————
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Draft 3/26/2026

CATEGORY OF USES	ZONES				
	AG	V	R	CI	HC
4. Public, semipublic & institution					
Church, or Parish House, Rectory, etc.	DR	DR	DR	N	N
Public, Private & Parochial Schools	DR	DR	DR	N	N
Public Buildings: Libraries, museums, etc.	N	DR	DR	N	N
Recreation or Community Building	N	DR	DR	N	N
Cemeteries	DR	N	DR	N	N
Utilities: incl. Sewage Treatment	DR	N	N	DR	DR
Waste Processing other than Sewage	DR	N	N	DR	DR
Electric & Telephone Trans. Facilities	DR	DR	DR	DR	DR
Public Pipeline Facilities	DR	DR	DR	DR	DR
Accessory Uses & Structures	DR	DR	DR	DR	DR
Disturbance incidental to Rights of Way	CEO	CEO	CEO	CEO	CEO
Extractive Activities: gravel, quarries, mines	DR	N	N	DR	DR

****NOTE: Uses which are not listed shall require Development Review

Keys to Tables:

Y — Yes, permitted without any permit

Y^{PS} — Yes, subject to Performance Standard in Article 5

Y^{SPS} — Yes subject to Special Performance Standard in Article 5

CEO — Requires a building permit or review by Code Enforcement Officer

DR — Requires Development Review and Permit according to Article 8

N — Prohibited Use

District Abbreviations

V — Village District

R — Residential District

AG — Agricultural District ————— CI —
Commercial Industrial District

HC — Highway Commercial District

Draft 3/26/2026

CATEGORY OF USES	ZONES						
	RP	SH	AG	V	R	CI	HC
5. Other Uses							
Removal or fill of materials <5cc yard, incidental to the building project			Y	Y	Y	Y	Y
Signs			CEO	CEO	CEO	CEO	CEO
Boathouses			NA	DR	NA	NA	NA
Piers and Docks			CEO	CEO	NA	NA	NA
Temporary			Y ^{SPS}	Y ^{SPS}			
Permanent			DR	DR			

F. Agricultural District

All uses in the district shall conform to the applicable performance standards of Article 5.

1. Purpose

To enhance farming, forestry and agricultural uses, while protecting open space and the public health and safety, environmental quality and economic well-being of the Municipality by imposing minimum controls on those uses which, by virtue of their external effects (waste discharge, noise, glare, fumes, smoke, dust, odors, or auto, truck, or rail traffic) could otherwise create nuisances or unsafe or unhealthy conditions, which would adversely affect farming and agriculture uses.

2. Location

Please see official map. This district is intended to encompass parts of town that have farming, forestry and agriculture uses and areas of open space.

Land Use Tables are found in Section D E of this Article

3. Dimensional Standards in Agricultural District

Agriculturally related residential use Minimum Lot Size	60,000 sq. ft.
Minimum Road/Street Frontage	200 ft.
Minimum Setbacks in Feet	
- Front Setback	40 ft.
- Side Setback	10 ft.
- Rear Setback	10 ft.
Maximum Lot Coverage	30 %
Height Limit in Feet	35 ft. or 2.5 stories
Shore Frontage	200 ft.

4. Special Performance Standards for Agricultural District

All uses in the district shall conform to the applicable performance standards of Article 5 or if in Shoreland Zoning Article 11, Special Performance Standards found above in this Article.

1. Subdivision Regulations

- a. Not more than three (3) dwelling units in subdivision as defined in Title 30-A Section 4401, et seq. of the Maine Revised Statutes Annotated shall be developed by constructing or placing buildings or structures in any twelve (12) month period from the date of the first (1) permit issuance.

Not more than 4 dwelling units in a subdivision being able to hook into public water and sewer shall be developed by constructing or placing buildings or structures in any twelve (12) month period from the date of the first (1) permit submitted. Subdivisions approved under the provisions of 30 M.R.S.A. Sec. 4956 to March 2, 1976 shall be exempt from this section.

All subdivisions shall be clustered in order to avoid or minimize the development and fragmentation of agricultural and forest land

Within the agricultural and forest district 30% of the parcel to be subdivided, including land that cannot be developed shall be permanently set aside as open space to be used for recreational, natural resource, agricultural or forestry purposes – The lot shall be developed in accordance with Article 6, D. Open Space and E. Planned Unit Development and Cluster Development. The development rights for this open space shall be permanently restricted

Individual lots created as part of the cluster development shall be a minimum of 60,000 sq ft, and shall have their frontage on an internal road rather than existing Town Road.

2. Buffer Strips

- a. The Planning Board shall require a buffer strip of 200 feet between dwellings located in a subdivision and agricultural land. The buffer strip shall be on the new subdivision parcel.
- b. There shall be a buffer strip of up to 200 feet between an Agricultural district and any other district. The buffer strip shall be on the land of the district adjacent to the agricultural district.
- c. Private Wells – Upon the adoption of this Ordinance, no new private wells shall be placed within 100 feet of a field or pasture in agricultural use; and no new public wells will be placed within 300 feet of the property line of a field or pasture in agricultural use.

3. Back lots

The creation of back lots that do not meet frontage requirements are ~~is~~ allowed in the Agricultural and Residential Districts provided that:

- a. The lot is connected to a Town road by a strip of land (stem) having a minimum width of fifty (50) feet for the total length, including frontage on a town road.
- b. The majority portion of the lot located at the end of the stem contains land area equal to or greater than that required by this Ordinance.
- c. The stem shall contain a driveway, which meets the private road standards for one (1) lot & shall be maintained as a passable row at all times to allow for the safe passage for fire engines. CEO will inspect ~~annually~~ **as needed**.
- d. No building shall be located on the stem.
- e. The lot shall be used solely for a single-family home ~~or duplex,~~ **two-family dwellings, or multifamily dwellings if otherwise permitted**.
- f. To the extent that the creation of the lot will modify an existing subdivision or will result in the creation of a new subdivision, the owner shall obtain any necessary approvals from the Planning Board.

G. Village District

All uses in the district shall conform to the applicable performance standards of Article 5.

1. Purpose

- a. To provide for the public health and safety, environmental quality, and economic well being of the community.
- b. To protect the historical and architectural integrity of the existing village development and to ensure that future development is compatible both in character and use.
- c. To provide areas for high-density residential development in locations compatible with existing development and in a manner appropriate to the economical provision of community services and utilities.
- d. To provide areas for a variety of commercial and industrial uses in a manner appropriate to their location and the economical provision of essential community services and utilities.

e. To provide an area in which the location of public facilities can serve the greatest number of people as economically as possible.

1. Location

Please see Official Zoning Map. Note that the Village designation extends beyond the traditional Village South to the Bowdoinham boundary, north approximately 3000 feet beyond Kimball, and West, bounded by Williams, and High Street. A Commercial District is carved out north and south of Main Street, including the schools lot.

Remember the Land Use Tables are found in Section E of this Article

Draft 4/23/2026

2. Village Districts Dimensional Standards (4)

Minimum Lot Size in Sq. ft For single or 2 family dwellings.	10,000 sq. ft. with public sewer 20,000 sq. ft. with private sewer
Minimum Lot Area Size for Multi-family buildings Per Dwelling Unit	5,500 sq. ft. with public sewer 20,000 sq. ft. with private sewer
Minimum Road/Street Frontage For buildings with up to 3 units For additional units	80 ft. Additional 20 ft for each additional unit up to a maximum of 200 ft
Minimum Setbacks - Front Setback - Side Setback - Rear Setback	20 ft. 10 ft. 10 ft.
Maximum Lot Coverage	50%
Height Limit in Feet	35 ft. or 2.5 stories

4. Special Performance Standards for Village District

3. Buffer Between Districts

a. The Planning Board shall require that a buffer strip be provided by the developer of a non-residential use abutting residential uses.

2. [RESERVED]Mobile Home Exclusion

Newer mobile homes are a permitted use anywhere in the Village District outside of the area enclosed by the Kennebec River and Kimball/ Boynton, Williams, Main, Cross, Beech, High) Wheeler Street and from the center of the intersection of Wheeler and South end of Front Street directly to the Kennebec River. The boundary line shall be drawn at either the back lot line of properties located on the outer perimeter side of the boundary streets or one hundred (100) feet back from the center of the boundary, street or whichever is less

3. Regulation of Subdivisions

Not more than three (3) dwelling units in a subdivision as defined in Title 30-A §4401, et seq. of the Maine Revised Statutes Annotated shall be developed by constructing or placing buildings or structures in any twelve (12) month period from the date of the first (1) permit issuance. Not more than 4 dwelling units in a subdivision being able to hook into public water and sewer shall be developed by constructing or placing buildings or structures in any twelve (12) month period from the date of the first (1) permit submitted. . Subdivisions approved under the provisions of 30 MRSA §4956 prior to March 2, 1976, shall be exempt from this section.”

For protection against fire, all buildings with roofs now shingled with wood combustible

shingles shall, when it becomes necessary to re-shingle, with fire resistive shingles or other roofing material. The enforcement of this Ordinance shall be vested in the Chief of the Fire Department, in accordance with the Revised Statutes

42. New Buildings in the Village District

New buildings in the Village District shall be visually compatible with the style of historic buildings contained in the Richmond Historic Area in terms of form, scale, material and color. All exterior architectural features shall be designed to be compatible with the existing architecture of historic buildings in the Historic Area. No new dwelling unit in the Village District may be approved for construction until all proposed exterior architecture is approved by the Code Enforcement Officer based upon a review by a registered architect and Planning Board. Other buildings shall have their façade approved by the Code Enforcement Officer before a building permit is issued.

Note: The following section of the Village has been entered on the National Register of Historic Places. Although not a Zoning district it is considered a sub district of the Village called the Richmond Historic Area:

Beginning at a point which is the intersection of the southerly side of Wheeler Street and westerly side of High Street; thence northerly along said westerly side of High Street crossing Hinkley Street, Main Street, and Alexander Reed Road to a point at the northerly side of Alexander Reed Road; thence easterly and parallel with Main Street crossing Southard Street, Hawthorn Street, Darrah Street, and North Front Street to a point at the easterly side of North Front Street; thence southerly roughly following the course of the Kennebec River to a point at the easterly side of Water Street, said point being at the intersection of the easterly side of Water Street and an easterly extension of the southerly side of Hagar Street; thence westerly along the southerly side of Hagar and Wheeler Streets to the point of beginning.

The following guidelines shall be followed for the design of new buildings in the Village District:

- a. Exterior facades – all sides of buildings shall have a finished look with similar materials as those used on the front facade.
- b. Facade Materials – Allowable and recommended facade materials are: **architectural metal siding**, horizontal wood boards, vertical barn-like wood boards for non-residential structures, fired brick, wood shingles, stone or simulated stone, and horizontal strips of aluminum or plastic made to appear like clapboard walls. The following facade materials are prohibited: stucco, adobe, sheet metal, concrete block, painted concrete block, plywood or particleboard.
- c. Blank walls – No wall shall go for a length of more than 50 linear feet without an architectural feature such as a dormer, pilaster, cornice, corner, window, porch, or visually compatible door to break up the large mass of a featureless wall.
- d. Roofs – All roofs shall be pitched at least 6/12 unless demonstrated to the Planning Board's satisfaction that because of the purpose of the project, a pitched roof is not practicable. Acceptable roof styles are gabled, gambrel, and hipped roofs. Flat roofs,

shed roofs, and roof facades are not normally acceptable on principal structures. The color of roofs shall be muted and uniform. Bold or bright hues are prohibited.

5.3. Remodeled or Altered Buildings in the Village District

Remodeled or altered historic buildings or historic or archaeological resources in the Village District shall be visually compatible with the style of historic buildings contained in the Richmond Historic Area in terms of form, scale, material and color. All exterior modifications to an historic building or historic or archaeological resource, including access provisions, shall be designed to be compatible with the existing architectural character of the building. No historic building or historic or archaeological resource shall be altered, renovated, remodeled, converted or otherwise modified on the exterior until all proposed exterior architecture is approved by the Code Officer based upon a review by a registered architect and Planning Board.

The Code Officer may waive the requirement for a review by a registered architect upon a finding that because of the size of the project and circumstances of the site, such requirements would not be applicable and would be an unnecessary burden upon the applicant and that such modification or waiver would not adversely affect the abutting landowners or the general health, safety, and welfare of the Town. All requests for waivers must be made in writing, shall state the basis for the requested waiver and shall be submitted to the Code's Office. The applicant shall have the burden of proving the basis for any waiver including that 1) the proposed alterations will be visually compatible with the style of historic buildings contained in the Richmond Historic Area in terms of form, scale, material and color, 2) all exterior modifications to an historic building or historic or archaeological resource will be compatible with the existing architectural character of the building, 3) review by a registered architect would not be applicable and would be an unnecessary burden upon the applicant, and 4) such waiver would not adversely affect the abutting landowners or the general health, safety, and welfare of the Town.

When exterior alterations are made to historic buildings the following guidelines shall be followed:

- a. Exterior facades – all sides of buildings shall have a finished look with similar materials as those used on the front facade.
- b. Facade Materials – Allowable and recommended facade materials are: **architectural metal siding**, horizontal wood boards, vertical barn-like wood boards for non-residential structures, fired brick, wood shingles, stone or simulated stone, and horizontal strips of aluminum or plastic made to appear like clapboard walls. The following facade materials are prohibited: stucco, adobe, sheet metal, concrete block, painted concrete block, plywood or particleboard.
- c. Blank walls – No wall shall go for a length of more than 50 linear feet without an architectural feature such as a dormer, pilaster, cornice, corner, window, porch, or visually compatible door to break up the large mass of a featureless wall.
- d. Roofs – All roofs shall be pitched at least 6/12 unless demonstrated to the Code Officer's satisfaction that because of the purpose of the project, a pitched

roof is not practicable. Acceptable roof styles are gabled, gambrel, and hipped roofs. Flat roofs, shed roofs, and roof facades are not normally acceptable on principal structures. The color of roofs shall be muted and uniform. Bold or bright hues are prohibited.

A4. Parking Areas

No off-street parking for residential uses or home occupations shall be located between the building and the front property line.

H. Residential District

All uses in the district shall conform to the applicable performance standards of Article 5.

4. Purpose

To provide for the public health and safety, environmental quality, and economic well being of the community.

To provide areas for medium density residential growth in such a manner and at such locations as are compatible with existing development and the ability of the community to provide essential services and utilities.

To provide areas for commercial, public and semipublic uses compatible with and necessary to residential development.

5. Location

The Zoning Map as last amended in 1985 shows the Residential zone outside the Village and North of 197 West of Williams street, extending 3000' North and bounded about 3000' West of White Road. This does not coincide with the verbal descriptions. There is also a Residential district at Richmond Corner. However, a commercial district is carved out on either side of Main Street and the immediate vicinity of the intersection of Route 197 and Route 201.

Land Use Tables are found in Section E of this Article

3. Dimensional Standards in Residential District

Minimum Lot Size in Sq. Ft. - with Public Sewer - without Public Sewer	20,000 sq. ft 40,000 sq. ft.
Minimum Lot Area Size Per Dwelling Unit in Sq. Feet - with Public Sewer - without Public Sewer - Multi family with no sewer is not permitted	10,000 sq. ft. 20,000 sq. ft. NO
Minimum Road/Street Frontage in Feet	80 ft.

Minimum Setback in Feet	
- Front Setback	50 ft.
- Side Setback	10
- Rear Setback	10
Maximum Lot Coverage	30%
Height Limit in Feet	35 ft. or 2.5 stories

4. Special Performance Standards for Residential District

All uses in the district shall conform to the applicable performance standards of Article 5.

1. Regulation of Subdivisions (March 30, 2004)

Not more than 3 dwelling units in a subdivision as defined in Title 30-A Section 4401, et seq. of the Maine Revised Statutes Annotated shall be developed by constructing or placing buildings or structures in any twelve (12) month period from the date of the first (1) permit issuance.

Not more than 4 dwelling units in a subdivision being able to hook into public water and sewer shall be developed by constructing or placing buildings or structures in any twelve (12) month period from the date of the first (1) permit submitted.

Subdivisions approved under the provisions of 30 M.R.S.A. §4956 to March 2, 1976 shall be exempt from this section.

Building permits will be issued on a first come first served basis to applicants with complete applications including all structural plans and septic system plans if applicable. If all permits allowed in the current year have been issued, the code enforcement officer will maintain a waiting list of applicants. To be included on the waiting list an applicant must present the code enforcement officer in person with a signed application form provided by the Town of Richmond and paid the application fee. At the time an applicant is placed on the waiting list finalized construction plans and septic plans need not be supplied. Prior to the date when the next cycle of permits may be issued, applications must be made complete or an applicant will lose his or her place on the waiting list.

Permits will only be issued to property owners or to applicants with a letter of permission from the current property owner. Permits are not transferable from one owner to another unless construction has begun at the time of transfer.

21. Back lots

The creation of back lots which do not meet frontage requirements are allowed in the Agricultural and Residential Districts provided that:

- a. The lot is connected to a Town road by a strip of land (stem) having a minimum width of fifty (50) feet for the total length, including frontage on a town road.
- b. The majority portion of the lot located at the end of the stem contains land area equal to or greater than that required by this Ordinance.

- c. The stem shall contain a driveway, which meets the private road standards for one (1) lot & shall be maintained as a passable row at all times to allow for the safe passage of all motor vehicles. CEO will inspect ~~annually~~ **as needed**.
- d. No building shall be located on the stem.
- e. The lot shall be used solely for a single-family home or ~~duplex~~ **two-family dwellings, or multifamily dwellings if otherwise permitted**.
- f. To the extent that the creation of the lot will modify an existing subdivision or will result in the creation of a new subdivision, the owner shall obtain the necessary approvals from the Planning Board.

I. Main Street Commercial-Industrial Sub-District

All uses in the district shall conform to the applicable performance standards of Article 5.

1. Purpose

- a. To provide for the public health and safety, environmental quality, and economic well-being of the community.
- b. To encourage the location of commercial and industrial uses on those lands within the ~~(waste discharge,~~ community which are best suited for such development.
- c. To 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 nuisances or unsafe or unhealthy conditions.
- d. To avoid the blight, congestion, and inconvenience caused by inappropriate and poorly located development of commercial and industrial facilities.
- e. To avoid the economic disadvantages of providing essential services to commercial and industrial facilities which would occur if commercial and industrial facilities developed in a strip fashion along highways and major thoroughfares.

2. Location

The Commercial Districts include from the eastern edge of Baker Brook by the Richmond RBMC and about a 350' strip along the North side of Main Street from Williams Street to Front Street, and around the intersection of 201, Dingley Road and 197.

Main Street Sub district: Beginning at the point where Weymouth Street intersects with Front Street; hence westerly along Weymouth Street to Pleasant Street; hence westerly along the back property lines of the properties fronting on the south side of Main Street as indicated on the Richmond Tax Maps revised as of April 1, 1978, to Baker Brook; hence northerly along said Baker Brook to Main Street; hence to the intersection of Williams and Main Street; hence northerly to the northwest corner of the property located on the northeast corner of the Williams and Main Street intersection, as shown on said tax map; hence easterly along the back property lines of the properties fronting on the north side of Main Street as indicated on said tax maps to where the line intersects with North end of Front Street; hence southerly along Front Street to the point of beginning.

3. Dimensional Standards for the Main Street Commercial-Industrial Sub District

Buildings	With Public Sewer	Without Private Sewer
<u>Minimum Lot Area</u>		
Existing Residential	Not Applicable	Not Applicable
New Residential	10,000 sq. ft. (2 nd floor & up)	20,000 sq. ft (2 nd floor & up)
Existing Non-Residential or Commercial	Not Applicable	Not Applicable
New Non-Residential or Commercial	3,000 sq. ft. per unit	20,000 sq. ft.
Existing Multi-Family Dwellings (3 or more units)	2,000 sq. ft. per dwelling unit (2 nd floor & up)	Not Permitted
New Multi-Family Dwellings (3 or more units)	3,000 sq. ft. per dwelling unit (2 nd floor & up)	Not permitted
Elderly Congregate Housing	3,000 sq. ft. per unit	Not permitted
<u>Minimum Street Frontage</u>		
Existing Residential	Not Applicable	Not Applicable
New Residential	80 ft.	80 ft.
Existing Non-Residential or Commercial	Not Applicable	Not Applicable
New Non-Residential or Commercial	80 ft.	80 ft.
Existing Multi-Family Dwellings (3 or more units)	Not Applicable	Not permitted
New Multi-Family Dwellings (3 or more units)	80 ft. for first three units. Any additional unit 5 ft.	Not permitted
Elderly Congregate Housing	80 ft. for first three units. Any additional unit 5 ft.	Not permitted
<u>Side & Rear Setback</u>		
Between Existing	Not Applicable	Not Applicable
Between New	The sum of both shall be at least 10 ft. each side	The sum of both shall be at least 10 ft. each side
<u>Maximum Lot Coverage</u>		
Residential	30%	30%
Non-Residential or Commercial	70%	70%

<u>Maximum Building Height</u>	45 ft. or 3 stories New building only	45 ft. or 3 stories New building only
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4. Special Performance Standards

All uses in the district shall conform to the applicable performance standards of Article 5-. ~~And~~ **and** the establishment of all residential uses within the Main Street Commercial-Industrial Sub district shall be subject to the development review and approval requirements of Article 8 of this ordinance.

~~(1). **Manufactured housing** is prohibited in the Main Street Commercial Industrial District. —~~

~~a.(2). **Landscaping:** the property owner or leaser of property shall maintain the green strip pursuant to the landscaping plan as approved by the planning board. Buffering or Screening~~

~~Multi family and nonresidential uses abutting a residential use or district shall provide screening in accordance with the standards in Article 5.~~

b. Special Provisions for the Use of Existing Buildings in the Main Street Commercial Industrial Sub District

The Planning Board shall approve the use of the upper floors of buildings existing within the Sub district as of June 1, 1990, for residential purposes provided that the applicant demonstrates that all of the following requirements, in addition to all other local and state requirements, will be met:

- a1. Each residential unit shall be a complete dwelling unit with its' own kitchen, bathroom, and facilities for sleeping and eating.
- b2. Each dwelling unit shall have a minimum of four hundred fifty (450) square feet of living area.
- e3. Each dwelling unit shall have an individual entrance from the outside or common hallways.
- d4. The residential units shall not be located on the street or ground floor as defined from the Main Street facade of the building.
- e5. The residential use shall be located within the physical envelope of the building existing as of June 1, 1990, except for access to the units. No additions to or enlargements of the structure after this date may be used for residential purposes.
- f6. All exterior modifications to the structure, including access provisions, shall be designed to be compatible with the existing architectural character of the building. Structures located within the Historic Area shall have all exterior modifications approved by the Planning Board based upon a review by a registered architect.
- g7. The proposed use will comply with the off-street parking requirements of Article 5 of this Ordinance
- h8. No off-street parking for the residential use shall be located between the building and the front property line.
- i9. The proposed project will comply with the standards of performance for projects requiring development review as set forth in Article 5 as well as the standards of performance applicable to all uses.

j10. The applicant agrees to limit occupancy of each dwelling unit to a maximum of two (2) adults per bedroom or other sleeping-quarters of one (1) person per each one hundred fifty (150) square feet of living space within the dwelling unit, whichever is less. This restriction shall be made binding on all subsequent owners of the property.

(3)c. Remodeled or Altered Buildings in the Village District and Maine Street Sub district

Remodeled or altered historic buildings or historic or archaeological resources in the Village and the Main Street Sub District shall be visually compatible with the style of historic buildings contained in the Richmond Historic Area in terms of form, scale, material and color. All exterior modifications to an historic building or historic or archaeological resource, including access provisions, shall be designed to be compatible with the existing architectural character of the building. No historic building or historic or archaeological resource shall be altered, renovated, remodeled, converted or otherwise modified on the exterior until all proposed exterior architecture is approved by the Planning Board based upon a review by a registered architect.

The Planning Board may waive the requirement for a review by a registered architect upon a finding that because of the size of the project and circumstances of the site, such requirements would not be applicable and would be an unnecessary burden upon the applicant and that such modification or waiver would not adversely affect the abutting landowners or the general health, safety, and welfare of the Town. All requests for waivers must be made in writing, shall state the basis for the requested waiver and shall be submitted to the Planning Board at a meeting of the Board. The applicant shall have the burden of proving the basis for any waiver including that 1) the proposed alterations will be visually compatible with the style of historic buildings contained in the Richmond Historic Area in terms of form, scale, material and color, 2) all exterior modifications to an historic building or historic or archaeological resource will be compatible with the existing architectural character of the building, 3) review by a registered architect would not be applicable and would be an unnecessary burden upon the applicant, and 4) such waiver would not adversely affect the abutting landowners or the general health, safety, and welfare of the Town.

When exterior alterations are made to historic buildings the following guidelines shall be followed:

a1. Exterior facades - all sides of buildings shall have a finished look with similar materials as those used on the front facade.

b2. Facade Materials - Allowable and recommended facade materials are: horizontal wood boards, vertical barn-like wood boards for non-residential structures, fired brick, wood shingles, stone or simulated stone, and horizontal strips of aluminum or plastic made to appear like clapboard walls. The following facade materials are prohibited: stucco, adobe, sheet metal, concrete block, painted concrete block, plywood or particleboard.

e3. Blank walls - No wall shall go for a length of more than 50 linear feet without an architectural feature such as a dormer, pilaster, cornice, corner, window, porch, or visually compatible door to break up the large mass of a featureless wall.

d4. Roofs - All roofs shall be pitched at least 6/12 unless demonstrated to the Planning Board's satisfaction that because of the purpose of the project, a pitched roof is not practicable. Acceptable roof styles are gabled, gambrel, and hipped roofs. Flat roofs, shed roofs, and roof facades are not normally acceptable on principal structures. The color of roofs shall be muted. Bold or bright hues are prohibited.

(4). Regulation of Subdivisions

Not more than three (3) dwelling units in a subdivision as defined in Title 30-A Section 4401, et seq. of the Maine Revised Statutes Annotated shall be developed by constructing or placing buildings or structures in any twelve (12) month period from the date of the first (1) permit issuance.

Not more than 4 dwelling units in a subdivision being able to hook into public water and sewer shall be developed by constructing or placing buildings or structures in any twelve (12) month period from the date of the first (1) permit submitted.

Subdivisions approved under the provision of 30 M.R.S.A. Sec. 4956 prior to March 2, 1976, shall be exempt from this section."

J. Highway Commercial District

All uses in the district shall conform to the applicable performance standards of Article 5.

1. Purpose

To encourage commercial uses which benefit from access to the highway and cannot be accommodated or are inappropriate to the Village.

To allow a variety of commercial uses to be located in the I-295 intersection area, while discouraging new large-scale commercial uses along the rest of the 201 and County (Main Street) Road.

2. Location

I-295 Intersection: The boundary lines for the district shall begin at a point west of I-295 on Route 197 one-half (½) mile from the end of the I-295 off ramp; thence northerly five-eighths (5/8) of a mile along a line drawn at right angles to Route 197 at the point of beginning; thence easterly to a point where this line would intersect with a line drawn at right angles to Route 197 one-half (½) of a mile from the on ramp on the east side of I-295, said boundary line being on extension of residential district boundary line on the north of Route 197; thence southerly along the said line which is at right angles to Route 197 to the Bowdoinham town line; thence westerly along the Bowdoinham town line to a point where said line comes to within two hundred (200) feet of the thread of Dedham's Brook; thence along a line two hundred (200) feet easterly from the thread of Dedham's Brook to where it intersects with the I-295 right-of-way; thence northeasterly along the I-295 right-of-way to the point where it intersects with the west side of the Ridge Road; thence westerly along Route 197 to the end of the I-295 west on ramp; thence 5~southeasterly and southerly along the I-295 right-of-way to the Bowdoinham town line;

thence westerly along said line to a point where it would intersect with a line drawn at right angles to Route 197 at the point of beginning, and thence northerly to the point of beginning."

It also includes the Richmond Corner Subdistrict: Three hundred fifty (350) feet from the intersection of Routes 197 and 201 measured from the intersecting right-of-way lines closest to the affected property.

Draft 3/26/2026

Draft 3/26/2026

3. Dimensional Standards for Highway Commercial

<u>Minimum Lot Size</u> Residential	20,000 sq. ft.
Commercial/Industrial	2 acres
Minimum Road Frontage	150 ft.
<u>Minimum Setbacks</u> Front setback	75 ft.
Side Setback	10 ft.
Rear Setback	10 ft.
Maximum Height	35 50 ft.

4. Special Performance Standards

a Buffer: Where a development located in the Highway District abuts land in residential use that exists prior to the enactment of this ordinance, a 50 foot wide buffer area is required on the commercial development's property.

In those areas where natural vegetation fails to provide a dense and continuous buffer, the Planning Board may require dense evergreen plantings of either natural massing configurations or up to 3 staggered rows, whichever is most appropriate to screen the use from abutting properties and view from roads and I-295.

b. Exterior Storage: All material and supplies are to be stored within buildings. Trash and recycling containers, dumpsters and equipment such as grounds keeping machines, material handling vehicles, snow blowers, trailers and trucks may be stored outdoors if screened or enclosed so as not to be visible from nearby roads, residences or abutting properties.

c. Landscaping: the property owner or leaser of non-residential property shall maintain the green strip pursuant to the landscaping plan as approved by the planning board.

d. Lighting Plan: ~~(add the following specifications to your current standard)~~ Lighting fixtures shall be focused, shielded, or hooded so that the lighting does not have an adverse impact on motorists, or adjacent dwellings. Direct or indirect illumination emanating from any land use activity on one lot shall not exceed 0.5 foot-candles upon abutting residential properties.

e. Noise Limitations: Where a development abuts a residential zone or a residential use, the use of exterior public address system and exterior sirens, bells whistles, alarms, or other noise making ~~devises~~ devices is prohibited.

Sound from any source controlled by this ordinance shall not exceed the following limits at the property line of said source:

Applicable hours: 9:00 p.m. –7:00 a.m.

Village and all other Districts 65 dB(A)'s. Noise shall be measured with a sound-level meter meeting the standards of the American National Standards Institute ANSI S1.2-1962 *American Standards Meter for the Physical Measurements of Sound*.

f. Parking Lot and Loading Area: no parking areas, driveways or paved areas, except access drives, are permitted within 25 feet of I-295 right of way or 25 feet of the side or rear property lines. Outdoor off-street parking and loading spaces, shall be effectively screened from view by a continuously landscaped area not less than six (6) feet in height and fifteen (15) feet in width along exterior lot lines adjacent to single-family residential properties, except that driveways shall be kept open to provide visibility for entering and leaving.

g. Safety Hazard: Physical screening, and/or barriers sufficient to deter small children from entering the hazardous area shall be provided and maintained in good condition for use or area presenting a potential safety hazard to children.

END ARTICLE 4

Draft 3/26/2016

ARTICLE 5. PERFORMANCE STANDARDS

The following general performance standards shall apply to all land use activities in the Town of Richmond.

A. ~~Accessory Buildings~~

~~No garage or other accessory building shall be located in a required front setback area, or within ten (10) feet of the side or rear lot lines.~~

A. ~~Accessory Dwelling Units~~

1. Only one (1) Accessory Dwelling Unit is allowed per lot and shall be exempt from any density requirements or calculations related to the area in which the Accessory Dwelling Unit is constructed. This is not applicable to an Accessory Dwelling Unit proposed in a Shoreland Zone.

2. Any structure containing an Accessory Dwelling Unit must adhere to all setback and dimensional requirements outlined in Article 4.

3. The owner of an Accessory Dwelling Unit must provide written verification to the municipality that the unit is connected to adequate water and wastewater services before the municipality may certify the unit for occupancy, as specified in Article 5 Section BB(3) of this ordinance. 30-A M.R.S. § 4364 (B)(7)

4. An accessory dwelling unit must be a minimum of 190 square feet.

5. Ownership of the existing principal dwelling unit and the assessor dwelling unit must be the same.

B. ~~Automobile Graveyards and Junkyards~~

1. Applicability

These standards apply to Automobile graveyards, automobile recycling business or junkyard as defined in Article 3.

2. Permit Required

A development review and a permit pursuant to Article 7 and 8 is required from the Planning Board to operate or maintain an automobile graveyard, automobile recycling business or junkyard. The permit is valid for 5 years.

A permit may not be granted for an automobile graveyard or automobile recycling business that is not in compliance with all applicable provisions of the automobile dealer or recycler licensing provisions of Title 29-A, chapter 9 **as may be amended. 30-A M.R.S § 3753.** A limited-term permit may be granted for 90 days, within which time the state license must be procured.

A business permit from the Selectboard is also required for this use.

3. Limitation on permits

4. a. Highways; Interstate Systems and Primary Systems

Permits may not be granted for automobile graveyards, **automobile recycling businesses**, or junkyards within 1000 feet of the right-of-way of any highway incorporated in both the Interstate System and Primary System or within 600 feet of the right-of-way of any other highway, **except for:**

~~a.~~ 1. Those automobile graveyards, **automobile recycling businesses**, or junkyards that are kept entirely screened from ordinary view from the highway at all times by natural objects, plantings or fences. Screening required by this paragraph must be:

- ~~(1)~~ a. At a height, density and depth sufficient to accomplish complete screening from ordinary view;
- ~~(2)~~ b. Well constructed and properly maintained at a minimum height of 6 feet;
- (3) c. Placed outside of the highway right-of-way; and
- (4) d. Acceptable to the municipal officers or county commissioners; and

~~b.~~ 2. Those automobile graveyards, **automobile recycling businesses**, or junkyards located within areas that have been zoned for industrial use and located more than 600 feet but less than 1000 feet from the right-of-way of any highway incorporated in both the Interstate System and Primary System.

~~2.~~ b. Limitations on new permits

A permit may not be granted for an automobile graveyard, **automobile recycling business**, or junkyard established after October, 3 1973 and located within 100 feet of any highway.

~~3.~~ c. Public Facilities

A new permit **may not** be granted for an automobile graveyard, **automobile recycling business**, or junkyard that is:

- a. 1. Located within 300 feet of a public building, public park, public playground, public bathing beach, school, church or cemetery; and
- ~~b.~~ 2. Within ordinary view from a facility under paragraph ~~a~~-1.

~~4.~~ d. Public and Private Water Supplies.

A new permit may not be granted for an automobile graveyard, junkyard or automobile recycling business that handles junk, scrap metal, vehicles or other solid waste within 300 feet of a well that serves as a public or private water supply. This prohibition does not include a private well that serves only the automobile graveyard, junkyard, automobile recycling business or the owner's or operator's abutting residence. **This prohibition does not apply to wells installed after an automobile graveyard, junkyard or automobile recycling business has already received a permit under 30-A M.R.S.A. §3753, as may be amended.**

Automobile graveyards, junkyards and automobile recycling businesses operating under the terms of permits issued prior to the effective date of 30-A M.R.S.A. §3754-A, as may be amended, and handling junk, scrap metal, vehicles or other solid waste within 300 feet of wells that serve as public or private water supplies may continue to operate in those locations under the terms of those permits. Municipal officers may renew a permit allowing the continued handling of junk, scrap metal, vehicles or other solid waste within 300 feet of a well serving as a public or private water supply as long as no further encroachment toward the well occurs.

The municipal officers may not renew a permit if there is substantial, credible evidence that the permitted activities have caused contamination of the well. (Reference: 30-A M.R.S.A. §3754-A, as may be amended) and there is no evidence of contamination of the well. [2003, c. 312, §9 (new).] (Please check Title 30-A ' 3754 for latest language)

3- 4. Performance Standards

All automobile graveyards, **automobile recycling businesses**, and junkyards permitted pursuant to Article 7 and 8 of this Ordinance are required to comply with the following standards:

- a. All fluids, including, but not limited to, engine lubricant, transmission fluid, power steering fluid, hydraulic fluid, brake fluid, engine coolant, gasoline and oil, must be properly handled in such a manner that they do not leak, flow or discharge into or onto the ground or into a body of water;
- b. A vehicle containing fluids may not be stored or dismantled:
 1. Within 100 feet of any body of water or freshwater wetland, as defined by ~~Title 38, section 436-A, subsection 5~~ **38 M.R.S.A. §436-A(5), as may be amended;**
 2. Within the ~~100-year floodplain~~ **base flood area;** or
 3. Over a mapped sand and gravel aquifer;
- c. Junk, scrap metal, vehicles or other solid wastes may not be placed or deposited, directly or indirectly, into the inland waters or tidal waters of the State or on the ice of inland waters or tidal waters or on the banks of inland waters or tidal waters in such a manner that they may fall or be washed into these waters; and
- d. Junkyard and automobile graveyard owners must demonstrate at the time of licensing that the facility or facilities for which they seek permits are, or are part of, a viable business entity engaged in the business of salvaging, recycling, dismantling, processing, repairing or rebuilding junk or vehicles for the purpose of sale, trade or personal use.
- e. The Planning Board may require that Best Management Procedures for Motor Vehicle Recycling (Prepared by DEP, revised August 2003) be followed.

C. Standards for Back lots

The creation of back lots that do not meet frontage requirements are allowed in the Agricultural and Residential Districts provided that:

1. The lot is connected to a Town road by a strip of land (stem) having a minimum width of fifty (50) feet for the total length, including frontage on a town road.
2. The majority portion of the lot located at the end of the stem contains land area equal to or greater than that required by this Ordinance.
3. The stem shall contain a driveway which meets the private road standards for one (1) lot & shall be maintained as a passable row at all times to allow for the safe passage of fire engines. CEO will inspect ~~annually~~ **as needed**.
4. No building shall be located on the stem.

5. The lot shall be used solely for a single-family home ~~or duplex~~, **two-family dwelling, or multifamily dwellings if otherwise permitted**
6. To the extent that the creation of the lot will modify an existing subdivision or will result in the creation of a new subdivision, the owner shall obtain any necessary approvals from the Planning Board.

D. Bed and Breakfast

1. There shall be no less than one (1) parking space for each rental room in addition to the spaces required for the dwelling unit.
2. There shall be one (1) bathroom provided for the rental rooms, in addition to the bathroom for the dwelling unit.
3. Each rental room shall have not less than one hundred twenty (120) square feet of floor area.
4. Each rental room, stairwell, and hallway on each level shall be equipped with a ULC approved smoke detector.
5. Each establishment must meet all state applicable fire codes.

E. Filling, Grading, Lagooning, Dredging, or Other Earth Moving Activity

1. Applicability

The following provisions shall apply to filling, grading, lagooning, dredging, excavation, processing and storage of soil, earth, loam, sand, gravel rock, peat, and other mineral deposits.

2. Permit Requirements

Filling, grading, lagooning, dredging, extraction, earth-moving, processing and storage except as provided below shall require development approval by the Planning Board, pursuant to Article 7 and 8 of this Ordinance, and be conducted in accordance with the Performance Standards in this Article.

Additionally, the operator of any earth moving activity greater than 5 acres will have to notify the Department of Environmental Protection of the intent to conduct the activity consistent with the performance standards of ~~38MRSA 490-D~~ **38 M.R.S.A. §490-D, as may be amended.**

The following earth-moving activities **shall be allowed without development approval from the Planning Board.** They shall be conducted in compliance with all standards of this Article and Article 8 of this Ordinance. The CEO has the authority to inspect compliance with these standards.

- a. The removal or filling of material incidental to construction, alteration or repair of a building, in the grading and landscaping incidental thereto, or in the repair, maintenance or installation of an approved subsurface sewage disposal system;
- b. The removal or transfer of material within the right-of-way of a public street or private road incidental to construction, alteration or repair of a public or private way or essential services provided that any ~~deposition~~ **deposition** of material outside of the right-of-way complies with this ordinance, and
- c. The removal, filling or transfer of material incidental to agricultural,

timberland forest management and harvesting activities.

3. Notification Requirements

(This section is paraphrased 38 M.R.S.A. §490-C; please see the original for completeness.)

Regardless of the size, the operator or owner of the operation shall notify the Richmond Code Enforcement Officer of the intended activity, the nature of the material being moved, **and** the amount and expected duration of the operation. The CEO can then advise the applicant of the necessary permits or further notification required and provide the applicant with the necessary forms.

If the total excavated area on a parcel is 5 or more acres, including reclaimed and unreclaimed areas, the owner of the operation must send out the notice to abutters as well as the Department of Environmental Protection and Maine Historic Commission.

The Town or the abutters may submit comments to the Department of Environmental Protection if the proposed project may pose an unreasonable adverse impact.

Within 30 days of receipt of the *notice of intent to comply*, the Department of Environmental Protection must respond to the comments made by the municipality or the abutters.

4. Performance Standards for all Filling and Earth Moving Activities

Operations affecting larger than 5 acres shall comply at minimum with the performance standards listed in 38 M.R.S.A. §490-A, **as may be amended**, unless a variance from these standards **are is** approved by the Department of Environmental Protection. **The document** "Performance Standards for Excavations for Borrow, Clay, Topsoil or Silt" (Bureau of Land Quality 9/2001), including procedures for **applying for a variance, are is** available at the CEO's office.

Operations affecting smaller than 5 acres shall at minimum comply with performance standards in ~~State Law~~, 30-A M.R.S.A. §3105, **Small borrow pits** and 38 M.R.S.A. §490-M4. Since **the** Department of Environmental Protection does not have authority to enforce these standards, the Richmond CEO may conduct an inspection to assure all performance standards are complied with.

The following performance standards shall be used by the operator, the Planning Board in its review and the CEO in his inspection.

In case of conflict with any state standard, the more stringent standard shall apply.

- ~~(1)~~ **a.** The extraction activity shall not adversely impact the quality or quantity of groundwater available to neighboring properties.
- ~~(2)~~ **b.** The smallest amount of bare ground shall be exposed for the shortest time feasible.
- ~~(3)~~ **c.** Temporary ground cover such as mulch shall be used.
- ~~(4)~~ **d.** Diversions, silting basins, terraces and other methods to trap sediment shall be used.
- ~~(5)~~ **e.** Lagooning shall be conducted in such a manner as to avoid creation of fish trap conditions. Consultation with the Departments of Marine Resources and Fisheries or Inland Fisheries and Game **may be**

required, as applicable.

~~(6)~~ f. The extent and type of fill shall be appropriate to the use intended. The applicant shall specify the type, source, and amount of fill to be used.

~~(7)~~ g. Fill shall not restrict a floodway, channel, or natural drainage way and shall not interfere with sheet drainage such that ponding or other adverse acts occur.

~~(8)~~ h. Erosion control: Sediment may not leave the parcel or enter a protected natural resource ~~(which are listed as defined~~ in 38 M.R.S.A. §480, as may be amended.

~~(9)~~ i. Properly installed erosion control measures must be in place before the excavation begins. Vegetative cover must be established on all affected land. Topsoil must be placed, seeded, and mulched within 7 days of final grading. Permanent vegetative cover is acceptable for purposes of erosion control if, within one growing season of seeding, the planting of trees and shrubs results in a permanent stand or a stand capable of regeneration and succession sufficient to ensure a 75% survival rate and the planting of all material in permanent 90% ground coverage.

~~(10)~~ j. Spill prevention: Refueling operations, oil changes and other maintenance activities requiring the handling of fuels, petroleum products, hydraulic fluids, and other on-site activity involving the storage or use of products that, if spilled, may contaminate groundwater, must be conducted in accordance with the ~~Department of Environmental Protection's spill prevention, control and countermeasures plan.~~ petroleum Petroleum products and other substances that may contaminate groundwater must be stored and handled over impervious surfaces that are designed to contain spills. The spill prevention, control and countermeasures plan must be posted at the site. (Reference: 38 M.R.S.A. §490-D(3.D), as may be amended.)

~~(11)~~ k. Dust Control: Dust generated by activities at an excavation site, including dust associated with traffic to and from the excavating site, must be controlled by sweeping, paving, watering or other best management practices for control of fugitive emissions. Dust control methods may include the application of calcium chloride, as long as the ~~manufacturer's~~ manufacturer's guidelines are followed. Visible emissions from a fugitive emission source may not exceed opacity of 20% for more than 5 minutes in any one-hour period.

~~(12)~~ l. On slopes greater than 25 percent, there shall be no grading or filling within 100 feet of the normal high-water mark except to protect the shoreline and prevent erosion.

~~(13)~~ m. No part of any extraction operation shall be permitted within one hundred (100) feet of any property or street line, except for drainage ways to reduce run-off runoff into or from the extraction area. Natural vegetation shall be left and maintained on the undisturbed land.

~~(14)~~ n. If any standing water accumulates, the site shall be fenced in a manner adequate to keep children out.

~~(15)~~ o. No working slopes steeper than three (3) feet horizontal to one (1) foot vertical shall be permitted at any extraction site unless a fence at

least five (5) feet high is erected to limit access to such locations.

~~(16)~~ p. No equipment debris, junk, or other waste material shall be permitted on an extraction site. Any temporary shelters or buildings erected for such operations and equipment used in connection therewith shall be removed following completion of active extraction operations.

~~(17)~~ q. Within six (6) months of the completion of extraction operations at the site, or for any portion of the site if approved as a phased operation, the site shall be reclaimed in accordance with a closing plan approved at the time of application.

~~(18)~~ r. Reclamation

~~(a)~~ 1. Ground levels and grades shall be established in accordance with the approved closing plan.

~~(b)~~ 2. All debris, brush, stumps, boulders, and similar materials shall be removed or disposed of in an approved location and manner.

~~(c)~~ 3. Storm drainage and watercourses shall leave the location at the original natural drainage points and in a manner, such that the amount of drainage at any point is not significantly increased.

~~(d)~~ 4. All disturbed areas shall be reseeded and restored to a stable condition adequate to meet the provisions of the "Environmental Quality Handbook, Erosion and Sediment Control," as a ~~mended~~ amended or revised, published by the Maine Soil and Water Conservation Commission.

~~(e)~~ 5. No permanent slope greater than three (3) feet horizontal to one (1) foot vertical shall be permitted.

~~(19)~~ s. Conditions of Operation

1. All access/egress roads leading to or from the extraction site to public ways shall be treated with suitable materials to reduce dust and mud for a distance of at least one hundred (100) feet from such public ways.

2. All areas used for excavation, processing, storage of materials or equipment or operations on the site shall be screened from view from public streets and from abutting property, which is used for residential or institutional uses. The screening shall consist of landscaping, earth berms, fencing or a combination thereof.

3. The site shall be secured to prevent entry during times when the facility is not operating.

4. The Planning Board ~~and/or~~ CEO may attach conditions in writing to the permit for earth moving activities to safeguard the neighborhood and the municipality which may include those relating to:

- a. methods of filling, grading, or removal;
- b. hours of operation;
- c. type and location of temporary structures;
- d. routes for transporting material to or from the site;
- e. area and depth of excavations;

- f. provision of temporary or permanent drainage;
- g. disposition of stumps, brush and boulders;
- h. cleaning, repair and/or resurfacing of streets which have been adversely affected by said activity;
- i. the date after which bare ground shall not be exposed; and
- j. the date by which revegetation of the site shall occur.

~~(20)~~ t. Existing Operation

Discontinuance of any existing operation for a period of more than one (1) year shall require application for a new permit. Continuation of any existing operation for more than three (3) years shall require approval from the Planning Board.

F. Development in Areas of Special Flood Hazard

Any development or activity in an area identified as having a special flood hazard by the Federal Emergency Management Agency as shown on the Flood Hazard Boundary Map ~~Flood Hazard Boundary Map~~ Flood Insurance Rate Map of the Town of Richmond shall be carried out in accordance with the provisions of the Floodplain Management Ordinance of for the Town of Richmond, Maine, as it is amended from time to time ~~as may be amended~~.

G. Glare

Lighting fixtures shall be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings. Direct or indirect illumination shall not exceed 0.5 foot-candles upon abutting residential properties.

H. Hazardous, Special and Radioactive Materials

The handling, storage, use, and disposal of all materials identified by the standards of a federal or state agency as hazardous, special or radioactive shall be done in accordance with the standards of these agencies; including the disposal of such wastes at a licensed disposal facility.

No hazardous, special or radioactive waste shall be imported into the Town of Richmond for processing or disposal except for sludge and ash used for spreading on agricultural land in accordance with a permit issued by the Maine Department of Environmental Protection.

No flammable or explosive liquids, solids or gases shall be stored in bulk above ground unless they are located at least seventy-five (75) feet from any lot line (forty (40) feet for underground storage). All materials shall be stored in a manner and location, which is in compliance with appropriate rules and regulations of the Maine Department of Public Safety and other appropriate federal, state, and local regulations.

I. Height of Buildings

No structure shall exceed the building height listed below as well as in Article 4 under dimensional standards for each district. Features of buildings which normally extend above the roof line, such as chimneys, towers, ventilators, silos, and spires may exceed the height limit but shall be set back from the nearest lot line a distance not less than the height of such feature or structure, unless a greater setback is required by other provisions of this Ordinance.

Agricultural District	2½ stories or 35 feet
Village District	2½ stories or 35 feet
Residential District	2½ stories or 35 feet
Commercial Industrial District	3 stories or 45 feet
Highway Commercial District	50 feet

J. Demolition/Removal of Buildings Located in the RICHMOND Historic Area

No building permit for the removal or demolition of any building that is located in the Richmond Historic Area as entered on the National Register of Historic Places defined in Article 3 of this Ordinance, or that is located within any other designed historic or archaeological resource, shall be issued by the CEO unless at least one of the following conditions is met:

~~(a)~~ 1. If such building or resource has been identified by the Planning Board CEO upon consultation with the Maine Historic Preservation Commission, as not of historic significance and as incompatible with the Richmond Historic Area as Registered on the National Register of Historic Places and described in Article 4, Sec. G 2.4 ~~(4)~~(4) Special Performance Standards.

~~(b)~~ 2. If the property owner has demonstrated to the Planning Board that he/she is not capable of earning an economic return on the value of the property in its present location, as supported by an appraisal by a qualified real estate appraiser. If such a demonstration can be made, issuance of a permit for removal or demolition shall be delayed for a period of one hundred eighty (180) days. Such time period shall commence when the property owner has filed an application for a demolition permit.

~~(c)~~ 3. If the property owner has demonstrated to the Planning Board that he/she has not been able to sell the building or resource in a reasonable amount of time. In such event, prior to the issuance of demolition permit, the owners shall demonstrate to the Planning Board that the property has been offered for sale, that no bona fide offer has been made, and that no contract for sale has been executed with interested parties. In addition, prior to the issuance of a demolition permit, the owner shall make a bona fide offer to sell building or structure, and the land pertaining thereto, at a price reasonably related to its fair market value, to a person, firm, corporation, government or agency thereof, or political subdivision or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the building or structure and the land pertaining thereto. Prior to making such offer to sell, an owner shall first file a statement with the Planning Board identifying the property, the offering price, and the date the offer to sell shall begin.

(d) 4. If the CEO has determined that the building or resource presents an irreparable or unreasonable safety hazard to the public. In such event, notice of the scheduled demolition shall be posted on the premises of the building or resource proposed for demolition in a location clearly visible from the street for at least the seven (7) days prior to the date of the scheduled demolition. In addition, notice shall be published in a newspaper of general local circulation once a week for three (3) consecutive weeks prior to the scheduled demolition, the final notice of which shall be published not less than fifteen (15) days prior to the date of the scheduled demolition.

K. Home Occupations

1. Home occupations shall be carried on wholly within the principal building or within a building or other structure accessory to it.
2. Not more than two (2) persons outside the family shall be employed in the home occupation.
3. There shall be no overnight exterior display, no exterior storage of materials, and no other exterior indication of the home occupation or variation from the residential character of the principal building.
4. The scale of the home occupation use shall be clearly secondary to the primary use of the property as a residence.
5. Signs shall conform to the requirements of ~~this Ordinance~~ **section W of this Article.**
6. Off-street parking shall be provided in accordance with ~~the requirements of this~~ **section R of this Article.**
7. Home occupations shall not include auto repair and service, motor and equipment repair, bottle redemption centers, or food preparation for consumption on the premises.

L. Hotels/Motels and Inns

For traffic safety on and immediately adjoining each motel, hotel, or inn and to assure health, safety, and welfare of occupants and of the neighborhood generally, the following land, space, building, traffic, utility, and service design requirements shall be compiled with. For the purposes of this section, the terms hotel, motel, and inn are used interchangeably.

1. No part of any building shall be closer than sixty (60) feet to the front lot line, rear lot line or either sideline of such lot. A green space, not less than twenty (20) feet wide, shall be maintained open and green with grass, bushes, flowers or trees all along each side lot line, the rear lot line, and the front line of such lot, except for entrance and exit driveways. The green space shall not be used for automobile parking.
2. Buildings on a motel lot shall not cover more than fifteen (15) percent of the area of the lot.
3. If cooking or eating facilities are provided in hotel rental units, each such rental unit shall be considered a dwelling unit and the hotel with more than three (3)

such units shall be required to meet all the standards of multifamily developments.

4. Minimum room size: not less than two hundred (200) square feet habitable floor area and not less than twelve (12) by fifteen (15) feet horizontal dimensions, exclusive of bath. Each rental unit shall include private bathroom facilities.

5. Hotel building construction plans shall be reviewed and approved by the State Fire Marshall's Office.

M. Kennels and Veterinary Hospitals

1. Structures or pens shall be located not less than two hundred (200) feet from the nearest residence other than the owner's.

2. All pens, runs, or kennels and other facilities shall be designed, constructed, and located on the site to minimize the adverse effects upon the surrounding properties. Among the factors that shall be considered are the relationship of the use to the topography, natural and planted screening, the direction and intensity of the prevailing winds, the relationship and location of residences and public facilities on nearby properties, and other similar factors.

3. No garbage, offal, feces, or other waste material shall be allowed to accumulate on the premises. The premises shall be maintained in a manner that they will not provide breeding place for insects, vermin or rodents.

4. If outdoor dog "runs" ~~is~~ **are** created, they shall be completely fenced in.

5. Any incineration device for burning excrement-soaked waste papers and/or animal organs or remains shall be located a minimum distance of four hundred (400) ~~Feet~~ **feet** from nearest residence other than the applicant's, and shall meet all State Applicable Permit Requirements.

N. Manufactured Housing – Units not in a Mobile Home Park

The following standards shall apply to the placement or installation of any manufactured housing unit on a lot located out of a mobile home park. All standards shall be met prior to occupancy of the manufactured housing unit.

1. Manufactured housing units may only be placed or installed on lots where single-family dwelling units are allowed, and such placement or installation shall require a permit from the CEO prior to such placement ~~of~~ **or** installation. All dimensional standards of the zoning district shall be met.

2. The wheels, axles, detachable transporter unit and tongue shall be removed and the unit shall be placed on a permanent foundation.

3. The foundation for modular homes shall comply with the requirements of the ~~Town's Building Code~~ **Manufactured Housing Board**. The foundation for newer mobile homes shall comply with the standards established by the Manufactured Housing Board.

4. In the absence of a full basement, suitable screening shall be provided to screen view of any fuel tank serving the unit.

5. Exterior siding must be residential in appearance. These materials may include clapboards, simulated clapboards (such as conventional vinyl or metal siding), wood shingles, shakes or similar materials, but shall not include smooth, ribbed or corrugated metal or plastic panels.

6. All mobile homes shall be equipped with adequate skirting to enclose the underside of mobile homes. The skirting shall be vinyl, metal or painted T1-11.
7. The unit shall have a pitched roof having a pitch of 4 in 12 or greater, covered with roofing shingles or manufactured metal roofing.
8. The unit shall be at least fourteen (14) feet in width and thirty-two (32) feet in length.
9. All plumbing, electrical and utility connections shall be comply with all applicable local, State and national codes.
10. The unit shall be sited on the lot so that its longest dimension is within 30 degrees of being parallel to the front property line of the lot (or the chord connecting the two points where the side lot lines meet the front line if the front property line is curved). This requirement shall not apply if the width of the front building face is more than 24 feet wide. The width of the front building shall include the width of the manufactured housing unit plus the width of any permanent addition.
11. Any permanent addition to a manufactured housing unit shall meet the following criteria:
 - a. The addition shall be of a similar architectural design and constructed of similar materials as the manufactured housing unit.
 - b. The addition shall be permanently attached to the unit to create one integral structure; and
 - c. Any living space addition to a manufactured housing unit shall be placed on a foundation similar to the original unit. Any addition other than living space shall have frost wall protection.
12. All disturbed areas of the site, not otherwise revegetated, shall be loamed (with a minimum of 4 inches of loam), fertilized and seeded. The CEO may approve the delay of the revegetation until the growing season for units occupied between November and May.
13. All exterior doors shall be provided with steps of a suitable design and construction to provide all-season access.
14. No manufactured housing unit that was manufactured before June 15, 1976 may be brought in to the Town of Richmond unless suitable evidence is provided to the CEO that the unit does not contain aluminum electrical wiring, that the unit contains two exterior exits, and the roof is constructed to support a live load of thirty (30) pounds per square foot.
15. No manufactured housing unit may be temporarily placed, stored or located in any zoning district. Manufactured housing units cannot be used for storage. Notwithstanding the foregoing provision, in the event of an emergency situation, as determined by the CEO in his/her sole discretion, one (1) ~~temporary means of~~ housing unit per lot may be used as a dwelling unit for a period not to exceed three (3) months, unless a written request for an extension of the time is granted by the CEO. Any housing unit used as temporary dwelling under this subparagraph must be approved by the CEO and meet all other requirements of the Ordinance.
16. No manufactured housing unit may be placed or installed in the town of Richmond unless proof of payment of sales tax on the manufactured home and proof of payment of property tax in the sending municipality is first provided to the

Town in compliance with 30-A M.R.S.A §4358(4) [sales tax proof], as may be amended, and 30-A M.R.S.A §4103(3)(C) [property tax proof], as may be amended.

O. Manufactured Housing Units in a Mobile Home Parks

All mobile home parks shall conform to the standards set forth in this section and shall meet all requirements for a residential subdivision and shall conform to all applicable State laws and local ordinances and regulations.

1. Placement of Units on Lots

Manufactured housing units in mobile home parks shall be placed upon lots. Each lot shall be occupied by only one (1) unit. Each unit shall be placed upon a suitable foundation consisting of a poured or block frost wall, a cement or concrete slab and permanent, properly attached and residential appearing skirting, or full basement. No manufactured housing unit may be placed or installed in the town of Richmond unless proof of payment of sales tax on the manufactured home and proof of payment of property tax in the sending municipality is first provided to the Town in compliance with 30-A M.R.S.A §4358(4) [sales tax proof], as may be amended, and 30-A M.R.S.A §4103(3)(C) [property tax proof], as may be amended.

2. Lot Requirements

Notwithstanding the other requirements of this Ordinance, lots shall meet the following dimensional requirements:

Public Sewer System Operated by the Richmond Utilities District	
Minimum Lot Area S.F.	6000
Minimum Lot Width FT	50
Lots Served by Individual Subsurface Waste Water Disposal Systems	
Minimum Lot Area S.F.	20,000
Minimum Lot Width FT	100
Lots served by one (1) or more centralized subsurface waste disposal systems serving two (2) or more dwelling units and approved by the Maine Department of Human Services	

Minimum Lot Area S.F	12,000
Minimum Lot Width FT	75

Mobile home park lots located within any designated shoreland area shall meet the lot area, lot width, and shore frontage requirements of the district in which it is located.

3. Overall Density

The overall density of any park served by any on-site wastewater disposal system shall not exceed one (1) dwelling unit for each twenty thousand (20,000) square feet of total park area.

The total area of a mobile home park shall not be less than the sum of the following:

- a. The combined area of the mobile home park lots which shall each meet the minimum lot requirements,
- b. The area required for road rights-of-way,
- c. The area required for buffer strips,
- d. For parks served by public sewer, a minimum of open space area equal to ten (10) percent of the combined area of the lots.
- e. The area within the shoreland setback.

4. Setbacks

Manufactured housing units shall meet the following minimum setbacks:

On lots, which abut a public way: the setback required for other residential uses.

On lots, which are located in a shoreland area: the setback from the high-water mark required in that district.

Units shall be located a minimum of fifteen (15) feet from all boundary lines and a minimum of thirty (30) feet from any other unit.

Garages or accessory structures shall be so located on individual lots so that all parts of the structures are a minimum of 45 10 feet from all lot lines and 30 feet from any unit or other structure on either the same lot or adjacent lot.

5. Buffering

The park shall be designed with a seventy-five (75) foot wide buffer strip along all property boundaries. The buffer strip shall be maintained as a landscaped area containing no structures. In those areas where natural vegetation fails to provide a dense and continuous buffer, the Planning Board may require dense evergreen plantings of either natural massing configurations or up to 3 staggered rows of evergreen plantings. Roads may cross the buffer strip to provide access to the park.

6. Road Standards

- a. The road system shall be designed to provide safe and convenient access to all lots within the park and shall provide for all-season emergency vehicle access to every unit in the park.

b. Roads that the applicant proposes to dedicate as public ways, shall be designed and constructed in accordance with the Town of Richmond Street Design and Construction Standards Ordinance.

c. Roads, which the applicant proposes to remain private ways, shall:

1. Be designed in accordance with the Town of Richmond Street Design and Construction Ordinance.

2. Be designed by a Maine-licensed engineer.

3. Have a minimum right-of-way width of 23 feet.

4. Have a paved travel surface with a minimum width of 20 feet.

5. Meet the standards of the Manufactured Housing Board.

6. No lot within the park shall have direct vehicular access onto an existing public street.

7. Any mobile home park expected to generate average daily traffic of 200 trips per day or more shall have at least 2 street connections with existing public streets. Any street within a park with an average daily traffic of two hundred (200) trips per day or more shall have at least two (2) street connections leading to existing public streets, other streets within the park, or other streets shown on an approved subdivision plan.

8. The intersection of any street within a park and an existing public street shall ~~comply with the Town of Richmond Street Excavation Policy or the State Department of Transportation Highway Driveway and Entrance Rules. meet the following standards.:~~

~~i. Minimum Angle of Intersection shall be 75.~~

~~ii. Maximum Grade within 100 feet of intersection shall be 3 percent.~~

~~iii. Minimum Sight Distance shall be ten times the posted speed limit, measured from the driver's seat of a vehicle that is 10 feet behind the curb or edge of shoulder line with the height of the eye 3½ feet above the pavement and the height of object 4¼ feet.~~

~~iv. Distance from other intersections shall be no less than 125 feet from the centerline of any other street intersecting that public street.~~

~~v. The application shall contain an estimate of the average daily traffic projected to be generated by the park, based on the Trip Generation Manual, 1987 edition or the most recent edition, published by the Institute of Transportation Engineers. If the park is projected to generate more than 400 vehicle trip ends per day, the application shall also include a traffic impact analysis, prepared by a registered professional engineer with experience in transportation engineering.~~

7. Ownership of Park

The land within the mobile home park shall remain in a single, unified ownership. No lots or interest in lots shall be individually conveyed.

8. Conversion of Park

No development or subdivision, which is approved under this section as a mobile home park may be converted to another use without the approval of the Planning Board. The conversion shall meet the appropriate lot size, lot width, setback and other requirements for the proposed use.

9. Utility Requirements

All mobile home parks shall provide permanent electrical, water and sewage disposal connections to each lot in accordance with applicable state and local rules and regulations.

10. Signs

Signs and advertising devices shall be prohibited in a mobile home park except:

- a. One (1) identifying sign at each entrance of the mobile home park no larger than twenty-four (24) square feet, which may be externally lit, but not flashing.
- b. Unlit directional and informational signs for the convenience of tenants and the public relative to parking, office, traffic movement, etc. Said signs shall not be illuminated.
- c. Mobile/manufactured home "for sale" signs, provided that such signs that face a public road shall be no more than ten (10) square feet and shall be limited to two (2) signs per mobile home park.
- d. Mobile/manufactured home address signs.

The styles and location of the identifying sign shall not interfere with vehicle sight distance and shall be constructed in accordance with the sign standards of this Ordinance **section W of this Article**.

11. Affordability

The developer of the proposed mobile home park shall submit evidence, and the Planning Board shall determine that the sale and/or rental of at least 50% of the housing units and lots within the proposed mobile home park can be afforded by households at or below 80% of the Town's median household income (per figures published by the State Planning Office or National Planning Data Corporation). In making a determination on the affordability of the units, the Planning Board shall find that "shelter expenses" do not exceed 30% of the 80% median household income figure. Shelter expenses shall include the following: mortgage and/or rental costs, taxes, homeowners/tenant insurance, heat and utilities.

12. Groundwater Impacts

- a. Assessment Submitted – Accompanying the application for approval of any mobile home park, which is not served by public sewer, shall be an analysis of the impacts of the proposed mobile home park on groundwater quality and supply. The ~~hydro-geologic~~ **hydrogeological** assessment shall be prepared by a Certified Geologist or Registered Professional Engineer, experienced in hydrogeology, and shall conform to

an analytical approach that meets the requirements of the Maine Department of Environmental Protection.

b. Standards for Acceptable Groundwater Impacts

- i. Projections of groundwater quality shall be based on the assumption of drought conditions (assuming sixty (60) percent of annual average precipitation).
 - ii. No mobile home park shall increase any contaminant concentration in the groundwater to more than one half of the Primary Drinking Water Standards. No mobile home park shall increase any contaminant concentration in the groundwater ~~to~~ more than the Secondary Drinking Water Standards.
 - iii. If groundwater contains contaminants in excess of the primary standards, and the mobile home park is to be served by on-site groundwater supplies, the applicant shall demonstrate how water quality will be improved or treated.
 - iv. If groundwater contains contaminants in excess of the secondary standards, the mobile home park shall not cause the concentration of the parameters in question to exceed one hundred fifty (150) percent of the ambient concentration.
- c. Subsurface wastewater disposal systems and drinking water wells ~~shall~~ **shall** be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the Plan.

13. Walkways

The mobile home park shall contain pedestrian walkways that link all units and all service and recreational facilities and connect the park to existing sidewalks if such exist in the vicinity of the park. Such walkways shall be adequately surfaced and lit. A portion of the road surface may be reserved for walkways provided the roadway width is increased accordingly. Walkways shall be a minimum width of three (3) feet.

14. Lighting

Outdoor ~~lighting~~ shall be provided to adequately ~~illuminate~~ **illuminate** internal streets and pedestrian walkways. Lights shall be sized and directed to avoid adverse impact on adjacent properties.

15. Storage

At least three hundred (300) cubic feet of enclosed tenant storage facilities shall be conveniently provided on or near each mobile home lot for the storage of materials and equipment.

16. Park Administration

The owner or operator of a mobile home park shall be responsible for ensuring the maintenance of all park-owned structures and their sites.

Compliance with this Ordinance shall not exempt the park owner, developer, or manager from complying with other applicable local, state, and federal codes and regulations.

P. Multifamily Dwelling Units

1. Two-Family Dwelling Units

Lots for two-family units shall meet all of the dimensional requirements for single-family dwelling units, and the road frontage shall exceed by 50 percent the requirement for a single-family dwelling unit.

2 1. Multifamily Dwelling Units

Multifamily (3 or more) dwelling units shall meet all of the following criteria:

a. Lot area and shoreline frontage shall be equal to that required for the equivalent number of single-family dwelling units when not connected to public water and sewer. For multifamily and two-family dwelling units connected to public water and sewer, a minimum of 5,500 square feet lot area is required for each unit; in the Village District, except in the Main Street Commercial Industrial District, in which a minimum of 3,000 square feet lot area for new residential, non-residential or commercial uses is required for each unit connected to public water and sewer.

b. Minimum road frontage: shall be the minimum road frontage for the district in which the building is located, except that in the Village district minimum road frontage shall be 80 feet for buildings with up to 3 units and there shall be an additional 20 ft of frontage required for each additional unit up to a maximum of 200 ft of frontage.

e b. Lots for multifamily dwelling units shall meet all other dimensional requirements for single-family dwellings including minimum setbacks, maximum building coverage and height limits.

d c. No building shall contain more than (10) dwelling units. Each residential unit shall be a complete dwelling unit with its own kitchen, bathroom, and facilities for sleeping and eating. Each dwelling unit shall have a minimum of four hundred fifty (450) square feet of living area. Each dwelling unit shall have an individual entrance from the outside or common hallways.

e d. All Each multifamily dwellings shall be connected to a common water supply and distribution system, and central sewage collection and treatment system, either public or private, at no expense to the municipality.

f e. All multifamily dwelling units Each multifamily dwelling shall be connected to a public sewer system, if available, or to a central collection and treatment system in accordance with the sanitary provisions of this Ordinance section V of this Article.

g f. All multifamily dwellings Each multifamily dwelling shall comply with the provisions of section J of this Article and Article 4, ' 4 " (4) section G 4.2 of Article 4 of this Ordinance.

h g. Multifamily dwelling buildings in the Village district shall have maximum total floor areas no greater than 2 times the area allowed by the maximum building coverage.

i h. All exterior trash receptacles shall be screened.

2. Affordable Housing Multifamily Dwelling Units

a. An affordable housing multifamily dwelling proposal must be located in a designated growth area as defined in the Town of Richmond

Comprehensive Plan or served by public water and sewer per 30 A M.R.S. §4364 (2)

b. The applicant must execute a restrictive covenant, recorded in the Sagadahoc County Registry of Deeds, for the benefit of and enforceable by a party acceptable to the Planning Board, to ensure that for at least 30 years after completion of construction:

1. For rental housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and

2. For owned housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

c. The owner of an affordable housing development shall provide written verification to the Richmond Planning Board that each unit of the housing development is connected to adequate water and wastewater services before the municipality may certify the development for occupancy, as specified in Article 5 Section BB(3) of this ordinance.

d. The dwelling unit density shall be 2 ½ times the base density that is otherwise allowed in that location.

3. Parking

a. There shall be a minimum of 2 off-street parking spaces per dwelling unit in a multifamily dwelling building. If the building is ADA accessible then parking must adhere to ADA Standards. The total number of parking spaces may be distributed between all dwelling units so long as the off-street parking is sufficient to accommodate the normal parking demand of each individual unit.

b. No off-street parking spaces shall be located between the building and the front property line or within any of the required setbacks. All multifamily dwellings shall comply with all other provisions of section S R of this Article ("Off-Street Parking and Loading Requirements").

c. No uninspected and/or unregistered motor vehicles shall be parked on the property. All motor vehicles shall park in designated parking areas.

d. Notwithstanding the minimum requirement in subsection 3(a) An Affordable Housing Multifamily Dwelling proposal shall provide 2 off-street parking spaces for every 3 proposed units.

4. Buffering and Landscaping

a. Buffering - All multifamily dwellings must provide for the buffering of adjacent uses and for screening of mechanical equipment, trash receptacles, service and storage areas. Buffering must be designed to provide a year-round visual screen in order to minimize adverse impacts. It may consist of fencing, evergreens, berms, rocks, boulders, mounds, or a combination thereof. A multifamily dwelling must provide sufficient buffering when topographical or other barriers do not provide reasonable screening and where there is a need to:

1. shield neighboring properties from any adverse external effects of the development, or

2. shield the development from the negative impacts of adjacent uses.

The width of the buffer may vary depending on the treatment of the area. Within densely built-up areas, a buffer with dense plantings, fencing, or changes in grade may be as little as five (5) feet in width. A buffer with moderate levels of planting should be ten (10) feet in width. Areas adjacent to service, loading, or storage areas should be screened by dense planting, berms, fencing, or a combination thereof with a width of a minimum of five (5) feet.

- b. Landscaping -Landscaping must be provided as part of all multifamily dwelling developments. A landscape plan for the entire site must be submitted to the planning board. The landscape plan shall use landscape materials to integrate the various elements on site, preserve and enhance the particular identity of the site, and create a pleasing site character. The landscaping should define street edges, break up parking areas, soften the appearance of the development, and protect abutting properties. Landscaping may include plant materials such as trees, shrubs, groundcovers, perennials, and annuals, and other materials such as rocks, water, sculpture, art, walls, fences and paving materials.

- c. Landscaping Review - Landscaping plans for all multifamily dwellings in the Village district shall require approval by the Planning Board based upon a review by a registered landscape architect. The Planning Board may waive the requirement for a review by a registered landscape architect upon a finding that because of the size of the project or circumstances of the site, such requirements would not be applicable or would be an unnecessary burden upon the applicant and that such modification or waiver would not adversely affect the abutting landowners or the general health, safety, and welfare of the Town. All requests for waivers must be made in writing, shall state the basis for the requested waiver and shall be submitted to the Planning Board at a meeting of the Board. The applicant shall have the burden of proving the basis for any waiver including that 1) the landscape plan integrates the landscape elements on site, preserves and enhances the particular identity of the site, creates a pleasing site character, defines street edges, breaks up parking areas, softens the appearance of the development, and protects abutting properties, 2) review by a registered landscape architect would not be applicable or would be an unnecessary burden upon the applicant, and 3) that such waiver would not adversely affect the abutting landowners or the general health, safety, and welfare of the Town.

5. Exterior Lighting

- a. All multifamily dwellings must have adequate exterior lighting to provide for its safe use during nighttime hours. Lighting may be used which serves security, safety and operational needs but which does not directly or indirectly produce deleterious effects on abutting properties or which would impair the vision of a vehicle operator on adjacent roadways.

- b. Lighting fixtures must be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings and so that they do not unnecessarily light the night sky. Direct or indirect illumination must not exceed 0.5 foot-candles at the lot line or upon abutting residential properties.

- c. Wiring to light poles and standards must be underground.

d. All exterior lighting, except security lighting, must be turned off between 11 P.M. and 6 A.M.

Q. Noise

1. The maximum permissible sound pressure level of any continuous, regular or frequent or intermittent source of sound produced by any activity shall be limited by the time period and land use, which it abuts, listed below. Sound levels shall be measured at least four (4) feet above ground at the property boundary of the source.

Sound Pressure Level Limits Using the Sound Equivalent Level of One Minute (leq 1) (Measured in dB(a) Scale)

Abutting Use	7am— 9pm 10 pm 7am - 9pm	9pm— 10 pm 7am 9pm - 7am
Residential	55	45
Residential located in a commercial-industrial district	65	55
Public, semipublic and institutional	60	55
Vacant or rural	60	55
Commercial	65	55
Industrial	70	60

2. Noise shall be measured by a meter set on the A-weighted response scale, fast response. The meter shall meet the American National Standards Institute (ANSI S1 4-1961) "American Standards Specification for General Purpose Sound Level Meters."

3. No person shall engage in construction activities, on a site abutting any residential use between the hours of 9 pm and 7 am. Otherwise, the following activities shall be exempt from these regulations:

- a. Sounds emanating from construction and maintenance activities conducted between 7 am - 9 pm.
 - b. Sounds emanating from safety signals, warning devices, emergency pressure relief valves and other emergency activities.
 - c. Manufacturing conducted within the Commercial-Industrial District between 6 am – 9 pm.
4. Exclusions- The sound pressure levels do not apply to noise emitted by related to the following:
- a. Natural phenomena
 - b. Church bells or other similar noises emitted as part of an organized religious ceremony or service, provided that such noise shall not exceed thirty (30) continuous minutes in duration.
 - c. Any siren, whistle, or bells lawfully used by emergency vehicles or any other alarm systems used in any emergency situation; provided however, that burglar alarms not terminating within thirty (30) minutes after activated shall remain subject to this ordinance.
 - d. Warning devices required by OSHA or other state or federal safety regulations.
 - e. Noise from domestic power equipment such as, but not limited to power saws, sanders, grinders, lawn and garden tools, lawn mowers, snow blowers, tractors or similar devices.
 - f. Emergency construction or repair work by public utility operators are also exempt.
 - g. Noise created by solid waste collection from residents between 6am – 9pm
 - h. Noise created by registered motor vehicles operating on public or private ways.
 - i. Noise created by plows, trucks and other equipment used in the removal or treatment of snow or ice.
 - j. Noise events approved by the Town of Richmond

R. Off-Street Parking and Loading Requirements

1. Basic Requirement

No use of premises shall be authorized or extended, and no building or structure shall be constructed or enlarged unless there is provided off-street automobile parking space within three hundred (300) feet of the principal building, structure, or use of the premises, in accordance with the following requirements.

2. Minimum Off-Street Parking Requirements

The objectives in requiring the provision of off-street parking are to ensure that vehicles are off the public streets at night, that unsafe conditions and congestion do not exist and that there is a turnover in spaces designed to serve the general public.

To accomplish these objectives, ~~shall provide at least the following minimum off-street parking,~~ the following standards will apply.

- a. Dwelling:
 - i. Two (2) spaces per unit (one space/dwelling in Main Street Commercial District).
 - ii. Two (2) spaces per unit for multi-family dwellings.
 - iii. **Two (2) spaces for every three (3) units for Affordable Housing Multifamily dwellings.**
- b. Tourist home, boarding or lodging house, motel or hotel: one (1) space for each sleeping room.
- c. Campground: one (1) space for each recreational vehicle, tent or shelter site.
- d. Hospital: One (1) space for each two (2) beds.
- e. Institutions devoted to the board, care, or treatment of persons: One (1) space for each four (4) beds.
- f. Retail, wholesale, or service establishment or office or professional building located outside the Historic District: One (1) space for each 300 square feet or fraction thereof, of floor area.
- g. Restaurants, and other places serving food or beverage, and for theaters, auditoriums, and other places of amusement or assembly: one (1) space for each three (3) seats, permanent or otherwise, for patron use.
- h. Commercial, industrial, or other permitted uses: One (1) space for each person employed or anticipated to be employed on the largest shift.
- i. Home occupation: One (1) space for each commercial vehicle parked overnight on a regular basis.
- j. Accessory Dwelling Unit:
 - i. **Zero (0) space per unit.**
 - j-k. Adequate spaces shall be provided to accommodate customers, patrons, and employees at automobile service stations, drive-in establishments, open-air retail businesses and amusements and other permitted uses not specifically enumerated.

3. Off-Street Loading

Commercial or industrial uses shall provide off-street loading facilities on the same lot as the building or use to be served so that trucks, trailers, and containers shall not be located for loading or storage upon any public way.

4. Joint Use of Parking Spaces

The Planning Board may allow the same parking spaces to be used in meeting the parking requirement for two (2) or more uses if the Board finds that the demand for parking for the uses occurs at different times of day or on different days of the week.

5. Reduction in the Main Street Commercial District

The Planning Board may reduce or waive the off-street parking and loading requirements for projects involving the reuse of buildings existing within the Main Street Commercial District as of June 1, 1990, upon finding that:

- a. The use will involve only floor area existing as of June 1, 1990, and will not involve any expansion or enlargement of the envelope of the building except for provisions of necessary access,
- b. The parking demand for the use will be less than the parking requirement set forth in item (2) above based upon an estimate of the projected parking demand,
- c. The applicant has demonstrated that adequate parking is available to meet the projected demand identified in b., either in off-street parking on the site, in other off-street private parking facilities within 300 feet of the structure, or in public parking facilities. This provision may take into account joint use of parking facilities as provided for in item (4) above.

6. Parking Layout and Design

- 4 a. Parking areas with more than two (2) parking spaces shall be arranged so that it is not necessary for vehicles to back into the street.
- 2 b. All parking spaces and access drives shall be located at least five (5) feet from any side or rear lot line, except for the additional requirements in buffer yards. No parking spaces shall be located in the required front setback unless the Planning Board finds that the visual environment will not be adversely impacted by parking or loading in the setback area.
- 3 c. Parking stalls and aisle layout shall conform to the following standards:

Parking Angle	Stall Width	Skew Width	Stall Depth	Aisle Width
90°	9' - 0"	9' - 0"	18' - 5"	24' - 0"
60°	8' - 6"	10' - 5"	18' - 0"	16' - 0" one way only
45°	8' - 6"	12' - 9"	17' - 5"	12' - 0" one way only
30°	8' - 6"	17' - 0"	17' - 0"	12' - 0" one way only

- 4 d. In lots utilizing diagonal parking, the direction of proper traffic flow shall be indicated by signs, pavement markings or other permanent indications.
- 5 e. Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles.
- 6 f. Provisions shall be made to restrict the overhang of parked vehicles when it might restrict traffic flow on adjacent through roads, restrict pedestrian movement on adjacent walkways, or damage landscape materials.

S. Private Roads

A private road may be used for access to a lot or lots and for fulfillment of the frontage requirement provided that it complies with the following standards:

1. The right-of-way of the private road shall be a minimum of twenty-five (25) feet ~~in~~ width if it serves one (1) lot and a minimum of fifty (50) feet in width if it serves two (2) or more lots.

2. A plan showing the private road shall be prepared by a registered land surveyor. The plan shall delineate the proposed road and each of the lots to be served by the private road. If the private road is part of a subdivision, the plan shall be included as part of the subdivision application. If the private road is not part of a subdivision, the plan shall be labeled "Plan of a Private Road" and recorded in the Sagadahoc County Registry of Deeds.

Where new street intersections or driveway curb-cuts are proposed, site distances, as measured along the road onto which traffic will be turning, shall be based upon the posted speed limit and conform to the table below:

Posted Speed Limit (MPH)	25	30	35	40	45	50	55
Sight Distance (feet)	200	250	305	360	425	495	570

3. Private roads which are part of a subdivision or other activity requiring development review shall comply with the plan submission requirements of the Street Design and Construction Standards Ordinance.

4. The applicant shall provide for street name signs and all other traffic control signs as determined to be necessary by the Planning Board.

5. The plan of the private road shall bear notes that the Town of Richmond shall not be responsible for the maintenance, repair, or plowing of the private road.

6. The plan shall also contain notes that the creation of additional lots on the private road shall not occur without the filing of a revised plan and the approval of The Planning Board, if otherwise necessary.

7. If the private road is to provide access to two (2) or more lots, a maintenance agreement shall be prepared and recorded in the Registry of Deeds with the plan. The maintenance agreement shall specify the rights and responsibilities of each lot owner with respect to the maintenance, repair, and plowing of the private road. For a private road serving five (5) or more lots, the agreement shall provide for the formation of a road association, which shall be responsible for the ownership, and maintenance of the private road.

8. The construction of private roads shall meet the following minimum standards:

Number of Lots Served

	1	2-5	4-19 6+
Minimum roadway width	42'	16'	20'
Minimum sub base (Heave road gravel)	42"	15"	18"

Wearing surface (Fine gravel)	2"	2"	2"
Maximum grade	12%	10%	10%
Minimum grade	0.5%	0.5%	0.5%
Turn around at dead end	Hammer Head or ⊥	Hammer Head or T	Hammer Head or T

~~One turnout to provide space for 2 vehicles to pass shall be provided for every private road longer than 1,000 feet.~~

9. Cleanup: Following street construction, the developer or contractor shall conduct a thorough clean-up of stumps and other debris from the entire street right-of way. If onsite disposal of the stumps and debris is proposed, the site shall be indicated on the Plan and be suitably covered with fill and topsoil, limed, fertilized, and seeded.

T. Phosphorus Control - Pleasant Pond

1. Within the watershed of Pleasant Pond, all uses and structures to which this Ordinance applies shall meet the following phosphorus export standards:

<u>Watershed</u>	<u>Phosphorus Export Standards</u>
Lower Pleasant Pond	.0491 pounds of phosphorus/acre/year
Upper Pleasant Pond	.0215 pounds of phosphorus/acre/year

~~2. Single Family Dwelling, Duplex~~

~~In addition to the dimensional requirements contained in Article 4, the following provisions shall apply to all new single family dwellings and duplexes. Where the standards of this Section and the standards of Article 4 conflict, the higher standard shall apply.~~

a. Phosphorus Control Requirement. Permit applicants must show how they will comply with the phosphorus export standards of Subsection 1, above.

b. Buffer Strip. A new single-family dwelling or duplex shall be deemed to comply with the phosphorus export standards of Subsection 1 if a permanent, vegetated buffer is located downhill from the developed portion of the lot according to the requirements of Table 1 or Table 2 of this standard, whichever applies. On an existing lot of record that is smaller in size than what is required in the table, the applicant shall meet the buffer width requirement to the maximum extent possible.

c. DEP Phosphorus Control Methodology. As an alternative to Tables 1 and 2 of this standard, an applicant may utilize the phosphorus control methodology contained in DEP's Phosphorus Control Guide to calculate lot size or buffer width, or to design other phosphorus control measures

that meet the phosphorus export standard. A copy of supporting documents shall be submitted with the application.

d. Maintenance and Use of Buffer Strips, Other Measures. Homeowners and occupants shall maintain vegetated buffer strips and, if applicable, other phosphorus control measures in accordance with the buffer maintenance requirements contained in Section 5.3 of DEP's Phosphorus Control Guide.

**TABLE 1
LOWER PLEASANT POND WATERSHED**

Note: Lot sizes shown below are for lots with greater than 10,000 sq. feet of clearing per lot. For lots with less than 10,000 sq. feet of clearing per lot, the lot sizes in parentheses shall apply.

Hydrologic Soils Group	50 feet	100 feet ← Buffer Width → 150 feet
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Hydrologic Soils Group	Average Slope within Buffer	Lot Size Acres	Lot Size Acres	Lot Size Acres
A	0-3%	1.4 (1.1)	.7 (.5)	.4 (.3)
A	3-8%	1.8 (1.4)	1. (.8)	.5 (.4)
A	8-15%	2.1 (1.6)	1.4 (1.1)	.7 (.5)
A	15-30%	2.7 (2.1)	2.0 (1.6)	1.6 (1.2)
B	0-3%	2.0 (1.3)	1. (.65)	.5 (.3)
B	3-8%	2.5 (1.6)	1.5 (1.0)	.7 (.5)
B	8-15%	3.0 (2.0)	2. (1.3)	1. (.6)
B	15-30%	3.7 (2.4)	3.0 (2.0)	2.2 (1.5)
C-1	0-3%	3.0 (1.7)	2.1 (1.2)	1.5 (.9)
C-1	3-8%	3.8 (2.3)	2.7 (1.6)	2.1 (1.2)
C-1	8-15%	4.4 (2.6)	3.2 (1.9)	2.4 (1.4)
C-1	15-30%	4.7 (2.8)	4.1 (2.4)	3.2 (1.9)
C-2	0-3%	4.1 (2.4)	3.2 (1.9)	2.7 (1.6)
C-2	3-8%	4.4 (2.6)	3.8 (2.3)	3.2 (1.9)
C-2	8-15%	4.7 (2.8)	4.1 (2.4)	3.5 (2.1)
C-2	15-30%	5.0 (2.9)	4.7 (2.8)	4.1 (2.4)

TABLE 2
UPPER PLEASANT POND WATERSHED

Note: Lot sizes shown below are for lots with greater than 10,000 sq. feet of clearing per lot. For lots with less than 10,000 sq. feet of clearing per lot, the lot sizes in parentheses shall apply.

Draft 3/26/2026

Hydrologic Soils Group	50 feet	100 feet ← Buffer Width → 150 feet
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Hydrologic Soils Group	Average Slope within Buffer	Lot Size Acres	Lot Size Acres	Lot Size Acres
A	0-3%	3.3 (2.5)	1.6 (1.3)	.8 (.6)
A	3-8%	4.1 (3.1)	2.4 (1.9)	2. (.9)
A	8-15%	4.9 (3.8)	3.3 (2.5)	1.6 (1.3)
A	15-30%	6.1 (4.7)	4.9 (3.8)	3.7 (2.8)
B	0-3%	4.6 (3.0)	2.3 (1.5)	1.1 (.7)
B	3-8%	5.7 (3.7)	3.4 (2.2)	1.7 (1.1)
B	8-15%	6.8 (4.5)	4.6 (3.0)	2.3 (1.5)
B	15-30%	8.6 (5.6)	6.8 (4.5)	5.1 (3.3)
C – 1	0-3%	6.7 (3.9)	4.7 (2.8)	3.4 (2.0)
C – 1	3-8%	8.8 (5.1)	6.1 (3.6)	4.7 (2.8)
C – 1	8-15%	10.1 (5.9)	7.4 (4.3)	5.4 (3.2)
C – 1	15-30%	10.8 (6.3)	9.4 (5.5)	7.4 (3.3)
C – 2	0-3%	9.4 (5.5)	7.4 (4.3)	6.1 (3.6)
C – 2	3-8%	10.1 (5.9)	8.8 (5.1)	7.4 (4.3)
C – 2	8-15%	10.8 (6.3)	9.4 (5.5)	8.1 (4.7)
C – 2	15-30%	11.5 (6.7)	10.8 (6.3)	9.4 (5.5)

3 2. Subdivisions

In addition to the requirements of the Town of Richmond Subdivision Ordinance, the following provisions shall apply to new or expanded portions of subdivisions.

a. Phosphorus Control Requirement. Applicants for subdivision approval must show how they will comply with the phosphorus export standards of Subsection 1.

b. Fees. If, in the Planning Board's judgment, consulting services are required to evaluate the phosphorus impact of the proposed subdivision application, an additional fee shall be required based on the estimated costs of such consulting services. These funds may be used by the Town for reasonable costs contracted for by the Town through the Planning Board, which relate directly to the review of the phosphorus impact of the subdivision application.

c. Application Requirement. All subdivision applications utilizing buffer strips to meet the phosphorus export standards of Subsection 1 shall include:

d. 1. Buffer Location. A plan showing the location and dimensions of vegetated buffer strips, and classification of the buffer as wooded or non-wooded, to be designed and maintained in accordance with the buffer-maintenance provisions contained in Section 5.3 of DEP's Phosphorus Control Guide.

e. 2. Deed Restrictions. A copy of all covenants and deed restrictions, if any, to be placed on the amount of clearing on individual lots and by which vegetated buffer strips are to be permanently maintained.

f. 3. Buffer Maintenance. A written plan for the maintenance of buffer strips.

g. d. Minor Subdivisions. Minor subdivisions shall be deemed to comply with the phosphorus export standards of Subsection 1 if a permanent, vegetated buffer is located downhill from the developed portion of the lot according to the requirements of Subsection 2, Table 1 or Table 2, whichever applies. As an alternative to these tables, an applicant may prepare a phosphorus control plan as set forth for major subdivisions in paragraph ~~U.3.h~~ 2e below.

h. e. Major Subdivisions. Applications for major subdivisions shall include:

i. An Erosion and Sedimentation Control Plan prepared in accordance with the "Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices," prepared by the Cumberland County Soil and Water Conservation District and Department of Environmental Protection, March, 1991.

ii. A Phosphorus Control Plan to meet the phosphorus export standard of Subsection 1 and prepared in accordance with the methodology contained in DEP's Phosphorus Control Guide. A copy of supporting documents shall be submitted with the application, including the worksheets contained in DEP's Phosphorus Control Guide, engineering calculations, a site plan showing drainage patterns and buffer locations, and detailed construction specifications and diagrams for all structural measures. The Board shall require the use of vegetated buffers, limits on clearing and minimizing road lengths, and shall encourage other non-structural measures such as clustering and reduction in the number of lots, prior to allowing the use of high-maintenance structural measures such as wet ponds and infiltration systems.

i. f. Maintenance and Use of Buffer Strips, Other Measures. The applicant shall include provisions for monitoring, inspecting and maintaining vegetated buffer strips and other phosphorus control measures in accordance with DEP's Phosphorus Control Guide, including the buffer maintenance provisions contained in Section ~~2.D~~ 1.d.

4 3. Other Uses and Structures

In addition to requirements of the Town of Richmond Land Use Ordinance, applicants for permits and approvals for the following uses shall comply with all of the requirements of a major subdivision as set forth in Subsections 1 and 3 of this standard: 1) new or expanded portions of: mobile home parks, campgrounds, commercial (new development, or expansions of existing commercial structures in excess of 1500 square feet), hazardous or solid waste disposal facilities; and 2) new principal structures, other than single-family dwellings and duplexes, requiring a permit under the provisions of the Town of Richmond Land Use Ordinance. Property owners shall maintain vegetated buffer strips and other phosphorus control measures in accordance with DEP's Phosphorus Control Guide, including the buffer maintenance requirements contained in Subsection 1.d.

5 4. Administration

Within the watershed of Pleasant Pond, no new or expanded portion of a subdivision may be approved under the provisions of the Town of Richmond Subdivision Ordinance except in strict conformance with the provisions of this Ordinance; and no permit may be issued under the provisions of the Town of Richmond Land Use Ordinance for:

1. New or expanded portions of: mobile home parks, campgrounds, commercial (new development, or expansions of existing commercial structures in excess of 1500 square feet), hazardous or solid waste disposal facilities; or
2. New principal structures, except in strict conformance with the provisions of this Ordinance, provided that this requirement shall not apply to any existing residence or to any other existing structures or to new accessory structures.

U. Refuse Disposal

All owners and occupants shall provide for the disposal of all solid and liquid wastes on a timely basis and in a manner provided for by Federal and State law and the Town of Richmond ordinances.

V. Sanitary Standards

1. Sewer System. All sanitary sewage from new or expanded uses shall be discharged into the public sewage collection and treatment system when the system has adequate capacity to handle the projected waste generation and:
 - a. Such facilities are currently available at the lot line or:
 - b. If the public collection system is available by public right-of-way within one hundred (100) feet for a single-family home, duplex, or other use with a design sewage flow of less than five hundred (500) gallons per day or within three hundred (300) feet of a use with a design sewage flow of five hundred (500) or more gallons per day.

2. On-Site Disposal.

If the public system cannot serve or be extended to serve a new or expanded use, the sewage shall be disposed of by an on-site sewage disposal system

meeting the requirements of the ~~State Plumbing Code~~ **Maine Subsurface Wastewater Disposal Rules**.

- a. Engineered System. Any new on-site disposal of sewage involving the use of an "engineered system" as defined by the State Plumbing Code shall provide a backup location meeting the requirements of the Plumbing Code and of sufficient size to allow the installation of a replacement system to serve the use.
- b. When two or more lots or buildings in different ownership share a common subsurface disposal system, the system shall be owned and maintained in common by an owners' association. Covenants in the deeds for each lot shall require mandatory membership in the association and provide for adequate funding of the association to assure proper maintenance of the system.

3. Industrial, Commercial Waste

Industrial or commercial wastewaters may be discharged to public sewers only and in such quantities and/or of such quality as to be compatible with sewage treatment operations. The disposal of industrial or commercial wastewaters by means other than the municipal sewerage system shall comply with the laws of the State of Maine concerning water pollution. Such wastes may require pretreatment at the industrial or commercial site in order to render them amenable to public treatment processes.

W. Signs

1. General

All signs (~~as defined in Article 3 of this Ordinance~~) placed within the Town shall conform to State law and local ordinance. The following provisions of this section shall apply to all signs within the Town, except for signs by the Town, School District, or the State, unless otherwise stated within the Ordinance.

~~A sign, as defined in Article 3, of this Ordinance, is an object, device or structure, or part thereof, situated outdoors or displayed in a window, visible from a public and or a private way, free standing or attached, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location, by any means including words, letters, figures, design, symbols, advertising flags, banners, fixtures, colors, streamers, placards, illuminations or projected images. Each face of a sign shall constitute a separate sign except that a sign with two sign faces shall be counted as one sign.~~

2. Permit Required

A permit shall be required prior to installation of a sign or sign structure. Such application shall be submitted to the Code Enforcement Officer along with payment of the applicable fee listed in the Town of Richmond Fee Schedule. The application shall include the name and address of the sign owner, a scale drawing defining the proposed location relative to lot lines and roadway(s), design, dimensions and position of the sign and other information the CEO may require.

3. Non-Conforming Signs

Non-conforming signs may ~~may~~ **shall** receive normal maintenance and repair. Any change in size, construction, location or lighting of a sign in existence at the time of the adoption of this Ordinance shall constitute a new sign, and such changes shall be governed by the terms of this Section W.

4. Residential Uses

- a. Unless otherwise provided in this Section W, one (1) on-premise sign per lot is permitted. Such sign shall not be placed on the roof of the building and shall not be larger than 4 square feet.
- b. Rental vacancies may be advertised with a non-illuminated sign no larger than 4 square feet. Such signs shall be displayed only ~~during such times, as~~ **when** the rental property is vacant.
- c. The sale of real estate may be advertised by non-illuminated temporary signs, no larger than six (6) square feet in area. Each broker or person advertising the sale shall be permitted only one (1) sign on any premise, except property with frontage on more than one (1) right-of-way may display a sign on each right-of-way. All such signs shall be removed within thirty (30) days of closing.

5. Commercial, Industrial and Institutional Uses

- a. Signs shall relate to the premises on which they are located and only identify the occupants of the premises or advertise the service or goods available within the premises. Signs relating to goods and services sold on the premises shall be permitted, provided such signs shall not exceed six (6) square feet in area, and shall not exceed two (2) signs per premises. ~~Except~~ , **except** in the ~~I-295 Commercial Industrial District~~ **Highway Commercial District** such signs shall not exceed twenty-four (24) square feet in area. Signs relating to goods and services not rendered on the premises shall be prohibited.
- b. The total area of all signs displayed upon a single premise shall be a maximum of 100 sq. ft. and no one sign shall be greater than 32 sq. ft. in size, except that:
 - i. In the ~~Village Zone and Main Street Commercial~~ **Industrial** Districts, the total area of all signs displayed upon a single premise shall be a maximum of 50 sq. ft. and no one sign shall be greater than 24 sq. ft. in size; and
 - ii. In the ~~I-295 Commercial Industrial District~~ **Highway Commercial District**, the total area of all signs displayed upon a single premise shall be a maximum of 200 sq. ft. and no one sign shall be greater than 64 sq. ft. in size.
- ~~c.~~ **c.** Signs shall not be placed on a roof of any building, tree, fence or natural feature in its natural state.
- ~~d.~~ **d.** Free-Standing Signs. Freestanding signs shall be no higher than 16 feet vertical measure above the average ground level from the base of the sign, except for the ~~I-295 Commercial Industrial District~~ **Highway Commercial District** where the maximum vertical measurement shall be 25 feet. Limited in number to one per premises, the sign shall not interfere with the vision of the operators of vehicles entering or exiting from the premises. A freestanding sign shall not be ~~closer than ten (10) feet to~~ **within** the street right-of-way or ~~twelve (12) within ten (10) feet to~~ **of** either

of the side lot lines. Where an existing principal building is within fifteen (15) feet of the street right-of-way, a freestanding sign may be located no closer than two (2) feet from the street right-of-way.

f e. Attached Signs. Signs attached to the structure by way of frame or bracket, which overhangs a pedestrian sidewalk, shall not project more than six (6) feet from the structure face. Height clearance between the sign bottom and average grade at the base of the sign shall not be less than eight (8) feet. Signs attached to the structure without the use of overhanging frames or brackets shall not extend or project more than (12) ~~feet~~ inches from the structure surface. Cut out letters shall not project more than six (6) inches from the building.

6. Signs Relating to Sale of Gasoline

Signs depicting the daily cost of gasoline may not exceed the maximum square feet in area in said district and shall be incorporated into the principal sign on the property.

6 7. Sponsor Signs within Sporting Complexes

Sponsor signs shall be permitted in sporting complexes such as ball fields along fences to be viewed only from the complex area. Sponsor signs shall not exceed 24 sq. ft. in size.

7 8. Illumination

~~Internal illumination fixtures are prohibited.~~ Lighting fixtures shall be hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings. Illumination of signs shall be permitted only between the hours of 7:00 a.m. and 11:00 p.m., except that this time restriction shall not apply to the illuminated signs of emergency facilities and retail, commercial and industrial establishments during such hours as the establishments are lawfully open to the public or work hours are regularly in effect. Illuminating signs whose specific purpose is outlining any part of a building, such as a gable, roof, sidewalk or corner, are prohibited.

8 9. Prohibited Signs and Sign Parts

a. There shall be no moving signs or signs with moving parts.

b. No sign or sign parts shall be illuminated with changeable, flashing, moving, or animated-type lights.

~~c. No sign shall be internally illuminated.~~

d c. No sign shall be located off the site of the lot on which the related services are located, except as provided for in this Ordinance and except for directional signs

9. 10 Exempt Signs

Notwithstanding anything herein to the contrary, the following signs shall be permitted without limitation:

a. Flags and insignia of any government, not to exceed 64 square feet.

- b. Legal notices, identification, information, or directional signs erected or required by governmental bodies.
- c. Signs, not to exceed 3 square feet, directing and guiding traffic and parking on private property, but bearing no advertising matter or commercial identification.
- d. Yard and garage sale signs posted for less than three (3) days.
- e. Non-illuminated, temporary advertisements in windows or an exterior bulletin board, of goods, services and events not sold on the premises. A bulletin board shall not exceed more than one per premises or 24 sq. ft.; and
- f. Internally illuminated, changeable signs located within the ~~1-295 Commercial Industrial District~~ **Highway Commercial District**, if constructed in accordance with 23 M.R.S.A. § 1914 (11-A) and compliant with all other applicable requirements contained in ~~the~~ **this** Ordinance.

~~10~~ **11. Signs with Message Boards**

Signs with changeable message boards shall be permitted, but must conform to all other sections within this section and Ordinance.

~~14~~ **12. Official Business Directional Signs**

Any business may erect off-premises business directional signs in accordance with State Law and the standards of the Maine Department of Transportation. No official business directional signs shall be located along Main Street within the ~~Commercial~~ **Main Street Commercial Industrial** District.

~~12~~ **13. Portable Signs and Sandwich Board Signs**

Any business may use a single portable, free-standing sign, not to exceed ten (10) square feet, to place along the ~~road-side~~ **roadside** to advertise daily specials or announcements during business hours. ~~such~~ **Such** signs must be removed at the end of the ~~daily business day~~ **day**. Such signs shall not inhibit or impede vehicular or pedestrian traffic and must conform to all State and local laws and ordinances.

~~13~~ **14. Calculation of Sign Area**

Double faced signs shall be counted as one ~~(1)~~ sign and the area of only one ~~(1)~~ face shall be included in the total sign area.

~~14~~ **15. Temporary Signs**

Temporary signs, not to exceed 16 sq. feet in size, may be erected in conjunction with **an event or activity**, subject to the following limitations:

- a. Signs may be erected no sooner than thirty (30) days prior to the **event or activity**;
- b. Signs must be maintained in good condition and solidly affixed, and
- c. Signs must be removed within seven (7) days following the event or activity.

X. Storage of Materials

All materials stored outdoors shall be stored in such a manner as to prevent the breeding and harboring of insects, rats or other vermin. This shall be accomplished by enclosures in containers, raising materials above ground,

separation of material, prevention of stagnant water, extermination procedures or other means.

Exposed non-residential storage areas, exposed machinery, and areas used for the storage or collection of discarded automobiles, auto parts, metals or other articles of salvage or refuse shall have sufficient setbacks and screenings (such as a stockade fence or a dense evergreen hedge) to provide a visual buffer sufficient to minimize their impact on abutting residential uses and users of public streets.

All dumpsters or similar receptacles shall be located on level surfaces, which are paved or graveled. Where the dumpster or receptacle is located in a yard which abuts a residential or institutional use or a public street, it shall be screened by fencing or landscaping. The lids or openings shall be kept in a closed position except when the container is being filled or emptied.

Where a potential safety hazard to children is likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and maintained in good condition.

Y. Trailers

1. Maintenance and Use of Recreational Trailers

Recreational trailers are not required to meet the requirements under this ordinance for manufactured housing units. However, occupancy for over ~~four (4) months~~ **120 days** in a 12-month period is prohibited.

2. Office Trailers

Office trailers located in Richmond for more than fifteen (15) days shall require a building permit and shall be removed with thirty (30) days of completion of the project or expiration of the permit, whichever is sooner.

3. Construction Trailers

Construction trailers may be located on the construction site for length of the construction project and shall be removed after the construction is complete or terminated, whichever is sooner.

4. Agricultural Trailers

Agricultural trailers used for housing temporary or migrant workers are prohibited.

Z. Wildlife Habitat

No building or structure shall be located in high value wildlife habitat areas, including deer wintering areas, as identified in the Comprehensive Plan or by Maine Inland Fisheries & Wildlife, unless the applicant for a building permit can demonstrate that there is no suitable alternative location on the site for the building or structure.

The Board shall take into consideration that deer wintering areas, as delineated by the Town of Richmond Deer Wintering Areas map, shift on a seasonal basis, and actual field determination by an IF&W Biologist or Game Warden should be made to verify that these areas are currently being used as deer wintering habitat, and this determination should be made part of the review.

AA. Retail-Marijuana Cannabis

These standards apply to retail marijuana establishments, as those terms are defined in Article 3 of this Ordinance.

1. A retail-marijuana cannabis establishment may not be located within 1,000 feet of the lot lines of any of the following:

- a. a church, synagogue or other house of religious worship;
- b. a public or private elementary or secondary school;
- c. a residence;
- d. a day care facility;
- e. a public park or public recreational facility; or
- f. another retail marijuana cannabis establishment.

For purposes of this requirement, the distance shall be measured between any structure used as a retail-marijuana cannabis establishment and the lot line of the site of the use listed in subparagraph (a) through (f) above at their closest points.

2. A retail-marijuana cannabis establishment must have a separate driveway entrance, parking area and signage at least 200 feet from any driveway entrance or signage of any of the following:

- a. a church, synagogue or other house of religious worship;
- b. a public or private elementary or secondary school;
- c. a residence;
- d. a day care facility;
- e. a public park or public recreational facility; or
- f. another retail marijuana cannabis establishment or retail-marijuana social club.

3. A retail-marijuana cannabis establishment must have a continuous six (6) foot high solid fence along all boundary lines it has in common with any of the following:

- a. a church, synagogue or other house of religious worship;
- b. a public or private elementary or secondary school;
- c. a residence
- d. a day care facility;
- e. a public park or public recreational facility; or
- f. another retail-marijuana cannabis establishment.

4. All signage related to a retail-marijuana-cannabis establishment shall meet the requirements of the Land Use this Ordinance and shall not use any pictorial representations of any portion of a marijuana cannabis plant, products, by-products, or paraphernalia associated with the use or distribution of recreational retail-marijuana cannabis. No advertising that is designed to appeal to minors will be allowed.

5. No consumption of marijuana cannabis products within a retail-marijuana cannabis establishment will be allowed.

6. No sale of any other consumable products not containing marijuana cannabis (i.e., cigarettes, alcohol or edible products that do not contain marijuana

cannabis, such as sodas, candies and baked goods) **will be allowed**. No retail ~~marijuana~~ **cannabis** products that resemble candy that would otherwise be consumed by children **will be allowed unless compliant with 28-B M.R.S.A. as may be amended**.

7. No automatic dispensing machines that contain ~~marijuana~~ **cannabis products will be allowed**.

8. Retail ~~marijuana~~ **cannabis** establishments must be in a fixed location (i.e., no kiosks, trucks/carts or farm stands).

9. Odor management. For all retail ~~marijuana~~ **cannabis** establishments, the odor of ~~marijuana~~ **cannabis** must not be perceptible at the exterior of the building at the premises or at any adjoining use of the property. Retail ~~marijuana-cannabis~~ cultivation facilities must implement appropriate ventilation and filtration systems to satisfy the odor standard contained herein. Retail ~~marijuana~~ **cannabis** stores, retail ~~marijuana~~ **cannabis** product manufacturing facilities, and retail ~~marijuana~~ testing facilities are not required to install filtration equipment on the licensed premises but must satisfy the same odor standard contained herein. While the Town does not mandate any particular equipment specifications with regard to filtration, all retail ~~marijuana~~ **cannabis** establishments are strongly encouraged to adopt best management practices with regard to implementing state-of-the-art technologies in mitigating ~~marijuana~~ **cannabis** odor, such as air scrubbers and charcoal filtration systems.

10. Enclosed locked facilities and enclosed outdoor areas must ~~be~~ **have** sufficient locks to discourage theft and unauthorized entrance.

BB. Housing Opportunity Program

These standards apply to residential units that sought a permit after July 1, 2024.

1. Undeveloped Parcels

a. If the parcel is located inside a growth area as defined by the Town of Richmond Comprehensive Plan, or is located on public water and sewer, the owner of the parcel is permitted to have up to four (4) dwelling units. The third and fourth units may be located within a single structure or multiple structures.

b. If the parcel is located outside a growth area as defined by the Town of Richmond Comprehensive Plan and is not located on public water and sewer, the owner of the parcel may have up to two (2) dwelling units.

c. If the applicable dimensional requirements are met.

2. Developed Parcels

a. If the parcel contains one (1) existing dwelling unit, an additional unit may be constructed. This additional unit may be located within, attached to, or detached from the existing structure.

b. If the parcel contains two (2) or more existing dwelling units, no more additional units are allowed unless otherwise allowed under this ordinance.

c. If the applicable dimensional requirements are met.

3. Water and Wastewater Services

The owner of a housing structure must provide written verification to the Town of Richmond that the structure is connected to adequate water and wastewater services before the Town of Richmond may certify the structure for occupancy. Written verification must include:

- a. If a housing structure is connected to a public, special district, or other comparable sewer system, proof of adequate service to support any additional flow created by the structure and proof of payment for the connection to the sewer system;
- b. If a housing structure is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under 30-A M.R.S. §4221, as may be amended. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, Subsurface Wastewater Disposal Rules, as may be amended;
- c. If a housing structure is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
- d. If an accessory dwelling unit is connected to a well, proof of access to potable water, including the standards outlined in 01-672 C.M.R. Ch. 10 section 10.25(J), Land Use Districts and Standards. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

(END OF ARTICLE V)

ARTICLE 12 . RETAIL MARIJUANA CANNABIS

A. PURPOSE

The purpose of this Article is to provide for and regulate the issuance of local licenses for retail marijuana cannabis establishments as permitted and licensed by the State of Maine under the ~~Marijuana Legalization Act, 7 M.R.S.A. §§ 2441-2454~~ Cannabis Legalization Act, Title 28-B, as may be amended. The purpose of this Article is also to prevent the location of such facilities in close proximity to residences, day care centers, schools, houses of worship, public parks or recreational areas, or another retail marijuana cannabis establishment. The purpose of this Article is not to prohibit retail marijuana cannabis establishments from operating in the Town, but rather to regulate their location and manner of operation, while providing a reasonable opportunity for such businesses to exist.

B. AUTHORITY

This Article is adopted pursuant to the authority granted by 7 M.R.S.A. § 2449, as may be amended from time to time.

C. DEFINITIONS

For purposes of this Article, the terms "retail marijuana cannabis establishment" shall have the same definitions as set forth in 7 M.R.S.A. § 2442 Cannabis Legalization Act, Title 28-B, as may be amended. The term "retail marijuana cannabis establishment" shall include any "retail marijuana cannabis store," "retail marijuana cannabis cultivation facility," "retail marijuana cannabis products manufacturing facility," and "retail marijuana cannabis testing facility," as defined in 7 M.R.S.A. § 2442 Title 28-B 102, as may be amended.

D. LICENSE REQUIRED

1. A retail marijuana cannabis establishment shall not operate until it (a) is licensed by the State licensing authority pursuant to the requirements of 7 M.R.S.A. § 2447 Title 28-B, as may be amended; (b) receives Development Review approval from the Planning Board under Article 8; and (c) is licensed under this Article. An applicant may not operate a retail marijuana establishment without a State license, local license and all other necessary Town approvals.
2. A person or entity wishing to operate a retail marijuana cannabis establishment shall obtain an annual license (a) prior to opening the person or entity's establishment, and (b) prior to the expiration of the person or entity's current annual license. An application for the renewal of an expired license shall be treated as a new license application.
3. Subject to inspection by the CEO, Police Department and Fire Department for initial license and any renewal of license.
4. The application processing fee and annual license fee under this Article shall be as set forth in the Fee Schedule established by order of the Board of Selectmen. All license fees shall be paid annually.

E. APPLICATION; INVESTIGATION AND ISSUANCE OF LICENSE

1. Application. An applicant for a retail ~~marijuana~~ **cannabis** establishment license shall:
 - a. Complete and file an application prescribed by the Richmond Board of Selectman;
 - b. Deposit the annual license fee along with a processing fee in advance with the Town Clerk;
 - c. Submit the completed application to the Town Clerk, together with attested copies of the articles of incorporation and bylaws, if the applicant is a corporation or limited liability company, evidence of partnership, if a partnership, or articles of association and bylaws, if the applicant is an association, as well as a list of all officers, directors, managers and employees;
 - d. File a sworn affidavit, which states the names of all owners, officers, managers or partners of the applicant, and their places of residence at the time of the application and for the immediately preceding three (3) years;
 - e. Furnish information with the application (i.e. date of birth and social security number) necessary to allow the Town to perform criminal background checks on the applicant and each officer, owner, manager or partner of the applicant;
 - f. Submit evidence of right, title or interest in the premises in which the retail ~~marijuana~~ **cannabis** establishment will be sited, along with the written consent of the owner of the premises for such use if the applicant is not the owner;
 - g. Submit proof of insurance with coverage limits meeting the requirements set forth in the application form; and
 - h. State the date of initiation of the retail ~~marijuana~~ **cannabis** establishment and the nature of the business with a description of the nature of all products and services that will be offered to customers.
 - i. Provide development review approval from the Planning Board under Article 8
2. Investigation of applicant, officers. Upon receipt of an application or notice of a change of the owners, officers, managers or partners of the applicant:
 - a. The Town Clerk, upon receipt of a completed application, shall immediately send a copy of the complete application to the Town officials referenced in subparagraphs (b) through (f) below. The Town Manager shall also immediately consult with the Chairman of the Select Board and then arrange for public notice of a public hearing on the application in a newspaper of general circulation in Sagadahoc County and by mail to owners of lots within 1,000 feet of the proposed location of the structure, at least ten (10) days prior to the public hearing before the Board of Selectmen. Notice of the public hearing shall also be posted on a sign in a conspicuous place on the premises identified in the local license application. The costs of publication, certified mail postage, and other expenses related to the hearing shall be paid from the application processing fee. After receipt of required reports from Town officials, the Town Manager shall forward the application and other documents to the Select Board for public hearing and final decision. The hearing shall be held within thirty (30) days

after receipt of a complete application by the Board of Selectmen and a decision shall be made within three (3) business days thereafter.

- b. The Health Officer, within fifteen (15) days of notice, shall inspect the location or proposed location to determine whether the applicable laws relating to health and safety have been satisfied and then report findings in writing to the Board of Selectmen;
- c. The Fire Chief, within fifteen (15) days of notice, shall inspect the location or proposed location of the business to determine if applicable State and fire and safety regulations have been satisfied and then report findings in writing to the Board of Selectmen;
- d. A constable or other law enforcement officer shall investigate the applicant, including the criminal history record information required under Section E.1.e, and then report findings in writing to the Board of Selectmen; and
- e. The Code Enforcement Officer, within fifteen (15) days of notice, shall verify that the proposed premises of the establishment will comply with Section J of this Article and with all other applicable State and local laws and regulations and then report findings in writing to the Board of Selectmen.

3. Issuance of license.

- a. The Board of Selectmen, after notice and public hearing, shall determine whether the application and documents submitted comply with all requirements of this Article. The license shall be issued by the Board of Selectmen, based upon the record, including evidence and testimony at the public hearing, that the application meets the requirement of this Article.
- b. Any licenses issued under this Article may not be transferred or assigned to a new owner. Any change in ownership or change in the officers of an owner shall require a new license.
- c. Licenses are limited to the location of the premises for which they are issued and shall not be transferable to a different location. A licensee who seeks to operate in a new location shall acquire a new license for that location.
- d. The Board of Selectmen shall have the authority to impose any conditions on a license that may be necessary to ensure compliance with the requirements of this Article or to address concerns about operations that may be resolved through the conditions. Such conditions may include, but are not limited to, restrictions on the hours of operation and requirements for security measures such as security cameras, locks, etc. The failure to comply with such conditions shall be considered a violation of the license.

F. STANDARDS FOR DENIAL

An application for a retail marijuana cannabis establishment license shall be denied by the Board of Selectmen in the following circumstances:

1. the applicant is a corporation or other legal entity that is not authorized to do business in the State of Maine;
2. the applicant is an individual who is less than 21 years of age;
3. the applicant has submitted an incomplete application, knowingly made an incorrect statement of a material nature, or failed to supply additional information required by the Board of Selectmen that is reasonably necessary to determine whether the license is issuable;
4. the applicant, if an individual, or any person having an ownership or management interest, if a corporation or other legal entity, has been denied a retail ~~marijuana~~ **cannabis** establishment license for knowingly making an incorrect statement of a material nature within the immediately preceding five (5) years;
5. the applicant, if an individual, or any person having an ownership or management interest, if a corporation or other legal entity, has had a license granted pursuant to this Article or a similar ordinance provision in any other municipality revoked for any reason during the immediately preceding five (5) years;
6. the applicant, if an individual, or any person having an ownership or management interest, if a corporation or other legal entity, has been convicted of a disqualifying drug offense. For purposes of this subparagraph, "disqualifying drug offense" means a conviction for a violation of a State or federal controlled substance law that is a crime punishable by imprisonment for five (5) years or more. "Disqualifying drug offense" does not include an offense for which the sentence, including any term of probation, incarceration or supervised release, was completed ten (10) or more years prior to application for licensure or an offense that consisted of conduct that is permitted under this Article;
7. the site on which the retail ~~marijuana~~ **cannabis** establishment is proposed is a prohibited site under Section J of this Article;
8. the applicant has failed to acquire all necessary State approvals and other required local approvals; or
9. the application in any other way fails to meet the requirements of this Article.

G. STANDARDS FOR SUSPENSION; REVOCATION

A license for a retail ~~marijuana~~ **cannabis** establishment may be suspended or revoked by the Board of Selectmen after notice and hearing upon a finding that the license has violated any provision of this Article.

H. AGE RESTRICTION

No retail ~~marijuana~~ **cannabis** establishment may permit any person less than 21 years of age on the premises in which the retail ~~marijuana~~ **cannabis** establishment is located. All managers and all employees of any retail ~~marijuana~~ **cannabis** establishment must also be at least 21 years of age.

I. DISPLAY OF LICENSE

A retail ~~marijuana~~ **cannabis** establishment or ~~retail marijuana social club license~~ shall display the retail ~~marijuana~~ **cannabis** establishment license at all times in an open and conspicuous place in

the retail marijuana cannabis establishment for which the license has been issued. A retail marijuana cannabis establishment shall also display at all times in an open and conspicuous place in the retail marijuana cannabis establishment a complete list of the names of owners and officers of the retail marijuana cannabis establishment and a complete list of fees, prices and charges for all food, beverages, goods, wares, merchandise or services offered by the business.

J. PROHIBITED SITES, SITE REQUIREMENTS

1. The location of any proposed retail marijuana cannabis establishment shall comply with the zoning requirements set forth in Article 4 of the Land Use Ordinance.
2. The location and operation of any retail marijuana cannabis establishment shall comply with the performance standards set forth in Article 5(AA) of the Land Use Ordinance.

K. ENFORCEMENT

The owner of the premises on or in which the retail marijuana cannabis establishment is located, who is not the licensee of the retail marijuana cannabis establishment, is jointly and severally liable with the licensee for any violation of this Article. The Article shall be enforced by the Code Enforcement Officer, in conjunction with the Board of Selectmen. In any court action, the Town may seek injunctive relief in addition to penalties. If court action is required to enforce this Article, the Town shall be awarded its enforcement costs, including its reasonable attorney's fees.

L. VIOLATIONS AND PENALTIES

The operation of any retail marijuana cannabis establishment without the required local license or in violation of any of the requirements of this Article shall be a violation of this Article. Violations shall be subject to fines in the amount of \$1,000.00 per violation. Each day of a violation shall constitute a separate violation. Any such fine may be in addition to any suspension or revocation imposed in accordance with the provisions of this Article.

M. SEVERABILITY

If any section, phrase, sentence or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, district and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

N. INDEMNIFICATION

1. By accepting a license issued pursuant to this Article, the licensee waives and releases the Town, its officers, elected officials, employees, attorneys and agents from any liability for injuries, damages or liabilities of any kind that may result from any arrest or prosecution of business owners, operator, employees, clients or customers for a violation of State or federal laws, rules or regulations.
2. By accepting a license issued pursuant to this Article, all licensees, jointly and severally if more than one, agree to indemnify, defend and hold harmless the Town, its officers, elected officials, employees, attorneys, agents and insurers against all liability, claims and demands on account of any injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner

connected with the operation of the retail marijuana ~~cannabis~~ establishment that is the subject of the license.

O. OTHER LAWS

Except as otherwise specifically provided herein, this Article incorporates the requirements and procedures set forth in the ~~Marijuana Legalization Act, 7 M.R.S.A. §§ 2441-2454~~ **Cannabis Legalization Act, Title 28-B**, as may be amended, and regulations promulgated thereunder. In the event of a conflict between the provisions of this Article and the provisions of the Marijuana Legalization Act or any other applicable State law or regulation, the more restrictive provision shall control.

P. APPEALS

An appeal from any final licensing, denial, suspension or revocation decision of the Planning Board or Board of Selectmen may be taken by an aggrieved party to Superior Court in accordance with the provisions of Rule 80B of the Maine Rules of Civil Procedure.

Q. EFFECTIVE DATE

~~This Article shall take effect as of November 8, 2017. However, no application for any license shall be accepted by the Town until the effective date of regulations promulgated and adopted by the State pursuant to 7 M.R.S.A. § 2444(2).~~

(END OF ARTICLE 12)

Draft 3/16/2020