

# **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 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<sup>PS</sup> Yes, subject to Performance Standard in Article 5
- Y<sup>SPS</sup> 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
<b>1. Rural</b>							
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	Y	Y	Y (1)	Y (1)
Uses which are similar to above uses			DR	DR	DR	Y (2)	Y (2)
Public or Private Outdoor Recreation Facility			DR	DR	Y	Y	Y
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

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- Y<sup>PS</sup> Yes, subject to Performance Standard in Article 5
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CATEGORY OF USES	ZONES						
			AG	V	R	CI	HC
<b>2. Residential</b>							
One and two family residential			CEO Y	CEO	CEO	CEO	CEO
Manufactured Housing			Y <sup>PS</sup>	Y (2)	Y <sup>PS</sup>	Y <sup>PS</sup> (3)	Y <sup>PS</sup>
New location of Older Mobile Homes (4)			N	N	N	N	N
Conversion from seasonal to year around			CEO	CEO	CEO	CEO	CEO
Multi-family Dwelling			N	DR Y <sup>PS</sup>	DR Y <sup>PS</sup>	DR Y <sup>PS</sup>	N
Planned Unit or Cluster Development			DR	NO	DR	N	N
Mobile Home Park			N	N	DR	N	N
Accessory Uses & Structures			Y	DR	DR	DR	DR Y
Home Occupations			Y	CEO	Y	Y	Y
Similar Uses as Above			CEO	CEO	CEO	CEO	CEO

(2) Manufactured Housing is allowed in Village except in the following area henceforth referred to as "Village" bounded by Kennebec River and the South side of the rail road tracks from the Richmond-Dresden Bridge to Kimball, Alexander-Reed Williams, Main, Cross, Beech, High, to the Bowdoinham line 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) Manufactured housing (see Definition Article 3 of this Ordinance) is prohibited from the Commercial-Industrial District located on Main Street from Williams Street easterly to Front Street.

(4) Older Mobile Homes are those which are more than 15 years old at the time of proposed location to a new site. They are allowed to be located in Mobile Home Parks as long as they meet the 1974 Housing and Urban Development (HUD) standards

**Keys to Tables:**

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CATEGORY OF USES	ZONES						
			AG	V	R	CI	HC
<b>3. Commercial &amp; Industrial</b>							
Automobile Graveyards and Junk Yards			DR	N	N	DR	DR
Facilities & Activities which are functionally Water Dependant			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 Y <sup>SPS</sup>	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 <sup>PS</sup>	Y <sup>PS</sup>	Y <sup>PS</sup>	Y <sup>PS</sup>	Y <sup>PS</sup>
Filling and earth moving >100 cubic yards			CEO	CEO	CEO	CEO	CEO
Accessory Uses & Structures			DR	DR	DR	DR	DR

CATEGORY OF USES	ZONES						
			AG	V	R	CI	HC
<b>3. Commercial &amp; Industrial</b>							
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 Y <sup>SPS</sup>	DR
Retail or wholesale businesses and service establishments			DR	DR	DR	DR	DR
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 sps	DR	CEO
Motor Vehicle Sales, New and Used			DR	DR	DR	DR	DR

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CATEGORY OF USES	ZONES						
			AG	V	R	CI	HC
<b>4. Public, semipublic &amp; institution</b>							
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			Y <sup>PS</sup>	N	N	Y <sup>PS</sup>	Y <sup>PS</sup>

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



**Keys to Tables:**

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CATEGORY OF USES	ZONES						
	RP	SH	AG	V	R	CI	HC
<b>5. Other Uses</b>							
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			NA	CEO	NA	NA	NA
Temporary				Y <sup>SPS</sup>			
Permanent				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 of this Article

**3. Dimensional Standards in Agricultural District**

Agriculturally related residential use Minimum Lot Size	60,000 sq. ft.
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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 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 for fire engines. CEO will inspect annually.
- d. No building shall be located on the stem.
- e. The lot shall be used solely for a single family home or duplex.
- f. The lot is not part of a sub-division nor shall it create a sub-division.

## **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 insure 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.

### **2. 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

**3. Village Districts Dimensional Standards (1)**

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**

1. Buffer Between Districts

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

2. 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

4. 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 Planning Board based upon a review by a registered architect. Other buildings shall have their façade approved by the Code 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 subdistrict of the Village called the 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: 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. 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 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:

- 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: 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.
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- 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

a. 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.

**1. Purpose**

- a. To provide for the public health and safety, environmental quality, and economic well being of the community.
- b. 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.
- c. To provide areas for commercial, public and semipublic uses compatible with and necessary to residential development.

**2. Location**

The Zoning Map as last amended in 1985 shows 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 197 and 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	20,000 sq. ft
- without Public Sewer	40,000 sq. ft.
Minimum Lot Area Size Per Dwelling Unit in Sq. Feet	
- with Public Sewer	10,000 sq. ft.
- without Public Sewer	20,000 sq. ft.
- Multi-family with no sewer is not permitted	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.

##### 2. 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.
- d. No building shall be located on the stem.
- e. The lot shall be used solely for a single family home or duplex.
- f. The lot is not part of a sub-division nor shall it create a sub-division.



**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 Subdistrict: 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**

<b>Buildings</b>	<b>With Sewer</b>	<b>Without Sewer</b>
<u>Minimum Lot Area</u>		
Existing Residential	Not Applicable	Not Applicable
New Residential	10,000 sq. ft. (2 <sup>nd</sup> floor & up)	20,000 sq. ft (2 <sup>nd</sup> 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 <sup>nd</sup> floor & up)	Not Permitted
New Multi-Family Dwellings (3 or more units)	3,000 sq. ft. per dwelling unit (2 <sup>nd</sup> 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 &amp; 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

#### 4. Special Performance Standards

All uses in the district shall conform to the applicable performance standards of Article 5. And the establishment of all residential uses within the Main Street Commercial- Industrial Subdistrict 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.
- (2). **Landscaping:** the property owner or leaser of property shall maintain the green strip pursuant to the landscaping plan as approved by the planningboard.

## 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.

### 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 Subdistrict 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:

- a. Each residential unit shall be a complete dwelling unit with its' own kitchen, bathroom, and facilities for sleeping and eating.
- b. Each dwelling unit shall have a minimum of four hundred fifty (450) square feet of living area.
- c. Each dwelling unit shall have an individual entrance from the outside or common hallways.
- d. The residential units shall not be located on the street or ground floor as defined from the Main Street facade of the building.
- e. 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.
- f. 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.
- g. The proposed use will comply with the off-street parking requirements of Article 5 of this Ordinance
- h. No off-street parking for the residential use shall be located between the building and the front property line.
- i. 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
- j. 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). Remodeled or Altered Buildings in the Village District and Maine Street Subdistrict**

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:

- 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: 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. 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 ( $\frac{1}{2}$ ) mile from the end of the I-295 off ramp; thence northerly five-eighths ( $\frac{5}{8}$ ) 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 ( $\frac{1}{2}$ ) 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.

**3. Dimensional Standards for Highway Commercial**

Minimum Lot Size	
Residential	20,000 sq. ft.
Commercial/Industrial	2 acres
Minimum Road Frontage	150 ft.
Minimum Setbacks	
Front setback	75 ft.
Side Setback	10 ft.
Rear Setback	10 ft.
Maximum Height	35 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 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 Route 125 or 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