Proposed amendments are in blue and red. Blue text is proposed new text. Red are deletions of existing text.

Minor formatting to the tables is not shown in blue or red.

If adopted these amendments will be inserted into the Land Use Ordinance with page numbers and the table of contents adjusted to be consistent with the Ordinance layout.

ARTICLE I. GENERAL PROVISIONS
Table 2.5.1 Land Uses by District (Page 4) *(Amended 2020)*

<table>
<thead>
<tr>
<th>Yes – Allowed Use</th>
<th>S/CEO – Site Plan Review by CEO</th>
</tr>
</thead>
<tbody>
<tr>
<td>P/CEO – Permit from CEO Required</td>
<td>S/PB – Site Plan Review by Planning Board</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Category</th>
<th>Growth Districts</th>
<th>Rural Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Village</td>
<td>Light Industrial</td>
</tr>
<tr>
<td>21 Golf course/clubhouse</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>23 Grocery, supermarket</td>
<td>S/PB</td>
<td>NO</td>
</tr>
<tr>
<td>24 Hospital</td>
<td>S/PB</td>
<td>NO</td>
</tr>
<tr>
<td>26 Kennel</td>
<td>NO</td>
<td>S/PB</td>
</tr>
<tr>
<td>27 Laundry, dry cleaning business</td>
<td>S/PB</td>
<td>NO</td>
</tr>
<tr>
<td>29 Reserved</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 Reserved</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31 Reserved</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32 Motor vehicle fueling station</td>
<td>S/PB</td>
<td>NO</td>
</tr>
<tr>
<td>33 Motor vehicle sales</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>34 Motor vehicle service and repair</td>
<td>S/PB</td>
<td>S/PB</td>
</tr>
<tr>
<td>35 Neighborhood convenience store</td>
<td>S/PB</td>
<td>NO</td>
</tr>
<tr>
<td>36 Nursing home, convalescent home</td>
<td>S/PB</td>
<td>NO</td>
</tr>
<tr>
<td>37 Pet shop</td>
<td>S/PB</td>
<td>NO</td>
</tr>
<tr>
<td>38 Redemption center</td>
<td>NO</td>
<td>S/PB</td>
</tr>
<tr>
<td>39 Reserved</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40 Reserved</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Accessory structures or uses that are essential for the exercise of uses listed above are permitted in the same fashion as the primary structure or use on the lot, and require review under the same reviewing authority, excepting that accessory structures less than 1,000 square feet in floor area, such as garages and sheds, may be permitted through the CEO.
Notes to Table 2.6.1 Dimensional Requirements

4 Structure Setbacks from Lot Lines:

f. Exceptions for Accessory Buildings Structures Associated with Buildings Lawfully Existing as of (date of enactment of this amendment):

1) When located beyond the rear of the principal building, an accessory building structure no larger than 450-200 square feet in floor area may be located closer to the property line than the required minimum side or rear lot line setbacks in Table 2.6.1, but in no case shall the accessory building structure be located less than 5 feet from a side or rear lot line; 2) When located within the Village District, Hamlet District, or the Downtown District, a single story, accessory building structure of up to 576 square feet (such as a 24’ x 24’, 2-car garage, carport, addition, or deck) may be located closer to the property line than the required minimum side or rear lot line setbacks in Table 2.6.1, but in no case shall the accessory building structure be located less than 5 feet from a side or rear lot line. (Amended 2020)

Section 5.2 Permits Required

It shall be unlawful, without first obtaining a permit from the appropriate reviewing authority, to engage in any activity, or use of land or structure, requiring approval in the Land Use District in which such activity or land use would occur; or to expand, change, or replace an existing land use or structure; or to renew a discontinued nonconforming land use.

5.2.1. Permits Required. Permits shall be required for the following:

A. All buildings or structures, or signs hereinafter erected, altered, enlarged, moved, or demolished in the Town of Dover-Foxcroft.
B. The installation or construction of a dwelling unit, mobile home, or manufactured home.
C. The installation or construction of any non-residential building or structure.
D. An expansion of any nonconforming use or structure.
E. Conversion of a single-family dwelling into a two-family or multi-family dwelling.
F. A change of use to one another use that is allowed in a particular land use district. (Amended 2020)
G. New or expanded land use activity as listed in Article II, Table 2.5.1 (Land Use by District).
H. Any activity listed in the Article II, Table 2.5.1 (Land Use by District) that requires review.
I. The installation of internal plumbing and subsurface wastewater systems.
J. Any development within the regulated floodplain pursuant to the Floodplain Ordinance.
K. The installation of any above-ground, inflatable swimming pool that is 24 inches in height or more.
KL. The installation of fencing that is 7 feet in height or more.
LM. Any activities or development within the Shoreland Zone pursuant to this Ordinance or the Town of Dover-Foxcroft Shoreland Zoning Ordinance.
MÑ. Any subdivision of land or structures pursuant to this Ordinance or the Town of Dover-Foxcroft Subdivision Ordinance.
NO. The construction or enlargement of a road, driveway, entrance way, and associated drainage features such as culverts, basins and similar features.
Section 5.3 General Requirements and Provisions for Issuing Permits

5.3.8 Public Notice: Minimum Requirements.
A. Public notice shall be provided for all meetings, site visits, and hearings of the Planning Board and the Board of Appeals.
B. Public notices for Site Plan Review and Board of Appeals meetings/hearings shall include a description of the proposal, the applicant’s name, the availability of the application for public inspection, and the date, time, and place of the meeting or hearing at which the application or appeal will be considered. Notices shall be provided at least 7 days prior to the public meeting/hearing.
C. Public notice for Planning Board Site Plan Review and Board of Appeals meetings and hearings shall include the following:
   1. Notice in a newspaper of general circulation in Dover-Foxcroft at least 7 days prior to the meeting/hearing.
   2. A notice posted on the Town’s website and at the Town Office, along with a copy of the application to be considered.

Section 6.3 Site Plan Review Procedures

6.3.3 Public Hearing on Development Applications. (Amended 2020)
A. Major and Mega Developments. At least one public hearing shall be held for all major and mega developments undergoing Site Plan Review by the Board.
B. Minor Developments. A public hearing is not required for minor developments undergoing Site Plan Review, unless the Board decides a hearing is necessary to determine compliance with this Ordinance. The following may be considered by the Board in making this determination:
   1. The property or use was not lawfully existing as of the date of the application;
   2. The proposed use might have a greater adverse impact on the subject or adjacent properties and resources than the existing use with respect to public health and safety, noise, lighting, traffic, pollution, hours of operation, or other impacts not typically found in the land use district in which it is located;
   3. The proposal would make the parcel, use or structure more nonconforming with the standards of this Ordinance; and
   4. Abutters have raised concerns, such as those in Section 6.3.3.2.
CB. The applicant shall, at least 15 days prior to the scheduled public hearing, submit 8 copies of the application including all maps and attachments to the CEO.
DC. Public Notice shall be given as required in Article V, 5.3.8 (Public Notice: Minimum Requirements)
ARTICLE VIII. SPECIAL ACTIVITY OR DISTRICT PERFORMANCE AND DESIGN STANDARDS

Section 8.11 Reserved

Section 8.12 Motor Vehicle Service and Repair

8.11.1 Standards. The following standards are required for all motor vehicle service and repair businesses:

A. A buffer strip, fencing, and landscaping pursuant to Section 7.11 Buffer Strips and Landscaping may be required where necessary to physically separate and screen a motor vehicle service and repair business, including outdoor storage areas, from residential uses, public parks and playgrounds, and other non-compatible land uses.

B. Setbacks from adjacent property lines greater than those in Table 2.6.1 may be required to physically separate and screen a motor vehicle service and repair business including outdoor storage areas from residential uses, public parks and playgrounds, and other non-compatible land uses. These setbacks shall be based on the location, adjacent uses, natural features, and other relevant factors.

C. No motor vehicle undergoing repair shall be located within 300 feet of a well that serves as a public or private water supply, as provided by 30-A M.R.S. §3754-A(4), as amended. This prohibition does not include a private well that serves only the motor vehicle and repair business or the owner's or operator's abutting residence.

D. All fluids, including, but not limited to, engine lubricant, transmission fluid, brake fluid, battery acid, 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. Fluids that are no longer in use shall be disposed of in a timely and environmentally sound manner.

E. Applicants must demonstrate compliance with all federal and state laws and regulations, including, but not limited to, those regulating solid waste, tires, waste oil, and hazardous waste. (Note: Maine Waste Management Laws, 38 M.R.S., Chapter 13)

F. Any Motor vehicle service and repair business that includes a junkyard, automobile graveyard or automobile recycling business shall also comply with Section 8.6 Junkyards, Automobile Graveyards, and Automobile Recycling Businesses.
SUMMARY
Proposed Amendments to the Town of Dover-Foxcroft Land Use Ordinance
Draft 5/12/2020

What is the purpose of the amendments?

• The Dover-Foxcroft Land Use Ordinance was adopted on June 11th, 2019.
• The Ordinance is designed to streamline approval for smaller projects through Code Enforcement Officer permitting and require Planning Board review for larger projects.
• Recent experience has indicated the need to make it easier and faster for some small projects, while still providing the flexibility necessary adequate review where warranted.
• The proposed amendments will make it easier and faster to get approval for these small projects with approval from the Code Enforcement Officer.
• The amendments also will provide more flexibility for the Code Enforcement Officer and Planning Board to work together to adjust the permitting process to address the size and potential impacts of projects, with protections for neighbors and neighborhoods built into the process.
• Performance standards were added to address motor vehicle service and repair businesses so they could be allowed in more areas of the community.
• Other minor corrections we made to the text of the Ordinance.