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

Section 1.5 Conflicts with other Ordinances and Laws

1.5.1 Conflicts within this Ordinance. Where the provisions in one part of this Ordinance conflict with those in any other part of this Ordinance, the more restrictive provisions shall apply except where expressly provided otherwise. Nothing in this Ordinance shall be interpreted to supersede the provisions of a more restrictive local, state, or federal law, rule, ordinance or regulation. (Amended 2020)

1.5.2 Relationship to Other Laws. Nothing in this Ordinance shall be interpreted to supersede the provisions of a more restrictive local, state, or federal law, rule, ordinance, or regulation. Compliance and/or approvals pursuant to other local, state, or federal laws, rules, or regulations may be submitted as evidence of compliance with this Ordinance; however, the municipal reviewing authority shall not be bound by any prior compliance/approvals associated with these other laws in making an independent determination of compliance with the standards of this Ordinance. (Adopted 2020)

Section 1.12 Definitions

1.12.2 Definitions. In this Ordinance, the following terms shall have the following meanings:

Mega Land Use Development, Mega Project, or Mega Land-Use Development: A large-scale project or development that can have very substantial impacts on the community. Note: This definition is a placeholder until amendments are made to define these types of uses. Mega Land Uses are prohibited until these amendments are adopted. (Amended 2020)
ARTICLE II. LAND USE DISTRICTS

Section 2.5 Land Uses by Land Use District (Table 2.5.1)

Table 2.5.1 Land Uses by District (Page 8)

<table>
<thead>
<tr>
<th>Yes – Allowed Use</th>
<th>P – Permit from CEO Required</th>
<th>No – Prohibited Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mega Uses</td>
<td>Growth Districts</td>
<td>Rural Districts</td>
</tr>
<tr>
<td>Mega Uses</td>
<td>Village</td>
<td>Light Industrial</td>
</tr>
<tr>
<td></td>
<td>Industrial</td>
<td>Downtown</td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td>Hamlet</td>
</tr>
<tr>
<td></td>
<td>Hamlet</td>
<td>Rural Residential</td>
</tr>
<tr>
<td></td>
<td>Hamlet</td>
<td>Farm and Forest</td>
</tr>
<tr>
<td>1 Reserved</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Reserved</td>
<td></td>
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<td>4 Reserved</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Reserved</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Table 2.5.1 (Land Uses by District – Page 8) “Mega Land Uses” is reserved for any future amendments designed to address specific types of mega land uses, shall be amended to include reference to any Mega Projects, upon the adoption of Land Use Ordinances Pertaining to Mega Projects. (Amended 2020)
SUMMARY

Amendments to the Town of Dover-Foxcroft Land Use Ordinance
Pertaining to the Regulation of Mega Land Uses
Draft 5/12/2020

What is a Mega Land Use?

A large-scale project or development that can have very substantial impacts on the community. (Examples: large-scale - water extraction, highway/utility corridor, wind and solar energy, mining, resort, etc.) These specific uses will need to be defined in future amendments to the Land Use Ordinance.

What is the Purpose of the Proposed Amendments?

• To establish clear guidelines and standards for Mega Uses so the Town can protect the public health, safety, and welfare
• To prevent or minimize any potential adverse effects on the Town
• To support the Vision, Goals and Policies of the Comprehensive Plan

Phase I Amendments: What does this mean?

These “Phase I” amendments establish basic standards for any “mega land use”. They do not define or include standards for any specific type of mega land use (corridor, wind, etc), nor do they allow any type of mega land use. These specific uses will need to be defined in future amendments to the Land Use Ordinance.

“Phase II” amendments will need to be adopted by the Town to address specific types of mega land uses, but the Town will have Phase I provisions in place to be better prepared.

What do these amendments include?

➢ A More Thorough Review Process with Extensive Public Input
  • An Applicant must hold an initial public meeting to present a project and get public feedback
  • Three stage review process, Planning Board Meetings, Public Meetings and Hearings
  • Planning Board can hire its own experts to assist in its review (paid for by the applicant)

➢ Requirements to Address:
  • Environmental Protection (air & water quality, stormwater, wildlife habitat, scenic character, etc.)
  • Noise, setbacks, buffers, blasting, nuisances
  • Public services and facilities, emergency services, public roads, traffic, solid waste
  • Impact and alternatives analysis, mitigation (economic, land values, natural resource, etc.)
  • Significant tangible benefits to the town (economic, capital improvements, etc.)
  • Technical and financial capacity to construct and operate the project
  • Performance guarantees to ensure project meets regulatory standards
  • Decommissioning and site restoration, in case project is shut down permanently
  • Ongoing licensing requirements
  • Complaint protocol to address public concerns as they arise
  • Liability insurance