

## 2022 ZONING AMENDMENTS

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22-01

Land Use Ordinance, Article 6(B)(1)(b) – Powers and Duties  
Land Use Ordinance, Article 6(D) – Reductions From Minimum Setbacks  
Shoreland Zoning Provisions, Section 16(G)(2) – Variance Appeals  
*Removal of the Setback Reduction Variance option*

22-02

Land Use Ordinance, Article 9 – Minimum Standards  
Land Use Ordinance, Article 12 – Applicability and Definition of Terms Used in this Ordinance  
Shoreland Zoning Provisions, Section 17 – Definitions  
*Adoption of language specific to Solar Energy Systems*

22-03

Land Use Ordinance, Article 9(A) – Conditional Uses  
Land Use Ordinance, Article 12 – Applicability and Definition of Terms Used in this Ordinance  
*Defining Outdoor Sales and Service, and amending the Conditional Use Standards*

22-04

Land Use Ordinance, Article 12 – Applicability and Definition of Terms Used in this Ordinance  
Shoreland Zoning Provisions, Section 17 – Definitions  
Subdivision Regulations, Article 3 – Definitions  
*Correcting inconsistencies with the definition of “structure” and “setback” across multiple ordinances*

22-05

Subdivision Regulations, Article 10(3)(B)(5)&(6) – Layout  
*Correcting an error that creates confusion as to which subsection a twenty-five (25) unit subdivision would need to adhere to*

22-06

Land Use Ordinance, Article 4 – District Regulations  
Shoreland Zoning Provisions, Section 14 – Table of Land Uses  
*Adding the permission of Solar Energy System use in certain districts*

22-07

Land Use Ordinance, Article 12 – Applicability and Definition of Terms Used in this Ordinance  
Shoreland Zoning Provisions, Section 17 – Definitions  
*Defining the term Outdoor Storage*

22-08

Land Use Ordinance, Article 13(C) § 4 – Space Standards  
*Reducing the cluster subdivision minimum lot size from 21,780 square feet to 20,000 square feet*

PROPOSED AMENDMENT OF

*the*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 6(B)(1)(b)– POWERS AND DUTIES  
ARTICLE 6(D) – REDUCTIONS FROM MINIMUM SETBACKS

&

*The*  
**SHORELAND ZONING PROVISIONS  
FOR THE TOWN OF RAYMOND, MAINE**

SECTION 16(G)(2) – VARIANCE APPEALS  
SECTION 16(G)(2) – VARIANCE APPEALS

**Summary of Changes:** This amendment to the Land Use Ordinance and Shoreland Zoning Provisions would require all applicants for a setback variance to meet the hardship requirements of a variance. The much more forgiving setback reduction option would be removed from both ordinances. A setback variance with less strict hardship criteria would replace the setback reduction in the Shoreland Zoning Provisions. This less strict variance already exists in the Land Use Ordinance.

The proposed text is shown in red with an underline, and revised or removed language is shown in ~~red with a strikethrough~~.

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**LAND USE ORDINANCE**

**Article 6(B)(1)(b) – Powers and Duties**

b. Subject to the provisions of this Ordinance, to hear and grant or deny applications for variances from the terms of the Land Use Ordinance. A variance may be granted for lot areas, lot coverage by structure, and setbacks. A variance shall not be granted to permit a use or structure otherwise prohibited, except for nonconforming uses, structures, and lots as described in Subsection d. below. Except as provided in Subsection c below, Aa variance can only be granted where undue hardship is proven. Undue hardship is defined to mean:

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**LAND USE ORDINANCE**

**Article 6(D) – ~~Reductions From Minimum Setbacks~~Reserved**

~~The Board of Appeals may grant reductions from the minimum setback requirements set forth in Article 4 of this Ordinance according to all of the following criteria:~~

- ~~1. Setback reduction appeals are only available to reduce the minimum requirements for setbacks of structures from lot boundary lines. Setback reduction appeals shall not be used, and are not available from bodies of water as provided in this Ordinance.~~
- ~~2. Setback reduction appeals may only be granted and are only available for lots with a residential dwelling as the principal structure.~~
- ~~3. The Board of Appeals may grant a setback reduction appeal if the Board finds that granting the setback reduction will not result in unreasonable interference with the privacy interests of the abutting landowners.~~
- ~~4. In granting a setback reduction the Board of Appeals may attach reasonable conditions, which it may deem necessary to serve the purposes of this Ordinance.~~
- ~~5. A setback reduction appeal shall not be granted to enable construction or renovation that will create additional dwelling units.~~
- ~~6. A setback reduction appeal shall not be granted to enable construction or renovation that will result in more than one garage on the lot that is the subject of the appeal.~~
- ~~7. No setback reduction appeal may be granted that will result in impervious surface lot coverage of greater than 15%.~~
- ~~8. Setback reduction appeals may only be granted the minimum extent necessary to accomplish the purpose of the appeal. Setbacks may not be reduced by setback reduction appeal to less than the following absolute minimum setbacks:~~

VR Zone	
Front yard	12 ½ feet
Side yard	10 feet *
Rear yard	10 feet *
R Zone	
Front yard	20 feet
Side yard	10 feet
Rear yard	10 feet
RR Zone	
Front yard	15 feet
Side yard	10 feet
Rear yard	10 feet

(\* See ordinance. [Adopted 3/18/00] [Amended 5/21/05]

**SHORELAND ZONING PROVISIONS**

**Section 16(G)(2)– Variance Appeals**

2. **Variance Appeals** – Except as provided in Section 16(G)(2)(f) below, Variances may be granted only under the following conditions:
- a. Variance may be granted only from dimensional requirements including but not limited to, lot width, structure height, percent of lot coverage, and setback requirements.
  - b. Variances shall not be granted for the establishment of any uses otherwise prohibited by these ordinance provisions.
  - c. The Board shall not grant a variance unless it finds that:
    - 1) The proposed structure or use would meet the provisions of Section 15 after for the specific provision which has created the non-conformity and from which relief is sought; and
    - 2) The strict application of the terms of these ordinance provisions would result in undue hardship. The term "undue hardship" shall mean:
      - i. that the land in question cannot yield a reasonable return unless a variance is granted;
      - ii. that the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;
      - iii. that the granting of a variance will not alter the essential character of the locality; and
      - iv. that the hardship is not the result of action taken by the applicant or a prior owner.

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**SHORELAND ZONING PROVISIONS**

**Section 16(G)(2)(f) – Minimum Setback Variance Appeals**

- f. To grant a setback variance for a single-family dwelling only when strict application of the Shoreland Zoning Provisions to the applicant and the applicant's property would cause undue hardship. The term "undue hardship" as used in this subsection means: The Board of Appeals may grant reductions from the minimum setback requirements set forth

~~in Section 15 (A) of these provisions according to all of the following criteria:~~

- ~~1) The need for the variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood;Setback reduction appeals are only available to reduce the minimum requirements for setbacks of structures from lot boundary lines. Setback reduction appeals shall not be used, and are not available from bodies of water as provided in these provisions.~~
- ~~2) The granting of the variance will not alter the essential character of the locality; Setback reduction appeals may only be granted and are only available for lots with an existing residential dwelling as the principal structure. [Amended 07/14/2020]~~
- ~~3) The hardship is not the result of action taken by the applicant or a prior owner;The Board of Appeals may grant a setback reduction appeal if the Board finds that granting the setback reduction will not result in unreasonable interference with the privacy interests of the abutting landowners.~~
- ~~4) The granting of the variance will not substantially reduce or impair the use of abutting property;In granting a setback reduction the Board of Appeals may attach reasonable conditions, which it may deem necessary to serve the purposes of these provisions.~~
- ~~5) That the granting of a variance is based upon demonstrated need, not convenience, and no other feasible alternative is available.A setback reduction appeal shall not be granted to enable construction or renovation that will create additional dwelling units.~~
- ~~6) This variance is strictly limited to permitting a variance from a set-back requirement for a single-family dwelling that is the primary year-round residence of the petitioner. A variance under this subsection may not exceed 20% of a setback requirement and may not be granted if the variance would cause the area of the dwelling to exceed the maximum permissible lot coverage. A setback reduction appeal shall not be granted to enable construction or renovation that will result in more than one garage on the lot that is the subject of the appeal.~~
- ~~7) No setback reduction appeal may be granted that will result in impervious surface lot coverage of greater than 15%.~~
- ~~8) Setback reduction appeals may only be granted the minimum extent necessary to accomplish the purpose of the appeal. Setbacks may not be reduced by setback reduction appeal to less than the following absolute minimum setbacks:~~

~~Front Yard 15 feet~~

~~Side Yard 10 feet~~

~~Rear Yard 15 feet~~

PROPOSED AMENDMENT OF

*The*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 9 – MINIMUM STANDARDS

&

ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS  
ORDINANCE

&

*The*  
**SHORELAND ZONING PROVISIONS  
FOR THE TOWN OF RAYMOND, MAINE**

SECTION 17 – DEFINITIONS

**Summary of Changes:** This amendment of the Land Use Ordinance and Shoreland Zoning Provisions would create specific performance standards for solar energy systems.

The proposed text is shown in red with an underline.

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**LAND USE ORDINANCE**

ARTICLE 9 – MINIMUM STANDARDS

**AA. Commercial Solar Energy Systems**

- 1. Purpose - Solar energy is a renewable and nonpolluting energy resource that can prevent fossil fuel emissions and reduce energy loads. Energy generated from Commercial Solar Energy Systems can be used to offset energy demand on the regional grid where excess solar power is generated. The use of solar energy equipment for the purpose of providing renewable energy sources is a power generation priority and is a necessary component of the latest State and Federal energy policies. The standards that follow enable the accommodation of Solar Energy Systems, and equipment to be installed in a safe manner with minimal impacts on the environment and to neighbors. This article shall not apply to solar systems installed by individual landowners designed primarily to provide solar energy for noncommercial use; noncommercial solar energy systems can be reviewed and permitted by the Code Enforcement Officer without the need for Site Plan Review.**
- 2. Submission Requirements - In addition to the submission requirements of Article 10, all Commercial Solar Energy Systems are subject to Site Plan Review and must submit**

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materials as outlined below:

- a. Plan and elevation depictions of a typical panel and mounting and any other structures proposed as part of the Commercial Solar Energy System.
- b. General specifications of the system including dimensions and number of panels, estimated power generation, description of mountings, and any other information needed to evaluate compliance with this ordinance.
- c. Certification that the Commercial Solar Energy System is compliant with the National Electrical Code and State Electrical Code as applicable.
- d. A site plan that meets the requirements of Article 10 of the Land Use Ordinance for the Town of Raymond, Maine with the added requirement of:
  - i. The location of the proposed Commercial Solar Energy System and any, fencing, screening, access roads and turnout locations, substations(s), accessory equipment to the system, and all electrical cabling from the system to other structures, substations, or utility grid connections
- e. The applicant shall provide a copy of the site plan review application including a project summary, electrical schematic, and site plan, to the Fire Chief or his/her designee for review and approval. The Fire Chief shall base any recommendation for approval or denial of the application upon review of the fire safety of the proposed system. Based upon the size, location, or on-site fire and life safety hazards, a fire protection water supply may be required at the discretion of the Fire Chief or his/her designee. Upon request, the owner or operator shall cooperate with the Fire Department in developing an emergency response plan.
- f. Any other approvals from local, regional, State, or Federal agencies that may be required. Letters, permits, or approvals from these agencies shall be included as a part of the application and/or review. The Planning Board may choose to accept copies of applications awaiting approval. In this case, any local approval granted by the Planning Board shall be conditioned such that no construction or building permits will be issued until all outstanding approvals have been granted.
- g. Ground Mounted Commercial Solar Energy Systems with a physical size based on a projected total surface coverage area that is greater than 10,000 square feet shall also submit a decommissioning plan including an estimated cost and a guarantee suitable to ensure decommissioning comparable with the performance guarantee format Article 10 § C(6) of this ordinance. The Planning Board may waive this requirement.



### **3. Required Notification**

- a. All Commercial Solar Energy Systems located within 2 miles of any public or private aircraft launch locations must notify the airport via certified mail that an application has been submitted to the town. This notification must include the location and size of the proposed system.
- b. All Ground Mounted Commercial Solar Energy Systems with a physical size based on a projected total surface coverage area that is greater than 10,000 square feet shall notify abutters in accordance with the requirements of Article 10 § C(1)(G) Public hearings and notification.

### **4. Visual Impact Assessment - When necessary, based on the project's overall size, location, surrounding uses, or other characteristics of the proposed use or site, the Planning Board may require the submittal of a Visual Impact Assessment. The study shall be prepared by a Maine licensed landscape architect or other professionals with experience with visual impact assessments. The Visual Impact Assessment shall at a minimum include the following elements:**

- a. A visual description of the project covering all physical elements that may be visible from public viewpoints.
- b. Identification and characterization of publicly accessible scenic resources near, or potentially impacted, by the proposed project. This should include any resources of local, state, or national significance.
- c. Determination of the type and extent of any impact on the identified scenic or historic resources. If a project is deemed to be visible from a scenic resource the Planning Board may require a visualization of the project from a representative point within the resource.
- d. Description of any proposed mitigation measures such as berms, landscaping screens, and buffers, or low visibility materials that may be used to minimize potential visual impacts from the project.

### **5. Dimensional Standards**

- a. Height
  - i. Building Mounted Commercial Solar Energy Systems shall not be considered as contributing to building height provided that they are erected only to such height as reasonably necessary.

- ii. Ground Mounted Commercial Solar Energy Systems shall not exceed the maximum building height restrictions for the zone in which they are located.
- b. Setbacks – Commercial Solar Energy Systems shall meet the structure setbacks of the zone in which they are located except when no other appropriate place on the site exists for the Commercial Solar Energy System to operate as determined by the Planning Board. If no other appropriate location on the site for the system exists setbacks shall be:
  - i. Setbacks of 5 feet from a side or rear lot line shared with a right of way or utility corridor provided the system will not impact visibility along a travel way or;
  - ii. Half the required setback in that zone
- c. Impervious Surface Ratio - All structures, roads, and other impervious surfaces associated with a Commercial Solar Energy System shall count towards the maximum Impervious Surface Ratios of the zone in which the system is located. Building Mounted Solar Energy panels do not change the impervious surface of the building to which they are attached. Ground Mounted Solar Panels will not be considered impervious surfaces provided that they meet the following criteria:
  - i. Panels must be positioned to allow water to run off their surfaces.
  - ii. Soil with adequate vegetative cover must be maintained under and around the panels.
  - iii. The area around the panels must be adequate to ensure proper vegetative growth under and around the panels.

## **6. Other Standards**

- a. A licensed electrician shall connect Commercial Solar Energy Systems to transmission lines, electrical equipment, or any residence or other structure to which power is being provided.
- b. Commercial Solar Energy Systems must meet all applicable Building and Fire Codes.
- c. Solar panels are designed to absorb (not reflect) sunlight; and, as such, solar panels are generally less reflective than other varnished or glass exterior housing pieces. However, Commercial Solar Energy System design and placement should

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be prioritized to minimize or negate any solar glare onto nearby properties, roadways, or flight paths to the extent practical.

- d. Exterior lighting shall be limited to fully shielded or cutoff style fixtures, so as not to contribute to light pollution, sky glow, and glare.
- e. For Ground Mounted Commercial Solar Energy Systems, all on-site electrical wires connecting the system to other structures or to utility connections shall be installed underground except for 'tie-ins' to public utility company transmission poles, towers, and lines. This standard may be modified by the Planning Board during site plan review if the project terrain is determined to be unsuitable due to reasons of need such as excessive excavation, grading, or similar factors.
- f. For Ground Mounted Commercial Solar Energy Systems all means of shutting down the system shall be clearly marked. The owner or operator shall provide to the Code Enforcement Officer and the Fire Department the name and contact information of a responsible person for public inquiries throughout the life of the installation. The owner or operator shall cooperate with the Fire Department to ensure there is safe emergency access to the site.

## **7. Decommissioning and Abandonment**

- a. A Ground Mounted Commercial Solar Energy System with a physical size based on a projected total surface coverage area that is greater than 10,000 square feet, that has reached the end of its useful life or has been abandoned consistent with this ordinance shall be removed. The owner or operator shall physically remove the installation no more than 180 days after the date of discontinued operations. The owner or operator shall notify the Code Enforcement Officer by certified mail of the proposed date of discontinued operations and plans for removal. The Code Enforcement Officer may grant a one-time extension of up to an additional 180 days at the request of the owner or operator of the system.
- b. Decommissioning shall consist of:
  - i. Physical removal of all Commercial Solar Energy Systems, structures, equipment, security barriers, and transmission lines from the site that will not be used by other approved uses on the site.
  - ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
  - iii. Stabilization and/or re-vegetation of the site as necessary to minimize erosion. The Code Enforcement Officer may allow the owner or operator

to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

- c. A Ground Mounted Commercial Solar Energy System with a physical size based on a projected total surface coverage area that is greater than 10,000 square feet shall be considered abandoned when it fails to operate for more than one year. The Planning Board may extend this initial period for an additional twenty-four (24) months at the request of the owner of the system and with the consent of the landowner and/or operator, if different from the system owner.
- d. Unless waived by the Planning Board as allowed under Article 10 § C(6), an applicant for Site Plan Review of a Ground Mounted Commercial Solar Energy System with a physical size based on a projected total surface coverage area that is greater than 10,000 square feet shall submit a method for ensuring the decommissioning of the system. This may take one of the following forms:
  - i. A performance guarantee in the amount of 125% of the expected decommissioning costs, including inflation over the expected life of the system, in the form of a certified check payable to the Town of Raymond, a performance bond running to the Town of Raymond, an irrevocable letter of credit in the name of the Town of Raymond, or some other form of surety that is acceptable to the Town Manager.
  - ii. A binding, contractual guarantee such as in a lease agreement between a system owner and landowner which requires that the Commercial Solar Energy System be decommissioned in accordance with this ordinance and identifies a party responsible for the decommissioning.
  - iii. Other legally enforceable agreements acceptable to the Planning Board.
- e. If the owner or operator of the Commercial Solar Energy System fails to remove the installation in accordance with the requirements of this section within 180 days of abandonment or the proposed date of decommissioning as approved by the Code Enforcement Officer, the Town retains the right to use the performance guarantee or other available means to cause an abandoned, hazardous, or decommissioned Ground Mounted Commercial Solar Energy System to be removed.

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**LAND USE ORDINANCE**

**ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS ORDINANCE**

**Commercial Solar Energy System** – A commercial solar energy farm or development with a complete design or assembly for commercial purposes consisting of energy collection, an energy storage facility, where used, and components for a distribution of transformed energy. A Commercial Solar Energy System consists of one or more free-standing ground-mounted, or building-mounted, solar arrays or modules, or solar-related equipment.

**Solar Energy System, Ground-Mounted** – A Solar Energy System that is structurally mounted to the ground and is not attached to a permitted building.

**Solar Energy System, Building-Mounted** – A Solar Energy System that is mounted to the roof or sides of a building.

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## **SHORELAND ZONING PROVISIONS**

### **SECTION 17 – DEFINITIONS**

**Commercial Solar Energy System** – A commercial solar energy farm or development with a complete design or assembly for commercial purposes consisting of energy collection, an energy storage facility, where used, and components for a distribution of transformed energy. A Commercial Solar Energy System consists of one or more free-standing ground-mounted, or building-mounted, solar arrays or modules, or solar-related equipment.

**Solar Energy System, Ground-Mounted** – A Solar Energy System that is structurally mounted to the ground and is not attached to a permitted building.

**Solar Energy System, Building-Mounted** – A Solar Energy System that is mounted to the roof or sides of a building.

PROPOSED AMENDMENT OF

*The*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS  
ORDINANCE

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ARTICLE 9(A) – CONDITIONAL USES

**Summary of Changes:** Article 9, Section A(3) indicates that a conditional use being applied for will not generate noise, vibrations, fumes, odors, dust, or glare which are detectable at the lot boundaries, and all aspects of the conditional use will be carried on within the structure;

The conditional use of "outdoor sales and service" found in Article 4, Section F(3) for the Commercial District does not have a definition in the ordinance. The proposed amendment will define "outdoor sales and service" and update the ordinance to allow condition uses outside of a structure.

The proposed text is shown in red with an underline and revised or removed language is shown in ~~red with a strikethrough~~.

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**LAND USE ORDINANCE**

**Article 12 – Applicability and Definition of Terms Used in this Ordinance**

**Outdoor Sales and Service:** The regular display by a retailer of stock-in-trade outside of an enclosed structure. The term includes, but is not necessarily limited to, businesses that involve an outside parking or display area for the sale of cars, trucks, motorcycles, campers, farm equipment, recreational vehicles, boats, boat trailers, aquatic recreational vehicles and equipment, or mobile homes; businesses involved in the outdoor sale of used merchandise, other than at flea markets, which is separately defined; and similar outdoor sales activities. For purposes of this chapter, the serving of food by an eating and drinking place at outside tables shall not constitute outdoor sales.

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**LAND USE ORDINANCE**

**Article 9 - Minimum Standards**

**A. Conditional Uses**

The Board of Appeals shall approve, deny, or approve with conditions all applications for a conditional use permit. The applicant shall have the burden of proving that his/her application is

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in compliance with the requirements of this Ordinance. After the submission of a complete application, the Board of Appeals shall approve an application or approve it with conditions if it makes a positive finding based on the information presented that the proposed use:

1. Will not depart from the general purpose and intent of the Ordinance, nor from the Town's Comprehensive Plan;
2. Will be compatible with permitted uses within the zone as determined by population; density; design; scale and bulk of any proposed new structures; and intensity of use;
3. Will not generate noise, vibrations, fumes, odors, dust, or glare which are detectable at the lot boundaries, and all aspects of the conditional use will be carried on within the structure; Outdoor Sales and Service may take place outside of a structure as long as all other applicable sections of the ordinance can be met, and the use does not generate noise, vibrations, fumes, odors, dust, or glare which are detectable at the lot boundaries.
4. Will not cause water pollution, sedimentation, erosion, contaminate any water supply, nor reduce the capacity of the land to hold water, so that a dangerous or unhealthy condition may result;
5. Will not adversely impact any deer wintering area or other important plant or wildlife habitat or scenic areas such as views of Sebago Lake or mountains from public places;
6. Will not deny light and air to surrounding properties;
7. Will not depreciate the economic value of surrounding properties;
8. Will have sufficient potable water available for its needs;
9. Will not create a hazard to either pedestrian or vehicular traffic on the roads and sidewalks serving the proposed use as determined by the size and condition of such roads and sidewalks, lighting, drainage, intensity of use by both pedestrians and also vehicles, and the visibility afforded to pedestrians and the operators of motor vehicles;
10. Will not overburden police, fire, and rescue services, as determined by response time, accessibility to the site of the proposed use, and numbers and types of emergency personnel and equipment presently serving the community. All conditional use applications shall be reviewed and approved by the Fire Rescue Department for compliance with all applicable Fire and Life Safety Codes and Ordinances.

PROPOSED AMENDMENT OF

*The*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS  
ORDINANCE

&

*The*  
**SHORELAND ZONING PROVISIONS  
FOR THE TOWN OF RAYMOND, MAINE**

SECTION 17 – DEFINITIONS

&

*The*  
**SUBDIVISION REGULATIONS  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 3 – DEFINITIONS

**Summary of Changes:** This amendment to the Land Use Ordinance, Shoreland Zoning Provisions, and Subdivision Regulations, would match the definition for structure and setback, or similar definitions, across all documents to avoid any inconsistencies.

The proposed text is shown in red with an underline, and revised or removed language is shown in ~~red with a strikethrough~~.

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**LAND USE ORDINANCE**

ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS  
ORDINANCE

**Accessory Structure – See structure.**

**Accessory Use ~~or Structure~~** - A use ~~or structure~~ which is incidental and subordinate to the principal use ~~or structure~~. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. [Amended 06/03/15]

**Building** - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals, or chattel. See also “Structure.”



**Corner Lot** - A lot situated at the intersection of two (2) streets/roads.

**Lot Frontage** - The distance along the front lot lines of a lot, or in the case of an irregular or curved front lot line, the distance along an imaginary straight line connecting the two (2) ends of the front lot line; or in the case of a back lot the frontage shall be measured as described in the definition of Back Lot Driveway and in Article 9 Section T.3 of the Land Use Ordinance.

~~That~~**The** side of a lot facing a major public water body shall be known as the waterfront, and the side or sides facing a street shall be known as the street front. For corner lots, or lots abutting a street/road on two (2) or more sides, the front of the lot shall be the property line on the street/road for which the lot will have its driveway or access.

**Principal Structure** – See structure.

**Setback** - A line that is a required minimum distance from any lot line or right of way line that establishes the area within which principal and accessory buildings or structures must be erected or placed. Setbacks are measured from the nearest horizontal distance from lot lines, right-of-way lines, the normal high-water line of a water body or tributary stream, and the upland edge of a wetland, to the nearest part of a structure, road, parking space, or other regulated object or area.

**Setback, front** - A line that is a required minimum distance from any front lot line or right of way line used as lot frontage and the nearest part of a structure, or other regulated object or area. For corner lots, the front setback shall apply to any lot line abutting a street or road.

**Structure** - Anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of vegetation, boundary walls four feet (4') or less in height, fences, mailboxes, lampposts, birdhouses, doghouses, tree houses designed for children's use, bus shelters, subsurface wastewater disposal systems as defined in Title 30-A, § 4201, subsection 5, geothermal heat exchange wells as defined in Title 32, § 4700-E, subsection 3-C, wells or water wells as defined in Title 32, § 4700-E, subsection 8, or other similar construction. The term includes but is not limited to structures temporarily or permanently located, such as decks, carports, satellite dishes, communications systems, ground-mounted solar energy systems, antennas, pools, etc. For the purpose of this Ordinance, fences and structures such as doghouses, tree houses designed for children's use and bus shelters shall not be considered structures. Antennas shall be considered structures. Utility poles shall be considered structures. Utility poles, wiring, and the aerial equipment normally associated with service drops, including guy wires and guy anchors, shall not be considered structures, for the purpose of however, they must meet the minimum required setbacks from the high-water mark of any pond, lake, stream, or river. [Adopted 5/16/87]

Structure Terms:

1. Principal Structure - The structure in which the primary use of the lot is conducted.
2. Accessory Structure - A structure of a nature customarily incidental or subordinate to that of the principal structure or the primary use to which the premises are devoted. A deck or

similar extension of the principal structure or a garage attached to the principal structure by a roof, or a common wall is considered part of the principal structure.

3. Temporary piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that remain in the water for less than seven (7) months in any period of twelve (12) consecutive months.
4. Permanent piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that are not removed from the water annually.
5. Single-family dwelling - A structure containing not more than one (1) dwelling unit. [Adopted 5/16/87]
6. Multi-family dwelling - A structure containing two (2) or more dwelling units. [Adopted 5/16/87]
7. In the Shoreland Zone, Retaining walls that are not necessary for erosion control shall meet the structure setback requirement, except for low retaining walls and associated fill provided all of the conditions of Shoreland Zoning Provisions Section 15 § B(7) are met.

## SHORELAND ZONING PROVISIONS

### SECTION 17 – DEFINITIONS

Accessory structure – See “Structure.”

**Accessory ~~structure or~~ use** - a use ~~or structure~~ which is incidental and subordinate to the principal use ~~or structure~~. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof or a common wall is considered part of the principal structure.

**Building** - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals, or chattel. See also “Structure.”

**Corner Lot** - A lot situated at the intersection of two (2) streets/roads.

**Lot Frontage** - The distance along the front lot lines of a lot, or in the case of an irregular or curved front lot line, the distance along an imaginary straight line connecting the two (2) ends of the front lot line; or in the case of a back lot the frontage shall be measured as described in the definition of Back Lot Driveway and in Article 9 Section T.3 of the Land Use Ordinance.

~~That~~**The** side of a lot facing a major public water body shall be known as the waterfront, and the side or sides facing a street shall be known as the street front. For corner lots, or lots abutting a street/road on two (2) or more sides, the front of the lot shall be the property line on the street/road for which the lot will have its driveway or access.

**Principal structure** – ~~a structure other than one which is used for purposes wholly incidental or accessory to the use of another structure or use on the same lot. See structure.~~

**Setback** - A line that is a required minimum distance from any lot line or right of way line that establishes the area within which principal and accessory buildings or structures must be erected or placed. Setbacks are measured from the nearest horizontal distance from lot lines, right-of-

way lines, the normal high-water line of a water body or tributary stream, and theor upland edge of a wetland, to the nearest part of a structure, road, parking space, or other regulated object or area.

**Setback, front** - A line that is a required minimum distance from any front lot line or right of way line used as lot frontage and the nearest part of a structure, or other regulated object or area. For corner lots, the front setback shall apply to any lot line abutting a street or road.

**Structure** – Anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of vegetation, boundary walls four feet (4') or less in height, fences, mailboxes, lampposts, birdhouses, doghouses, tree houses designed for children's use, bus shelters, subsurface wastewater disposal systems as defined in Title 30-A, § 4201, subsection 5, geothermal heat exchange wells as defined in Title 32, § 4700-E, subsection 3-C, wells or water wells as defined in Title 32, § 4700-E, subsection 8, or other similar construction. The term includes but is not limited to structures temporarily or permanently located, built, constructed or erected for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected on or in the ground. The term includes structures temporarily or permanently located, such as decks, carports, patios, and satellite dishes, communication systems, ground-mounted solar energy systems, antennas, pools, etc. Utility poles, wiring, and the aerial equipment normally associated with service drops, including guy wires and guy anchors, shall not be considered structures, however, they must meet the minimum required setbacks from the high-water mark of any pond, lake, stream, or river. Structure does not include fences; poles and wiring and their aerial equipment normally associated with service drops, including guy wires and guy anchors; subsurface wastewater disposal systems as defined in Title 30-A, § 4201, subsection 5; geothermal heat exchange wells as defined in Title 32, § 4700-E, subsection 3-C; or wells or water wells as defined in Title 32, § 4700-E, subsection 8.

Structure Terms:

1. Principal Structure - The structure in which the primary use of the lot is conducted.
2. Accessory Structure - A structure of a nature customarily incidental or subordinate to that of the principal structure or the primary use to which the premises are devoted. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof, or a common wall is considered part of the principal structure.
3. Temporary piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that remain in the water for less than seven (7) months in any period of twelve (12) consecutive months.
4. Permanent piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that are not removed from the water annually.
5. Single-family dwelling - A structure containing not more than one (1) dwelling unit.
6. Multi-family dwelling - A structure containing two (2) or more dwelling units.
7. In the Shoreland Zone, Retaining walls that are not necessary for erosion control shall meet the structure setback requirement, except for low retaining walls and associated fill provided all of the conditions of Shoreland Zoning Provisions Section 15 § B(7) are met.

## SUBDIVISION REGULATIONS

### ARTICLE 3 – DEFINITIONS

**Structure** - ~~Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind. For the purposes of this Ordinance, fences and structures such as doghouses, treehouses designed for children's use and bus shelters shall not be considered structures. Antennas shall be considered structures.~~ Anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of vegetation, boundary walls, fences, mailboxes, lampposts, birdhouses, doghouses, tree houses designed for children's use, bus shelters, subsurface wastewater disposal systems as defined in Title 30-A, § 4201, subsection 5, geothermal heat exchange wells as defined in Title 32, § 4700-E, subsection 3-C, wells or water wells as defined in Title 32, § 4700-E, subsection 8, or other similar construction. The term includes but is not limited to structures temporarily or permanently located, such as decks, carports, patios, and satellite dishes, communication systems, ground-mounted solar energy systems, antennas, pools, etc. Utility poles, wiring, and the aerial equipment normally associated with service drops, including guy wires and guy anchors, shall not be considered structures, however, they must meet the minimum required setbacks from the high-water mark of any pond, lake, stream, or river.

#### Structure Terms:

1. Principal Structure - The structure in which the primary use of the lot is conducted.
2. Accessory Structure - A structure of a nature customarily incidental or subordinate to that of the principal structure or the primary use to which the premises are devoted. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof, or a common wall is considered part of the principal structure.
3. Temporary piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that remain in the water for less than seven (7) months in any period of twelve (12) consecutive months.
4. Permanent piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that are not removed from the water annually.
5. Single-family dwelling - A structure containing not more than one (1) dwelling unit.
6. Multi-family dwelling - A structure containing two (2) or more dwelling units.
7. In the Shoreland Zone, Retaining walls that are not necessary for erosion control shall meet the structure setback requirement, except for low retaining walls and associated fill provided all of the conditions of Shoreland Zoning Provisions Section 15 § B(7) are met.

**From:** Philip Saucier <psaucier@bernsteinshur.com>  
**To:** Alex Sirois <alex.sirois@raymondmaine.org>  
**Date:** 03/09/2022 02:23 PM  
**Subject:** RE: Raymond Ordinance Amendments 20-04

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Hi Alex,

I have had a chance to review the proposed amendments and see no immediate red flags. My only comment at this point is regarding the treatment of retaining walls – that term does not appear in the new definition of structure and you may want to consider adding it to that definition. The new provision 7 under the definition of structure terms is really more of a dimensional standard and not a definition, so that could either added to the setback requirement section or simply added as definition under structures to include retaining walls necessary for erosion control.

I would be happy to discuss this further once you have had a chance to review it with the Board this evening.

Take care,  
Phil

**Philip Saucier**  
**Shareholder**  
**Municipal & Governmental Services Practice Group Leader**  
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PROPOSED AMENDMENT OF  
*The*  
**SUBDIVISION REGULATIONS  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 10 – 3(B)(5) & (6)

**Summary of Changes:** This amendment to the Subdivision Regulations would correct an error in the ordinance that creates confusion as to which subsection a twenty-five (25) unit subdivision would need to adhere to.

The proposed text is shown in red with an underline and revised or removed language is shown in ~~red with a strikethrough~~.

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**SUBDIVISION REGULATIONS**

ARTICLE 10(3)(B) – LAYOUT

- 5) Single-family subdivisions, including single-family open space subdivisions, containing a maximum of fourteen (14) lots may have one dead-end cul-de-sac street, up to 1,000 feet in length, connecting with existing public streets or streets on an approved subdivision plan for which a bond has been filed. Multi-family subdivisions containing more than four (4) units but less than twenty-five (25) dwelling units may have one dead-end cul-de-sac street, up to 1,000 feet in length, connecting with existing public streets or streets on an approved subdivision plan for which a bond has been filed. If two entrances into a multi-family subdivision with twenty-four (24) units or less is planned, such entrances shall meet the spacing requirements set forth in Article 10, Section 3.B.6 of this Ordinance.
  - a. For proposed private streets or backlot driveways in excess of 1,000 Linear Feet (LF), the Planning Board may require a street/backlot driveway design with a second hammerhead turnaround, or added bypass lane, at the discretion of the Fire Department to provide emergency turnaround locations. The subdivisions street/backlot must comply with all applicable sections of the Street Ordinance, for the Town of Raymond, Maine.
- 6) Single-family subdivisions including single-family open space subdivisions, containing fifteen (15) lots or more and multi-family subdivisions containing ~~more than~~ twenty-five (25) or more dwelling units shall have at least two street connections with existing public streets or streets on an approved subdivision plan for which a bond has been filed. The above-referenced street connections shall connect within the subdivision. Entrances onto existing or proposed collector streets shall be a minimum distance apart of 400 feet.

Entrances onto existing or proposed arterial streets shall be a minimum distance apart of 1,000 feet.

PROPOSED AMENDMENT OF  
*The*  
**LAND USE ORDINANCE**  
**FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 4

&

*The*  
**SHORELAND ZONING PROVISIONS**  
**FOR THE TOWN OF RAYMOND, MAINE**

SECTION 14

**Summary of Changes:** This proposed amendment would allow newly defined uses, Solar Energy Systems, and Outdoor Storage, within certain districts in town.

The proposed text is shown in red with an underline and revised or removed language is shown in ~~red with a strikethrough~~.

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**LAND USE ORDINANCE**  
**ARTICLE 4 - DISTRICT REGULATIONS**

**A. Village Residential District (VR) [Amended 5/21/05]**

1. Intent. To provide housing in a compact residential area. The areas encompassed in this district are to be of an urban nature with neighborhood shopping services and facilities to be provided within the district. The district is established to combine the convenience of urban life with the physical amenities of a rural environment. Toward the achievement of these purposes, the following minimum standards are established:
2. Permitted Uses
  - a. One-family dwelling to include modular homes (Type 2 manufactured homes) [Amended 5/21/05]
  - b. Duplex [Adopted 5/21/05]
  - c. Multi-family dwelling
  - d. Schools
  - e. Churches
  - f. Public buildings and facilities
  - g. Agriculture excepting commercial poultry and piggery operations
  - h. Accessory uses and buildings



- i. Professional building
- j. Nursing homes
- k. Boarding homes
- l. Bed and breakfast inn not to exceed five (5) rentable rooms
- m. Elderly Housing [Adopted 5/21/05]
- n. **Commercial Solar Energy Systems**

3. Conditional Uses

- a. General store and neighborhood grocery store not to exceed one thousand (1,000) square feet of retail space including storage
- b. Public utilities and communications facilities
- c. Antique shops
- d. Home occupations that conform to the requirements of Article 9, Section B. A home occupation which conforms to Article 9, Section B, and which is specifically permitted by Article 12 of this Ordinance shall be considered a permitted use.

4. Space and Bulk Regulations - The following space and bulk regulations are minimum requirements:

- a. The minimum lot area shall be forty thousand (40,000) square feet. [Amended 5/21/05]
- b. Minimum Lot Area per Dwelling Unit [Amended 5/21/05]
  - 1) One-family dwelling or modular home – Forty thousand (40,000) square feet per unit
  - 2) Duplex – Twenty thousand (20,000) square feet per unit.
  - 3) Multi-Family Dwelling - Forty thousand (40,000) square feet for the first two units on the lot plus an additional fifteen thousand (15,000) square feet per each additional dwelling unit on the lot.
- c. The minimum lot frontage shall be one hundred (100) feet. [Amended 5/21/05]
- d. The minimum building setbacks shall be as follows:
  - 1) Front - 25 feet
  - 2) Side - 10 feet [Amended 5/21/05]
  - 3) Rear - 20 feet

The minimum front setback in those village areas where buildings have traditionally been sited closer to the road may be reduced to

the average setback of existing principal buildings located within 500 feet and which front on the same road. [Amended 8/7/07]

- e. The maximum building height shall be two and one-half (2.5) stories except for barns.
5. Off-street Parking - For each of the principal and conditional uses permitted, off-street parking shall be provided in accordance with Article 9, Section C.
6. Signs - Signs shall be permitted in accordance with the provisions of Article 9, Section L.
7. Wireless communication facilities subject to the standards contained herein.
8. Multi-Family Dwellings - Multi-family dwellings shall also meet the standards of Article 9, Section W. [Adopted 5/21/05]

**B. Mobile Home Park Overlay District (MHOD) [Adopted 5/21/05]**

1. Intent. To allow mobile home parks to be developed in a number of environmentally suitable locations within the town.
2. Applicability – Properties in the Mobile Home Park Overlay District shall continue to be governed by the regulations applicable in the underlying zoning district, except as specifically modified by this Section.
3. Permitted Uses
  - a. Type 1 manufactured housing units in Mobile Home Parks
  - b. Uses allowed in the underlying zoning district
4. Space and Bulk Requirements – Mobile home parks shall meet the standards in Article 9, Section K.2, Mobile Home Parks.

**C. Rural District (R)**

1. Intent: The Town of Raymond has historically been a rural Town. It is the intent of this Ordinance to protect and preserve appropriate areas of Town from urban sprawl by designating uses and standards that are appropriate to a rural character.
2. Permitted Uses

- a. One-family dwelling to include modular Manufactured Homes (Type 1 and 2 manufactured homes)
- b. Church
- c. Public buildings and facilities
- d. Agriculture including commercial poultry and piggery operations that conform to Article 9 of this Ordinance.
- e. Accessory uses and buildings
- f. Home occupations that conform to the requirements of Article 9, Section B. A home occupation which conforms to Article 9, Section B and which is specifically permitted by Article 12 of this Ordinance shall be considered a permitted use.
- g. Bed and breakfast inn not to exceed five (5) rental rooms and not to serve alcohol.
- h. Boarding homes not to exceed five (5) rentable rooms excluding family living space.
- i. Public utility and communication facilities.
- j. Commercial Solar Energy Systems

3. Conditional Uses

- a. Cemeteries
- b. Mineral extraction that conforms to Article 9, Section E of this Ordinance.
- c. Public and quasi-public recreation buildings and facilities
- d. Neighborhood grocery store not to exceed one thousand (1,000) square feet of retail space including storage.
- e. Contractors, not having more than five (5) vehicles and pieces of equipment that are not screened from view from the surrounding property and street. When a piece of equipment is located on a trailer or truck, the combination shall be considered a vehicle and an additional piece of equipment. [Adopted 5/21/88]

4. Space and Bulk Regulations - The following space and bulk regulations are minimum requirements subject to modification under Article 8, Section B: [Adopted 5/16/87]

- a. The minimum lot area shall be three (3) acres;
- b. The minimum lot frontage shall be two hundred twenty-five (225) feet;
- c. The minimum building setbacks shall be as follows:
  - 1) Front - 40 feet
  - 2) Side - 20 feet

3) Rear - 20 feet

- d. The maximum building height shall be two and one-half (2.5) stories except for barns and poultry houses.
- 5. Off-Street Parking - For each of the principal and secondary uses permitted, off-street parking shall be provided in accordance with Article 9, Section C.
- 6. Signs - Signs shall be permitted in accordance with the provisions of Article 9, Section L.
- 7. Wireless Communication Facilities - subject to the standards contained herein.

**D. Rural Residential District (RR)**

- 1. Intent: The Town of Raymond recognizes that certain areas of Town will experience residential growth due to rapid population growth in the region. It is the intent of this Ordinance to allow these uses while maintaining the basic rural orientation of the community.
- 2. Permitted Uses
  - a. One-family dwelling to include Manufactured Homes (Type 1 and 2 manufactured homes)
  - b. Church.
  - c. Schools.
  - d. Public buildings and facilities.
  - e. Agriculture excluding commercial poultry and piggery operations.
  - f. Accessory uses and buildings.
  - g. Home occupations that conform to the requirements of Article 9, Section B. A home occupation which conforms to Article 9, Section B and which is specifically permitted by Article 12 of this Ordinance shall be considered a permitted use.
  - h. Bed and breakfast inn not to exceed five (5) rentable rooms and not to serve alcohol.
  - i. Boarding home not to exceed five (5) rentable rooms excluding family living space.
  - j. Public utility and communication facilities.
  - k. **Commercial Solar Energy Systems**
- 3. Conditional Uses
  - a. Nursing home.

- b. Neighborhood Grocery Store not to exceed one thousand (1,000) square feet of retail space including storage.
  - c. Cemeteries.
  - d. Funeral parlors.
  - e. Medical arts buildings.
  - f. Mineral extraction that conforms to Article 9, Section E of this Ordinance.
  - g. Public and quasi-public recreation buildings and facilities.
  - h. Contractors, not having more than five (5) vehicles and pieces of equipment that are not screened from view from the surrounding property and street. When a piece of equipment is located on a trailer or truck, the combination shall be considered a vehicle and an additional piece of equipment. [Adopted 5/21/88]
4. Space and Bulk Regulations - The following space and bulk regulations are minimum requirements subject to modification under Article 13, Section B:
- a. The minimum lot area shall be two (2) acres.
  - b. The minimum lot frontage shall be two hundred twenty-five (225) feet;
  - c. The minimum building setbacks shall be as follows:
    - 1) Front - 30 feet
    - 2) Side - 20 feet
    - 3) Rear - 20 feet
5. The maximum building height shall be two and one-half (2.5) stories except for barns.
6. Off-Street Parking - For each of the principal and secondary uses permitted, off-street parking shall be provided in accordance with Article 9, Section C.
7. Signs - Signs shall be permitted in accordance with the provisions of Article 9, Section L.

#### **E. Shoreland District**

A description of the Shoreland districts and Shoreland zoning provisions related to these districts are located in a separate, freestanding portion of this Ordinance.

#### **F. Commercial District (C)**

- 1. Intent: The Commercial District is intended to serve as the downtown of Raymond and to provide general retail, wholesale, service, and business facilities in an area convenient to the residents of the Town. This district should efficiently utilize space and resources and provide for connectivity among and between

businesses in a manner that looks and functions as a linear village with lively year-round business and inviting and safe pedestrian spaces and walkways. Route 302, the roadway through this commercial village, is intended to function as a transportation corridor that moves traffic safely and efficiently through the region while also serving as a safe and easy-to-navigate local link between the various sections of the commercial village. Site design, landscaping, screening, building placement, and building design in this district should result in a visually pleasing and cohesive village-like atmosphere. Toward the achievement of these purposes, the following minimum standards are established: [Amended 06/02/09]

2. Permitted Uses:

- a. Retail businesses and service establishments, including warehousing and wholesale distribution-related thereto;
- b. Recreational facilities such as racquetball or tennis centers but excluding amusement parks as defined herein;
- c. Auto repair facilities excluding auto body repair;
- d. Business and professional offices;
- e. Restaurants and drive-in stands;
- f. Hotels, motels, and inns;
- g. Mixed-use buildings provided the lower floor contains only commercial uses. The upper floors may contain dwelling units or commercial uses. As used in this subparagraph (h), the term “commercial uses” means any of the uses listed in subparagraphs (a) through (f) above. [Amended 06/02/09, 06/08/2021]
- h. **Commercial Solar Energy Systems**

3. Conditional Uses: ~~Outdoor sales and service.~~

- a. Outdoor sales and service
- b. Outdoor Storage

4. Space and Bulk Regulations [Amended 06/02/09] - The following space and bulk regulations are established as minimum standards for mixed-use and commercial buildings:

- a. There shall be no minimum lot area except that the lot shall meet the provisions of Maine Revised Statute Title 12, Chapter 423-A: MINIMUM LOT SIZE; [Amended 06/02/09]
- b. There shall be no minimum street frontage;
- c. There shall be no minimum front yard setback. If the lot is a corner lot, the street most heavily traveled shall be considered the street upon which the lot fronts. There shall be no side street setback. [Amended 06/03/14]

- d. Where a lot in this district abuts a residential district, the commercial use shall provide and maintain a twenty-five (25) foot landscaped buffer strip and visual screening from the abutting residential district boundary. Existing commercial uses shall meet this requirement by June 1, 1990. New commercial uses shall meet this requirement within nine (9) months for the first commercial use of the lot; [Adopted 5/21/88]
  - e. There shall be no minimum side yard setback;
  - f. There shall be no minimum rear yard setback;
  - g. The maximum building height shall be two and one-half (2.5) stories except that the maximum building height shall be three (3) stories for buildings which are located on the eastern side of Route 302.
- 5. Off-Street Parking - For each of the principal and secondary uses permitted, off-street parking shall be provided in accordance with Article 9, Section C.
  - 6. Signs - Signs shall be permitted in accordance with the provisions of Article 9, Section L.

**G. Industrial District (I)**

- 1. Purpose: To provide for the creation of appropriate districts within the Town of Raymond for industrial facilities, in accordance with the following requirements:
- 2. Permitted Uses:
  - a. Any industrial structure or use, as defined in this Ordinance, which meets all of the following criteria:
    - 1) Primary aspects of the industrial process are carried on within the structure;
    - 2) The noise level of the industrial process does not exceed 50 decibels at any property line; and
    - 3) There are no land, water, or air waste discharges or emissions other than sanitary facilities, which met the requirements of the State's wastewater disposal rules.
  - b. Warehousing ~~and outdoor storage;~~
  - c. Distribution and transportation;
  - d. Research laboratories;
  - e. Retail facilities and services accessory to principal uses.
  - f. **Commercial Solar Energy Systems**
  - g. Outdoor Storage
- 3. Conditional Uses:

- a. Automobile graveyards, automobile recycling businesses, and junkyards conforming with Title 30-A, Sections 3751 – 3760 and all state or local regulations;
  - b. Public utility facilities.
  
- 4. Location - An industrial district may be created for any land within the Town, except within the Shoreland District, upon application to the Planning Board by an applicant for a specific industrial use thereof upon a showing by the applicant to the satisfaction of the Planning Board under the procedures set forth in this Article 4, Section G., that the proposed industrial use and its location satisfy the requirement set forth below. Following a review of the application, the Planning Board shall recommend to the Town Meeting whether or not the proposed industrial district and use should be approved.
  - a. The proposed use will not result in undue water, noise, or air pollution.
  - b. The proposed location consists of soil types, which are suitable to the construction, and industrial use proposed and will not be subjected to unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.
  - c. The proposed location and use will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed.
  - d. The proposed use will be compatible with the existing uses of any improved land abutting the proposed location and with any identifiable predominant character of surrounding improved lands;
  - e. The proposed location and use meets all of the requirements and procedures for site plan review set forth in Article 10 of this Ordinance.
  
- 5. Procedure for Creation - The creation of any industrial district shall be in accordance with the following procedure:
  - a. Application for the creation of an industrial district shall be made to the Planning Board. The Planning Board shall hold a public hearing thereon and post a notice of the proposed creation of the industrial district in the municipal office at least 13 days before the public hearing. The notice must be published at least 2 times in a newspaper that complies with M.R.S.A. Title 1, section 601 and that has a general circulation in the Town. The date of the first publication must be at least 12 days before the hearing and the date of the 2nd publication must be at least 7 days before the hearing. That notice must be written in plain English, understandable by the average citizen.



- b. For each parcel within the municipality that is in or abutting the portion of the Town affected by the proposed amendment, a notice shall be mailed by first-class mail at least 13 days before the public hearing to the last known address of the person to whom property tax on each parcel is assessed. Notice also must be sent to a public drinking water supplier if the area to be rezoned is within its source water protection area. The notice must contain a copy of a map indicating the portion of the Town affected by the proposed amendment. The Board of Selectmen shall prepare and file with the Town Clerk a written certificate indicating those persons to whom the notice was mailed and at what addresses, when it was mailed, by whom it was mailed, and from what location it was mailed. This certificate constitutes prima facie evidence that notice was sent to those persons named in the certificate. [Amended 8/7/07]
  - c. Within thirty (30) days following such public hearing, the Planning Board shall submit to the Board of Selectmen and to the applicant its findings and recommendations with respect to the creation of the proposed industrial district, including its recommendations with respect to space and bulk regulations and any conditions which it deems necessary in order to assure that the proposed industrial use will satisfy the requirements set forth in Section 3, above;
  - d. A Town Meeting shall be held not less than fifteen (15) days following the date of such recommendations to see if the Town will vote to create the industrial district proposed upon such conditions as the Planning Board may recommend. If the Planning Board recommends that such industrial district not be created, the Town Meeting may create the same only by a favorable two-thirds (2/3) vote;
  - e. In the event that the Town Meeting does create the proposed industrial district, the Land Use Regulation Map shall be amended in accordance with the provisions of Article 2, Section B.1, to show such district.
6. Minimum Standards - There shall be no minimum lot area or minimum street frontage required in any industrial district. Setbacks, provision for visual screening and maximum building heights shall be as provided in the Commercial District, and the minimum standards established under Article 9 of the Ordinance shall be applicable, unless the Planning Board recommends more restrictive or additional requirements in order to assure compliance with the conditions set forth in Section 3, above.
7. Change in Use - Following the creation of any industrial district, the use of such district shall not be changed until the applicant, for any change in use, shall apply

therefore to the Planning Board and the Planning Board shall find that the proposed change is consistent with the provisions and requirements of this Article 9, Section G., with such reasonable conditions as the Planning Board may impose in order to assure compliance with the requirements set forth in Section 3, above. Consistent with this requirement, the Planning Board may permit a change in use to any Principal Use permitted in the Commercial District, excepting one-family dwellings.

8. Where a lot in this district abuts a residential district, the industrial/commercial use shall provide and maintain a fifty (50) foot landscaped buffer strip and visual screening from the abutting residential district boundary. Existing industrial/commercial uses shall meet this requirement by June 1, 1990. New industrial/commercial uses shall meet this requirement within nine (9) months of the first industrial/commercial use of the lot. [Adopted 5/21/88]

## **SHORELAND ZONING PROVISIONS**

### **SECTION 14. TABLE OF LAND USES**

All land use activities, as indicated in Table 1, Land Uses in the Shoreland Zone, shall conform with all of the applicable land use standards in Section 15. If a specific land use activity is not included in Table 1, the Board of Appeals shall make a determination about the applicability of these shoreland zoning provisions to said activity when so requested by a landowner or municipal official. The district designation for a particular site shall be determined from the Official Raymond Land Use Map.

#### **A. Key to Table 1:**

- Yes - Allowed (no permit required but the use must comply with all applicable State and local standards and ordinances.
- No - Prohibited
- PB - Allowed with a permit issued by the Planning Board
- CEO - Allowed with a permit issued by the Code Enforcement Officer

#### **B. Abbreviations:**

- RP - Resource Protection

- SP – Stream Protection
- LR/R-I - Limited Residential/Recreational I
- LR/R-II - Limited Residential/Recreational II

**TABLE 1 “LAND USES IN THE SHORELAND ZONE”**

LAND USES	RP	SP	LRR1 LRR2
1. Non-intensive recreational uses not requiring structures such as hunting, fishing, and hiking	yes	yes	yes
2. Motorized vehicular traffic on existing roads and trails	yes	yes	yes
3. Forest management activities except for timber harvesting	yes	yes	yes
4. Timber harvesting*	CEO <sup>1</sup>	yes	yes
5. Clearing or removal of vegetation for activities other than timber harvesting	CEO <sup>1</sup>	CEO	CEO
6. Fire prevention activities	yes	yes	yes
7. Wildlife management practices	yes	yes	yes
8. Soil and water conservation practices	yes	yes	yes
9. Mineral exploration*	yes <sup>2</sup>	no	yes <sup>2</sup>
10. Mineral extraction including sand and gravel	CEO <sup>3</sup>	no	CEO
11. Surveying and resource analysis	yes	yes	yes
12. Emergency operations	yes	yes	yes
13. Agriculture*	PB	yes	yes
14. Aquaculture	PB	PB	PB
15. Principal structures and uses	.	.	.
15. A. Single-family residential ***	no	no	CEO
15. B. Two-family residential	no	no	CEO
15. C. Multi-family residential	no	no	no
15. D. Small non-residential facilities for education, scientific, or nature interpretation purposes	PB	PB	CEO

15. E. Public Facilities	no	no	PB
15. F. Elderly Housing	no	no	yes
16. Accessory Structure or uses	PB	PB	CEO
16. A. Accessory Apartment	no	no	CEO
17. Piers, docks, wharves, bridges, boat launches, and other structures and uses extending over or below the normal high water line or within a wetland	.	.	.
17. A. Temporary	CEO <sup>7</sup>	CEO	CEO <sup>7</sup>
17. B. Permanent	PB	PB	PB
18. Conversions of seasonal residences to year-round residences	no	no	CEO
19. Home occupations**	no	no	yes
20. Private sewage disposal systems for allowed uses	no	no	CEO
21. Essential services	PB <sup>4</sup>	PB <sup>4</sup>	PB
22. Service drops, as defined, to allowed uses	yes	yes	yes
23. Public and private recreational areas involving minimal structural development	PB	PB	PB
24. Personal campsites	CEO	CEO	CEO
25. Campgrounds	no <sup>5</sup>	no	PB
26. Road and driveway construction*	no <sup>6</sup>	PB	CEO
27. Parking Areas	no <sup>5</sup>	no	PB
28. Marinas	no	PB	PB
29. Filling and earthmoving of less than 10 cubic yards	CEO	CEO	yes
30. Filling and earthmoving of more than 10 cubic yards	PB	PB	CEO
31. Signs*	yes	yes	yes
32. Uses similar to allowed uses	CEO	CEO	CEO
33. Uses similar to uses requiring a CEO permit	CEO	CEO	CEO
34. Uses similar to uses requiring a PB permit	PB	PB	PB
<u>35. Commercial Solar Energy Systems</u>	<u>no</u>	<u>no</u>	<u>PB</u>

\* There may be additional performance standards in Article 9 of the Raymond Land Use Ordinance beyond those in Section 15 of these shoreland zoning provisions.

\*\* Home occupations are those land uses that conform with the requirements of Article 9. A home occupation that conforms to Article 9 and that is specifically permitted by Article 11 of the Raymond Land Use Ordinance shall be considered a permitted use in the Limited Residential/Recreation I and II Districts. All other home occupations not specifically listed in the definitions of home occupations in Article 12 of the Raymond Land Use Ordinance shall be considered conditional uses that must conform to the standards set forth in Article 9, Section B of the Raymond Land Use Ordinance and that must be reviewed and approved by the Appeals Board.

\*\*\* Allowed single-family structures shall include those units commonly called "modular homes," or "Type 2 Manufactured Homes" as defined in Article 12-Definitions; Manufactured Housing, which the manufacturer certifies are constructed in compliance with Title 10, Chapter 975, and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit.

1. [Reserved, *Deleted 6/7/12*]
2. Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.
3. In RP not permitted in areas so designated because of wildlife value.
4. See further restrictions in Section 15, Subsection M.2.
5. Except for Panther Run's floodplain, in which case a permit is required from the Planning Board.
6. Except to provide for permitted uses within the district, or where no reasonable alternative route or location is available outside the RP area, in which case a permit is required from the Planning Board.
7. Excluding bridges and other crossings not involving earthwork, in which case no permit is required.



PROPOSED AMENDMENT OF

*The*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS  
ORDINANCE

&

*The*  
**SHORELAND ZONING PROVISIONS  
FOR THE TOWN OF RAYMOND, MAINE**

SECTION 17 – DEFINITIONS

**Summary of Changes:** This amendment would define the term Outdoor Storage. Approval of this amendment does not allow the use in any district. See 22-06.

The proposed text is shown in red with an underline and revised or removed language is shown in ~~red with a strikethrough~~.

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**LAND USE ORDINANCE**

**Article 12 – Applicability and Definition of Terms Used in this Ordinance**

**Outdoor Storage** – The commercial keeping or storage of goods, materials, motorized vehicles, boats/water recreational vessels/vehicles, trailers, temporary structures, and any other equipment associated with the principal use of a building outside permanently or seasonally, for a fee.

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**SHORELAND ZONING PROVISIONS**

**Section 17 – Definitions**

**Outdoor Storage** – The commercial keeping or storage of goods, materials, motorized vehicles, boats/water recreational vessels/vehicles, trailers, temporary structures, and any other equipment associated with the principal use of a building outside permanently or seasonally, for a fee.

PROPOSED AMENDMENT OF  
*The*  
**LAND USE ORDINANCE**  
**FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 13(C) § 4

**Summary of Changes:** This amendment would change the minimum lot size requirement to 20,000 square feet instead of the current 21,780 square feet (one-half acre).

The proposed text is shown in red with an underline and revised or removed language is shown in ~~red with a strikethrough~~.

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**LAND USE ORDINANCE**  
ARTICLE 13(C) § 4 – SPACE STANDARDS

4. Space Standards

- a. Shore frontage and shore setback requirements shall not be reduced below the minimum shore frontage or shore setback required in the zoning district.
- b. Distances between residential structures in multi-family open space subdivisions shall be a minimum of the height of the tallest structure.
- c. In areas outside of the LRR1 and LRRII Districts, the required minimum lot size or minimum land area per dwelling unit for the building envelope may be reduced in open space subdivisions to no less than one-half acre~~20,000 square feet~~. The required minimum lot size or minimum land area per ~~sd~~dwelling unit for the building envelope may be reduced in open space subdivisions within the LRR1 and LRRII Districts to one acre and one and one-half acres, respectively. If the lot area is reduced, the total open space in the development shall equal or exceed the sum of the areas by which the building lots are reduced below the minimum lot area normally required in the zoning district notwithstanding the net residential density allowed by subparagraph C.2, above, of this performance standard.
- d. Minimum road frontage requirements of the Land Use Ordinance and Subdivision Regulations may be waived or modified by the Planning Board provided that:
  - 1) Any applicable provisions regarding Roads in the Street Ordinance are satisfied.



- 2) Adequate access and turnaround to and from all parcels by fire trucks, ambulances, police cars, and other emergency vehicles can be ensured by private roads and /or common driveways.
  - 3) No common driveway shall provide access to more than three (3) lots, except as provided in Article 13, Section C.6.
- e. A reduction of required setback distances may be allowed at the discretion of the Board, provided that the front, side, and rear setbacks shall be no less than twenty-five feet or that required for the applicable zoning district, whichever shall be less. For the perimeter of a multi-family cluster development, site setback shall not be reduced below the minimum front, side and rear setbacks required in the zoning district unless the Planning Board determines a more effective design of the project can better accomplish the purposes of this performance standard.