

Town of Raymond: Commercial District

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DESIGN GUIDELINES:

<http://www.raymondmaine.org/boards-committees/cpic/design-guidelines>

TOWN ORDINANCES:

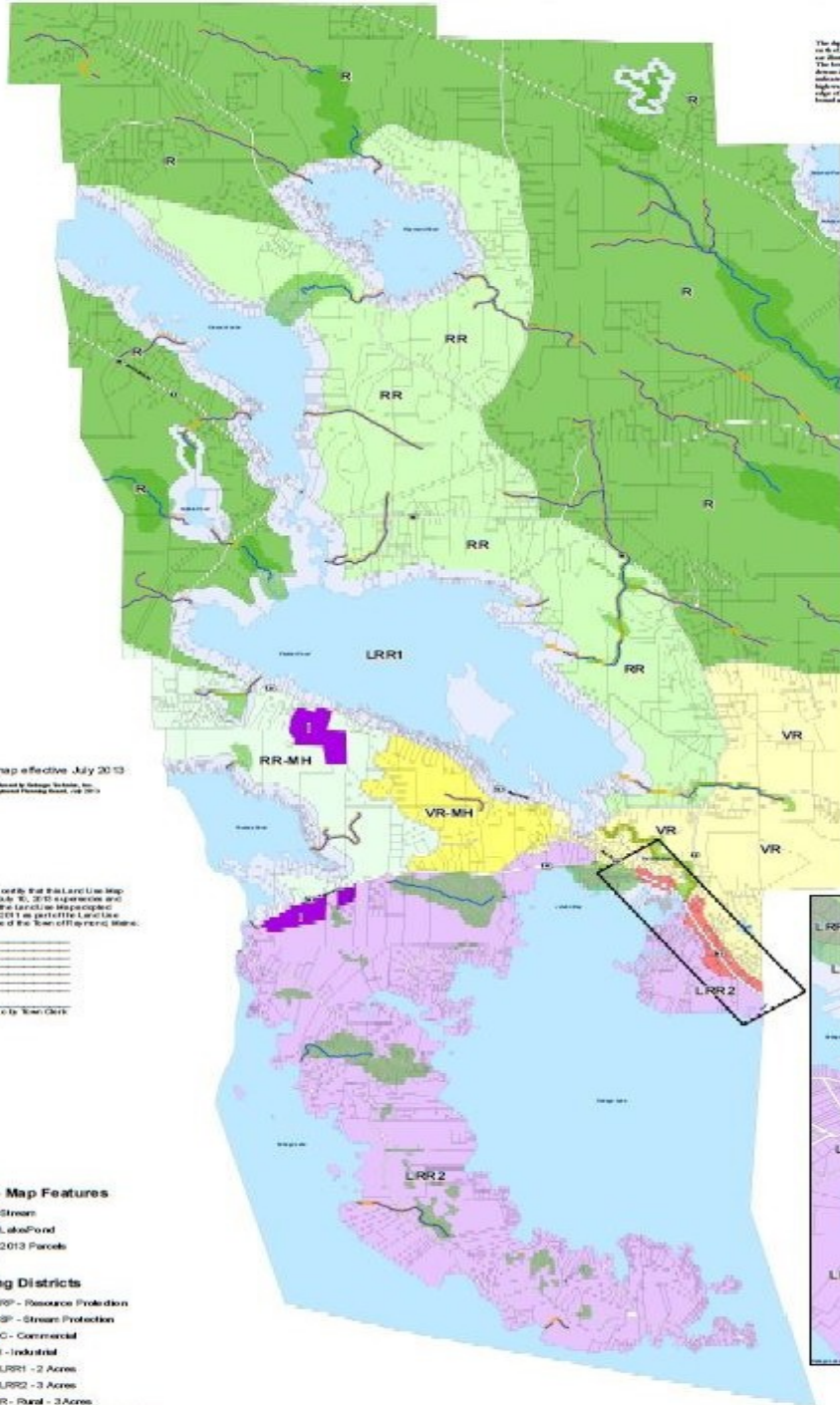
<http://www.raymondmaine.org/town-office/code-enforcement/town-ordinances-0>

Town of Raymond, Maine

Official Land Use Map



The depiction of the Shaded Contours on this map and the depiction of the Town of Raymond are for illustrative purposes only. The boundaries of these areas shall be determined by a surveyor or other authorized professional and shall be shown on a high resolution map of the area to be surveyed or mapped. The boundaries of the Shaded Contours on this map shall be determined by a surveyor or other authorized professional.



Base map effective July 2013
 Prepared by: Design Technics, Inc.
 An ISO 9001 Registered Firm

This is to certify that the Land Use Map adopted July 16, 2013 is accurate and reflects the current zoning ordinance of the Town of Raymond, Maine.

Approved by: Town Clerk

Base Map Features

- Stream
- Lake/Pond
- 2013 Parcels

Zoning Districts

- RP - Resource Protection
- SP - Stream Protection
- C - Commercial
- I - Industrial
- LRR1 - 2 Acres
- LRR2 - 3 Acres
- R - Rural - 3 Acres
- RR - Rural Residential - 2 Acres
- RR-MH - Rural Residential - Mobile Home
- VR - Village Residential - 40,000 sq ft
- VR-MH - Village Residential - Mobile Home

Commercial Districts Inset Map



1 inch = 1,000 feet



Scale: 1 inch = 1,000 feet
 Date: 7/16/13
 Prepared by: Design Technics, Inc.
 2013
 100 Main Street
 Raymond, Maine

COMMERCIAL AREAS

The Town of Raymond's Commercial District runs along Route 302 abutting the Windham townline. This area is suitable for nonresidential development. However, there are other districts with Raymond that have the potential for commercial development. The specific standards and requirements for allowable uses within these zoning districts are found within Article 4 of the Town's Land Use Ordinances.

COMMERCIAL DEVELOPMENT AREAS

Commercial District

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.

1. 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 upper floor contains only commercial uses. The upper floors may contain dwelling units or commercial uses.

2. Conditional Uses: Outdoor sales and service.

3. Space and Bulk Regulations - 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;
- b. There shall be no minimum street frontage;
- c. There shall be no minimum front yard setback however off-street parking shall not be permitted in the first twenty (20) feet from the road right of way. 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.
- 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.

- 4. Off-Street Parking
- 5. Signs

Village Residential

Provides 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 rural environment.

1. Permitted Uses

- a. Schools
- b. Churches
- c. Public buildings and facilities
- d. Agriculture excepting commercial poultry and piggery operations
- e. Professional building
- f. Nursing homes
- g. Boarding homes
- h. Bed and breakfast inn not to exceed five (5) rentable rooms
- i. Elderly Housing

2. 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.

3. 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.
- b. The minimum lot frontage shall be one hundred (100) feet.
- c. The minimum building setbacks shall be as follows:
 - 1) Front - 25 feet
 - 2) Side - 10 feet
 - 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.

- d. The maximum building height shall be two and one half (2.5) stories except for barns.
- 4. Off-street Parking
 - 5. Signs
 - 6. Wireless communication facilities

Residential District

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.

1. Permitted Uses

- a. Church
- b. Public buildings and facilities
- c. Agriculture including commercial poultry and piggery operations that conform to Article 9 of this Ordinance.
- 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.
- e. Bed and breakfast inn not to exceed five (5) rental rooms and not to serve alcohol.
- f. Boarding homes not to exceed five (5) rentable rooms excluding family living space.
- g. Public utility and communication facilities.

2. 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]*

3. Space and Bulk Regulations - The following space and bulk regulations are minimum requirements subject to modification under Article 8, Section B:

- 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.

4. Off-Street Parking

5. Signs

6. Wireless Communication Facilities

Rural Residential District

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.

1. Permitted Uses

- a. Church.
- b. Schools.
- c. Public buildings and facilities.
- d. Agriculture excluding commercial poultry and piggery operations.
- e. 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.
- f. Bed and breakfast inn not to exceed five (5) rentable rooms and not to serve alcohol.
- g. Boarding home not to exceed five (5) rentable rooms excluding family living space.
- h. Public utility and communication facilities.

2. 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.
3. 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
4. The maximum building height shall be two and one-half (2.5) stories except for barns.
5. Off-Street Parking
6. Signs

Shoreland Zoning Districts

- RP - Resource Protection
- SP – Stream Protection
- LR/R-1 - Limited Residential/Recreational I
- LR/R-2 - Limited Residential/Recreational II

LAND USES* (*TABLE 1 “LAND USES IN THE SHORELAND ZONE”)	RP	SP	LRR1 LRR2
Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking	yes	yes	yes
Motorized vehicular traffic on existing roads and trails	yes	yes	yes
Forest management activities except for timber harvesting	yes	yes	yes
Fire prevention activities	yes	yes	yes
Wildlife management practices	yes	yes	yes
Soil and water conservation practices	yes	yes	yes
Mineral exploration*	yes ²	no	yes
Mineral extraction including sand and gravel	CEO ³	no	CEO
Surveying and resource analysis	yes	yes	yes
Emergency operations	yes	yes	yes
Agriculture*	PB	yes	yes
Aquaculture	PB	PB	PB
Principal structures and uses:	.	.	.
a. Small non-residential facilities for education, scientific, or nature	PB	PB	CEO

interpretation purposes			
b. Municipal [Adopted 3/18/00]	no	no	PB
c. Elderly Housing [Added 5/21/05]	no	no	yes
Structure accessory to allowed uses	PB	PB	CEO
Piers, docks, wharves, bridges and other structures and uses extending over or below the normal high water line or within a wetland:	.	.	.
a. Temporary	CEO ⁷	CEO	CEO ⁷
b. Permanent	PB	PB	PB
Home occupations**	no	no	yes
Essential services	PB ⁴	PB ⁴	PB
Service drops, as defined, to allowed uses	yes	yes	yes
Public and private recreational areas involving minimal structural development	PB	PB	PB
Personal campsites	CEO	CEO	CEO
Campgrounds	no ⁵	no	PB
Parking facilities	no ⁵	no	PB
Marinas	no	PB	PB
Signs*	yes	yes	yes
Uses similar to allowed uses	CEO	CEO	CEO
Uses similar to uses requiring a CEO permit	CEO	CEO	CEO
Uses similar to uses requiring a PB permit	PB	PB	P

* 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.

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.

INDUSTRIAL DEVELOPMENT AREAS

The Industrial (I) District designates areas with Town for the following uses and requirements:

1. 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.
2. 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.
3. 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.
4. Procedure for Creation – Industrial Districts are subject to review by the Planning Board and Town Meeting approval process.
5. 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.
6. 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.

7. 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.
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ORDINANCE REQUIREMENTS

OFF STREET PARKING (ARTICLE 9.C)

1. In any district where permitted, no use of premises shall be authorized or extended, and no building or structure shall be constructed or enlarged, unless there is provided for such extension, construction or enlargement, off-street automobile parking space, in accordance with the following parking requirements. *[Amended 06/02/09]*
 - a. Two (2) spaces per dwelling unit.
 - b. One (1) space for each sleeping room in a tourist home, boarding or lodging house, motel or hotel.
 - c. One (1) space for each tent or recreational vehicle site in a campground.
 - d. One (1) space for each two (2) beds in a hospital or sanitarium.
 - e. One (1) space for each four (4) beds in other institutions devoted to the board, care, or treatment of persons.
 - f. One (1) space for each two hundred (200) square feet or fraction thereof, of gross floor area of any retail, wholesale, or service establishment or office or professional building. Except that the ratio may be changed to one (1) space for each two hundred fifty (250) square feet or fraction thereof if an amount of land area equivalent to the difference between the two hundred (200) square foot requirement and the two hundred fifty (250) square foot requirement is developed in landscaped green area and reserved for future parking. *[Amended 06//02/09]*
 - g. One (1) space for each three (3) seats, permanent or otherwise, for patron use for restaurants, and other places serving food or beverage and for theaters, auditoriums, and other places of amusements or assembly.
 - h. One (1) space for each 1.2 employees based on the highest expected average occupancy for

all types of commercial, industrial, or other permitted uses. *[Amended 06/02/09]*

- i. For any structure or use not specifically enumerated above, the reviewing authority shall determine the number of off-street parking spaces required to accommodate customers, patrons, and employees based on a parking analysis submitted by the applicant. *[Amended 06/02/09]*
2. Where several uses occupy a single structure or lot, the total required parking shall be the sum of the requirements of the individual uses. *[Adopted 06/02/09]*
3. The parking requirement may be met on site or off site so long as it is within (300) feet of the principal building, structure, or use of the premises and is not separated by Route 302 (Roosevelt Trail). Off site parking shall be permissible provided evidence of the legal right to use the parking spaces for the duration of the use is submitted and that the sharing of the spaces will not create a shortage of parking spaces for any uses. Such shared parking arrangements shall consider the typical hours of operation of the uses, seasonal fluctuations, the amount of parking needed for customers versus employees, and any other relevant factors for calculating the amount of parking needed. *[Adopted 06/02/09]*
4. In all Districts, the reviewing authority may allow a reduction in the number of spaces actually constructed provided the required number of spaces could be constructed on the property while meeting all other space requirements of that District and all applicable standards, including but not limited to Stormwater Quality and Phosphorous Control. The applicant must demonstrate that the additional spaces are not necessary, and the reviewing authority shall attach a condition of approval stating that the reviewing authority may require that the spaces be constructed if additional parking is needed to correct a parking problem on the site. *[Adopted 06/02/09]*
5. The minimum width of a parking space shall be nine (9) feet. The minimum length of a parking space shall be eighteen (18) feet. *[Adopted 06/02/09]*
6. No off-street parking facility shall have more than two (2) entrances and exits on the same street, and no entrance or exit shall exceed thirty (30) feet in width. Non-residential parking areas with more than two (2) parking spaces shall be so arranged that vehicles can maneuver within such areas and exit onto the street in a forward motion. No parking lot shall be constructed closer than five (5) feet from any property line unless a common parking area is planned between lots.
7. The reviewing authority may require a peer review of the parking analysis. *[Adopted 06/02/09]*

SIGNAGE (ARTICLE 9.L)

1. Definitions Specific to Sign Regulation

Alteration - A non-structural change or minor repair that does not involve replacing or reconfiguring the sign board or sign space, or the system used to affix the sign to the ground or to a structure. Change of color, lettering, logo, design or message constitutes alteration of a sign.

Fixed sign – A sign that is affixed in a permanent or semi-permanent manner to a sign post or sign mounting system in the ground or to a building or other structure.

Free Standing Sign - A fixed sign supported by one or more uprights or braces permanently affixed into the ground.

Identification Sign - A sign indicating the location of, or direction to, a separate function performed within one portion of that building. Examples of identification signs are: "entrance", "exit", "auditorium", etc. Identification signs do not name or advertise the activity conducted within or without the premises.

Portable sign - A sign that is not designed or intended to be permanently affixed in the ground or to a building or other structure.

Off-premise Sign - A sign which advertises goods and services not rendered on the premises on which the sign is located.

Reader board - A sign or portion of a sign on which the copy periodically changes or can be changed by manual, electronic or mechanical means.

Replacement - A structural change to a sign such as a change to the braces, uprights, poles, or any portion of the system used to affix the sign to the ground or to a structure, or a change or reconfiguring of the sign board or sign space. A change of color, lettering, logo, design or message not involving structural change does not constitute a replacement.

Sandwich board - A sign that is not designed or intended to be permanently affixed in the ground or to a building or other structure, and that is displayed only while the business associated with the sign is open, and which contains copy set out in chalk, paint or print form which is easily changed but which is not removable lettering such as is typically found on reader boards. A sandwich board may be hung from a fixed sign or a structure, so long as they are not permanently or semi-permanently affixed.

Temporary advertising feature – An object displayed outdoors that is associated with commercial products or services or is intended to advertise, or draw attention to commercial products or services, and which may include models or replicas of products, inflatable devices, assemblages of flags, balloons or banners, and similar features or displays.

Temporary sign - A sign that is not designed or intended to be permanently affixed in the ground or to a building or other structure and that is, displayed for a temporary or limited timeframe.

Temporary commercial sign – A temporary sign that is associated with commercial products or services or is intended to advertise, or draw attention to commercial products or services.

2. Sign Permits

Except as otherwise herein provided, no person shall install, erect, or place a new sign or modify, move, replace, or make alterations to any sign, without first applying for and obtaining from the appropriate reviewing authority as set out in subsection 2.a below, a sign permit. Applications shall be on forms prescribed and provided by the Code Enforcement Officer setting forth such information as set out in subsection 2.b below and any other information that may be required by the reviewing authority for a complete understanding of the proposed work.

Applications shall be submitted to the Code Enforcement Officer, accompanied by the required fee as specified in the Schedule of Fees established by the Board of Selectmen. For Temporary Commercial Signs and Temporary Advertising Features the fee will be a refundable deposit to be forfeited to the Town if the applicant fails to remove the sign or advertising feature upon expiration of the permit.

Applications to install, erect, or place a new sign or modify, move, replace, or make alterations to any sign that is part of a project that is required to receive Site Plan review shall be made part of the application for Site Plan review. Sign applications that are part of a Site Plan application, and that have paid a Site Plan review fee, shall not be required to pay a sign application fee except for fees for Temporary Commercial Signs and Temporary Advertising Features, if any.

a. Reviewing Authority

Except for temporary signs or temporary advertising features, Planning Board approval and permit under the provisions of this section shall be required for the installation or replacement of any sign that is part of a project subject to major or minor site plan review, or for any other sign application referred to the Planning Board by the Code Enforcement Officer.

Code Enforcement Officer permit approval under the provisions of this section shall be required for installation or replacement of all signs not subject to Planning Board review. Prior to permitting any sign that is proposed for a site that ever received site plan approval from the Planning Board or any new or replacement signs located within the Commercial District, the Code Enforcement Officer shall consult with the Town Planner. The Code Enforcement Officer may require that any sign application be reviewed for approval by the Planning Board if, in the opinion of the Code Officer, the staff review process is unable to adequately resolve all relevant issues raised by the sign application review process.

b. Application Information

Applications shall include a signage plan which contains information on the location and design of the proposed sign or alteration. The plans shall show the design, size, location, color, materials, contents and type of lighting for each proposed sign.

Unless, waived by the Reviewing Authority, applications proposing installation or alteration of a fixed sign in the Commercial District shall be prepared by a design professional experienced in commercial signage.

3. Exceptions

Permits are not required for:

- a. Political signs
- b. Trespass signs allowed under subsection 9.e
- c. Temporary real estate signs allowed under subsection 8.c
- d. Temporary development or construction site signs allowed under subsection 8.d
- e. Temporary signs giving notice allowed under subsection 8.a
- f. Identification signs
- g. Name signs not exceeding one (1) square foot in area identifying occupants of the premises where such sign is located
- h. Signs erected and maintained for public safety and welfare or pursuant to and in discharge of any governmental function, or required by law, ordinance or governmental regulations
- i. Bulletin boards, reader boards or similar signs in connection with any church, museum, library, school or similar public structure
- j. Sandwich boards allowed under subsection 8.f
- k. Flags and banners allowed under subsection 8.e
- l. Changes to the content of established reader boards
- m. Signs that are located and displayed inside a building, whether visible outside of the building through a window or door.

4. Maintenance and Conformance of Signs

No sign shall be erected or altered except in conformity with the provisions herein. The sign must be kept clean, neatly painted and free from all hazards such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety or detrimental to physical appearance or scenic or natural beauty of the community, or constitute a distraction or obstruction that may contribute to traffic accidents.

5. General Safety Standards for Signs

No sign, whether new or existing shall be permitted in a location that causes a sight, traffic, health or welfare hazard, or results in a nuisance due to illumination, placement, display, or manner of construction.

6. Motor Vehicle Signs

Signs on motor vehicles are not subject to the regulations of this Section unless they have the effect of circumventing restrictions or limitations imposed by this Section. A sign on a motor vehicle will be presumed to have the effect of circumventing the restrictions or limitations of this Section if the motor vehicle is parked or stored in a location visible from a public way and one or more of the following circumstances exists:

- a. the motor vehicle is unregistered;
- b. the motor vehicle is uninspected;
- c. the sign is larger in any dimension than or extends beyond any surface of the motor vehicle to which it is attached;
- d. the motor vehicle is parked or stored continuously in the same location;
- e. the motor vehicle is parked or stored in an area not designed, designated or commonly used for parking;
- f. the motor vehicle is regularly parked or stored in a front yard, as defined in this ordinance, or in the public right of way adjacent to the front yard when there is parking available in a side or rear yard; or
- g. the motor vehicle is regularly parked or stored in a location where a sign would not be permitted under this ordinance.

The presumption that a motor vehicle has the effect of circumventing this Section may be rebutted by evidence that the motor vehicle is parked or stored in a particular location for reasonable business or personal purposes not related to advertising, identifying, displaying, directing, or attracting attention to an object, person, institution, organization, business, product, service, event or location.

7. Decoration and Ornamentation

Decoration or ornamentation of buildings, structures or other features of a site, including wall murals, are not subject to the regulations of this Section unless they have the effect of circumventing the restrictions or limitations imposed by this Section. Decoration or ornamentation will be presumed to have the effect of circumventing the restrictions or limitations of this Section if one or more of the following circumstances exists:

- a. The decoration or ornamentation depicts any product or service offered to customers of a business located on the property (for example, painting an ice cream cone on the wall of an ice cream stand);
- b. The decoration or ornamentation depicts some component or aspect of the name of a business located on the property, (for example, displaying a statue of a dolphin on a restaurant named "The Dolphin"); or
- c. The decoration or ornamentation imitates or replicates any logo or symbol used to advertise or identify a business located on the property.

The presumption that any decoration or ornamentation has the effect of circumventing this Section may be rebutted by evidence that the decoration or ornamentation exists for some reasonable business or personal purpose not related to advertising, identifying or attracting attention to the products or services offered on the premises. Nothing in this paragraph prevents temporary decoration of buildings or structures or temporary displays on a site during holiday seasons when such decoration and display are customary.

8. Temporary Signs & Temporary Advertising Features

The following temporary signs are allowed and shall conform to these standards and other municipal, state or federal ordinances, statutes or regulations:

a. Temporary Signs Giving Notice

Signs of a temporary nature such as advertisements of charitable functions, notices of meetings and other non-commercial signs of a similar nature, are permitted for a period not to exceed twenty-one (21) days and shall be removed by the person(s) who posted the signs within forty-eight (48) hours after fulfilling its function. Temporary signs specified in this section shall not be attached or painted to fences, trees, or other natural features, utility poles, or the like and shall not be placed in a position that will obstruct or impair vision or traffic or in any manner create a hazard or disturbance to the health and welfare of the general public.

b. Temporary Political Signs

Temporary political signs may be placed in any district, except in a floodplain, are not subject to lot line setbacks, and may be placed in a public right of way or on public property but not within 150 feet of an intersection or in such locations as will create a safety hazard. Political signs may not be placed within a right-of-way or elsewhere prior to six (6) weeks before the election, primary or referendum to which they relate and must be removed by the candidate or political committee not later than one week after Election Day. The maximum size of temporary political signs shall be 4 feet by 4 feet.

c. Temporary Real Estate Signs

One temporary real estate sign attached to a building or free standing may be erected advertising the sale, lease or rental of the premises upon which the sign is located. This sign shall be located on the property that is advertised for sale. Temporary real estate signs shall be removed from the premises within thirty (30) days after the property is sold or leased.

d. Temporary Development or Construction Site Sign

One temporary development or construction sign, attached to a building or free standing, may be erected provided such sign shall be limited to a general identification of the project and shall be removed within thirty (30) days after completion of the project.

e. Banners & Flags

A banner or flag, the dimensions of which do not exceed twenty-four square feet and on which there is only the word "open" and no other lettering or numbering, may be displayed by any retail business or service establishment (except home occupations) during the hours such business is open for customers and shall not be counted toward calculating the maximum number of signs or the maximum gross display area of signs on the property. This subparagraph does not prohibit or restrict displays of the United States Flag or the State of Maine Flag.

f. Sandwich Boards

One temporary sandwich board is allowed for each business provided it meets the requirements of this section. Sandwich boards shall not exceed three (3) feet in height or a total of nine (9) square feet per side in size. Sandwich boards shall not be counted toward calculating the maximum number of signs or the maximum gross display area of signs on the property. Sandwich boards may not include any source of illumination. Sandwich boards are allowed to be displayed outside only during the hours of operation of the business. Sandwich boards are not subject to lot line setbacks, and may be placed in the portion of a public right of way abutting the property containing the business as long as they are not placed in a travel way or on a public sidewalk and do not create a hazard.

g. Temporary Commercial Signs

One temporary sign for commercial purposes (including but not limited to advertising or announcing a new or relocated business) up to thirty-two (32) square feet of total façade area but no more than sixteen (16) square feet per side, shall be permitted in any district in connection with a legally permissible business conducted on the premises.

Temporary signs are allowed in addition to any sign permitted by this section. The area of the temporary sign shall not count toward the maximum sign area allowed for an individual property.

A temporary commercial sign is not subject to lot line setbacks but shall be located within the boundaries of the property on which the business is located. A temporary commercial sign shall not be placed in a travel way or on a public sidewalk and shall not create a hazard for pedestrians or vehicles.

Temporary commercial signs shall not be installed or displayed on the same property or on adjoining properties under the control of a single person or entity for more than four (4) thirty (30) day periods per calendar year, and such periods must be non-consecutive. In order to be considered non-consecutive, there shall be at least a fifteen (15) day interval between display periods. When more than one business is located on the same property or on adjoining properties under the control of a single person or entity, the limitations of this paragraph shall apply separately to each business.

The Code Enforcement Office shall issue permits for temporary commercial signs (“temporary sign permit”) for each non-consecutive thirty (30) day period which set out the expiration date of the permit. Temporary signs shall be removed on or before the expiration date set out in the temporary sign permit.

In addition to being subject to penalties and other sanctions for violations of this Ordinance, any business that allows a temporary sign to remain in place more than the thirty (30) consecutive days allowed by this section will forfeit the permit deposit to the town.

h. Temporary Advertising Features

One temporary advertising feature shall be permitted in any district in connection with a legally permissible business conducted on the premises.

Temporary advertising features are allowed in addition to any sign permitted by this section. The area of the temporary advertising feature shall not count toward the maximum sign area allowed for an individual property.

A temporary advertising feature shall be located so that it does not create a hazard for pedestrians or vehicles. A temporary advertising feature shall not be placed in a travel way or on a public sidewalk.

Temporary advertising features shall not be installed or displayed, on the same property or properties under the control of a single person or entity, more than four (4) non-consecutive ten (10) day periods per calendar year. In order to be considered non-consecutive, there shall be at least a fifteen (15) day interval between display periods.

The Code Enforcement Office shall issue permits for temporary advertising features (“temporary advertising feature permit”) for each non-consecutive 10 day period, which set out the expiration date of the permit. Temporary advertising features shall be removed on or before the expiration date set out in the temporary advertising feature permit.

Any business that allows a temporary advertising feature to remain in place more than the ten (10) consecutive days allowed by this section will forfeit the permit deposit to the town.

9. Regulations Applicable to All Signs

a. Off-premises signs

Off-premises signs are prohibited. All signs shall be located on the property containing the business to which the sign relates, subject to the provisions of subsection 11 below.

b. Reader Boards

Reader boards attached to permanent signage are allowed so long as they do not occupy more than 50% of the area of the sign. Reader boards shall contain no more than four (4) lines of text and the lettering on the Reader board shall not be less than 6” in height. The area of the Reader board shall be counted toward calculating the maximum gross display area of signs on the property. A reader board may contain an electronic message sign, and may include a time and/or temperature display so long as the time and/or temperature display complies with the requirements for time and/or temperature signs in subsection 9.c below. A reader board must also comply with the requirements for changeable signs under 23 M.R.S.A. § 1914(11-A), as amended from time to time.

c. Time and/or Temperature signs

Time and/or Temperature Signs are allowed, and any sign otherwise permitted may include a time and temperature sign, provided that a time and/or temperature sign not be established within 2,500 feet of another time and temperature sign. A time and/or temperature sign shall be limited to 10 square feet in area and may not be located more than 10 feet above grade. The area of the time and/or temperature sign shall be counted toward calculating the maximum gross display area of signs on the property. The electronic display of a time and/or temperature sign shall not change more often than one time per minute. A time and/or temperature sign shall also comply with the requirements for changeable signs under 23 M.R.S.A. § 1914(11-A), as amended from time to time.

d. Illumination & Animation

Sign illumination, if any, shall be a non-flashing light. Animated display or flashing signs are prohibited.

e. Trespass signs

Signs relating to trespassing and hunting shall be permitted without restriction as to number provided that no such sign shall exceed two (2) square feet in area.

f. Roof mounted signs

Signs shall not be mounted to, nor placed upon the roof of any building.

g. Street numbers

Any premise which utilizes an advertising sign or other sign identifying the premises to the traveling public must display its street numbers on at least one of the permanent signs permitted under this Section in a location visible from the nearest street. The characters of the street number shall be at least 6 inches high. The street number shall not be counted as part of the gross display area of the sign unless characters larger than 6 inches high are used for the street number and/or the street name, in which case the area which exceeds that which would be covered using 6 inch characters shall be counted as part of the gross display area. The street number must be displayed on all permanent signs erected, repaired, altered (including change in message) or replaced after June 2, 2009 unless another permanent sign on the same premises already displays the street address in compliance with this paragraph.

10. Specific Standards

a. The following provisions shall govern the use of signs in the Resource Protection, Stream Protection, Limited Residential-Recreation I, Limited Residential-Recreation II, Village Residential I, Village Residential II, Rural and Rural Residential districts, and any other residentially-zoned districts.

1) Signs related to goods and services lawfully sold on the premises are allowed, but

shall not exceed six (6) square feet in area, and shall not exceed two (2) signs per premises except as otherwise allowed pursuant subparagraph (4) below.

- 2) Residential users may display a single sign not over three (3) square feet in area relating to the sale, rental, or lease of the premises.
- 3) No sign shall extend higher than twenty (20) feet above the ground.
- 4) Signs advertising approved commercial uses in the residential zones fronting on Route 302, will be allowed to the maximum size and number allowed in the commercial zone.

b. The following provisions shall govern the use of signs in the Commercial District.

- 1) Signs permitted in this district include free standing signs and signs attached to a building or structure, identifying uses of goods sold or services rendered on the premises. Signs attached to a building may project out from the façade of the building but may not be mounted to the roof of the building. Signs may be single or double-faced.
- 2) The maximum display area of permanent signs in this district shall be an amount equal to one (1) square foot of area for every foot of street frontage to a maximum of two hundred eighty eight (288) square feet for each premise._
- 3) Detached signs may extend to a maximum height of twenty (20) feet above the level of the ground upon which they are erected.
- 4) Signs attached to a building may extend a maximum of ten (10) feet above the level of the eaves of roofs.
- 5) Signs shall be located only in the front yard or along the front property line in cases where the commercial lot abuts a lot in a residential district. Any sign within ten (10) feet of the property line shall have the bottom of the sign not less than six (6) feet above the level of the adjacent traveled surface._
- 6) No sign shall be more than four (4) feet above the peak of the roof and no sign shall protrude out from the building more than twelve (12) inches.
- 7) No sign shall be more than 12 feet by 12 feet and not to exceed 288 square feet in size including the two sides of a freestanding sign.
- 8) Signs attached to buildings shall not exceed 4 feet by 8 feet.

c. The following provisions shall govern the use of signs in the Industrial District.

- 1) Signs permitted in this district include free standing signs and signs attached to a building or structure, identifying uses or articles produced or services rendered on the

premises. Signs attached to a building may project out from the façade of the building but may not be mounted to the roof of the building. In cases where the industrial lot abuts a lot in a residential district, the sign shall be constructed in a manner such that it will be oriented in a direction other than toward the residential district.

- 2) Signs will be allowed to the maximum size allowed in the commercial zone but will be at the discretion of the Reviewing Authority to meet the standards of the area located.

HOME OCCUPATION STANDARDS (ARTICLE 9.B)

1. The Home Occupation shall be carried on wholly within the dwelling or accessory structure.
 2. The Home Occupation shall be carried on primarily by a member or members of the family residing in the dwelling unit. Not more than two (2) persons who are not family members residing in the dwelling unit, shall be employed.
 3. There shall be no exterior display, no exterior sign except as expressly permitted by District regulations of this Ordinance, no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building.
 4. Objectionable conditions such as noise, vibration, smoke, dust, electrical disturbance, odors, heat, glare or activity at unreasonable hours, shall not be permitted.
 5. In addition to the off-street parking provided to meet the normal requirements of the dwelling, adequate off- street parking shall be provided for the vehicles of each employee and the vehicles of the maximum number of users the home occupation may attract during peak operation hours.
 6. The home occupation shall not utilize more than twenty (20) percent of the total floor area of the dwelling unit. The basement floor area shall be excluded in the calculation of the twenty (20) percent.
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MUNICIPAL DEVELOPMENT REVIEW PROCEDURES AND STANDARDS

SITE PLAN REVIEW (Article 10)

A. Purpose

1. The purpose of Site Plan Review is to ensure that the design and layout of commercial, retail, industrial or institutional uses or multi-family residential development will constitute suitable development and will not result in a detriment to the Town of Raymond or to the environment.
2. The purpose and objectives of site development requirements and the site design review procedure for uses other than single-family and duplex dwellings are to:
 - a. Encourage originality, flexibility and innovation in site planning and development,

including the architecture, landscaping and graphic design of the development;

- b. Discourage monotonous, drab, unsightly, dreary and inharmonious developments;
- c. Conserve the Town's natural beauty and visual character and charm by insuring that structures, signs, and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic quality of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs, and other improvements;
- d. Protect and enhance the Town's appeal to its residents and visitors and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business, commercial, and industrial properties;
- e. Stabilize and improve property values and prevent blighted areas and, thus, increase tax revenues;
- f. Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and, thus, decrease the cost of governmental services;
- g. Foster civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and in community growth, change, and improvement;
- h. Sustain the comfort, health, tranquility and contentment of residents and attract new residents by reason of the Town's favorable environment; and, thus, to promote and protect the health, welfare, and safety of the Town.

B. Authority and Classification of Site Plans *[Amended 06/02/09]*

1. Except for single-family dwellings, duplex dwellings, accessory uses to single-family or duplex dwellings, maintenance of an existing building or facility, or interior renovations to an existing building or facility which do not change the use(s) or increase the amount of parking required under Article 9, Section C, no building permit shall be issued for a new building, a new facility, an exterior renovation to an existing building or facility, any alteration to or addition of impervious areas, or any substantial change to the use of an existing building or facility until the plans, drawings, sketches, and other documents required under this section have been reviewed and approved in accordance with the Site Plan Review provisions set out in this section below.
2. Site Plan Reviews shall be classified by the Town Planner as follows:
 - a. Staff Review. A site plan application shall be classified as a **Staff Site Plan Review** so long as, in any two year period:
 - 1) any new building or any additions to existing buildings proposed by the application do not exceed 2400 square feet of new Gross Floor Area, and
 - 2) any exterior building renovation proposed by the application do not exceed 1200 square feet of building surface area, and

- 3) any additional or altered impervious surface proposed by the application does not exceed, separately or in combination, 2400 square feet.
 - b. Minor Review. A site plan application which exceeds the thresholds for Staff Site Plan Review shall be classified as a **Minor Site Plan Review** so long as, in any two year period:
 - 1) any new building or any additions to existing buildings proposed by the application do not exceed 4800 square feet of new Gross Floor Area, and
 - 2) any exterior building renovation proposed by the application do not exceed 2400 square feet of building surface area, and
 - 3) any additional or altered impervious surface proposed by the application does not exceed, separately or in combination, 4800 square feet .
 - c. Major Review. All other projects subject to Site Plan review shall be classified as a **Major Site Plan Review**.
- 3. The applicant may reclassify an application from a staff site plan review to a minor site plan review, and may request a hearing by the Planning Board, even if the amount of area proposed to be developed or renovated is under the threshold that would trigger Planning Board review, and even if staff has been in the process of reviewing the application. However, in order to do so, the applicant shall provide all submission materials required for a minor site plan review as set out in section C.3.b below.
- 4. The staff may require that any Site Plan application be reviewed by the Planning Board as a minor site plan review, even if the amount of area proposed to be developed or renovated is under the threshold that would trigger Planning Board review, if the staff review process is unable to adequately resolve all relevant issues raised by the site plan review process.
- 5. The Planning Board may, by majority vote, reclassify a minor site plan item on the agenda to a major site plan if the Board determines that there is credible conflicting technical information regarding the approval criteria, that the subject matter of the application is of significant public interest or that the application has generated a high level of interest in the immediate vicinity of the site.
- 6. Construction, site development, and landscaping shall be carried out in substantial accord with the plans, drawings, sketches, and other documents approved by the Board, unless altered with Board approval. Nothing in this Subsection shall be construed to prevent ordinary repair, maintenance, and replacement of any part of the building or landscaping which does not involve a substantial change from the purpose and objectives of this Ordinance.

C. Administration *[Amended 06/02/09]*

- 1. The following procedure and requirements shall apply to all applications for site plan review:
 - a. Pre-application staff meeting required in the Commercial District.
All applicants intending to file a site plan review application for property located in the Commercial district shall, prior to filing an application, meet with town planning and code

staff (or any other staff deemed to be necessary by the town for providing input on a proposal) to informally discuss the proposed project, the town's design guidelines, and site plan review criteria. The purpose of the meeting shall be to exchange information, to seek to identify issues in advance of detailed project design, and to discuss potential alternatives.

b. Planning Board pre-application meeting – optional.

Prior to formal application, an applicant may request an informal review of the site plan by the Planning Board to discuss the proposed project and the site plan review criteria, to determine its compliance with Town regulations, and to identify significant issues which will require additional analysis. This option is available to all applicants regardless of the classification of the Site Plan as described above. Such a request shall be in writing and submitted at least twenty--six (26) days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard.

c. Applications.

All applications for Site Plan Review shall be made in writing to the Code Enforcement Officer on the forms provided for this purpose. The application shall be made by the owner of the property or by his agent, as designated in writing by the owner. The application for Site Plan Review shall be accompanied by a fee as established and revised from time to time, by the Board of Selectmen and listed in the Town Fee Schedule.

Fifteen (15) copies of the completed application for Site Plan Review, together with the documentation required in these regulations shall be submitted at least twenty-six (26) days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard. However, any application, which is not complete, shall be returned to the applicant with an indication of the additional information required.

d. Design Guidelines.

The Town of Raymond Design Guidelines (“Design Guidelines”) shall be reviewed and considered by all applicants proposing a site plan project located anywhere in the Commercial District. The Design Guidelines shall be considered by the Planning Board and the Staff when evaluating any site plan project located anywhere in the Commercial District.

The Design Guidelines are not ordinance requirements but are intended to assist applicants in designing projects which will comply with the ordinance requirements. Relevant portions of the Design Guidelines shall be considered, along with other relevant materials, by the Planning Board and the Staff, as guidance in determining whether an application meets the site plan Criteria and Standards in section E and the site plan Performance Standards of section F.

e. Peer review process

The town may require a peer review process for site plan applications as set out in sections C.2, C.3 and C.4 below. A peer review process may require that an expert consultant or consultants review one or more submissions of an application and report as to compliance or noncompliance with this Ordinance, including adherence to Design Guidelines, and advise of procedures or submissions which will result in compliance.

The consultant shall estimate the cost of such review and the applicant shall deposit with the Town the full estimated cost which the Town shall place in an escrow account. The Town shall pay the consultant from the escrow account and reimburse the applicant if funds remain after payments are completed. The consultants shall be fully qualified to provide the required information.

f. Timely action.

Within one hundred (100) days of the receipt of a completed application, the reviewing authority shall act to approve or disapprove the Site Plan as submitted or amended.

g. Public hearings and notification.

Prior to taking final action on any Site Plan Review application, the Planning Board will hold a hearing to afford the public the opportunity to comment on the application. Notice of the date, time, and place of such hearing shall be published in a newspaper of local circulation at least seven (7) days prior to the hearing. Further notice shall be sent by mail to property owners abutting the proposed project at least seven (7) days prior to the hearing.

Site Plan applications that are classified as a Staff Site Plan Review, shall not be required to receive a public hearing unless the application is heard and decided by the Planning Board. However, the Town shall give notification of the nature of applications that are classified as a Staff Site Plan Review, and the time and manner in which to review or comment on the application, by mail to the owners of all abutting property within fourteen (14) days of the date upon which the application is received and at least seven (7) days in advance of any final action on the application.

h. Approval part of Building Permit applications.

One copy of the approved site plan shall be included in the application for a building permit.

i. Communication with Historic Preservation Commission.

An owner or his authorized agent shall submit information on the location of the development to the State Historic Preservation Officer (Maine Historic Preservation Commission, 55 Capitol Street, State House Station 55, Augusta, Maine 04333) with a request that the reviewing authority be notified of any comments. The applicant shall submit to the reviewing authority proof of such notification, including a copy of the letter to the State Historic Preservation Officer.

j. Expiration of approval.

Site plan approval shall expire and be void if the activity approved is not commenced within 12 months, and completed within two (2) years after the date of approval unless the reviewing authority, at the time of approval, establishes a different commencement and completion schedule but in no case will such period exceed five (5) years. Upon application for an extension of the approval received before approval expires, an extension of up to two (2) years may be granted by the reviewing authority.

2. The following procedure and requirements shall apply to **Staff Site Plan Review**:

a. Review process.

Staff Site Plan Review shall be conducted at a meeting attended by the Town Planner and the Codes Enforcement Officer (the “staff reviewers”), or their designee. The staff reviewers may seek input from other Town departments including the Fire Department and the Public Works Department as needed. For applications classified as Staff Site Plan Review developments, the staff reviewers shall have the same powers and duties as the Planning Board. Completed and timely submitted applications classified as Staff Site Plan Review developments shall be reviewed and acted on at the next regularly scheduled Plan Review meeting following the submission deadline.

The staff reviewers shall approve, approve with conditions, or deny the application based on criteria in Article 10 of the Land Use Ordinance. In the event that the Town Planner and the Codes Enforcement Officer are unable to jointly make a determination on the application, the Code Enforcement Officer shall, after receiving and considering the recommendations of the Town Planner, have the authority to approve, approve with conditions, or deny the application based on criteria in Article 10 of the Land Use Ordinance. Any appeals from the decisions of the Staff Site Plan Review shall be taken directly to the Planning Board within 30 days of decision.

b. Submission requirements.

Applications classified as Staff Site Plan Review developments shall be required to submit application materials in accordance with the requirements in section D below except as follows. The following items listed in Section D.1 shall not be required unless the staff reviewers deem any of those items reasonable and necessary to insure that the requirements of the Ordinance are met and the staff reviewers specifically request those items:

- (b.) Narrative descriptions explaining how the submissions and the proposed plans meet all submission requirements and ordinance provisions that pertain to the applicant’s project.
- (c. 6.) A surveyed topographic map of the site showing existing and proposed contours at no more than two (2) foot intervals;
- (c.7.) Location of watercourses, wetlands, marshes, surface water, rock outcroppings, wooded areas, single trees;
- (c.9.) Locations of water mains, sewer mains, wells, fire hydrants, culverts, drains, pipe sizes, grades and direction of flow;
- (c.10.) Existing soil conditions and soil suitability test results for septic waste disposal;
- (c.12.) Proposed traffic circulation and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours;
- (c.14.) A storm water management plan;

- (c.17.) Existing and proposed planting, fences and walks, including all landscaping and screening;
- (c.23.) Description and plan of a "phase development concept" detailing the areas and sequence of phasing;
- (c.25.) Information on the amount and types of waste to be generated or materials to be stored, used, transported, or applied and the precautions, safeguards or methods that will be used to minimize the potential for groundwater contamination;
- (c.26.) Location of existing trails used for hiking, walking, bicycling, snowmobiling, and horseback riding, as well as any portion of any Town- designated greenbelt, which occurs on the property.

The staff reviewers may require the applicant to submit additional studies or reports which it deems reasonable and necessary to insure that the requirements of the Ordinance are met. The costs of all such studies or reports shall be borne by the applicant.

c. Review criteria

For applications classified as Staff Site Plan Review developments, only the portions of the lot or lots being proposed for development, or portions of any lot or lots under the common ownership or control of the applicant which will, or is likely to, experience a substantial change of use in conjunction with the proposed development, shall be required to meet the site plan Criteria and Standards in section E and the site plan Performance Standards of section F.

For purposes of this subsection, “substantial change of use” shall mean a change in the use of the site that is likely to result in a substantial alteration of the existing traffic or parking patterns, timing, or intensity from the current use of the site, or which would result in a change in the amount or timing of activity on the site that might affect, noise, lighting, waste disposal, delivery times, water usage, or sewage disposal, or an increase in the amount of parking required under Article 9, Section C.

d. Planning Board pre-application meeting.

Prior to formal application for Staff Site Plan Review, an applicant may participate in an informal pre-application meeting with the Planning Board as set out in section C.1.b above.

In the event that issues arise in the course of the Staff Site Plan Review process that have not been resolved after consideration at two regularly scheduled Plan Review meetings, the staff reviewers may recommend an informal meeting with the Planning Board to discuss the proposed project, the unresolved issues, and the site plan review criteria to determine the application’s compliance with Town regulations and to attempt to resolve the issues. The applicant may accept this recommendation in which case the applicant shall make a request in writing and submitted at least twenty-six (26) days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard.

If the applicant does not accept this recommendation, the staff reviewers may make the

recommendation to the Planning Board at its next regular meeting. If the Planning Board accepts the recommendation to conduct an informal meeting with the applicant, then the applicant shall make a request in writing and submitted at least twenty-six (26) days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard.

e. Peer review.

Peer review process is not required for applications classified as Staff Site Plan Review developments but the staff reviewers may require a peer review of any aspect of the site plan review if the staff review process is unable to adequately resolve relevant site plan review issues and the staff determines that a peer review may resolve those issues.

3. The following procedure and requirements shall apply to **Minor Site Plan Review**:

a. Review process.

Applications classified as Minor Site Plan Review developments shall be reviewed by the Planning Board. Completed and timely submitted applications classified as Minor Site Plan Review developments shall be reviewed and acted on at the next regularly scheduled Planning Board meeting following the submission deadline.

b. Submission requirements.

Applications classified as Minor Site Plan Review developments shall be required to submit application materials in accordance with the requirements in section D below except as follows. The following items shall not be required unless the Planning Board deem any of those items reasonable and necessary to insure that the requirements of the Ordinance are met and the Planning Board specifically request those items:

- (c. 6.) A surveyed topographic map of the site showing existing and proposed contours at no more than two (2) foot intervals;
- (c.12.) Proposed traffic circulation and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours;
- (c.14.) A storm water management plan;
- (c.26.) Location of existing trails used for hiking, walking, bicycling, snowmobiling, and horseback riding, as well as any portion of any Town- designated greenbelt, which occurs on the property.

The Planning Board may require the applicant to submit additional studies or reports which it deems reasonable and necessary to insure that the requirements of the Ordinance are met. The costs of all such studies or reports shall be borne by the applicant.

c. Review criteria.

For applications classified as Minor Site Plan Review developments, only the portions of the lot or lots being proposed for development, or portions of any lot or lots under the common ownership or control of the applicant which will, or is likely to, experience a substantial change of use in conjunction with the proposed development, shall be required to meet the

site plan Criteria and Standards in section E and the site plan Performance Standards of section F.

For purposes of this subsection, “substantial change of use” shall mean a change in the use of the site that is likely to result in a substantial alteration of the existing traffic or parking patterns, timing, or intensity from the current use of the site, or which would result in a change in the amount or timing of activity on the site that might affect, noise, lighting, waste disposal, delivery times, water usage, or sewage disposal, or an increase in the amount of parking required under Article 9, Section C.

d. Planning Board pre-application meeting.

Prior to formal application for Minor Site Plan Review, an applicant may participate in an informal pre-application meeting with the Planning Board as set out in section C.1.b above.

e. Peer review

Peer review process is not required for applications classified as Minor Site Plan Review developments but the Planning Board may require a peer review if in the Planning Board’s judgment the project is sufficiently complex that it requires the expertise of a peer reviewer to evaluate the proposed site planning (including but not limited to storm water management and traffic management), architecture, lighting or landscaping proposed in the application. The Planning Board may also require a peer review process if in the Planning Board’s judgment there is credible conflicting technical information regarding approval criteria which peer review may assist the Planning Board to resolve.

4. The following procedure and requirements shall apply to **Major Site Plan Review**:

8. Review process

Applications classified as Major Site Plan Review developments shall be reviewed by the Planning Board. Completed and timely submitted applications classified as Major Site Plan Review developments shall be reviewed and acted on at the next regularly scheduled Planning Board meeting following the submission deadline.

9. Submission requirements.

All submission required in Section D below shall be required unless specifically waived by the Planning Board.

The Planning Board may require the applicant to submit additional studies or reports which it deems reasonable and necessary to insure that the requirements of the Ordinance are met. The costs of all such studies or reports shall be borne by the applicant.

10. Review criteria.

For applications classified as Major Site Plan Review developments, the entire lot or lots being proposed for development, or any lot or lots under the common ownership or control of the applicant which will, or is likely to, experience a substantial change of use in conjunction with the proposed development, shall be required to meet the site plan Criteria and Standards in section E and the site plan Performance Standards of section F.

For purposes of this subsection, “substantial change of use” shall mean a change in the use of the site that is likely to result in a substantial alteration of the existing traffic or parking patterns, timing, or intensity from the current use of the site, or which would result in a change in the amount or timing of activity on the site that might affect, noise, lighting, waste disposal, delivery times, water usage, or sewage disposal.

11. Planning Board pre-application meeting.

Prior to formal application for major review, an applicant shall participate in an informal pre-application meeting with the Planning Board to discuss the proposed project and the site plan review criteria, to determine its compliance with Town regulations, and to identify significant issues which will require additional analysis. The applicant shall make a request in writing and submitted at least twenty-six (26) days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard.

12. Peer review.

Peer review process is required for applications classified as Major Site Plan Review developments unless the Planning Board specifically waives the requirement at the pre-application meeting or any subsequent meeting. Any such waiver by the Planning Board shall not preclude the Planning Board from subsequently requiring a peer review if an issue arises that is sufficiently complex that it requires the expertise of a peer reviewer.

Peer review process for applications classified as Major Site Plan Review shall evaluate the proposed site planning (including but not limited to storm water management and traffic management), architecture, lighting and landscaping proposed in the application unless any aspect of the required peer review is waived. Town staff shall begin the peer review process with the receipt of the application.

5. The Planning Board shall require the owner or the owner’s authorized agent to deposit in escrow with the Town an amount of money sufficient to cover the costs for any professional review of the site plan documents which the Board may feel is reasonably necessary to protect the general welfare of the Town. Amounts for this escrow payment are established by the Board of Selectmen and listed in the Town Fee Schedule. This escrow payment shall be made before the Board engages any outside party to undertake this review and to make recommendations to the Board. Any part of this escrow payment in excess of the final costs for the review shall be returned to the owner or the owner’s agent.

6. Performance Guarantees.

- a. The developer shall, in an amount set by the Town Manager, file with the Town, prior to the issuance of Final Approval, a performance guarantee 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 to cover the full cost of required improvements or some other form of surety that is acceptable to the Town Manager. For the purposes of this section, required improvement shall mean all public and private roads, all drainage structures and ditches, all erosion control measures, all utilities, all landscaping and all recreation facilities. Any such bond shall be satisfactory to the Town Manager and the municipal attorney as to form, sufficiency, manner of execution and surety.

- b. At the discretion of the Town Manager, the developer may be allowed to submit individual bonds for each phase of a project's development. If this option is chosen, prior to submission of each individual bond, the developer shall submit to the Town a written statement detailing completion dates for all roads and other public improvements planned for that phase.
- c. A period of one (1) year (or such period as the Town Manager may determine appropriate, not to exceed three (3) years) shall be set forth in the bond time within which required improvements must be completed.
- d. Inspection of Required Improvements:
 - 1) At least fifteen (15) days prior to commencing construction of required improvements, the developer shall notify in writing the Code Enforcement Officer of the time when the developer proposes to commence construction of such improvements so that the Town Manager can cause inspection to be made to assure that all specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Board. Inspection shall be made of all required public improvements as defined above;
 - 2) At least five (5) days prior to commencing construction of required improvements, the developer shall pay an inspection fee equal to the estimated cost of inspection by an engineer appointed by the Town, payable by check to the Town of Raymond, stating the purpose of the fee. No building permits shall be issued on the project and no work begun until the inspection fee has been paid;
 - 3) If the inspector shall find, upon inspection of the improvement performed before the expiration date of the performance bond, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the developer, the inspector shall so report to the Town Manager, Road Commissioner and Building Inspector. The Town Manager shall then notify the developer and, if necessary, the bonding company or bank, and take all necessary steps to preserve the municipality's rights under the bond or letter of credit. No plan shall be approved by the Board as long as the developer is in default on a previously approved Plan;
 - 4) If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the inspector that unforeseen conditions make it necessary or preferable to modify the location or design of any required improvement, the inspector may, upon approval of the Town Manager, authorize modifications, provided these modifications are within the spirit and intent of the Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Board. The inspector shall issue any authorization under this section in writing and shall transmit a copy of such authorization to the Planning Board;

- 5) Upon completion and final inspection of all required improvements, any funds remaining in a project's inspection fee account, after all inspection fees have been paid, shall be returned to the subdivider;
 - 6) The applicant shall be required to maintain all improvements and provide for snow removal on streets and sidewalks until acceptance of said improvements by the legislative body.
- e. The performance guarantee shall not be released by the Town Manager until:
- 1) The inspecting engineer has completed a final inspection of the project and has submitted a written report stating that all required public improvements as defined above have been completed in accordance with approved plans and specifications;
 - 2) The Town Manager and Code Enforcement Officer have examined the site, have reviewed the inspecting engineer's report and concur with the inspecting engineer's findings.
 - 3) Performance guarantees collected on phased work segments shall be released in the same manner as outlined above, upon the completion of each phase.

D. Submission Requirements

1. When the owner of the property or the owner's authorized agent makes formal application for Site Plan Review, the application shall contain at least the following exhibits and information except to the extent any of these submission requirements are modified by the provisions of Section C.2.b pertaining to Staff Site Plan Review and Section C.3.b pertaining to Minor Site Plan Review above: *[Amended 06/02/09]*

- a. A fully executed and signed application for Site Plan Review;
- b. A narrative description explaining how the submissions and the proposed plans meet all submission requirements and ordinance provisions that pertain to the applicant's project. *[Adopted 06/02/09]*

For any project located in the Commercial District, the applicant shall also submit a narrative which explains how the submissions and the proposed plans comport with the Raymond Design Guidelines, and where the submissions and the proposed plans do not comport with the Raymond Design Guidelines, the reasons why the applicant is proposing an alternative design. *[Adopted 06/02/09]*

- c. Fifteen (15) copies of a Site Plan drawn at a scale of not more than fifty (50) feet to the inch for that portion of the total tract of land subject to site plan review, and showing the following: *[Amended 06/02/09]*
 - 1) Name of owner and developer; and interest of the applicant if other than the owner or developer;

- 2) Name of development, scale and meridian arrow, with specific definition of representation, date of plan and legend;
- 3) Names and addresses of all owners of record of all adjacent property as they appear on Assessor's records;
- 4) Current zoning boundaries and one hundred (100) year flood plain boundaries including surrounding areas to a distance of three hundred (300) feet from the perimeter of the site;
- 5) Easements; rights-of-way, existing, planned or proposed; or other reservations adjacent to or intersecting the property;
- 6) A surveyed topographic map of the site showing existing and proposed contours at no more than two (2) foot intervals; *[Amended 3/ 20/99]*
- 7) Location of watercourses, wetlands, marshes, surface water, rock outcroppings, wooded areas, single trees with a diameter of ten (10) inches measured three (3) feet from the base of the trunk;
- 8) Location of buildings existing on the tract to be developed and on adjacent tracts within a distance of one hundred (100) feet from the property line, indicating whether existing buildings on the tract are to be retained, modified or removed;
- 9) Locations of water mains, sewer mains, wells, fire hydrants, culverts, drains, pipe sizes, grades and direction of flow, existing within two hundred (200) feet of the subject property;
- 10) Existing soil conditions and soil suitability test results for septic waste disposal. The Planning Board also may require submission of a high intensity soils map;
- 11) Locations of proposed buildings and uses thereof;
- 12) Proposed traffic circulation system including streets, parking lots, driveways and other access and egress facilities, curb lines, sidewalk lines, and existing streets, including the projected traffic flow patterns into and upon the site for both vehicles and pedestrians and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours;
- 13) Location of existing and proposed public utility lines indicating whether proposed lines will be placed underground;
- 14) A storm water management plan, prepared by a registered professional engineer, shall be designed so that the post-development storm water runoff does not exceed the pre-development storm water runoff for the 24-hour duration, 2-, 10-, and 25-year frequency storm events. The storm water plan shall be prepared in accordance with

“*Stormwater Management for Maine: Volume III BMP’s Technical Design Manual*”, latest edition, prepared by the Maine Department of Environmental Protection, which is incorporated herein by reference and made a part thereof. The storm water plan shall include the following information for the pre- and post-development conditions: drainage area boundaries, hydrologic soils groups, ground cover type, time of concentration flow paths, modeling methodology, calculations, and background data. The Board may require review and endorsement of the stormwater plan and calculations by the Cumberland County Soil and Water Conservation District or some other third party qualified to conduct such review, the cost of which shall be borne by the Applicant. *[Amended 12/2/08]*

Projects subject to Site Plan Review shall include the following: *[Adopted 12/02/08]*

- a) Phosphorus export calculations based on “Phosphorus Control in Lake Watersheds: A Technical Guide to Evaluating New Development (latest edition), issued by Maine DEP. or,
- b) Any project which requires a Stormwater Permit from the State of Maine DEP shall submit A Stormwater Management Plan designed in accordance with Section 4 of the State of Maine Chapter 500 Stormwater Regulations, Stormwater Standards (June 6, 2006, and as amended). *[Adopted 12/02/08]*

For Minor Developments and Minor Modifications, subject to CEO review only, the Stormwater Management Plan must demonstrate conformance with the Storm Water Quality and Phosphorus Control provisions (point system) described in Article 9, section U.5 of this ordinance.

- 15) Location and design of proposed off-street parking and loading areas indicating number and size of stalls;
- 16) Proposed location and direction of, and time of use of outdoor lighting;
- 17) Existing and proposed planting, fences and walks, including all landscaping and screening, and indicating existing trees to be retained and areas to be left undisturbed including design features intended to integrate the proposed new development into the existing landscape to enhance aesthetic assets and to screen objectionable features from neighbors;
- 18) Location, size, design, and manner of illumination of signs;
- 19) Disposal of sewage, trash, solid waste, oily waste, hazardous waste or radioactive waste showing disposal facilities, receptacles or areas;
- 20) Perimeter boundaries of the site giving complete descriptive lot data by bearings, distances, and radii of curves including the name and seal of the registered land surveyor who prepared the plan;

- 21) Description and plan of capacity and location of means of sewage disposal and evidence of soil suitability for such disposal (test pit locations shall be shown on the plans) approved by a registered engineer or soils scientist;
- 22) A statement of the amount of area of land involved in the site, the percentage of the site proposed to be covered by buildings, the total number of dwelling units proposed, the number of dwelling units proposed per acre, the area proposed to be devoted to open space, the area proposed to be paved for parking, driveways, loading space and sidewalks, the total number of parking spaces required by this Article 10, Section F.1 for the uses proposed, the number of employees expected per shift, and the total floor area of proposed commercial or industrial uses;
- 23) Description and plan of a "phase development concept" detailing the areas and sequence of phasing;
- 24) A notarized statement by the developer explaining how the developer intends to comply with the performance guarantee requirement of Article 10, Section C.3.a;
[Amended 3/20/99]
- 25) When a proposed use is over a State-designated sand and gravel aquifer, information on the amount and types of waste to be generated or materials to be stored, used, transported, or applied on an annual basis, and the precautions, safeguards or methods that will be used to minimize the potential for groundwater contamination;
- 26) Location of existing trails used for hiking, walking, bicycling, snowmobiling, and horseback riding, as well as any portion of any Town- designated greenbelt, which occurs on the property.
- 27) An erosion and sedimentation control plan shall be prepared in accordance with the "*Maine Erosion and Sediment Control: Best Management Practices*", latest revision, prepared by the Maine Department of Environmental Protection, which is incorporated herein by reference and made a part thereof. The plan shall be prepared either by a professional civil engineer or by a Certified Professional in Erosion and Sediment Control (CPESC). At a minimum, the following items shall be discussed and provided: *[Amended 12/2/08]*
 - a) The name, address, and telephone number of the applicant.
 - b) The name, address, and telephone number of the person responsible for implementing the plan.
 - c) A vicinity map showing the location of water bodies that may be affected by erosion and sedimentation from the project.
 - d) Existing and proposed drainage patterns, including drainage channels that drain to surrounding water bodies.
 - e) A sequence of work that outlines how the project will be constructed and specifically addressing how soil disturbance will be minimized during the construction process.
 - f) Clear definition of the limits of work and any buffer areas that will remain undisturbed and an indication of how these areas will be protected during

construction.

- g) Description of temporary and permanent erosion control practices that will be used.
- h) Identification of the locations of the temporary and permanent erosion control practices.
- i) Identification of how, where and when collected sediment will be disposed.
- j) Dust control measures.
- k) Inspection and maintenance procedures, including schedule and frequency.
- l) Description of when and how temporary and permanent erosion and sedimentation control practices, as applicable, will be removed.

The Board may require the review and endorsement of this plan by the Cumberland County Soil and Water Conservation District at the applicant's expense.

2. Upon request, the Planning Board may waive the necessity of providing any of the foregoing planning information that is not relevant to the proposed development.