**Proposed Raymond Planning Board Warrant Articles**
To be voted on at Raymond Town Meeting- June 4, 2013

At Town Meeting to be held this June 4, 2013 the citizens of Raymond will be asked to vote on (xx) Warrant articles pertaining to proposed amendments to the Land Use Ordinance, Street Ordinance, and Subdivision Ordinance. Set out below is the text of the question for each article, followed by a brief description of the proposed amendment. The questions include a reference to the ordinance provision proposed for amendment.

The proposed amendment language is not included here but is available at the Town Office and on the Town website (http://www.raymondmaine.org).

***{Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.}***

**1. Land Use Ordinance- Article 8B Net Residential Density Calculation:**

**ARTICLE __: Shall Article 8B of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 5, 2012 be further amended by adding the underscored language and deleting the language in strikeover type as shown below?**

**Description:** In June 2010, the Town passed an amendment to the Land Use Ordinance that officially established the new classification of Stream Protection District (SP). As a result of this change, some lots, or portions of lots, that were previously classified under Limited Residential Recreation 1 (LRR1) were reclassified as Rural (R). The Net Residential Density Calculation (Article 8B) in the Raymond Land Use Regulations allows for two-acre lots in the LRR1 District, and three-acre lots in the R Districts. Since the resulting density allowance for the newly reclassified parcels would become more restrictive, language was added in Article 8B that intended to "grandfather" lots affected in the district change. However, as an unintended consequence, the amendment only applies to applicants seeking a determination from the Planning Board, and does not apply to the subdivision of a single lot. Therefore, for the upcoming 2013 Town meeting, the Planning Board is proposing this language be redrafted to "grandfather" any legal subdivision of lots, if the lot was in existence and owned by the same landowner of record prior to June 1, 2010.

**Key Changes:**
1) Paragraph regarding "grandfathered" lots has been redrafted to include subdivisions exempt from Planning Board approval.

**2. Land Use Ordinance- Article 9 (Back Lots and Back Lot Driveways) & Article 12 (Applicability and Definition of Terms used in this Ordinance), and Subdivision Ordinance- Article 3 (Definitions) :**

**ARTICLE __: Shall Article 9T and Article 12 of the Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 5, 2012, and Article 3 of the Town of Raymond Subdivision Ordinance, as adopted May 21, 1994 and amended through June 7, 2011, be further amended by adding the underscored language and deleting the language in strikeover type as shown below?**

**Description:** Amendments allowing the CEO more authority to approve Back Lot Driveways were proposed for the June 2012 Town Warrant. Due to additional questions and items relating to the regulations raised by the public during the January 25, 2012 public hearing, the Planning Board tabled the amendments to allow sufficient time to consider the additional concerns raised for possible amendments to the ordinance. After reconsideration of these issues, the Planning Board has recommended several changes intended to insure consistency among the ordinances, as well as streamline the approval process for Back Lot Driveways.

**Key Changes:**
1) The term "Reviewing Authority" has been added to indicate either the CEO or the Planning Board, depending on the characteristics of the application submitted.

2) The term "Public Road" has been replaced in the ordinance with "road frontage consistent with Town construction and design standards for a private road.

3) The location of the front of the lot has been clarified for space and bulk determinations.

4) Back lot driveways are required to include a turnaround sufficient to accommodate emergency vehicle, and shall meet the standards of a public street for 300 feet from either side of the newly created intersection. A sketch of a terminus has been added to the section.

5) The restriction in the section permitting only one lot every five years has been deleted.

6) A maximum grade of 3% for the first 50 feet of a back lot driveway is required.

7) An applicant can meet the Points System criteria by through the location of drainage on abutting property with appropriate legal documentation.

8) The requirements for a Phosphorous Plan have been further clarified in the ordinance

9) A statement regarding any application waivers requested from the Planning Board must be included in the application.

10) In the event it is deemed necessary to schedule a public hearing, an applicant is required to submit plans to the Reviewing Authority 21 days prior to the next scheduled Planning Board Meeting.

11) If a front lot is vacant on the effective date of this ordinance , future development on the front lot must be accessed by the new back lot driveway. The area included in the back lot driveway cannot be used to satisfy the minimum lot area requirements.

12) The definitions for Back Lot Driveway, Street, Minor Street, and Private Street have been added to, or amended in the Land Use Ordinance, and Subdivision Regulations.

**3. <u>Street Ordinance- Section 4.8 (Back Lot Driveway)</u>**

**ARTICLE __: Shall the Town of Raymond Street Ordinance, as adopted May 18, 2002 and amended through June 7, 2011 be further amended by adding the underscored language and deleting the language in strikeover type as shown below?**

**Description:** In an effort to improve consistency and efficiency among the ordinances, the Planning Board has also reviewed the Back Lot section of the Street Ordinance. Application requirements, which are already located in the Land Use ordinance, are repeated in the Street Ordinance. These have been removed to reduce redundancy.

**Key Changes:**
1) The term Reviewing Authority, and its definition were added.
2) Definitions have been expanded and amended to be more consistent with the Land use Ordinance, and Subdivision Regulations.
3) Application requirement have been incorporated to the appropriate sections of the Land Use Ordinance to avoid repetition or conflict among the ordinances.
4) The definition for Portland Cement has been amended.
5) A sketch of a back lot driveway terminus has been added.

**4. Addressing Ordinance- Section 6 (Compliance) C & F and Section 9 (Violation and Enforcement)**

**ARTICLE __: Shall Section 6.C and F, and Section 9 of the Town of Raymond Addressing Ordinance, as adopted March, 1997, be further amended by adding the underscored language and deleting the language in strikeover type as shown below?**

**Description:** The Fire Department is seeking to improve public safety's response to calls by standardizing E911 house numbering through requiring a certain criteria for size, color, location and height for numbering. The proposed changes also gives the Code Enforcement Officer the authority to enforce violations as well as create a monetary penalty of $50.00/day and up to $500.00 total. These fines would only be imposed after the owner has received written notice(s) from the Fire Department and failed to make alternative arrangements with the Fire Chief. Also, by making these changes the Fire Department may become eligible for grant funding, which they were preciously denied because of a "weak" Addressing Ordinance. It should also be noted that, presently, the Fire Department has a program where they supply and install house numbers for those who request it at no charge.

**Key Changes:**

1) Standardize size, color, location and height of number.
2) Requires the Code Enforcement Officer ensure that street numbering is satisfactory before issuing a Certificate of Occupancy.
3) Requires written notification from Code Enforcement Officer of new Certificate of Occupancy.
4) Establish penalties for violations at a minimum of $50.00/day and a maximum of $500.00 total.
5) Gives the Code Enforcement Officer the authority to enforce violations because of the positions defined enforcement role under Rule 80K of Maine Rules of Civil Procedure.
6) Requires the Code Enforcement Officer ensure that street numbering is satisfactory before issuing a Certificate of Occupancy.

**5. Land Use Ordinance- Article 6, Section D (Reductions from minimum setbacks), and Shoreland Zoning Provisions- Article 16. G (Appeals):**

**ARTICLE __: Shall Article 6, Section D of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 5, 2012, and Article 16, Section G of the Town of Raymond Shoreland Zoning Provisions be further amended by adding the underscored language and deleting the language in strikeover type as shown below?**

**Description:** The Zoning Board of Appeals has requested that the December 31, 1986 condition for setback reductions be removed in order to allow setback reductions for all lots. The Town Attorney has researched the date and concluded that it was an arbitrary date and that removing it would not harm the integrity of the ordinances.

**Key Changes:**

1) Remove 12/31/86 from both the Land Use Ordinance and the Shoreland Zoning Provisions, meaning that lots created after would qualify to apply for a setback reduction.

***The full text of the warrant articles including the text of the proposed ordinance amendments is available at the town office and the town website.***