Proposed Article 3: Repeal of Growth Management Ordinance

Purpose for Land Use Ordinance Article 5.E.7 Residential Growth Management Revisions:

Description: The Town of Raymond proposes to repeal the Growth Management Ordinance at the advice of Town Counsel because the limitations put on the number of Growth Management Building Permits are becoming too restrictive. The section will be reserved if the Town elects to bring the ordinance back again the future.

The full text of the warrant articles including the text of the proposed ordinance amendments is available at the Town Office and the Town's website (www.raymondmaine.org).

ARTICLE __: Shall Article 5.E.7 (Residential Growth Management) of the Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 4, 2013, be further amended by adding the underscored language and deleting the language in strikeover type as shown below?

The Planning Board Recommends Article ___
The Selectmen _____ Article ____

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

Town of Raymond Land Use Ordinance

ARTICLE 5 – ADMINISTRATION

E. Residential Growth Management [Adopted 8/20/06]

7. [RESERVED]

1. ~~Limit on building permits – Building permits subject to this section shall be limited on an annual basis, as follows:~~

   a. ~~For January 1, 2007 to December 31, 2007, building permits subject to this section shall not exceed 100% of the annual average permits issued. No person or entity, may apply for more than 5 of those building permits in that time period.~~

   b. ~~For January 1, 2008 to December 31, 2008 building permits subject to this section shall not exceed 85%, of the annual average permits issued. No person or entity may apply for more than 5 of those building permits in that time period.~~

   c. ~~For January 1, 2009 to December 31, 2009, building permits subject to this section shall not exceed 70% of the annual average permits issued. No person or entity may apply for more than 5 of those building permits in that time period.~~

   d. ~~For January 1, 2010 to December 31, 2010, building permits subject to this section shall not exceed 55% of the annual average permits issued. No person or entity may apply for more than 5 of those building permits in that time period.~~

   e. ~~For January 1, 2011 to December 31, 2011, building permits subject to this section shall not exceed 40% of the annual average permits issued. No person or entity may apply for more than 5 of those building permits in that time period.~~

   f. ~~For January 1, 2012 and beyond building permits subject to this section shall not exceed 30% of the annual average permits issued. No person or entity may apply for more than 5 of those building permits in that time period.~~

2. ~~Order for processing applications - Applications for building permits subject to this section shall~~

~~be processed in the order that the Building Inspector receives complete applications. In the event two or more applications are received simultaneously, the Building Inspector shall determine their order by random selection. Any building permit application filed in any given year that is not issued as a result of this ordinance may be carried over to the following year and shall be considered in the date order in which it was received.~~

3. ~~Transferability - Building permits subject to this section are site-specific, and shall be valid for construction only on the lot specified in the application. However, those building permits shall be transferable to new owners of the lot, if the property is sold or otherwise legally transferred.~~

4. ~~No carry over - If the allowed number of building permits subject to this section are not issued within the calendar year, they shall not be carried over to the next year.~~

5. ~~Periodic review -The Planning Board shall review the building permit report submitted by the Building Inspector under Paragraph 6 of this ordinance at least every three years to determine if the ordinance continues to be needed to control the pace, timing, and location of development in accordance with the purposes of this section and to determine if it needs to be adjusted to meet current conditions. The Board shall hold a public hearing pursuant to Article 8 of the Planning Board Bylaws and Article 7 of the Land Use Ordinance and submit a report of their findings to the Board of Selectmen on or before March 1 of each year it conducts a review. If conditions warrant, the Board may review the ordinance more frequently.~~

6. ~~Conflict with other provisions - This section shall not repeal, annul or in way impair or remove the necessity of compliance with any other rule, regulation, bylaw, permit or provision of law.~~

7. ~~Appeals - Any person or entity aggrieved by an action or decision of the Building Inspector to approve or deny a building permit based on the provisions of this section may appeal the action or decision to the Board of Appeals in accordance with the process outlined in Article 6, Section C of the Land Use Ordinance. [Adopted 8/20/06]~~