

# The Land Use Ordinances of the City of Caribou.

## Sec. 13-100 Legal Status Provisions for the Zoning, Site Design Review, and Subdivision Ordinances.

### 1. Title.

The Zoning Ordinance, Site Design Review Ordinance, and the Subdivision Ordinance collectively shall be known and may be cited as the "*Land Use Ordinances of the City of Caribou*" or (herein "these Ordinances").

### 2. Purposes.

The purposes of these Ordinances are to:

- A. To provide for the municipal review of development that could impact on the environment and the community;
- B. Assure the comfort, convenience, health, safety, and general welfare of the residents of Caribou;
- C. Encourage appropriate use of land throughout the City;
- D. Promote traffic safety;
- E. Prevent overcrowding of real estate;
- F. Prevent development in unsuitable areas;
- G. Provide an allotment of land area in new developments sufficient for all the requirements of community life;
- H. Conserve and protect where necessary natural resources and City character;
- I. Provide for adequate public services and facilities as an integral part of Caribou development;
- J. Protect archaeological and historic resources, freshwater wetlands, fish spawning grounds, aquatic life, bird and other wildlife habitat, and buildings and lands from flooding and accelerated erosion;
- K. Conserve shore cover, natural beauty, open space, and visual as well as actual points of access to inland waters;
- L. Prevent and control water pollution;
- M. Assure new development meets the goals and conforms to the policies of the Caribou Comprehensive Plan.
- N. To provide local protection from those particular issues and nuisances which are not governed by State law or regulation;
- O. To balance the rights of landowners to use their land with the corresponding right of abutting or neighboring landowners to live without undue disturbance from nuisances such as noise, smoke, dust, odor, glare, traffic, stormwater runoff, or the pollution of ground or surface waters;
- P. To reduce the off-site problems associated with development, thereby decreasing the cost of maintaining or improving municipal services;
- Q. Provide for an expeditious and efficient process for the review of proposed development; and
- R. To clarify the criteria of the state Subdivision Law, Title 30-A, MRSA, Sections 4401-4407 et seq.

### 3. Authority.

These Ordinances have been adopted in accordance with the provisions of Article VIII-A of the Maine Constitution; the provisions of MRSA Title 30-A, Sections 3001 (Home Rule) and 4401 et seq. (Subdivisions), and the State's Growth Management Law MRSA Title 30-A, §4312 et seq.; as may be amended.

### 4. Repeal of Prior Ordinances.

All prior Zoning Ordinances, Site Design Review Criteria/Ordinances, and Subdivision Ordinances/Regulations, except for the Shoreland Zoning Ordinance of Caribou, are repealed as of the effective date.

### 5. Effective Date.

These Ordinances shall take effect and be in force from the date of its adoption.

**6. Conflict with Other Laws.**

Whenever the requirements of these Ordinances are at difference with the requirements of any other lawfully adopted rule, regulation, ordinance, or resolution, the most restrictive or that imposing the higher standards shall govern.

**7. Severability.**

Should any Section (§), subsection (§§), or provision of these Ordinances be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of these Ordinances as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**8. Availability.**

A certified copy of these Ordinances shall be filed with the City Clerk and shall be accessible to any member of the public. Copies shall be made available to the public at reasonable cost at the expense of the person making the request. Notice of availability of these Ordinances shall be posted.