



City of Caribou, Maine

AGENDA Caribou Planning Board Regular Meeting Thursday December 9, 2021, at 5:30 p.m.

*Municipal Building
25 High Street
Caribou, ME 04736
Telephone (207) 493-3324
Fax (207) 498-3954
www.cariboumaine.org*

The meeting will be broadcast on Cable Channel 1301 and the City's YouTube Channel.
Public Comments submitted prior to the meeting no later than 4:00 pm on Wednesday, December 8, 2021, will be read during the meeting. Send comments to CEO Ken Murchison at kmurchison@cariboumaine.org or call 493-5967.

- I. Call Meeting to Order, Determine Quorum
- II. Public Hearings
- III. Approval of Minutes
 - a. Approval of Minutes of the October 28, 2021, Planning Board Work Session Pgs. 2-5
 - b. Approval of Minutes of the November 10, 2021, Planning Board Meeting Pgs. 6-9
- IV. New Business
 - a. Subdivision Ordinance Pgs. 10-25
- V. Old Business
 - a. 2021 Year in Review Pg. 26
 - b. Continue proposed amendments to Sec 13-700 (13) Home Occupations, and schedule a Public Hearing Pgs. 27-34
 - c. Comprehensive Plan Update, Research full Comprehensive Plan to be Complete 2024 Pgs. 35-58
- VI. Staff Report
 - a. Campground Ordinance Public Hearing Pgs. 59-63
 - b. Demolition of 30 North Street
 - c. Riverfront Redevelopment Committee
 - d. Caribou Trailer Park
- VII. Adjournment



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Caribou Planning Board Work Session Thursday, October 28, 2021 @ 5:30 pm City Council Chambers

In Attendance: Dan Bagley, Steve Wentworth, Eric Hitchcock, Dave Corriveau and Frank McElwain

Members Absent: Christine Solman and Amanda Jandreau

Others in Attendance: Ken Murchison –CEO/Zoning Administrator; Denise Lausier –Executive Assistant, City Manager’s Office

Councilor Liaison Tom Ayer was absent.

I. Call Meeting to Order, Determine Quorum – Chairman Dan Bagley called the meeting to order at 5:34 pm. A quorum was present.

II. New Business –
a. Comprehensive Plan Update –

Chairman Bagley stated that the update of the Comprehensive Plan had a good start about a year ago but went on the back burner. This is an organizational meeting to get footing, figure out where things are and what they want to accomplish. Look at major objectives wanting to meet in updating the Plan. Chairman Bagley said the Board will look at overall content and organization of the Plan to see if all information is in there, how it relates to one another, does it flow naturally, etc. Need to come up with a plan and updates of data.

CEO Murchison stated this is an update, not a re-write. Certain sections need to be updated. Some goals have been met, can touch on things that have been completed.

Chairman Bagley questioned if there are specific standards at State level. CEO Murchison replied that there are. NMDC historically did the Comprehensive Plan for the City. The last one is the first one done in-house. Jay Kamm at NMDC will review the entire document when ready. Other departments will review their sections.

Chairman Bagley stated they need a road map to completion. Need some goals to achieve so it doesn’t linger. Chairman Bagley commented that the Comprehensive Plan starts out with establishing a vision, mission, then gets confusing. Goals don’t tie appropriately back to mission and vision.

Eric Hitchcock asked the CEO for a boiler plate for minimums approved by the State Planning Office. This is a selling point of what the City is known for. A lot will be the same, agriculture will probably be the same, in lieu of a big agricultural company coming to town.

Dave Corriveau commented that it is a lot of work to put this together. A lot of good information but it gets lost. Mr. Corriveau said that the City needs a person to oversee things that need to be followed through.

There are some things from thirty years ago that hasn't been accomplished yet. CEO Murchison stated that the primary responsibility of the Planning Board is that the Comprehensive Plan is met. An updated Comprehensive Plan may hinge on if the City gets grant funding.

Dave Corriveau recommends a section on the monthly Planning Board meeting agenda where the Board can look at the Comprehensive Plan.

Frank McElwain asked if the City is required to have this Comprehensive Plan. CEO Murchison answered that cities that have zoning are required.

Steve Wentworth commented that if we have a Comprehensive Plan that the State likes, it helps the City to get grant funding. This is only an update to change things that don't make sense etc.

Steve Wentworth also said that this is a very different Comprehensive Plan from what he remembers. Much less technically documented. Lot of information, but someone from away may not think it is Northern Maine welcoming.

Chairman Bagley questioned if there is anything that is wrong that needs to be corrected. CEO Murchison stated he will send out the guidelines to the Board. All items have been addressed, formatting changes, Mr. Murchison shortened up the history section on Micmacs and Loring Air Force Base and focused on Caribou centric history.

CEO Murchison said they need to look at goals & objectives, proposed land use and zoning. Look at what needs to be changed and what doesn't need to be.

Eric Hitchcock commented that if they had a boiler plate list of minimums from the State, they would be able to flush out items not needed.

The Board reviewed the content and order. Discussion.

- CEO Murchison:
 - Demographics and transportation are done by NMDC. Jay Kamm recommends redoing the transportation section.
 - There are buildings of historic nature or significance that are not mentioned - court house, library, locomotive station or garage and the bridge across the Aroostook River is a historic structure.
 - Cary, Caribou Utilities District, Fire Department, Police Department submitted updated info.
 - Water resources are not likely to change.
 - Public water supply needs a few updates.
- Chairman Bagley recommends removing assessments if no longer necessary.
- Steve Wentworth recommended taking out mobile home parks not in operation as well as removing Dr. Smith Dental Office that is no longer there.
- Natural Resources – a State requirement, something not likely to change.
- New Bird Species – contact Bill Sheehan, he is a bird specialist.
- Ag & Forest Resources – Steve Wentworth said this may be data that is sent out per town by the State. Will Barnham could help to gather data for this section.
- Frank McElwain mentioned that the riverfront section was not done. CEO Murchison will update.
- Agricultural Resources – source is USDA, it doesn't change.

- Tree Growth – Steve Wentworth stated that the data comes from the Assessor’s Office. Recommended to rename the section on Tree Growth to reflect the acreage dedicated to tree growth.
- Population & Demographics – provided by NMDC. Contact NMDC to update with 2020 census data if available and relevant.
- Local Economy – new section.
- Pg 68-69 and 71 – CEO Murchison will update these sections.
- Tax Increment Financing – CEO Murchison to do some research – now have Hilltop Heights, Warehouse, Napa Auto. Contact City Manager Penny Thompson.
- Chairman Bagley commented that Revenue Sharing needs to be updated. Contact City Manager Penny Thompson.
- Maine Military Authority is gone, needs to be removed. Add in DFAS.
- Labor Market & Outlook needs to be updated. Contact Cary Medical Center and RSU #39 for updated information.
- Steve Wentworth recommended to delete charts on travel time, etc. Board agreed.
- Frank McElwain recommended adding the evolution to working at home. Dave Corriveau said this ties in nicely with broadband.
- CEO Murchison – need to add trend towards tiny homes and accessory dwellings.
- CEO Murchison – no assisted healthcare type living. Independent living – Rose Acres and Willows. Hilltop Heights has services available. Shortage of housing stock and rentals, subsidized housing. Uprise in homelessness.
- Mentioned Section 8 Housing program. Steve Wentworth commented that Maine State Housing can help with statistics for the Housing section. Chairman Bagley – note the trends and challenges.
- Urban Renewal and Blight – great new info.
- Recreation – brand new park. Contact Gary Marquis.
- Transportation & Transportation Analysis – NMDC for update.
- Complete Streets – delete.
- Public Facility & Services – Police, Fire, Sanitation, Caribou Utilities District, Aroostook Waste Solutions – CEO Murchison already entered their updates.
- School Section – remove Hilltop, Teague, Middle School, Limestone School – add new K-8 School. Contact Mark Bouchard at the RSU to update the school section.
- Under Stormwater Management – Steve Wentworth recommended removing part of that section, washouts and culvert replacements are not common.
- Emergency Response – Chief Susi updated. Civil Emergency Preparedness (CERT Team) is now through the Police Chief.
- Solid Waste Management is done.
- Telecom & Energy – needs to be updated. Can mention broadband. Contact Steve Pelletier at the County to update this information.
- Municipal Facilities Growth and Investment – Dave Corriveau commented that it would be appropriate to mention existing solar facilities those that are operational and those that are planned. Steve Wentworth recommended to list solar arrays generating compacity.
- Municipal Facilities & Services – Fire and Ambulance as well as Police has been updated. Remove Emergency Management, it is in the upper section.
- Frank McElwain commented that the Caribou Ski Trails don’t exist anymore behind the golf course. CEO Murchison stated they are now behind the High School and behind Cary Medical Center.
- Add the Dog Park.
- The community pool is gone, add the Splash Pad.
- Physical Capacity and Capital Investment – needs to be updated.

- Chairman Bagley requested a copy of the Capital Investment Plan. Contact City Manager Penny Thompson.

III. Adjournment –

Frank McElwain moved to adjourn the meeting at 7:32 pm; seconded by Dave Corriveau.

Roll Call Vote.

Steve Wentworth – Yes; Frank McElwain – Yes; Dave Corriveau – Yes; Eric Hitchcock – Yes.

Motion carried with all in favor.

Respectfully Submitted,

Amanda Jandreau
Planning Board Secretary

AJ/dl



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Caribou Planning Board Meeting Minutes Wednesday, November 10, 2021 @ 5:30 pm City Council Chambers

Members in Attendance: Dan Bagley, Christine Solman, Amanda Jandreau, Frank McElwain, Eric Hitchcock, Dave Corriveau and Steve Wentworth

Others in Attendance: Ken Murchison – CEO/Zoning Administrator; Denise Lausier – Executive Assistant to City Manager

Councilor Liaison – Tom Ayer, Absent

- I. Call Meeting to Order, Determine Quorum** – Chairman Dan Bagley called the meeting to order at 5:30 pm., a quorum was present.
- II. Public Hearings**
 - a. Public Hearing on proposed amendments to Sec. 13-700 (6) Campground and/or Recreational Vehicle Park.**

Chairman Bagley called the Public Hearing to order at 5:31 pm

CEO Ken Murchison stated that the Code has been relaxed a little bit to allow campgrounds in certain places in Caribou. No public comments have been submitted and no public was in attendance. CEO Murchison commented that with future land use and zoning there may still be changes or amendments, especially with the riverfront development district.

Chairman Bagley stated that this is ready to approve, the Board has been over this multiple times.

With no interested parties in attendance, Chairman Bagley closed the Public Hearing at 5:32 pm.

Steve Wentworth had a suggestion under Planning and Review, Section C to delete the last sentence. Discussion. The Board consensus was to remove the last sentence “Parking areas may be grassed, reinforced with open concrete blocks”.

Dave Corriveau moved to approve as amended; seconded by Steve Wentworth.

Roll Call Vote.

Steve Wentworth – Yes; Frank McElwain – Yes; Amanda Jandreau – Yes; Christine Solman – Yes;
Dave Corriveau – Yes; Eric Hitchcock – Yes.

Motion carried with all in favor.

III. Approval of Minutes

a. Approval of Minutes of the October 14, 2021 Planning Board Meeting.

Chairman Bagley questioned on page seven of the minutes; “Mr. Corriveau said they will make an attempt to address that concern.” Discussion. Consensus was to leave the wording as is.

Amanda Jandreau moved to approve the minutes; seconded by Frank McElwain.

Roll Call Vote

Steve Wentworth – Abstained; Frank McElwain – Yes, Amanda Jandreau – Yes; Christine Solman – Abstained; Dave Corriveau – Yes; Eric Hitchcock – Yes.

Motion carried with all in favor.

III. New Business

a. Tiny Homes and Accessory Dwelling Units –

CEO Murchison explained that tiny homes pre-engineered are State approved. If it was the same tiny home with no wheels, it needs to be attached to a foundation, slab or concrete foundation and Code Enforcement can inspect. There are health & safety rules.

CEO Murchison explained that with accessory dwellings there can be one residence per lot in Caribou like Mother in law cottages or apartments. Mr. Murchison said a lady is proposing a tiny home on a tax acquired property.

Chairman Bagley questioned being treated differently if the tiny homes have wheels. If they are approved and titled under the State, then could be brought in with the wheels removed but have a different set of rules in the City. CEO Murchison said that legal checked into this for the City. Could treat tiny homes much the same way as mobile homes. Chairman Bagley stated that the State says that municipalities must allow tiny homes any place where mobile homes are allowed.

Amanda Jandreau asked if the tiny home is no longer on wheels but on a foundation, does the City classify it as a dwelling or tiny home. CEO Murchison stated that to be a dwelling it would need to be 900 square feet.

Steve Wentworth commented that the State is saying municipalities need to allow tiny homes, but the cities should be able to decide what zones they can be allowed in.

CEO Murchison stated that tiny homes need to be a MUBEC structure. Mr. Murchison believes it got pushed through because there are housing shortages across the State.

IV. Old Business

a. Continue proposed amendments to Sec 13-700 (13) Home Occupations Ordinance and, schedule Public Hearing

Chairman Bagley stated that the Board has already done a lot of work on this.

Discussion on daycares. Chairman Bagley recommended breaking daycares out into two categories, low impact and permittable by CEO and the more impactful ones would come to the Planning Board.

CEO Murchison noted that daycares are singled out in the home occupation ordinance. Steve Wentworth recommended not having daycares in the home occupation ordinance, but keep it separate. Mr. Wentworth also commented that the ordinance seems restrictive. Chairman Bagley stated they could remove the section on child daycare and just reference the child daycare section.

Discussion on dangerous and prohibited home occupations.

CEO Murchison will make changes recommended by the Board and they will discuss it further at the next meeting.

b. Comprehensive Plan Update, continue review.

Chairman Bagley stated that the Board had a work session two weeks ago that was very productive, they went through almost the whole Comprehensive Plan.

CEO Murchison stated that he reached out to departments and agencies for updated information and has heard back from some. CEO Murchison reviewed with the Board the information he has received and what is forthcoming.

The Board reviewed the section on the Future Land Use Plan. CEO Murchison commented that this points to proposed zoning.

Chairman Bagley would like for the Board to touch on this at each Planning Board meeting.

CEO Murchison commented that in 2024 there will be a complete re-write that will need public input.

V. Staff Report; CEO Murchison –

- a. Dangerous and Nuisance Property Listings** – prepared documents for priority list. 75% of dangerous and nuisance properties are subject to being tax acquired. Easily actionable if tax acquired.
- c. Demolition of 37 Home Farm Road** – waiting to have documents served by a Deputy Sherriff in California. Should be torn down this year.
- d. Riverfront Redevelopment Committee** – having the first official meeting later this month. Thinking about dividing up into committees as needed. Council appointments and volunteers as needed. Thinking on land use and zoning that can be in the Comprehensive Plan as well.
- e. Caribou Trailer Park Closure** – end date is November 17th. A couple of tenants were not initially contacted which could set things back an entire year. Some have moved their trailers, some have moved out and the last two have been served. Exploring when to clean up the park.
- f. GrowSmart Conference** – attended this conference. So far this will not be tacked onto the Comprehensive Plan. GrowSmart is a non-profit, along the same lines as the State Planning Office. Moving forward with climate change. Different climate change concerns downstate.

Dave Corriveau mentioned the Comprehensive Plan update and a concern he brought up at the last meeting about the City lacking a point man and stuff falling through the cracks over the last twenty years. Mr. Corriveau would like to have future discussion on having an Economic Development Specialist as a point man. He would like to have it mentioned in the Comprehensive Plan, so that it doesn't disappear.

Steve Wentworth questioned if there is any progress with the other Caribou mobile home parks. CEO Murchison stated that he has been in touch with Delwood Trailer Park & Caribou Stream Trailer Park on their septic systems. The lower part of Lazy Acres park is still closed. West Gate Road park is still abandoned.

III. Adjournment – Steve Wentworth moved to adjourn the meeting at 7:10 pm; seconded by Eric Hitchcock.

Roll Call Vote.

Steve Wentworth – Yes; Frank McElwain – Yes; Amanda Jandreau – Yes; Christine Solman – Yes;

Dave Corriveau – Yes; Eric Hitchcock – Yes.

Motion carried with all in favor.

Respectfully Submitted,

Amanda Jandreau
Planning Board Secretary

AJ/dl

Sec. 13-307 Post Application Submissions.

Following site design approval and prior to issuance of any permit, the applicant shall submit copies of the contract plans and specifications, in reproducible form, showing the design of all infrastructure improvements, including without limitation all streets, sewers, drainage structures, and landscaping, to the CEO for review and approval for compliance with the municipality's construction standards. Thereafter, all departures from such plans may be approved by the CEO as "field changes", subject to *Revisions of Approved Site Designs*, above. Nothing herein shall diminish the obligation of the applicant to supply plans or specifications as provided in this Ordinance.

Sec. 13-400 Subdivision Ordinance.

1. Title.

This Section shall be known and may be cited as "*Subdivision Ordinance of the City of Caribou*."

2. Administration.

The Planning Board of the City of Caribou shall administer this Section.

Sec. 13-401 Applicability of Subdivision Review.

1. Subdivision review, in conformity with the procedures, criteria, and standards of this Section, shall be required for all developments that meet the definition of "Subdivision" as contained within Sec. 13-900, "*Definitions*".
2. Subdivision review does not apply to:
 - A. Proposed subdivisions approved by the Planning Board or City Council before September 23, 1971 in accordance with laws then in effect;
 - B. Subdivisions in actual existence on September 23, 1971 that did not require approval under prior law; or
 - C. A subdivision, a plan of which had been legally recorded in the Aroostook County Registry of Deeds, before September 23, 1971.

Sec. 13-402 Procedures for Subdivision Review.

1. **Introduction.** Every applicant for subdivision approval shall submit a written application to the Code Enforcement Officer (CEO). Applications can be obtained from the CEO. The Planning Board shall review all requests for subdivision approval. On all matters concerning subdivision review the Planning Board shall maintain a permanent record of all its meetings, proceedings, and correspondences. In order to establish an orderly, equitable, and expeditious procedure for reviewing subdivisions and to avoid unnecessary delays in processing applications for subdivision review, the Planning Board shall prepare a written agenda for each regularly scheduled meeting. The agenda shall be prepared no less than seven (7) days in advance of the meeting, be distributed to the Planning Board members, and be posted at the City Office. Applicants shall request to be placed on the Planning Board's agenda at least ten (10) days in advance of a regularly scheduled meeting by contacting the CEO. Applicants who attend a meeting, but who are not on the Planning Board's agenda may be heard but, only after all agenda items have been completed, and then only if a majority of the Planning Board so votes. However, the Planning Board shall take no action on any application not appearing on the Planning Board's written agenda.
2. **Joint Meetings.** If any portion of a subdivision crosses City boundaries, the Planning Board from each municipality shall meet jointly to discuss the application.
3. **Resubdivision.** The further division of a lot within a subdivision, as defined herein, existing after September 23, 1971, or the change of a lot size therein, or the relocation of any road or lot line within a subdivision shall require the written approval of the Caribou Planning Board. Such resubdivision activity shall comply with all provisions of this Ordinance.
4. **Additional Regulation.** The Planning Board may, after a public hearing, adopt, amend, or repeal additional reasonable regulation governing subdivisions which shall control until amended, repealed, or replaced by an Ordinance adopted by the City Council. The Planning Board shall give at least seven (7) days notice of this hearing.

5. **Review Procedure.** This Ordinance shall provide for a multi-stage application review procedure consisting of three (3) stages:
- a. Pre-application and sketch plan,
 - b. Preliminary Plan, and
 - c. Final Plan.

Sec. 13-403 Pre-Application Meeting and Sketch Plan Procedures.

1. **Purpose.** The purpose of the pre-application meeting and on-site inspection is for the applicant to present general information regarding the proposed subdivision to the Planning Board and receive the Planning Board's comments prior to the expenditure of substantial sums of money on surveying, soils identification, and engineering by the applicant.
2. **Procedure.**
 - A. Application: All applications for sketch plan review of a subdivision shall be obtained from and be made through the CEO.
 - B. Sketch Plan: The sketch plan shall show, in simple sketch form, the proposed layout of roads, lots, buildings, and other features in relation to existing conditions. The sketch plan, which does not have to be engineered and may be a free-hand penciled sketch, should be supplemented with general information to describe or outline the existing conditions of the site and the proposed development. It shall be most helpful to both the applicant and the Planning Board for site conditions such as steep slopes, wet areas, and vegetative cover to be identified in a general manner. The sketch plan shall be accompanied by:
 1. A copy of a portion of the USGS topographic map of the area showing the outline of the proposed subdivision, unless the proposed subdivision is less than ten (10) acres in size; and
 2. A copy of that portion of the Aroostook County Soil Survey covering the subdivision, showing the outline of the proposed subdivision.
 - C. Inspection: Within thirty (30) days of the pre-application meeting, the Planning Board shall hold an on-site inspection of the property. The applicant shall place "flagging" at the centerline of any proposed roads, and at the approximate intersections of the road centerlines and lot corners, prior to the on-site inspection. Lot line flags shall be different colors from the centerline flags. The Planning Board reserves the right to postpone the on-site inspection if the Planning Board determines that the on-site inspection is not possible due to surface conditions of the site, such as, but not be limited to, snow cover, flooding rains, and frozen ground.
 - D. The applicant shall present the sketch plan and make a verbal presentation regarding the proposed subdivision at the first regularly scheduled Planning Board meeting when time is available. Following the applicant's presentation, the Planning Board may ask questions and make suggestions to be incorporated by the applicant into the Preliminary Plan application.
 - E. Contour Interval: At the pre-application meeting or when the applicant decides to proceed to the next stage of subdivision review, the Planning Board shall inform the applicant in writing of the required contour interval on the Preliminary Plan. Contour lines shall be drawn at 10' intervals, unless indicated otherwise by the Planning Board.
3. **Rights Not Vested.** The pre-application meeting, the submittal for review of the sketch plan, or the on-site inspection shall not be considered the initiation of the review process for the purposes of bringing the plan under the protection of Title 1, MRSA, §302.
4. **Establishment of File.** Following the pre-application meeting, the Planning Board and the CEO shall establish a file for the proposed subdivision. All correspondence and submissions regarding the pre-application meeting and application shall be maintained in the file.

Sec. 13-404 Preliminary Plan Procedure and Requirements.

1. Preliminary Plan Procedure.

- A. Within six (6) months after the pre-application sketch plan meeting by the Planning Board, the applicant shall submit an application for approval of a Preliminary Plan at least ten (10) days prior to a scheduled meeting of the Planning Board. Applications shall be submitted to the CEO for review for completeness and passed on to the Planning Board for final determination of completeness. All applications for Preliminary Plan approval for a subdivision shall be accompanied by an application fee of one hundred eighty dollars (\$180) for three (3) lots, plus ten dollars (\$10) for each additional lot, payable by check to the "City of Caribou". The Preliminary Plan shall approximate the layout shown on the sketch plan, plus any recommendations made by the Planning Board. Failure to do so shall require resubmission of a sketch plan to the Planning Board.
- B. A copy of all application materials shall also be forwarded to the Chair of the City Council for review and comment.
- C. The Planning Board may require that an expert consultant(s) be hired to assist in its review of an application. The applicant shall pay a reasonable fee necessary for such services. The Planning Board shall provide the applicant with notice of its intent to require such a fee, the purpose of the fee, and its approximate amount. The applicant shall be given an opportunity to be heard on the purpose and the amount before the Planning Board. After either being heard or waiving the right, the applicant shall pay the fee or appeal payment of the fee to the Board of Appeals.
- D. Irrespective of any other provision of this Ordinance or any other ordinance, the Planning Board shall not accept the application as complete if the applicant fails to pay the fee(s) or appeals the fee(s) determination. If the applicant appeals the payment of the fee(s) to the Board of Appeals, the Board shall decide whether the fee(s) is/are reasonable for the purpose found necessary by the Planning Board. The fee(s) shall be placed in an interest bearing escrow account in the "City of Caribou" name. The money, including accrued interest, remaining in the account and which has not been spent or appropriated shall be returned to the applicant within thirty (30) days after the Planning Board issues its final decision.
- E. The applicant, or their duly authorized representative, shall attend the meeting of the Planning Board to present the Preliminary Plan application.
- F. Within thirty (30) days of receiving the Preliminary Plan application, the Planning Board shall determine whether the application is complete and notify the applicant in writing of its determination. If the application is not complete, the Planning Board shall notify the applicant in writing of the specific material needed to complete the application.
- G. Upon receiving an application for review, whether the application is complete or not, the Planning Board shall:
 1. Issue a dated receipt to the applicant.
 2. Determine whether to hold a public hearing on the Preliminary Plan application.
 3. Have the City Clerk notify in writing all owners of abutting property, or those property owners determined by the Planning Board to be impacted by the proposal, that an application for subdivision approval has been submitted, specifying the location of the proposed subdivision and including a general description of the project.
 4. Have the City Clerk notify the Municipal Clerk and the Chair of the Planning Board of the neighboring municipality(ies) if any portion of the proposed subdivision includes or crosses the City boundary.
- H. If the Planning Board decides to hold a public hearing, it shall hold the hearing within thirty (30) days of determining it has received a complete application, and shall post a notice of the date, time, and place of the hearing in the Aroostook Republican seven (7) days prior to the date of the hearing or at three (3) prominent locations within the City at least seven (7) days prior to the hearing. A copy of the notice shall be mailed to the applicant.
- I. Within thirty (30) days from the public hearing or within sixty (60) days of determining a complete application has been received, if no hearing is held, or within another time limit as may be otherwise mutually agreed to by the Planning Board and the applicant, the Planning Board shall make findings of fact on the application, and approve, approve with conditions, or deny the Preliminary Plan application. The Planning Board shall specify in writing its findings of facts and reasons for any conditions or denial.

- J. When granting approval to a Preliminary Plan, the Planning Board shall state the conditions of such approval, if any, with respect to:
1. The specific changes which the Planning Board shall require in the Final Plan;
 2. The character and extent of the required improvements for which waivers may have been requested and which the Planning Board finds may be waived without jeopardy to the public health, safety, and general welfare; and
 3. The construction items for which cost estimates and performance guarantees shall be required as prerequisite to the approval of the Final Plan. (See: Sec. 13-750)
- K. Approval of a Preliminary Plan by the Planning Board shall not constitute approval of the Final Plan or intent to approve the Final Plan, but rather it shall be deemed an expression of approval of the design of the Preliminary Plan as a guide to the preparation of the Final Plan. The Final Plan shall be submitted for approval to the Planning Board upon fulfillment of the requirements of this Ordinance and the conditions of preliminary approval, if any. Prior to the approval of the Final Plan, the Planning Board may require additional changes as a result of the further study of the subdivision or as a result of new information received.

2. Preliminary Plan Requirements.

The Preliminary Plan application shall consist of the following items.

- A. Application Form.
- B. Location Map. The location map shall be drawn at a size adequate to show the relationship of the proposed subdivision to the adjacent properties, and to allow the Planning Board to locate the subdivision within the City. The location map shall show:
1. Existing subdivisions in the proximity of the proposed subdivision.
 2. Locations and names of existing and proposed roads.
 3. Boundaries and designations of shoreland zoning Districts.
 4. An outline of the proposed subdivision and any remaining portion of the owner's property if the Preliminary Plan submitted covers only a portion of the owner's entire contiguous holding.
- C. Ten (10) full size sets (no greater than 24" X 36") of the Preliminary Plan and application shall be submitted to the CEO. These maps or drawings may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The Preliminary Plan shall be drawn to a scale of not more than one hundred feet (100') to the inch. Plans for subdivisions containing more than one hundred (100) acres can be drawn at a scale of not more than two hundred feet (200') to the inch provided all necessary detail can easily be read. The CEO shall distribute to each Planning Board member a set of the Preliminary Plan(s) and application no less than seven (7) days prior to the meeting for their review and comment.
- D. The application for Preliminary Plan approval shall include the following information. The Planning Board may require additional information to be submitted, where it finds it necessary in order to determine whether the criteria of Title 30-A MRSA, §4404 are met.
1. Proposed name of the subdivision and the City in which it is located, plus the tax map(s) and lot number(s).
 2. Verification of right, title, or interest in the property.
 3. A standard boundary survey of the parcel, giving complete descriptive data by bearings and distances, made and bearing the seal and signature of the Maine Licensed Professional Surveyor. The corners of the parcel shall be located on the ground and marked by artificial monuments (See: Sec. 13-700 (19)).
 4. A copy of the most recently recorded deed for the parcel. A copy of all deed restrictions, easements, rights-of-way, or other encumbrances currently affecting the property.
 5. A copy of any future covenants or deed restrictions intended to cover all or part of the lots in the subdivision.
 6. Indication of the type of sewage disposal to be used in the subdivision. When sewage disposal is to be accomplished by subsurface wastewater disposal systems, test pit analyses, prepared by a Maine Licensed Site Evaluator or Registered Soil Scientist shall be provided. A map showing the location of all test pits dug on the site, the location of subsurface wastewater disposal systems within 100 feet of the property lines on adjacent parcels, and the locations of the proposed subsurface wastewater disposal systems shall be submitted.
 7. Indication of the type of water supply system(s) to be used in the subdivision and the location of drinking water wells within 100 feet of the property lines on adjacent properties. When water is to be supplied by private

wells, evidence of adequate ground water supply and quality shall be submitted by a well driller or a hydrogeologist familiar with the area.

8. The date the plan was prepared, North point, and graphic map scale.
9. The names and addresses of the record owner, applicant, adjoining property owners, and individual or company who prepared the plan.
10. A high intensity soil survey by a Maine Registered Soil Scientist.
11. Wetland areas shall be identified, regardless of size.
12. The number of acres within the proposed subdivision, location of property lines, existing buildings, vegetative cover type, and other essential existing physical features. The location of any trees larger than 24 inches in diameter at breast height (DBM) shall be shown on the plan. On wooded sites, the plan shall indicate the area where clearing for lawns and structures shall occur.
13. The location of all rivers, streams, and brooks within or adjacent to the proposed subdivision.
14. Contour lines at the interval specified by the Planning Board, showing elevations in relation to the Mean Sea Level.
15. The shoreland zoning District, if applicable, in which the proposed subdivision is located and the location of any shoreland zoning boundaries affecting the subdivision.
16. The location of existing and proposed culverts and drainage ways on or adjacent to the property to be subdivided.
17. The location, names, and present widths of existing roads, highways, easements, building lines, parks, and other usable open spaces on or adjacent to the subdivision.
18. The width and location of any roads, public improvements, or usable open space shown within the comprehensive plan within the subdivision.
19. The proposed lot lines with approximate dimensions and lot areas.
20. All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
21. The location of any usable open space to be preserved and a description of proposed ownership, improvement, and management or usable open space shown within the comprehensive plan.
22. If any portion of the subdivision is in a floodprone area, the boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan.
23. A hydrogeologic assessment prepared by a Maine Certified Geologist or Registered Professional Engineer, experienced in hydrogeology, when the subdivision is not served by public sewer and any part of the subdivision is located over a sand and gravel aquifer, as shown on "*Hydrogeologic Data for Significant Sand and Gravel Aquifers*" maps of the Maine Geological Survey.

The Planning Board may require a hydrogeologic assessment in other cases where site considerations or development design indicate greater potential of adverse impacts on ground water quality. These cases include extensive areas of shallow to bedrock soils and where the proposal intends to use a shared or common subsurface waste water disposal system.

24. An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours. Trip generation rates used shall be taken from "*Trip Generation Manual*", latest edition, published by the Institute of Transportation Engineers. Trip generation rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.
25. Areas within or adjacent to the proposed subdivision which have been identified as high or moderate value wildlife habitat by the Maine Department of Inland Fisheries and Wildlife or within the comprehensive plan.
26. If any portion of the proposed subdivision is in the direct watershed of a Great Pond and qualifies for the simplified review procedure for phosphorus control the plan shall indicate the location and dimensions of vegetative buffer areas or infiltration systems and the application shall include a long-term maintenance plan for all phosphorus control measures.

If any portion of the proposed subdivision is in the direct watershed of a Great Pond, and does not qualify for the simplified review procedure for phosphorus control, the following shall be submitted or indicated on the plan.

- a. A Phosphorus Impact Analysis and Control Plan conducted using the procedures set forth in "*Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development*," published by the Maine Department of Environmental Protection, latest edition. The Analysis and Control Plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the Technical Guide.
- b. A long-term maintenance plan for all phosphorus control measures.
- c. The contour lines shown on the plan shall be at an interval of no less than ten (10) feet.

- d. Areas with sustained slopes greater than 25 percent covering more than one acre.
27. A list of construction and maintenance items, with both capital and annual operating cost estimates, that must be financed by the City, or quasi-municipal districts. These lists shall include, but not be limited to:
- | | | |
|----------------------------|-----------------------------------|----------------------|
| Schools, including busing | Recreation facilities | Stormwater drainage |
| Police and fire protection | Wastewater treatment | Solid waste disposal |
| Water supply | Road maintenance and snow removal | |
28. The applicant shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.

Historical Note: Section 13-404 §1A as amended April 24, 2006.

Sec. 13-405 Final Plan Procedure and Requirements.

1. Final Plan Procedure.

- A. Within twelve (12) months after the approval of the Preliminary Plan by the Planning Board, the applicant shall submit an application for approval of the Final Plan to the CEO at least seven (7) days prior to a scheduled meeting of the Planning Board. Final Plan applications shall be submitted to the CEO. If the application for the Final Plan is not submitted within twelve (12) months after Preliminary Plan approval, the Planning Board shall require resubmission of the Preliminary Plan, except as stipulated below. The Final Plan shall approximate the layout shown on the Preliminary Plan, plus any changes required by the Planning Board.
- B. If an applicant cannot submit the Final Plan within twelve (12) months, due to delays caused by other regulatory bodies, or for other reasons, the applicant may request an extension from the Planning Board. Such a request for an extension to the filing deadline shall be made, in writing, to the CEO who shall pass the request along to the Planning Board for discussion at their next regularly scheduled meeting prior to the expiration of the filing period. In considering the request for an extension the Planning Board shall make findings of fact that the applicant has made due progress in preparation of the Final Plan and in pursuing approval of the plans before other agencies, and that City ordinances or regulations which may impact on the proposed development have not been amended.
- C. Irrespective of any other provision of this Ordinance or any other ordinance, the Planning Board shall not accept the application as complete if the applicant fails to pay the fee(s) or appeals the fee(s) determination. If the applicant appeals the payment of the fee(s) to the Board of Appeals, the Board shall decide whether the fee(s) is/are reasonable for the purpose found necessary by the Planning Board. The fee(s) shall be placed in an interest bearing escrow account in the "City of Caribou" name. The money, including accrued interest, remaining in the account and which has not been spent or appropriated shall be returned to the applicant within thirty (30) days after the Planning Board issues its final decision on the proposal.
- D. Prior to submittal of the Final Plan application, the following approvals shall be obtained in writing, where applicable:
1. Maine Department of Environmental Protection, under the Site Location of Development Act, Natural Resources Protection Act, or if a Wastewater Discharge License is needed;
 2. Maine Department of Human Services, if the applicant proposes to provide a public water system;
 3. Maine Department of Human Services, if an engineered subsurface wastewater disposal system(s) is to be utilized; and
 4. US Army Corps of Engineers, if a permit under Section 404 of the Clean Water Act is required.
- E. Within thirty (30) days of the receipt of the Final Plan application, the Planning Board shall determine whether the Final Plan application is complete and notify the applicant in writing of its determination. If the application is not complete, the Planning Board through the CEO, shall notify the applicant of the specific material needed to complete the application.

- F. Upon receiving an application for review, whether the application is complete or not, the Planning Board shall issue a dated receipt to the applicant. The Planning Board shall determine whether to hold a public hearing on the Final Plan application.
- G. The applicant, or their duly authorized representative, shall attend the meeting of the Planning Board or public hearing to discuss the Final Plan.
- H. If the Planning Board decides to hold a public hearing, it shall hold the hearing within thirty (30) days of determining it has received a complete application, and shall post a notice of the date, time, and place of the hearing in the Aroostook Republican seven (7) days prior to the date of the hearing or at three (3) prominent locations within the City at least seven (7) days prior to the hearing. A copy of the notice shall be mailed to the applicant.
- I. The Planning Board, through the CEO, shall notify the Chair of the City Council, Highway Department Foreman, School Superintendent, Police Chief, and Fire Chief of the proposed subdivision, the number of units proposed, the length of roadways, and the size and construction characteristics of any multi-family, commercial, or industrial buildings. The Planning Board shall request that these officials respond in writing upon the adequacy of existing capital facilities to service the proposed subdivision.
- J. Before the Planning Board grants approval of the Final Plan, the applicant shall meet the performance guarantee requirements of Sec. 13-750, if applicable.
- K. Within thirty (30) days from the public hearing or within sixty (60) days of having determined a complete application was submitted, if no public hearing is held, or within another time limit as may be otherwise mutually agreed to by the Planning Board and the applicant, the Planning Board shall make findings of fact, and conclusions relative to the review criteria for approval contained in Title 30-A MRSA, §4404 (Statute) and this Ordinance. If the Planning Board finds that all the criteria of the Statute and the standards of this Ordinance have been met, they shall approve the Final Plan. If the Planning Board finds that any of the criteria of the Statute or the standards of this Ordinance have not been met, the Planning Board shall either deny the application, or approve the application with conditions to ensure all of the standards shall be met by the subdivision. The reasons for any conditions shall be stated in the records of the Planning Board.

2. Final Plan Requirements.

- A. The Final Plan shall consist of one or more maps or drawings drawn to a scale of not more than one hundred feet (100') to the inch. Plans for subdivisions containing more than one hundred (100) acres may be drawn at a scale of not more than two hundred feet (200') to the inch provided all necessary detail can easily be read. Plans shall be no larger than 24" X 36" in size. Space shall be reserved on the plan for endorsement by the Planning Board. Two recording plans on Mylar transparencies, one to be recorded at the Aroostook County Registry of Deeds, Northern Office and the other to be filed at the City Office, and three paper copies of the Mylar transparencies of the recording plan shall be submitted. In addition, seven (7) copies of the plan(s) reduced to a size of 8 1/2 by 11 inches or 11 by 17 inches, and all accompanying information, shall be submitted to the CEO and mailed to each Planning Board member no less than seven (7) days prior to the meeting for their review and comment.
- B. The Final Plan shall include all of the required information contained in the above Preliminary Plan Requirements, and be accompanied by the following information:
 - 1. If different than those submitted with the Preliminary Plan, a copy of any proposed deed restrictions intended to cover all or part of the lots or dwellings in the subdivision.
 - 2. If different than those submitted with the Preliminary Plan, the location, names, widths, and geometrics of existing and proposed roads, assess points, highways, easements, buildings, parks, and other usable open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing, and length of every road line, lot line, and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The location, bearing, and length of road lines, lot lines, and parcel boundary lines shall bear the seal and signature of a Maine Licensed Professional Surveyor.

3. An erosion and sedimentation control plan prepared in accordance with the "*Environmental Quality Handbook*", latest edition, published by the Maine Soil and Water Conservation Commission or appropriate "*Best Management Practices*". The Planning Board may waive submission of the erosion and sedimentation control plan only if the subdivision is not in the watershed of a Great Pond, and upon a finding that the proposed subdivision shall not involve road construction, and that no driveway or house construction shall occur on sites with slopes steeper than 10 percent.
4. A storm water management plan, prepared by a registered professional engineer in accordance with "*Urban Hydrology for Small Watersheds, T.R. 55 or T.R. 20*", latest edition, published by the Natural Resources Conservation Service. Another methodology may be used if the applicant can demonstrate it is equally applicable to the site. The Planning Board may waive submission of the storm water management plan only if the subdivision is not in the watershed of a Great Pond, and upon a finding that the proposed subdivision shall not involve road construction or grading which changes drainage patterns and if the addition of impervious surfaces such as roofs and driveways is less than 10 percent of the area of the subdivision.
5. All parcels of land proposed to be dedicated to public use and the conditions of such dedication. A Phase I Environmental Site Assessment Review statement. Written offers to convey title to the City of all public ways and usable open spaces shown on the plan, and copies of agreements or other documents showing the manner in which usable open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If proposed roads and/or usable open spaces or other land is to be offered to the City, written evidence that the City Council is satisfied with the legal sufficiency of the written offer to convey title shall be included.
6. A list of construction items, with cost estimates, that shall be completed by the developer prior to the sale of lots, and evidence that the developer has financial commitments or resources to cover these costs.
7. A performance bond may be required to secure completion of all public improvements required by the Planning Board, and written evidence that the City Council is satisfied with the legal sufficiency of the bond.
8. The Final Plan shall be accompanied by certification either by a duly authorized Maine Registered Engineer or by the Building Inspector of Caribou or by both, as required by the Planning Board, that the design of sewer and water facilities and roads and utilities in the proposed subdivision conform to the requirements of all applicable, federal, state, and local rules, laws, and regulations. The cost of inspection shall be borne by the applicant or subdivider.
9. Suitable space to record on the approved plan, the date, and conditions of approval, if any. This space shall be similar to the following example:

City of Caribou

Approved by the Caribou Planning Board

Signed: _____

 Date: _____

 Conditions: _____

Chair of the Planning Board
 (space for all Planning Board
 members to sign)

3. Final Approval and Filing.

- A. A plan may be reviewed by the Planning Board, however, no plan shall be approved by the Planning Board as long as the applicant is in violation of provisions of federal, state, or local laws, rules, and regulations and a previously approved plan within the City.

- B. Upon findings of fact and determination that all standards in Title 30-A MRSA, §4404, and this Ordinance have been met, and upon voting to approve the subdivision, the Planning Board shall sign the Final Plan(s). The Planning Board shall specify in writing its findings of fact and reasons for any conditions or denial. One copy of the signed recording plan on Mylar transparency shall be forwarded to the Aroostook County Registry of Deeds, Northern Office, one copy of the signed Final Plan on Mylar transparency shall be retained by the City as part of the permanent records, and one paper copy of the Mylar transparency of the recording plan shall be retained by the Planning Board. Any subdivision not recorded in the Aroostook County Registry of Deeds, Northern Office within ninety (90) days of the date upon which the plan is approved and signed by the Planning Board shall become null and void.
- C. At the time the Planning Board grants Final Plan approval, it may permit the plan to be divided into two or more sections subject to any conditions the Planning Board deems necessary in order to ensure the orderly development of the plan. If any City or quasi-municipal department head notified of the proposed subdivision informs the Planning Board that their department or district does not have adequate capital facilities to service the subdivision, the Planning Board shall require the plan to be divided into two or more sections subject to any conditions the Planning Board deems necessary in order to allow the orderly planning, financing, and provision of public services to the subdivision. If the expansion, addition or purchase of the needed facilities is included in the City's capital improvements program, the time period of the phasing shall be no longer than the time period contained in the capital improvements program for the expansion, addition, or purchase.
- If the Superintendent of Schools indicates that there is less than 20 percent excess classroom capacity existing in the school(s) which shall serve the subdivision, considering previously approved but not built subdivisions, the Planning Board shall require the plan to be divided into sections to prevent classroom overcrowding.
- D. Whenever the initial approval or any subsequent amendment of a subdivision is based in part on the granting of a waiver from any applicable subdivision standard, that fact must be expressly delineated on the face of the final recording plans.
1. In the case of an amendment, if no amended plan is to be recorded, a certificate must be prepared in recordable form and recorded with the City Clerk and the Aroostook County Registry of Deeds, Northern Office. This certificate must:
 - a. Indicate the name of the property owner;
 - b. Identify the property by reference to the last recorded deed in its chain of title; and
 - c. Indicate the fact that a waiver, including any conditions on the waiver, has been granted and the date of granting.
 2. The waiver is not valid until it is recorded as provided in this paragraph. Recording of the plan must occur within ninety (90) days of the final subdivision approval or approval under Title 38, where applicable, whichever date is later, or the waiver is null and void.
- E. No changes, erasures, modifications, or revisions shall be made in any Final Plan after approval has been given by the Planning Board and endorsed in writing on the plan, unless the revised Final Plan is first submitted and the Planning Board approves any modifications. The Planning Board shall make findings that the revised plan meets the criteria of Title 30-A MRSA, §4404, and the standards of this Ordinance. In the event that a plan is recorded without complying with this requirement, the City shall provide to the Aroostook County Registry of Deeds, Northern Office an affidavit to be recorded over or attached to the plan. The Planning Board may institute proceedings to have the plan stricken from the records of the Aroostook County Registry of Deeds, Northern Office.
- F. The approval by the Planning Board of a subdivision plan shall not be deemed to constitute or be evidence of any acceptance by the City of any road, easement, or other usable open space shown on such plan. When a park, playground, or other recreation area shall have been shown on the plan to be dedicated to the City, approval of the plan shall not constitute an acceptance by the City of such areas. The acceptance of dedicated lands shall be made only by the City Council. The Planning Board shall require the plan to contain appropriate notes to this effect. The Planning Board may also require the filing of a written agreement between the applicant and the City covering future deed and title dedication, and provision for the cost of grading, development, equipment, and maintenance of any such dedicated area.

- G. Except in the case of a phased development plan, failure to complete substantial construction of the subdivision within three (3) years of the date of approval and signing of the plan shall render the plan null and void. Upon determining that a subdivision's approval has expired under this paragraph, the Planning Board shall have a notice placed in the Aroostook County Registry of Deeds, Northern Office to that effect.

Sec. 13-406 Subdivision Review Criteria.

1. Where the Planning Board finds that extraordinary and unnecessary hardships may result from the strict compliance with this Ordinance, or where there are special circumstances of a particular plan, the Planning Board may waive, in writing, any of the application requirements or non-statutory performance standards or general requirements---provided that such waiver shall not have the effect of nullifying the purpose of these Ordinances, the comprehensive plan, the Shoreland Zoning Ordinance, or any other federal, state, and local rule, law, ordinance, or regulation. Any such waiver shall be duly noted on the final recording Plan. In granting any waiver, the Planning Board shall require such conditions as shall, in its judgment, secure substantially the objectives of the requirements so waived.
2. When reviewing a proposed subdivision, the Planning Board shall review the application for conformance with the following review criteria and shall make findings of fact that each criteria has been met prior to the approval of the Final Plan. The following review criteria shall not be waived. The Planning Board shall determine that:
 - A. **Pollution.** The proposed subdivision shall not result in undue water or air pollution. In making this determination, it shall at least consider:
 1. The elevation of land above sea level and its relation to the flood plains,
 2. The nature of the soils and subsoils and their ability to adequately support waste disposal,
 3. The slope of the land and its effect on effluents,
 4. The availability of streams for disposal of effluents, and
 5. The applicability of state and local health and water resource rules and regulations;
 - B. **Sufficient Water.** The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision;
 - C. **Municipal Water Supply.** The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used;
 - D. **Erosion.** The proposed subdivision will not cause unreasonable soil erosion or a reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition results;
 - E. **Traffic.** The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed;
 - F. **Sewage Disposal.** The proposed subdivision will provide for adequate sewage waste disposal and not cause an unreasonable burden on City services, if they are to be utilized;
 - G. **Solid Waste Disposal.** The proposed subdivision will not cause an unreasonable burden on the ability of the City to dispose of solid waste, if City services are to be utilized;
 - H. **Aesthetic, Cultural, and Natural Values.** Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the City, rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;
 - I. **Conformity with Local Ordinances and Plans.** The proposed subdivision is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any. In making this determination, the Planning Board may interpret these ordinances and plans;
 - J. **Financial and Technical Capacity.** The developer has adequate financial and technical capacity to meet all criteria contained within these regulations;

- K. **Surface Waters and Outstanding River Segments.** Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, Great Pond, or river as defined in Title 38, chapter 3, subchapter I, article 2-B, §435-449, will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.
1. When lots in a subdivision have frontage on an outstanding river segment, as defined in Title 30-A, M.R.S.A., §4401, subsection 7, the proposed subdivision plan shall require principal structures to have a combined lot shore frontage and setback from the normal high-water mark of 500 feet.
 - a. To avoid circumventing the intent of this provision, whenever a proposed subdivision adjoins a shoreland strip narrower than 250 feet which is not lotted, the proposed subdivision shall be reviewed as if lot lines extended to the shore.
 - b. These frontage and set-back provisions shall not apply either within areas zoned as general development or its equivalent under Shoreland Zoning, Title 38, chapter 3, subchapter I, article 2-B, §435-449, or within areas designated by ordinance as densely developed. The determination of which areas are densely developed must be based on a finding that existing development met the definition requirements of §4401, subsection 1, on September 23, 1983;
- L. **Groundwater.** The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;
- M. **Flood Areas.** Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant, whether the subdivision is in a floodprone area. If the subdivision, or any part of it, is in such an area the applicant shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan shall include a condition of plat approval requiring that principal structures on lots in the subdivision shall be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation;
- N. **Freshwater Wetlands.** All freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district;
- O. **River, Stream, or Brook.** Any river, stream, or brook within or abutting the proposed subdivision has been identified on any maps submitted as part of the application. For purposes of these Ordinances, "*river, stream, or brook*" has the same meaning as in Title 38, §480-B, subsection 9;
- P. **Stormwater.** The proposed subdivision will provide for adequate stormwater management; and,
- Q. **Spaghetti Lots Prohibited.** The proposed subdivision shall not create lots with a lot depth to front frontage ratio of greater than 5:1.

Sec. 13-407 General Requirements for Subdivisions.

The General Requirements contained within this Section and the applicable standards in Sec. 13-700, "*General Requirements*"; Sec. 13-710, "*Access Management, Off-Street Parking, Loading, and Road Design and Construction Standards*"; Sec. 13-200, "*Zoning Ordinance*"; and Sec. 13-408, "*Mobile Homes*" shall be met by all subdivisions. The applicable standards of these Sections are intended to clarify the review criteria and provide guidance. In reviewing a proposed development, the Planning Board shall review the application for conformance to these standards and make findings of fact prior to approval of the Final Plan. The burden of proof of conformance is with the applicant and they shall provide clear and convincing evidence that the proposed Final Plan meets these standards and the review criteria.

1. Blocks.

- A. The length, width, and shape of blocks shall be determined with due regard to:
 1. Provision of adequate building sites suitable to the needs of the proposed use.
 2. Zoning requirements as to lot sizes and dimensions.

3. Needs for access, circulation, control, and safety of traffic.
4. Limitations and opportunities of topography.
5. Block lengths shall not exceed 1,800 feet or be less than 500 feet and no block shall be less than 200 feet in width for residential use. These restrictions shall not apply in any rural District, except when a development proposal reflects the creation of blocks.

2. Relation of Subdivision to Community Facilities.

A proposed subdivision shall, in the opinion of the Planning Board, be suitably located with respect to community facilities such as schools, playgrounds, and parks.

3. Performance Guarantees.

When it has been determined that a performance guarantee is required, the standards contained Sec. 13-750 shall be used.

4. Parking, Driveways, Roads, and Sidewalks.

Parking, driveways, roads, and sidewalks within a subdivision shall conform to Sec. 13-700 (28) and Sec. 13-710.

Sec. 13-408 Manufactured Housing Ordinance.

1. Mobile Home Parks & Manufactured Housing Administration

- a) A mobile home park shall comply with the standards contained within this Ordinance, the Maine Manufactured Housing Board and all other applicable state statutes regarding the establishment and maintenance of a mobile home park.
- b) The owner of a mobile home park must maintain a list of all tenants containing the following information: name and mailing address of each owner of manufactured housing located within the park, manufacturer's name, model number, year, serial number and lot identification/number. This list must be submitted annually to the Assessor's Office by April 15 with information current as of April 1.
- c) No manufactured housing may be moved into a mobile home park nor any Certificate of Occupancy issued for any mobile home park which does not have a current license with the State of Maine to operate as a mobile home park or a park which has been determined by the Code Enforcement Officer to be out of compliance with this ordinance.
- d) Mobile home parks constructed after the effective date of this ordinance are required to undergo City of Caribou subdivision and site design review with all plans prepared by a certified engineer.
- e) Upon the effective date of this ordinance, owners of mobile home parks must obtain a permit from City Code Enforcement Officer before any manufactured housing unit is allowed to enter the mobile home park.
- f) A mobile home park owner wishing to appoint an agent who can act on the park owner's behalf must complete the City of Caribou Property Management Application form. Only agents duly appointed through the approved Property Management Application process shall be authorized to act on behalf of the park owner.
- g) Mobile home park owners are responsible for compliance with the City of Caribou Property Maintenance Code for all lots within the park regardless of the ownership of the manufactured housing unit.
- h) No manufactured housing may be occupied until a Certificate of Occupancy has been issued by the Code Enforcement Officer or at his/her discretion the Building Inspector.
- i) No manufactured housing may be brought into Caribou or moved within the City without written proof of property tax being paid for the current tax year and all previous years from Caribou or the municipality where the housing unit was last assessed.
- j) No mobile homes shall be brought into the City that are not manufactured according to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401 et seq.; 24 CFR Part 3280 and Part 3282.

2. Manufactured Housing Design Standards

Manufactured Housing Design Requirements- All manufactured housing to be located within the City from outside of the City or all manufactured housing relocated from within the City after the effective date of this Ordinance must comply with the following:

- a) Maine Manufactured Housing Board Standards for installation for newly constructed units.
- b) Shall be placed on a permanent foundation.
- c) All manufactured housing located on private lots or in mobile home parks whether rented, leased or owned are required to have siding that is residential in appearance or the original factory installed siding.
- d) All manufactured housing is required to be enclosed between the bottom of the home and the ground with material that is residential in nature or the original factory installed siding.
- e) A pitched shingled roof or the factory installed roof.
- f) Accessory structures, including but not limited to decks, porches, car ports, garages, steps, ramps, entry ways, covered entry ways, which are not part of the original manufactured housing as approved by the State of Maine are subject to City building and zoning codes including, but not limited to, land use ordinances and the Maine Uniform Building and Energy Code.

3. Definitions

The terms "Manufactured Housing", "Mobile Home Park", "Mobile Home Park Lot", "Mobile Home Subdivision or Development", "Permanent Foundation", and "Pitched, Shingled Roof" shall have the same definition as set forth in Title 30-A MRSA Section 4358 as it may be amended, from time to time.

4. Effective Date

This ordinance shall become effective in accordance with the Caribou City Charter Section 2.12(d).

Historical Note: Section 13-408 as amended by the City Council on March 23, 2015.

Sec. 13-409 Cluster Development.

Cluster development is an option for parcels of 10 acres or greater. The following cluster development standards should be used as a means to preserve open space, including farm and forestland. Cluster development is one of the most important ways of controlling sprawl and minimizing the conversion of open space to residential use, while allowing residential development to take place. Commercial and industrial uses can also be clustered but, under different standards.

A. Purposes.

The purposes of this Section are:

1. To provide for efficient use of land not possible under traditional lot-by-lot size requirements, provided that the net density shall be no greater than is permitted, unless a density bonus is granted to the applicant;
2. To provide for the preservation of parks, recreation, and open space areas;
3. To provide for a more attractive, varied arrangement of dwelling units and open space on a particular parcel;
4. To provide for the location of housing units and other uses where they are least visible and hidden by topography or vegetation, therefore minimizing perceived densities;
5. To provide for orderly development in the rural areas and maintain the rural character of the community by preserving tree masses, stream valleys, woodlands, of views and scenic vistas, and other significant natural features;
6. To provide for reasonable standards for the perpetual maintenance of community or privately owned facilities necessary to service the development;
7. To preserve and protect environmentally sensitive areas; and
8. To allow for new and innovative approaches to housing development and discourage the location of housing units in strip fashion along rural roads.

Notwithstanding other provisions of this and other ordinances relating to dimensional requirements, the Planning Board, in reviewing and approving proposed residential developments, may modify said provisions related to dimensional requirements to permit innovative approaches to housing and environmental design in accordance with the following standards. This shall not be construed as granting variances to relieve hardship.

B. Application Procedures.

An application for cluster development shall follow the same procedures as for a standard subdivision and address the following additional requirements:

1. The Planning Board may allow subdivided development on reduced lot sizes in return for open space where the Planning Board determines that the benefits of the cluster approach will prevent the loss of natural features without increasing the net density of the development. Where a applicant elects or is required to cluster, a written application shall be submitted to the Planning Board. Two sketch plans shall be submitted with one layout as a standard traditional subdivision and the other as a cluster development indicating open space and significant natural features. Each lot in the standard traditional subdivision shall meet the minimum lot size and lot width requirements, and if not serviced by public sewer have an area suitable for subsurface wastewater disposal according to the Maine Subsurface Wastewater Disposal Rules. The number of lots in the cluster may exceed the number of lots in the standard subdivision (density bonus), with approval from the Planning Board.
2. A written statement shall describe the natural features which will be preserved or enhanced by the cluster approach. Natural features include, but are not limited to, moderate to high value wildlife and waterfowl habitats, moderate to high yield aquifers, preserving prime agricultural and forestland areas and soils, large trees, woods, ponds, rock outcrops, and other important natural or historic sites. The statement shall also compare the impact upon the community by both proposals. Examples of impacts are, municipal costs for roads, schools, school busing, solid waste management, utility efficiency, recreational opportunities, protection of flood water storage areas, and environmental impacts on sensitive lands.
3. For purposes of this Section, the tract or parcel to be developed shall be in single ownership, or the subject of an application filed jointly by the owners of all the property included.
4. Estimated costs of infrastructure development (roads, utilities, etc.) shall accompany the plan. The applicant shall file with the City, at the time of submission of the Final Plan for subdivision approval, a performance guarantee (See: Sec. 13-750).
5. Within thirty (30) days of determining that the application is complete, the Planning Board shall determine whether to allow the subdivision to be developed in accordance with the standards of this Ordinance based upon findings that:
 - a. The site contains natural features of the type worthy of preservation; and
 - b. Those natural features could not adequately be preserved in a standard subdivision layout; or
 - c. A clustered development will permit more efficient creation and utilization of infrastructure and provision of municipal and quasi-municipal services than would a standard subdivision layout.

C. Basic Requirements for Cluster Development.

1. Cluster development shall be a minimum of 10 acres and shall meet all requirements for a subdivision, the City's road design and construction standards, all other applicable federal, state, and local rules, laws, ordinances or regulations.
2. Each building shall be an element of an overall plan for site development. Only developments having a total site plan for structures will be considered. The applicant shall illustrate the placement of buildings and the treatment of spaces, paths, roads, service, and parking and in so doing shall take into consideration all requirements of this Section and these Ordinances.
3. The maximum allowed reduction in the size of individual lots is 25 percent. However, a larger reduction can be made if site conditions can be proven by the applicant to support smaller lot sizes.
4. The maximum net density allowed in cluster developments shall be calculated on the basis of the "*Qualifying Land Area*" standards contained below.
5. Unless a public sewer or community sewage collection and treatment system is provided, no lot shall be smaller than 20,000 square feet. No unit shall be constructed on any lot with soil considered as being "very poorly" drained.
6. The total area of open space within the development shall equal or exceed the sum of the areas by which any building lots are reduced below the minimum lot area normally required, except where density bonuses are permitted.
7. Every building lot that is reduced in area below the amount normally required should abut the open space area for a distance of 50 feet, or be within 1000 feet distance from the open space area.
8. Distance between buildings shall not be less than 20 feet.
9. In rural areas, no individual lots shall have frontage on an existing road at the time of development. There shall be a setback of 50 feet from the main public access road and from interior roads that are constructed as part of the cluster development. Access from public ways, internal circulation, and parking shall be designed to provide for vehicular

- and pedestrian safety and convenience, emergency and fire equipment maneuverability, snow removal, road maintenance, and delivery and collection services.
10. In no case shall shore frontage and setback be reduced below the minimums normally required by the Caribou Shoreland Zoning Ordinance.
 11. Where a cluster development abuts a body of water, a usable portion of the shoreline, which shall be a minimum of 100 feet, as well as reasonable access to it, shall be a part of the open space land.
 12. When individual wells are to be utilized, a drilled well with casing, shall be provided on each lot by the developer/builder. The location of all wells shall be shown on the plan. The applicant shall demonstrate the availability of water adequate in quantity and quality for domestic purposes, as well quantity for fire safety. The Planning Board may require the construction of fire ponds and/or dry hydrants.
 13. The location of subsurface sewage disposal systems and an equivalent reserve area for a replacement system(s) shall be shown on the plan. The report of a licensed Site Evaluator shall accompany the plan. The reserve areas shall be restricted so as not to be built upon. The report of a licensed Site Evaluator shall accompany the plan. If the subsurface disposal system in an engineered system, approval from the Department of Human Services, Division of Health Engineering, shall be obtained prior to Planning Board approval.
- D. Siting and Buffering Standards.
1. Buildings shall be oriented with respect to views and scenic vistas, natural landscape features, topography, south facing slopes (wherever possible), and natural drainage areas, in accordance with an overall plan for site development and landscaping. A site inspection shall be conducted by the Planning Board prior to approval. Once approved, the plan shall not be altered in any manner, without prior approval of the Planning Board.
 2. Buildings shall be designed and planned to protect bedroom windows from light invasions by vehicle headlights or glare from existing outdoor lighting or illuminated signs, where allowed, insofar as practical.
 3. Where parking spaces or storage areas are located in areas abutting existing residential properties, a permanent wood or masonry screen, at least 4 feet high, shall be erected along the property line, in addition to the "green" perimeter strip described below.
 4. Other than any land within shoreland zoning, a "green" vegetative perimeter strip, not less than 20 feet wide, shall be maintained with grass, bushes, flowers, scrubs, and/or trees alongside all lot or rear lot lines of the property as a whole, and (except for entrance and exit driveways) along the entire frontage of such lot. Such "green" strip shall not be built upon, paved, or used for parking or storage. There shall be no removal of trees over 4" in diameter within this buffer. In the shoreland zoning area, vegetation shall be retained in its natural state.
 5. Except for normal thinning and landscaping, existing vegetation shall be left intact to prevent soil erosion. Adequate provision shall be made for storm waters, with particular concern for the effects of erosion from the site. Erosion resulting from any improvements to the site shall be prevented by landscaping or other means. The Planning Board may require that an erosion and sedimentation control plan be made and that the developer take appropriate measures to prevent and correct soil erosion in the proposed development.
 6. All utilities shall be installed underground, whenever possible. Transformer boxes, pumping stations, and meters shall be located so as to not be unsightly, hazardous to the public, or detract from the natural beauty of the development.
- E. Preservation and Maintenance of Open Space and Facilities.
1. Common open space shall be dedicated upon approval of the project. There shall be no further subdivision of open space. Open space shall be used for agriculture, non-commercial recreation, forestry, or conservation. However, easements for public utilities may be permitted in the open space area, with prior approval of the Planning Board.
 2. There shall be no land development within the open space without the prior approval of the Planning Board.
 3. The open space(s) shall be shown on the development plan and with appropriate notation on the face thereof to indicate that:
 - a. The open space shall not be used for future buildings lots or development; and
 - b. A part or all of the open space may, at the option of the City, be dedicated for acceptance by the City. Such dedication shall take place after final approval of the project. Final acceptance by the City of dedicated open space rests with the City.
 4. If any or all of the open space is to be reserved as common open space for use by the residents, the by-laws of the proposed homeowners association shall specify maintenance responsibilities and shall be submitted to the Planning Board prior to approval. The developer shall maintain control of such open space(s) and be responsible for its

maintenance until development sufficient to support the association has taken place. Such determination shall be made by the Planning Board upon the request of the homeowners association or the developer.

5. Covenants for mandatory membership in the association, setting forth the owner's rights and interest and privileges in the association and the common land, shall be reviewed by the Planning Board and included in the deed for each lot (i.e. annual fee to the association for lawn mowing, snow removal, solid waste management, municipal assessments, neighborhood recreational facilities, etc.). A clause should be added to every deed that any unpaid association fees, plus interest, shall be paid at the time of a deed transfer and the association will receive first "dibs".
6. Open space land may be leased for agriculture or forestry purposes provided that development rights for the open space land are held by the homeowners association. The legal instruments for the development rights shall be submitted to and reviewed by the Planning Board and approved by the homeowners association.

F. Qualifying Land Area.

To determine the number of lots/dwelling units permitted in a subdivision, the applicant shall perform the following calculations and submit evidence in the form of plans and data to verify the calculations.

Net Buildable Acreage Calculation

A. From the gross acreage of the site (_____ acres) subtract the following:

- | | | | |
|-----|--|-------|-------|
| 1. | Existing road rights-of-way ¹ . | _____ | acres |
| 2. | Proposed rights-of-way ¹ . | _____ | acres |
| 3. | Noncontiguous land ² . | _____ | acres |
| 4. | 100% of the RP and SP Districts ³ . | _____ | acres |
| 5. | 100% of the 100 year floodplain land ⁴ . | _____ | acres |
| 6. | 100% of the wetlands, NRPA Class I and II ⁴ . | _____ | acres |
| 7. | 50% of the wetlands, NRPA Class III ⁴ . | _____ | acres |
| 8. | 100% of ponds or lakes. | _____ | acres |
| 9. | 50% of slopes from 15-25%. | _____ | acres |
| 10. | 85% of slopes over 25%. | _____ | acres |

Net Buildable Acreage (NBA)

_____ acres

- 1 Include shoulder and ditches in width calculation.
- 2 Land separated by roads or railroads, or land linked by a strip less than 50' wide.
- 3 Resource Protection and Stream Protection.
- 4 Where this overlaps, the overlapping acreage shall be counted only once.

Net Density Calculation:

A. Multiply the (NBA) by the minimum lot size requirement (SF). _____ lots

(This figure is determined by dividing 43,560 by the minimum lot size requirement... i.e. 40,000 square feet = .9183)

B. Multiply the result by 10% (density bonus). _____ lots

C. Add the results of "A" and "B". **Total Allowable Lots** _____ lots

Caribou Planning Board 2021 Year in Review

Site Design Approvals

- SynerGen Solar Array, Ogren Road
- Luke's Small Engine Shop, 369 Van Buren Road
- Flat Mountain Road Subdivision, Bowles Road
- Casie's Place Campground, 154 Limestone Street

Home Occupation Approvals

- Kassie's Kids Daycare (Home Occupation), 856 Sweden Street
- Delta Defense Precision Arms (Home Occupation), 128 Ogren Road
- Mainly Delicious Delights Bakery (Home Occupation), 15 Pilgrim Road
- Wasson Day Care (Home Occupation), 5 Lower Washington Street

Rezoning Approvals

- Rezone three (3) lots on outer Sweden Street from R-1 to R-3
- Rezone 14 Evergreen Parkway from I-2 to C-2

Ordinance Revisions

- Updates to Site Design Review and Home Occupation application forms (fillable PDF)
- Extensive administrative updates to Ch 13
- Significant updates to Home Occupation ordinance
- Significant updates to Ch 13-700 Campground and/or Recreational Park and 13-204 Land Use Table

Other

- Departure of Drew Ayer, welcome to Steve Wentworth
- Significant progress on Comprehensive Plan update
- Initial outreach and planning with Caribou Riverfront Renaissance Committee (CRRC)
- Initial outreach and planning with Atlantic Salmon of Northern Maine on concepts for riverfront hatchery facility
- Initial consideration of trends toward tiny homes
- Initial consideration of housekeeping cabin concepts potential impact on subdivision ordinance
- Unified approach to simplify and streamline Ch 13 processes, adopt State minimums whenever appropriate

(Rewritten as follows) Section 13-700.13 - Home Occupations.

1. *Purpose.* The purposes of this section are to:
 - A. Provide an opportunity for Home Occupations to be conducted as an accessory use, when they are compatible with the neighborhoods in which they are located.
 - B. Guide certain business activities that are not compatible with neighborhoods to other, more appropriate commercial zones.
 - C. Safeguard peace, quiet, and domestic tranquility within all residential neighborhoods. Protect residents from the adverse effects of noise, nuisance, traffic, fire hazards, and other possible business uses that create significant impacts on a neighborhood.
 - D. Provide a means to regulate and enforce Home Occupations.
2. *Scope.* All Home Occupations must adhere to the standards and qualifications listed in this section and those imposed under the authority of the Planning Board in accordance with this ordinance.
3. *Categories of Home Occupation Licenses.* Home occupation businesses are classified as Category I, Permitted Home Occupation, or Category II, Conditional Use Home Occupation. A Category I, Permitted Home Occupation requires review and approval by the Code Enforcement Officer. A Category II, Conditional Use Home Occupation requires review and approval by the Planning Board.
4. *Permit Required.* All home occupations shall obtain annually a Home Occupation Permit from the Code Enforcement Officer.
5. *Home Occupation Standards.* All Home Occupations shall comply with the following standards at all times:
 - A. *Bona Fide Resident.* The Home Occupation business shall be owned and operated solely by a bona fide resident of the home. If the applicant for a Home Occupation license rents or leases the property wherein the Home Occupation is intended to be conducted, the applicant must provide a letter of acknowledgment and consent from the property owner as an attachment to the application for a Home Occupation permit.
 - B. *Accessory Use on the Property.*
 1. For residential purposes, the Home Occupation shall be clearly secondary and incidental to the primary use of the dwelling unit.
 2. The Home Occupation must maintain or improve the external residential appearance of the principal structure, attached or detached garage, or accessory structure.
 3. The Home Occupation applicant must designate the portion of the home, accessory structure, or attached or detached garage to be used as the location for business activities.
 4. The Home Occupation shall not involve the use of any open and publicly visible yard space for storage or display of supplies, inventory, or equipment when such use is in conjunction with the sales, service, or production of goods, unless specifically stored within trailers or accessory structures as allowed herein.

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(New) Section 13-207 Conditional Uses¶

<#>Before authorizing any conditional use, the Planning Board shall make written findings that the proposed use is in compliance with the specific requirements governing individual conditional use, and the applicant has demonstrated reasonable means to that the proposed use meets the following standards:¶

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C. Employees. No more than one full-time or full-time equivalent nonresident may be employed, volunteer, or work on the premises where the Home Occupation business is located.

D. Business Vehicles and Parking

1. All business-related vehicles that park at the location of the Home Occupation must use off-street parking. This provision excludes stops made by delivery vehicles. Customers or Clients may utilize on-street parking along the home frontage in accordance with street parking standards.
2. Business Vehicles exceeding a GVW of 8,000 lbs, trailers, and related equipment must be stored to the side or rear of the home.
3. No parking is permitted on landscaped areas of the property.

F. Signage. A single sign is permitted, provided such sign is non-illuminated and does not exceed two square feet.

G. Conformity with Health and Safety Codes. The Home Occupation shall conform with all fire, building, plumbing, electrical, and all other City, County, State, and Federal codes.

H. Neighborhood Disruptions Not Permitted. The Home Occupation shall not interfere or disrupt the peace, quiet, and domestic tranquility of the neighborhood. The Home Occupation shall not create, be associated with, or produce odor, smoke, dust, heat, fumes, light, glare, noises or vibrations, excessive traffic, or other nuisances, including interferences with radio and television reception, or any other adverse effects within the neighborhood.

I. State Licenses. Any business required to be licensed by the State of Maine, including but not limited to caregivers, day care facilities, food preparation services, etc. must provide the City with proof of current licensure through the appropriate State agency.

6. Category I Qualifications. In addition to the standards previously set forth above, all Category I Home Occupation businesses must also comply with the qualifications outlined below. If a business cannot fully comply with all of the Category I Qualifications set forth below, the applicant may pursue approval as a Category II Home Occupation through the conditional use permit process (section 7 below).

A. Hours. No visitors in conjunction with the Home Occupation (clients, patrons, employees, volunteers, students, pupils, etc.) shall be permitted between the hours of 10:00 p.m. and 7:00 a.m.

B. Traffic. Vehicular traffic from business-related visitors and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood.

1. The Home Occupation shall be limited to no more than two business-related visitors or customers per hour, and a maximum of eight business-related visitors or customers per day. Business-related deliveries or pickups shall not exceed two per day.
2. Child day care and other child group activities shall not exceed twenty-four (24) customer drop-offs/pick-ups per day.

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3. The receipt or delivery of merchandise, goods, or supplies for use in a Home Occupation shall be limited to vehicles with a gross vehicle weight rating (GVWR) of 23,000 pounds or less.
- C. Maximum Floor Space. No more than 50 percent of the dwelling unit shall be utilized for the Home Occupation. No businesses can operate outside of the primary residential structure, unless otherwise approved by the Planning Board for outside activities.
- D. Child Day Care and Other Child Group Activities. Refer to Sec. 13-760 Daycare Facilities of the City of Caribou Code and 10-148 CODE OF MAINE RULES CHAPTER 32 to comply in accordance with State of Maine licensing requirements.
- E. Elderly Day Care. Refer to MRS Title 22 Chapter 1679 Adult Day Care Program Subsections 8601-8606. Conduct of Elderly Day Care businesses shall not exceed the care of two elderly persons that are 60 years of age or older for more than 12 hours per day. Any Elderly Day Care that exceeds two individuals 60 years of age or older, or more than 12 hours per day of operation is considered a Category II Home Occupation, which shall be reviewed and approved by the Planning Board.
7. Category II, Conditional Use Permit Required. If a Home Occupation is able to comply with all of the standards in section 5 above but is unable to comply with all of the Category I qualifications established in section 6, the proposed business activities must be reviewed by the Planning Board and granted a conditional use permit before pursuing a Home Occupation Permit. In addition, any application proposing two or more Home Occupation licenses, and associated with the same dwelling unit, shall be reviewed by the Planning Board, to ensure that the cumulative impacts of the proposed Home Occupations comply with city ordinances. The following standards or business types shall be reviewed by the Planning Board for approval.
- A. General. In addition to any conditions established by the Planning Board at the time of its review, all Category II Home Occupations must comply with the following:
1. All Category II Home Occupation uses shall be conducted only from property with a single-family dwelling.
 2. Proposed uses may be determined to be appropriate as Home Occupations only if they are judged to be compatible with residential neighborhoods by the Planning Board conditional use review.
 3. A maximum of 12 business-related visitors per day may be allowed, except as provided for in section B. "Child Day Care" and C. "Other Group Child Activities."
- B. Sec. 13-760 Daycare Facilities. 10-148 CODE OF MAINE RULES CHAPTER 32 Child Day Care. The following items indicate maximum limits that may be granted by the Planning Board when a child day care is expected to exceed eight children per day:
1. A maximum of 16 children is permitted at any one time.
 2. A maximum of 18 children is permitted per day.

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3. These numbers shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the Home Occupation is conducted.
 4. A maximum of 24 vehicular stops per day for child drop-off or pick-up is permitted.
- C. **Child Group Activities.** The following provisions indicate a maximum limit that may be granted by the Planning Board for other child group activities that are expected to generate or exceed eight children/students (e.g., dance schools, preschools, music classes, other care or instruction for children) at any one time other than child day care:
1. A maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted, so long as
 - a. A Traffic Plan that has been reviewed and approved by the Code Enforcement Officer, which includes acceptable traffic flow, drop-off, and turn-around areas.
 - b. A maximum of four sessions per day may be permitted.
 - c. All sessions combined shall not generate more than 24 vehicular stops per day.
 - d. The total number of students/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the Home Occupation is conducted.
 - e. No child group activities falling under a Category II Home Occupation may be established within 300 feet of another group child activity, Category II Home Occupation use, as measured from property line to property line.
- D. **Business Not Conducted Within a Home.** For any Home Occupation that proposes or conducts business activities within an outbuilding, accessory building, attached or detached garage, the following guidelines shall be used to determine the maximum impacts permitted:
1. No more than 50 percent of the total floor space (whichever is the greater) of any accessory structure or attached or detached garage may be used for a Home Occupation, unless there are specific exceptions granted by the Planning Board based on proximity of the structure to neighboring dwellings, size of the property, and overall anticipated impacts of the use.
- E. **Dangerous Home Occupations.** Any home occupation using explosives, incendiary products and devices, flammable, or hazardous chemicals beyond reasonable household quantities.
- F. **Prohibited Home Occupations.** The following uses, by nature of the occupation, substantially impair the use and value of residentially-zoned areas for residential purposes and are, therefore, prohibited:
1. Mortuary, crematorium, columbarium, or mausoleum.
 2. Animal hospital or veterinary service, except in the R-3 zone with a Category II, Home Occupation permit.

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3. Clinic, dental office, medical office, chiropractic office, or hospital, except in the R-3 zone with a Category II Home Occupation permit.
4. Junkyard, auto wrecking yard, or salvage yard within the urban compact area. Any Junkyard, auto wrecking yard, or salvage yard outside of the urban compact area must comply with separate local and state licensing procedures.
5. Stable, kennel, pet store, or any other commercial animal breeding business or similar activity, except in the R-3 zone with a Category II Home Occupation permit.
6. Storage, service, repair, or sales of ambulances, tow trucks, recreational vehicles, watercraft, automobiles, ATVs, or other motorized vehicles within the urban compact area. Home Occupations desiring to conduct these types of activities in the R-3 zone may be permitted subject to full Site Plan review by the Planning Board and must be at least 300 feet from any neighboring dwelling.
7. Use of specified chemicals, pesticides and flammable/combustible materials, and including any other process or business where current adopted Building and Fire Codes would require an operational permit. Home occupations wherein the number of vehicular stops or visits exceeds 24 per day.
8. Bed and breakfast facilities. (regulated under separate rules – see Section 13-700

Section 13-900 Definitions

Home Occupation: An occupation or profession that is conducted for financial gain on a dwelling site or in the associated dwelling unit by a member of the family residing in the unit, and which is clearly incidental to and compatible with the primarily residential use of the property and surrounding residential uses. A home occupation shall not be construed to mean an employee working in his/her home in the service of an employer, whose principal place of business is licensed at another location.

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Commented [DM39R38]: Junkyard, auto wrecking yard, or salvage yards are permitted in the R-3 as a primary use of a property. Not allowing them as a home occupation doesn't preclude their existence in the R-3, it just reduces the potential of having one pop up next to neighbor in a more residential area of the R-3. This strikes more at the urban center of the city.

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This section really doesn't do this. Recommend delete.

Page 1: [4] Commented [DM16R15] Dennis Marker 5/7/2021 1:21:00 PM

I disagree. Having these standards makes it clear what types of uses are permitted in residential areas and those that need to go somewhere else. "Guide" is a soft term. We could say "Directs."

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This is not consistent with previous wording, where it has been specified as residents only. I think we should consider keeping the current restriction of residents/family members only, unless there is a compelling reason to expand the criteria

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This raises two questions:

- 1) How important is facilitating the incubation of businesses?
- 2) How much impact can a business have in a neighborhood before it's outgrown a neighborhood environment?

This is a point for discussion. My personal belief is that one employee does not create significant negative impacts and is a natural progression of growth for a fledgling business in a home. It just depends on what the majority of the Board and Council think.

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This criteria is unclear and should be reworded. Don't we have other rules that limit customers to the main level? What if the business uses both some living area and some basement area? Is this intended to replace the 50% total floor area of the principle dwelling structure?

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Page 4: [19] Commented [DM29R28] **Dennis Marker** 5/7/2021 3:01:00 PM

Generally these uses self-police or neighbor police. If someone has to get a Cat II approval and all the surrounding neighbors were noticed of the public hearing, there will be heightened scrutiny occurring.

Page 4: [20] Commented [DB30] **Dan Bagley** 2/15/2021 10:24:00 AM

Math doesn't add up. Max 24 students/day x 2 stops/student (pick-up, drop-off) = 48 stops.

Page 4: [21] Commented [DM31R30] **Dennis Marker** 5/7/2021 3:02:00 PM

Again, trying to limit vehicular impacts. Clients may have to carpool, walk, ride bikes, etc. to try and limit traffic impacts from 48 students.

Page 4: [22] Commented [DB32] **Dan Bagley** 2/15/2021 10:24:00 AM

I understand the rationale here, but there's a question of fairness. It doesn't quite sit right that we would be denying someone just because someone else got set up before they did.

Page 4: [23] Commented [DM33R32] **Dennis Marker** 5/7/2021 2:59:00 PM

You raise a valid concern. What are the possible impacts that could result from multiple Cat II child group activities in close proximity? We could adjust the proximity requirement based on impacts.

Page 4: [24] Deleted **Dan Bagley** 2/15/2021 9:21:00 AM

Page 4: [25] Deleted **Ken Murchison** 11/30/2021 2:03:00 PM

Page 4: [26] Commented [DB34] **Dan Bagley** 2/15/2021 10:24:00 AM

Currently it's 100% of accessory building – why the change? If there's a good reason to change this rule, then we should expand the limits – 200 sq ft or 50% is really restrictive. Also, there shouldn't be any exceptions allowed by the Planning Board, or there should be specific criteria laid out here, under which an exception could be granted.

Page 4: [27] Commented [DM35R34] Dennis Marker 5/7/2021 3:08:00 PM

How big can an accessory structure get and how much "commercial" use should be allowed in a residential neighborhood? A sliding scale could be included based on size of property or proximity to neighboring homes.

Page 4: [28] Deleted Dennis Marker 5/7/2021 3:05:00 PM

Page 4: [29] Commented [DM37] Dennis Marker 5/7/2021 3:12:00 PM

DB: Make all use of explosives, incendiary products a prohibited home occupation.

Response: This is a matter of quantity. If someone reloads ammunition by hand, should that be prohibited? Wood stains and paints are flammable but not necessarily dangerous in small quantities. We can add a quantity standard.

Page 4: [30] Deleted Dan Bagley 2/15/2021 9:34:00 AM

PAUL R. LEPAGE
Governor

Darryl Brown
Director

The 2012 Comprehensive Plan Deadline

Q: I have been told that my comprehensive plan will expire in 2012. Why?

A: A comprehensive plan generally sets out recommendations for ten years into the future. Beyond that period, not just the recommendations but community attitudes and concerns may shift and condition and trends analysis lose relevancy. The original Growth Management Act provided no "expiration date," but the legislature amended it in 2008 to say that the State Planning Office finding that a comprehensive plan is "consistent with the law" will expire after 12 years. For plans adopted prior to 2001, the grace period was extended to December 31, 2012.

Q: Will our plan become invalid if it is no longer consistent?

A: The way the law is written, it is not the plan itself that expires; it is the finding by the State Planning Office that the plan is consistent with the law. A consistency finding which has expired ("expired finding") does not invalidate a locally adopted plan, nor any of the recommendations that the plan carries.

Q: Why should we care if the state no longer finds the plan consistent?

A: The SPO finding of consistency triggers a number of state actions and benefits. Since passage of the Growth Management Act, various state agencies have tied their growth-related programs to it. The most well-known is the CDBG program, which will not award grant funding for growth-related capital investments to a town without a consistent plan. Other grant programs award point priorities to towns with consistent plans. Some state agencies, such as the MaineDOT, give priority in funding their own projects to towns with consistent plans.

Q: What about our zoning ordinance? I understand a zoning ordinance must be based on a consistent plan.

A: The law says that zoning ordinances (as defined), impact fees and rate-of-growth ordinances (building permit caps) must conform to a plan which meets the requirements of the Growth Management Act (Refer to 30A M.R.S.A. §4314 (3)). An expired finding does not invalidate these ordinances. It does, however, provide an opening for a party affected by the ordinance to challenge it in court. Consultation with legal counsel is recommended.

Q: Can't the SPO just "re-affirm" our old plan?

A: No. Should a community choose to submit a plan to the SPO, it would have to be reviewed for completeness with the current standards. Among other things, data has to be refreshed, conclusions based on that data re-examined, and implementation strategies brought up to date. SPO makes updated data for plans available to communities to insure the use of current data available from State agencies. If the plan meets the threshold of the review standards it is accepted for consistency review. Until a plan is reviewed for consistency, its status would remain "unknown" in SPO records.

Q: What about plans that have been fixed after a SPO finding of inconsistency? Can these still be found consistent?

A: There is some latitude depending on the nature of what's 'fixed' to respond to a finding of inconsistency on a plan prepared under the old rule (Chapter 202). Issues identified in a finding or inconsistency must be addressed within two years of the date of the finding. After that period of time, the plan must be resubmitted to SPO under the new rule.

COMPREHENSIVE PLAN SUBMITTAL FORM

**Municipal Planning Assistance Program
Department of Agriculture, Conservation & Forestry**

I. Municipality:

Contact Person:

Title:

Address:

Phone:

Email:

Place where comprehensive plan will be available for public inspection:

Address:

Hours:

II. Certification

I (we) certify that this comprehensive plan was prepared with the intent of complying with the Growth Management Act (30-A M.R.S.A. § 4312 - 4350.), that it includes all of the applicable required elements of the Maine Comprehensive Plan Review Criteria Rule (07-105 CMR 208), and that it is true and accurate.

A paper or electronic copy of the plan has been sent to the following regional planning organization for review and comment:

Required Signatures:

Chief Elected Official

Chairperson, Comprehensive Planning Committee

Printed/Typed Name

Printed/Typed Name

Date: _____

Date: _____

Please be sure that your submission includes:

- ☐ The completed and signed Comprehensive Plan Submittal Form
- ☐ One paper copy of entire Comprehensive Plan, complete with all maps
- ☐ One digital copy of entire Comprehensive Plan, complete with all maps.

[The digital copy, preferably in the form of a single Adobe Acrobat (.pdf) or Microsoft Word (doc/.docx) file, may be submitted via CD, web link or email attachment.]

Please contact us if a digital copy of the Plan cannot be provided.

To be accepted for review, the submitted comprehensive plan must include:

- ☐ A vision statement
- ☐ A summary of public participation demonstrating compliance with 30-A MRSA §4324
- ☐ A regional coordination program
- ☐ A future land use plan with associated map(s)
- ☐ An implementation section

Please submit materials to:

**Department of Agriculture, Conservation & Forestry
Municipal Planning Assistance Program
18 Elkins Lane
22 State House Station
Augusta, Maine 04333-0022**

**Email:
tom.miragliuolo@maine.gov**

Optional Self-Assessment Checklist

This checklist was developed to ease the preparation of comprehensive plans. Its contents are taken directly from the Comprehensive Plan Review Criteria Rule (07 105 Chapter 208). There are no requirements to submit this checklist for review as it is intended only for the plan preparers.

Required Element	✓	Page
Vision Statement that summarizes the community's desired future community character in terms of economic development, natural and cultural resource conservation, transportation systems, land use patterns and its role in the region.		
Public Participation Summary of the public participation process used by the planning committee in developing the plan pursuant to 30-A M.R.S.A. §4324. The summary must indicate how information gathered during the public process was used to guide the plan's vision statement, analyses, policies and strategies.		
Regional Coordination Program summarizing regional coordination efforts to manage shared resources and facilities, including but not limited to lakes, rivers, aquifers, and transportation facilities. The plan must identify any shared resources and facilities, describe any conflicts with neighboring communities' policies and strategies pertaining to shared resources and facilities and describe what approaches the community will take to coordinate management of shared resources and facilities. In addition, the plan must include a summary of regional coordination efforts from all applicable topic areas.		
Plan Implementation section that prioritizes how implementation strategies will be carried out, pursuant to 30-A MRSA §4326(3). The plan must identify the responsible party and anticipated timeline for each strategy in the plan.		
Evaluation measures that describe how the community will periodically (at least every five years) evaluate the following: A. The degree to which future land use plan strategies have been implemented; B. Percent of municipal growth-related capital investments in growth areas; C. Location and amount of new development in relation to community's designated growth areas, rural areas, and transition areas (if applicable) D. Amount of critical natural resource, critical rural, and critical waterfront areas protected through acquisition, easements, or other measures.		
Future Land Use Plan that meets the requirements of Section 4 of Chapter 208. This section will be the focus of the Office's review for consistency with the Act.		
Comments:		

Historic and Archaeological Resources	✓	Page
Analyses		
Are historic patterns of settlement still evident in the community?		

What protective measures currently exist for historic and archaeological resources and are they effective?		
Do local site plan and/or subdivision regulations require applicants proposing development in areas that may contain historic or archaeological resources to conduct a survey for such resources?		
Have significant historic resources fallen into disrepair, and are there ways the community can provide incentives to preserve their value as an historical resource?		
Condition and Trends		
The community's Comprehensive Planning Historic Preservation Data Set prepared and provided to the community by the Historic Preservation Commission, and the Office, or their designees.		
An outline of the community's history, including a brief description of historic settlement patterns and events contributing to the development and character of the community and its surroundings.		
An inventory of the location, condition, and use of any historical or archaeological resource that is of local importance.		
A brief description of threats to local historic resource and to those of state and national significance as identified by the Maine Historic Preservation Commission.		
Policies		
Protect to the greatest extent practicable the significant historic and archaeological resources in the community.		
Strategies		
For known historic archeological sites and areas sensitive to prehistoric archeology, through local land use ordinances require subdivision or non-residential developers to take appropriate measures to protect those resources, including but not limited to, modification of the proposed site design, construction timing, and/or extent of excavation.		
Adopt or amend land use ordinances to require the planning board (or other designated review authority) to incorporate maps and information provided by the Maine Historic Preservation Commission into their review process.		
Work with the local or county historical society and/or the Maine Historic Preservation Commission to assess the need for, and if necessary plan for, a comprehensive community survey of the community's historic and archaeological resources.		
Comments:		

Water Resources	✓	Page
Analyses		
Are there point sources (direct discharges) of pollution in the community? If so, is the community taking steps to eliminate them?		
Are there non-point sources of pollution? If so, is the community taking steps to eliminate them?		

How are groundwater and surface water supplies and their recharge areas protected?		
Do public works crews and contractors use best management practices to protect water resources in their daily operations (e.g. salt/sand pile maintenance, culvert replacement street sweeping, public works garage operations)?		
Are there opportunities to partner with local or regional advocacy groups that promote water resource protection?		
Condition and Trends		
The community's Comprehensive Planning Water Resources Data Set prepared and provided to the community by the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection and the Office, or their designees.		
A description of each great pond, river, surface drinking water supply, and other water bodies of local interest including: a. ecological value; b. threats to water quality or quantity; c. documented water quality and/or invasive species problems.		
A summary of past and present activities to monitor, assess, and/or improve water quality, mitigate sources of pollution, and control or prevent the spread of invasive species.		
A description of the location and nature of significant threats to aquifer drinking water supplies.		
A summary of existing lake, pond, river, stream, and drinking water protection and preservation measures, including local ordinances.		
Policies		
To protect current and potential drinking water sources.		
To protect significant surface water resources from pollution and improve water quality where needed.		
To protect water resources in growth areas while promoting more intensive development in those areas.		
To minimize pollution discharges through the upgrade of existing public sewer systems and wastewater treatment facilities.		
To cooperate with neighboring communities and regional/local advocacy groups to protect water resources.		
Strategies		
Adopt or amend local land use ordinances as applicable to incorporate stormwater runoff performance standards consistent with: a. Maine Stormwater Management Law and Maine Stormwater regulations (Title 38 M.R.S.A. §420-D and 06-096 CMR 500 and 502). b. Maine Department of Environmental Protection's allocations for allowable levels of phosphorus in lake/pond watersheds. c. Maine Pollution Discharge Elimination System Stormwater Program		
Consider amending local land use ordinances, as applicable, to incorporate low impact development standards.		

Where applicable, develop an urban impaired stream watershed management or mitigation plan that will promote continued development or redevelopment without further stream degradation.		
Maintain, enact or amend public wellhead and aquifer recharge area protection mechanisms, as necessary.		
Encourage landowners to protect water quality. Provide local contact information at the municipal office for water quality best management practices from resources such as the Natural Resource Conservation Service, University of Maine Cooperative Extension, Soil and Water Conservation District, Maine Forest Service, and/or Small Woodlot Association of Maine.		
Adopt water quality protection practices and standards for construction and maintenance of public and private roads and public properties and require their implementation by contractors, owners, and community officials and employees.		
Participate in local and regional efforts to monitor, protect and, where warranted, improve water quality.		
Provide educational materials at appropriate locations regarding aquatic invasive species.		
Comments:		

Natural Resources	✓	Page
Analyses		
Are any of the community's critical natural resources threatened by development, overuse, or other activities?		
Are local shoreland zone standards consistent with state guidelines and with the standards placed on adjacent shorelands in neighboring communities?		
What regulatory and non-regulatory measures has the community taken or can the community take to protect critical natural resources and important natural resources?		
Is there current regional cooperation or planning underway to protect shared critical natural resources? Are there opportunities to partner with local or regional groups?		
Condition and Trends		
The community's Comprehensive Planning Natural Resources Data Set prepared and provided to the community by the Department of Inland Fisheries and Wildlife, Department of Environmental Protection and the Office, or their designees.		
A map or description of scenic areas and scenic views of local importance, and regional or statewide importance, if available.		
Policies		
To conserve critical natural resources in the community.		
To coordinate with neighboring communities and regional and state resource agencies to protect shared critical natural resources.		
Strategies		

Ensure that land use ordinances are consistent with applicable state law regarding critical natural resources.		
Designate critical natural resources as Critical Resource Areas in the Future Land Use Plan.		
Through local land use ordinances, require subdivision or non-residential property developers to look for and identify critical natural resources that may be on site and to take appropriate measures to protect those resources, including but not limited to, modification of the proposed site design, construction timing, and/or extent of excavation.		
Through local land use ordinances, require the planning board (or other designated review authority) to include as part of the review process, consideration of pertinent BwH maps and information regarding critical natural resources.		
Initiate and/or participate in interlocal and/or regional planning, management, and/or regulatory efforts around shared critical and important natural resources.		
Pursue public/private partnerships to protect critical and important natural resources such as through purchase of land or easements from willing sellers.		
Distribute or make available information to those living in or near critical or important natural resources about current use tax programs and applicable local, state, or federal regulations.		
Comments:		

Agricultural and Forest Resources	✓	Page
Analyses		
How important is agriculture and/or forestry and are these activities growing, stable, or declining?		
Is the community currently taking regulatory and/or non-regulatory steps to protect productive farming and forestry lands? Are there local or regional land trusts actively working to protect farms or forest lands in the community?		
Are farm and forest land owners taking advantage of the state's current use tax laws?		
Has proximity of new homes or other incompatible uses affected the normal farming and logging operations?		
Are there large tracts of agricultural or industrial forest land that have been or may be sold for development in the foreseeable future? If so, what impact would this have on the community?		
Does the community support community forestry or agriculture (i.e. small woodlots, community forests, tree farms, community gardens, farmers' markets, or community-supported agriculture)? If so, how?		
Does the community have town or public woodlands under management, or that would benefit from forest management?		
Condition and Trends		

The community's Comprehensive Planning Agriculture and Forestry Data Set prepared and provided to the community by the Department of Agriculture, the Maine Forest Service, and the Office, or their designees.		
A map and/or description of the community's farms, farmland, and managed forest lands and a brief description of any that are under threat.		
Information on the number of parcels and acres of farmland, tree growth, and open space enrolled in the state's farm, tree growth, and open space law taxation programs, including changes in enrollment over the past 10 years.		
A description of any community farming and forestry activities (e.g. community garden, farmer's market, or community forest).		
Policies		
To safeguard lands identified as prime farmland or capable of supporting commercial forestry.		
To support farming and forestry and encourage their economic viability.		
Strategies		
Consult with the Maine Forest Service district forester when developing any land use regulations pertaining to forest management practices as required by 12 M.R.S.A. §8869.		
Consult with Soil and Water Conservation District staff when developing any land use regulations pertaining to agricultural management practices.		
Amend land use ordinances to require commercial or subdivision developments in critical rural areas, if applicable, maintain areas with prime farmland soils as open space to the greatest extent practicable.		
Limit non-residential development in critical rural areas (if the town designates critical rural areas) to natural resource-based businesses and services, nature tourism/outdoor recreation businesses, farmers' markets, and home occupations.		
Encourage owners of productive farm and forest land to enroll in the current use taxation programs.		
Permit land use activities that support productive agriculture and forestry operations, such as roadside stands, greenhouses, firewood operations, sawmills, log buying yards, and pick-your-own operations.		
Include agriculture, commercial forestry operations, and land conservation that supports them in local or regional economic development plans.		
Comments:		

Marine Resources (if applicable)	✓	Page
Analyses		
Is coastal water quality being monitored on a regular basis?		
Is there a local or regional plan in place to identify and eliminate pollution sources?		
Has closing of clam or worm flats threatened the shellfishing industry, and are sources of contamination known? If so, are sources point (direct discharge) or nonpoint sources?		

Are traditional water-dependent uses thriving or in decline? What are the factors affecting these uses? If current trends continue, what will the waterfront look like in 10 years?		
Is there reasonable balance between water-dependent and other uses, and between commercial and recreational uses? If there have been recent conversions of uses, have they improved or worsened the balance?		
How does local zoning treat land around working harbors?		
Is there a local or regional harbor or bay management plan? If not, is one needed?		
Are there local dredging needs? If so, how will they be addressed?		
Is there adequate access, including parking, for commercial fishermen and members of the public? Are there opportunities for improved access?		
Are important points of visual access identified and protected?		
Condition and Trends		
The community's Comprehensive Planning Marine Resources Data Set prepared and provided to the community by the Department of Marine Resources, and the Office, or their designees.		
A map and / or description of water-dependent uses.		
A brief summary of current regulations influencing land use patterns on or near the shoreline.		
A description of any local or regional harbor or bay management plans or planning efforts.		
The location of facilities (wharves, boat ramps, pump-out stations, etc.), with a brief description of any regional or local plans to improve facilities.		
A description or map showing public access points to the shore. Include a brief description of their use, capacity, physical condition, and plans to improve, expand, or acquire facilities such as parking or toilets.		
A list of scenic resources along the shoreline, including current ownership (public or private) and any protections.		
Policies		
To protect, maintain and, where warranted, improve marine habitat and water quality.		
To foster water-dependent land uses and balance them with other complementary land uses.		
To maintain and, where warranted, improve harbor management and facilities.		
To protect, maintain and, where warranted, improve physical and visual public access to the community's marine resources for all appropriate uses including fishing, recreation, and tourism.		
Strategies		
Identify needs for additional recreational and commercial access (which includes parking, boat launches, docking space, fish piers, and swimming access).		
Encourage owners of marine businesses and industries to participate in clean marina/boatyard programs.		

Provide information about the Working Waterfront Access Pilot Program and current use taxation program to owners of waterfront land used to provide access to or support the conduct of commercial fishing activities.		
Support implement of local and regional harbor and bay management plans.		
If applicable, provide sufficient funding for and staffing of the harbormaster and/or harbor commission.		
Work with local property owners, land trusts, and others to protect major points of physical and visual access to coastal waters, especially along public ways and in public parks.		
Comments:		

Population and Demographics	✓	Page
Analyses		
Is the rate of population change expected to continue as in the past, or to slow down or speed up? What are the implications of this change?		
What will be the likely demand for housing and municipal and school services to accommodate the change in population and demographics, both as a result of overall change and as a result of change among different age groups?		
Does your community have a significant seasonal population, is the nature of that population changing? What is the community's dependence on seasonal visitors?		
If your community is a service center or has a major employer, are additional efforts required to serve a daytime population that is larger than its resident population?		
Condition and Trends		
The community's Comprehensive Planning Population and Demographic Data Set (including relevant local, regional, and statewide data) prepared and provided to the community by the Office or its designee.		
Policies		
None required.		
Strategies		
None required.		
Comments:		

Economy	✓	Page
Analyses		
Is the economy experiencing significant change, and how does this, or might this, affect the local population, employment, and municipal tax base?		
Does the community have defined priorities for economic development? Are these priorities reflected in regional economic development plans?		
If there is a traditional downtown or village center(s) in the community? If so, are they deteriorating or thriving?		

Is tourism an important part of the local economy? If so, what steps has the community taken to support this industry?		
Do/should home occupations play a role in the community?		
Are there appropriate areas within the community for industrial or commercial development? If so, are performance standards necessary to assure that industrial and commercial development is compatible with the surrounding land uses and landscape?		
Are public facilities, including sewer, water, broadband access or three-phase power, needed to support the projected location, type, and amount of economic activity, and what are the issues involved in providing them?		
If there are local or regional economic development incentives such as TIF districting, do they encourage development in growth areas?		
How can/does the community use its unique assets such as recreational opportunities, historic architecture, civic events, etc. for economic growth?		
Condition and Trends		
The community's Comprehensive Planning Economic Data Set prepared and provided to the community by the Office or its designee.		
A brief historical perspective on how and why the current economy of the community and region developed.		
A list of local and regional economic development plans developed over the past five years, which include the community.		
Where does the community's population work and where do employees in your community reside? A description of the major employers in the community and labor market area and their outlook for the future.		
A description of any economic development incentive districts, such as tax increment financing districts, in the community.		
Policies		
To support the type of economic development activity the community desires, reflecting the community's role in the region.		
To make a financial commitment, if necessary, to support desired economic development, including needed public improvements.		
To coordinate with regional development corporations and surrounding towns as necessary to support desired economic development.		
Strategies		
If appropriate, assign responsibility and provide financial support for economic development activities to the proper entity (e.g., a local economic development committee, a local representative to a regional economic development organization, the community's economic development director, a regional economic development initiative, or other).		
Enact or amend local ordinances to reflect the desired scale, design, intensity, and location of future economic development.		
If public investments are foreseen to support economic development, identify the mechanisms to be considered to finance them (local tax dollars, creating a tax increment financing district, a Community Development Block Grant or other grants, bonding, impact fees, etc.)		
Participate in any regional economic development planning efforts.		

Comments:

Housing	✓	Page
Analyses		
How many additional housing units (if any), including rental units, will be necessary to accommodate projected population and demographic changes during the planning period?		
Is housing, including rental housing, affordable to those earning the median income in the region? Is housing affordable to those earning 80% of the median income? If not, review local and regional efforts to address issue.		
Are seasonal homes being converted to year-round use or vice-versa? What impact does this have on the community?		
Will additional low and moderate income family, senior, or assisted living housing be necessary to meet projected needs for the community? Will these needs be met locally or regionally?		
Are there other major housing issues in the community, such as substandard housing?		
How do existing local regulations encourage or discourage the development of affordable/workforce housing?		
Condition and Trends		
The community's Comprehensive Planning Housing Data Set prepared and provided to the community by the Maine State Housing Authority, and the Office, or their designees.		
Information on existing local and regional affordable/workforce housing coalitions or similar efforts.		
A summary of local regulations that affect the development of affordable/workforce housing.		
Policies		
To encourage and promote adequate workforce housing to support the community's and region's economic development.		
To ensure that land use controls encourage the development of quality affordable housing, including rental housing.		
To encourage and support the efforts of the regional housing coalitions in addressing affordable and workforce housing needs.		
Strategies		
Maintain, enact or amend growth area land use regulations to increase density, decrease lot size, setbacks and road widths, or provide incentives such as density bonuses, to encourage the development of affordable/workforce housing.		
Maintain, enact or amend ordinances to allow the addition of at least one accessory apartment per dwelling unit in growth areas, subject to site suitability.		
Create or continue to support a community affordable/workforce housing committee and/or regional affordable housing coalition.		

Designate a location(s) in growth areas where mobile home parks are allowed pursuant to 30-A M.R.S.A. §4358(3)(M) and where manufactured housing is allowed pursuant to 30-A M.R.S.A. §4358(2).		
Support the efforts of local and regional housing coalitions in addressing affordable and workforce housing needs.		
Seek to achieve a level of at least 10% of new residential development built or placed during the next decade be affordable.		
Comments:		

Recreation	✓	Page
Analyses		
Will existing recreational facilities and programs in the community and region accommodate projected growth or changes in age groups in your community?		
Is there a need for certain types of services or facilities or to upgrade or enlarge present facilities to either add capacity or make them more usable?		
Are important tracts of open space commonly used for recreation publicly-owned or otherwise permanently conserved?		
Does the community have a mechanism, such as an open space fund or partnership with a land trust, to acquire important open spaces and access sites, either outright or through conservation easements?		
Does the public have access to each of the community's significant water bodies?		
Are recreational trails in the community adequately maintained? Are there use conflicts on these trails?		
Is traditional access to private lands being restricted?		
Condition and Trends		
The community's Comprehensive Planning Recreation Data Set prepared and provided to the community by the Department of Conservation, and the Office, or their designees.		
A description of important public and private active recreation programs, land and water recreation areas (including hunting and fishing areas), and facilities in the community and region, including regional recreational opportunities as appropriate, and identification of unmet needs.		
An inventory of any fresh or salt water bodies in the community determined locally to have inadequate public access.		
A description of local and regional trail systems, trail management organizations, and conservation organizations that provide trails for all-terrain vehicles, snowmobiling, skiing, mountain biking, or hiking.		
A map or list of important publicly-used open spaces and their associated facilities, such as parking and toilet facilities.		
Policies		
To maintain/upgrade existing recreational facilities as necessary to meet current and future needs.		
To preserve open space for recreational use as appropriate.		

To seek to achieve or continue to maintain at least one major point of public access to major water bodies for boating, fishing, and swimming, and work with nearby property owners to address concerns.		
Strategies		
Create a list of recreation needs or develop a recreation plan to meet current and future needs. Assign a committee or community official to explore ways of addressing the identified needs and/or implementing the policies and strategies outlined in the plan.		
Work with public and private partners to extend and maintain a network of trails for motorized and non-motorized uses. Connect with regional trail systems where possible.		
Work with an existing local land trust or other conservation organizations to pursue opportunities to protect important open space or recreational land.		
Provide educational materials regarding the benefits and protections for landowners allowing public recreational access on their property. At a minimum this will include information on Maine's landowner liability law regarding recreational or harvesting use, Title 14, M.R.S.A. §159-A.		
Comments:		

Transportation (applicable if community has no MaineDOT approved STPA transportation plan)	✓	Page
Analyses		
What are the transportation system concerns in the community and region? What, if any, plans exist to address these concerns?		
Are conflicts caused by multiple road uses, such as a major state or U.S. route that passes through the community or its downtown and serves as a local service road as well?		
To what extent do sidewalks connect residential areas with schools, neighborhood shopping areas, and other daily destinations?		
How are walking and bicycling integrated into the community's transportation network (including access to schools, parks, and other community destinations)?		
How do state and regional transportation plans relate to your community?		
What is the community's current and approximate future budget for road maintenance and improvement?		
Are there parking issues in the community? If so what are they?		
If there are parking standards, do they discourage development in village or downtown areas?		
Do available transit services meet the current and foreseeable needs of community residents? If transit services are not adequate, how will the community address the needs?		
If the community hosts a transportation terminal, such as an airport, passenger rail station, or ferry terminal, how does it connect to other transportation modes (e.g. automobile, pedestrian, bicycle, transit)?		

If the community hosts or abuts any public airports, what coordination has been undertaken to ensure that required airspace is protected now and in the future? How does the community coordinate with the owner(s) of private airports?		
If you are a coastal community are land-side or water-side transportation facilities needed? How will the community address these needs?		
Does the community have local access management or traffic permitting measures in place?		
Do the local road design standards support the community's desired land use pattern?		
Do the local road design standards support bicycle and pedestrian transportation?		
Do planned or recently built subdivision roads (residential or commercial) simply dead-end or do they allow for expansion to adjacent land and encourage the creation of a network of local streets? Where dead-ends are unavoidable, are mechanisms in place to encourage shorter dead-ends resulting in compact and efficient subdivision designs?		
Condition and Trends		
The community's Comprehensive Planning Transportation Data Set prepared and provided to the community by the Department of Transportation, and the Office, or their designees.		
Location and overall condition of roads, bridges, sidewalks, and bicycle facilities, including any identified deficiencies or concerns.		
Identify potential on and off-road connections that would provide bicycle and pedestrian connections to neighborhoods, schools, waterfronts and other activity centers.		
Identify major traffic (including pedestrian) generators, such as schools, large businesses, public gathering areas/activities, etc. and related hours of their operations.		
Identify policies and standards for the design, construction and maintenance of public and private roads.		
List and locate municipal parking areas including capacity, and usage.		
Identify airports within or adjacent to the community and describe applicable airport zoning and airspace protection ordinances your community has in place.		
Identify bus or van services.		
Identify existing and proposed marine and rail terminals within your community including potential expansions.		
If coastal communities identify public ferry service and private boat transportation support facilities (may be covered under Marine Resources with cross reference) including related water-side (docks/piers/wharves) and land-side (parking) facilities.		
Policies		
To prioritize community and regional needs associated with safe, efficient, and optimal use of transportation systems.		
To safely and efficiently preserve or improve the transportation system.		

To promote public health, protect natural and cultural resources, and enhance livability by managing land use in ways that maximize the efficiency of the transportation system and minimize increases in vehicle miles traveled.		
To meet the diverse transportation needs of residents (including children, the elderly and disabled) and through travelers by providing a safe, efficient, and adequate transportation network for all types of users (motor vehicles, pedestrians, bicyclists).		
To promote fiscal prudence by maximizing the efficiency of the state or state-aid highway network.		
Strategies		
Develop or continue to update a prioritized improvement, maintenance, and repair plan for the community's transportation network.		
Initiate or actively participate in regional and state transportation efforts.		
Maintain, enact or amend local ordinances as appropriate to address or avoid conflicts with: a. Policy objectives of the Sensible Transportation Policy Act (23 M.R.S.A. §73); b. State access management regulations pursuant to 23 M.R.S.A. §704; and c. State traffic permitting regulations for large developments pursuant to 23 M.R.S.A. §704-A.		
Maintain, enact or amend ordinance standards for subdivisions and for public and private roads as appropriate to foster transportation-efficient growth patterns and provide for future street and transit connections.		
Comments:		

Public Facilities and Services	✓	Page
Analyses		
Are municipal services adequate to meeting changes in population and demographics?		
Has the community partnered with neighboring communities to share services, reduce costs and/or improve services? In what ways?		
If the community has a public sewer system, what issues or concerns are there currently and/or anticipated in the future? Is the sanitary district extension policy consistent with the Future Land Use Plan as required by (38 M.R.S.A. §1163), or will it be?		
If the community has a public water system are any public water supply expansions anticipated? If so, have suitable sources been identified and protected? Is the water district extension policy consistent with the Future Land Use Plan?		
If the town does not have a public sewer or water system, is this preventing the community from accommodating current and projected growth?		
Are existing stormwater management facilities adequately maintained? What improvements are needed? How might future development affect the existing system?		

How do residents dispose of septic tank waste? Are there issues or concerns regarding septic tank waste?		
Is school construction or expansion anticipated during the planning period? Are there opportunities to promote new residential development around existing and proposed schools?		
Is the community's emergency response system adequate? Are improvements needed?		
Is the solid waste management system meeting current needs? Is the community reducing the reliance on waste disposal and increasing recycling opportunities? Are improvements needed to meet future demand?		
Are improvements needed in the telecommunications and energy infrastructure?		
Are local and regional health care facilities and public health and social service programs adequate to meet the needs of the community?		
Will other public facilities, such as town offices, libraries, and cemeteries accommodate projected growth?		
To what extent are investments in facility improvements directed to growth areas?		
Does the community have a street tree program?		
Condition and Trends		
location of facilities and service areas (mapped as appropriate);		
general physical condition of facilities and equipment;		
capacity and anticipated demand during the planning period;		
identification of who owns/manages the systems;		
estimated costs of needed capital improvements to public facilities; and		

<p>the following information related to each of these public facilities and services:</p> <p>a. Sewerage and/or Water Supply – Identify number and types of users, and percent of households served</p> <p>b. Septage – Identify any community policies or regulations regarding septage collection and disposal.</p> <p>c. Solid Waste – Describe the community's solid waste management system. Identify types and amounts of municipal solid waste and recycled materials for the past five (5) years.</p> <p>d. Stormwater Management – Identify combined sewer overflows. For Municipal Separate Stormwater System (MS4) communities, describe plan and status of the major goals of the MS4 requirements.</p> <p>e. Power and Communications – Availability of 3-phase power, Internet (including broadband), and cable within the community.</p> <p>f. Emergency Response System –Average call response times for fire, police, and emergency/rescue.</p> <p>g. Education – Identify school administrative unit. Include primary/secondary school system enrollment for the most recent year information is available and for the ten (10) years after the anticipated adoption of plan.</p> <p>h. Health Care - Describe major health care facilities (hospitals, clinics) and other providers serving the community. Identify public health and social services supported by the community through municipal subsidy.</p> <p>i. Municipal Government Facilities and Services – Describe facilities and staffing for municipal administrative, enforcement, and public works operations.</p> <p>j. Street Tree Program - Describe the community's street tree program.</p>		
Policies		
To efficiently meet identified public facility and service needs.		
To provide public facilities and services in a manner that promotes and supports growth and development in identified growth areas.		
Strategies		
Identify any capital improvements needed to maintain or upgrade public services to accommodate the community's anticipated growth and changing demographics.		
Locate new public facilities comprising at least 75% of new municipal growth-related capital investments in designated growth areas.		
Encourage local sewer and water districts to coordinate planned service extensions with the Future Land Use Plan.		
If public water supply expansion is anticipated, identify and protect suitable sources?		
Explore options for regional delivery of local services.		
Comments:		

Fiscal Capacity and Capital Investment Plan	✓	Page
Analyses		
How will future capital investments identified in the plan be funded?		

If the community plans to borrow to pay for capital investments, does the community have sufficient borrowing capacity to obtain the necessary funds?		
Have efforts been made by the community to participate in or explore sharing capital investments with neighboring communities? If so, what efforts have been made?		
Condition and Trends		
Identify community revenues and expenditures by category for the last five (5) years and explain trends.		
Describe means of funding capital items (reserve funds, bonding, etc.) and identify any outside funding sources.		
Identify local and state valuations and local mil rates for the last five (5) years.		
How does total municipal debt (including shares of county, school and utility) compare with the statutory and Maine Bond Bank recommended limits on such debt?		
Policies		
To finance existing and future facilities and services in a cost effective manner.		
To explore grants available to assist in the funding of capital investments within the community.		
To reduce Maine's tax burden by staying within LD 1 spending limitations.		
Strategies		
Explore opportunities to work with neighboring communities to plan for and finance shared or adjacent capital investments to increase cost savings and efficiencies.		
Capital Investment Plan		
The comprehensive plan must include a capital investment plan that:		
(1) Identifies and summarizes anticipated capital investment needs within the planning period in order to implement the comprehensive plan, including estimated costs and timing, and identifies which are municipal growth-related capital investments;		
(2) Establishes general funding priorities among the community capital investments; and		
(3) Identifies potential funding sources and funding mechanisms.		
Comments:		

Existing Land Use	✓	Page
Analyses		
Is most of the recent development occurring: lot by lot; in subdivisions; or in planned developments? Is recent development consistent with the community's vision?		

What regulatory and non-regulatory measures would help promote development of a character, and in locations that are consistent with the community's vision?		
Is the community's administrative capacity adequate to manage its land use regulation program, including planning board and code enforcement officer?		
Are floodplains adequately identified and protected? Does the community participate in the National Flood Insurance Program? If not, should it? If so, is the floodplain management ordinance up to date and consistently enforced? Is the floodplain management ordinance consistent with state and federal standards?		
Condition and Trends		
An existing land use map, by land use classification (such as mixed-use, residential, commercial, institutional, industrial, agricultural, commercial forests, marine, park/recreational, conserved, and undeveloped land).		
A summary of current lot dimensional standards.		
A description or map identifying the location of lots and primary structures created within the last ten years. Include residential, institutional, commercial, and industrial development.		
Provide a brief description of existing land use regulations and other tools utilized to manage land use, including shoreland zoning, floodplain management, subdivision, site plan review, and zoning ordinances.		
Estimate the minimum amount of land needed to accommodate projected residential, institutional, commercial, or industrial development at least ten (10) years into the future.		
Policies		
None Required		
Strategies		
None Required		
Comments:		

Future Land Use Plan	✓	Page
Analyses		
Does the Future Land Use Plan align and/or conflict with the community's vision statement?		
Is the configuration of the growth area(s) shaped by natural opportunities and/or constraints (i.e. the physical suitability or unsuitability of land for development)? The location of public facilities? The transportation network?		
How does the Future Land Use Plan relate to recent development trends?		
Given current regulations, development trends, and population projections, estimate how many new residential units and how much commercial, institutional, and/or industrial development will likely occur in the planning period? Where is this development likely to go?		
How can critical natural resources and important natural resources be effectively protected from future development impacts?		

Components		
<p>A map or maps showing:</p> <p>a. Growth area(s) (unless exempted) and Rural area(s) and any land use districts within each;</p> <p>b. Critical Natural Resources in accordance with 4.3.F, above</p> <p>c. Any of the following optional land use areas, if proposed, along with any land use districts within each: Transitional, Critical Rural, Critical Waterfront.</p>		
<p>A map depicting the constraints to development identified in the plan (may be a combination of maps from other sections).</p>		
<p>A narrative description of each land use district including:</p> <p>a. The district's relationship to the community's vision;</p> <p>b. The district's natural opportunities and/or constraints;</p> <p>c. The types and intensity of proposed land uses, including residential density;</p> <p>d. The compatibility or incompatibility of proposed uses to current uses, critical natural resources and important natural resources within and around the district along with any special development considerations (e.g. need for additional buffers, conservation subdivision provisions, architectural design standards, etc.); and</p> <p>e. Any anticipated major municipal capital investments needed to support the proposed land uses.</p>		
Policies		
To coordinate the community's land use strategies with other local and regional land use planning efforts.		
To support the locations, types, scales, and intensities of land uses the community desires as stated in its vision.		
To support the level of financial commitment necessary to provide needed infrastructure in growth areas.		
To establish efficient permitting procedures, especially in growth areas.		
To protect critical rural and critical waterfront areas from the impacts of development.		
Strategies		
Assign responsibility for implementing the Future Land Use Plan to the appropriate committee, board or municipal official.		
<p>Using the descriptions provided in the Future Land Use Plan narrative, maintain, enact or amend local ordinances as appropriate to:</p> <p>a. Clearly define the desired scale, intensity, and location of future development;</p> <p>b. Establish or maintain fair and efficient permitting procedures, and explore streamlining permitting procedures in growth areas; and</p> <p>c. Clearly define protective measures for critical natural resources and, where applicable, important natural resources.</p> <p>d. Clearly define protective measures for any proposed critical rural areas and/or critical waterfront areas, if proposed.</p>		

Include in the Capital Investment Plan anticipated municipal capital investments needed to support proposed land uses.		
Meet with neighboring communities to coordinate land use designations and regulatory and non-regulatory strategies.		
Provide the code enforcement officer with the tools, training, and support necessary to enforce land use regulations, and ensure that the Code Enforcement Officer is certified in accordance with 30-A M.R.S.A. §4451.		
Track new development in the community by type and location.		
Direct a minimum of 75% of new municipal growth-related capital investments into designated growth areas identified in the Future Land Use Plan.		
Periodically (at least every five years) evaluate implementation of the plan in accordance with Section 2.7.		
Comments:		

Exhibit A

6. Campground and/or Recreational Vehicle Park.

A campground and/or recreational vehicle (RV) park shall conform to the minimum requirements imposed under State licensing procedures of 10-144 DEPARTMENT OF HEALTH AND HUMAN SERVICES Chapter 205: RULES RELATING TO CAMPGROUNDS and the following (in case of possible conflict, the stricter rule shall apply). For the purposes of this Section "RV" shall include travel RV, pick-up coach, motor home, camping trailer, dependent RV, and self-contained RV.

A. General.

1. A campground and/or RV park shall have no less than three (3) acres in the R-2 District no less than seven (7) acres in the R-3 District. All R.V. and tents shall be located at least 25 feet (7.6 m.) from boundary lines, and 100 feet (30.5 m.) from the normal high water mark of a great pond classified GPA or a river flowing to a great pond classified GPA, and 75 feet (22.9 m.) from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland subject to the 250-foot (76.2 m.) Shoreland Zoning requirements and 200 feet from any residence, exclusive of the residence belonging to the owner.
2. Sites in the R-2 district shall be laid out and screened in such a manner that none are within view from public roads or existing residence. Any combination of evergreen planting landscaped earthen berms, or solid fencing may be used to achieve this screening standards, when sites would otherwise be visible from the locations described above. No screening required in the R-3 District.
3. No trailers or mobile homes, other than RVs, shall be permitted within any campground and/or RV park, temporarily or otherwise.
4. Bunkhouses that are part of a licensed campground or recreational camp are not considered lodging places. For further information regarding Lodging Places see 10-144 DEPARTMENT OF HUMAN SERVICES BUREAU OF HEALTH DIVISION OF HEALTH ENGINEERING Chapter 206 RULES RELATING TO LODGING ESTABLISHMENTS.
5. Tent sites and RV sites shall be laid out so that the density of each developed acre of land shall not exceed the standards below (in terms of sites per acre of land, excluding circulation roads). Land supporting wetland vegetation, and land below the normal high-water line of a water body shall not be included in calculating land area per site.

Non-Shoreland	Shoreland Areas	
Tent Sites	14 per acre	8 per acre
RV and Travel Trailer Sites	11 per acre	7 per acre

B. Minimum lot sizes.

1. Sites shall contain a minimum of 1000 square feet (92-9 sq. m.) (not including roads and streets) for each R.V. and tent site, except that in areas subject to the 250-foot (76.2 m.) mandatory *Shoreland Zoning Act*, there shall be a minimum of 5,000 square feet (464.5 sq. m.) of suitable land, (not including roads and streets,) for each site. The minimum frontage of a tent site or RV site along any shoreline of a waterbody shall be 50 feet.

2. Use of tent sites or RV sites located within the 100-year floodplain shall be prohibited between March 1 and May 31 and during seasonal flooding events.
3. Recreational Vehicles located within Zones A1-30, as indicated on the National Flood Insurance Program Rate Maps (FIRM) shall either:
 - a. Be on the site for fewer than 180 consecutive days.
 - b. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions; or
 - c. Meet the permit requirements of elevation and anchoring requirements for "manufactured home" in Flood Hazard Area regulations 13-606. H. a & b.

C. Parking and Circulation.

1. A minimum of three hundred (300) square feet of off-street parking plus maneuvering space shall be provided for each tent site or RV site. RVs shall be parked in spaces so that:
 - a. There shall be a minimum of 50 feet between vehicles; and
 - b. There shall be a minimum of 75 feet between all RVs and tents, and all public rights-of-way located inside the boundaries of the campground.
2. Roads and streets: All parking areas shall be provided with safe and convenient vehicular access from abutting public streets or roads to each R.V. site. Alignment and gradient shall be properly adapted to topography.
 - a. Surfacing and maintenance: Surfacing and maintenance shall provide a smooth, hard, and dense surface which shall be well drained.
 - b. Access to sites: Access to R.V. sites shall be designed to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on adjacent streets.
3. Standards for the construction of roads and/or driveways and drainage systems, culverts, and other related features applicable in the Shoreland Zone can be found in Sec. 13-500 Shoreland Zoning Ordinance. 15. Land Use Standards H. Roads and Driveways.

D. Health and Safety.

1. A campground and/or RV park shall provide water and sewerage disposal systems, sanitary facilities, and convenience facilities in accordance with the regulations of 10-144 DEPARTMENT OF HUMAN SERVICES Chapter 205 RULES RELATING TO CAMPGROUNDS and the Maine Subsurface Wastewater Disposal Rules 144A CMR 241. All RV sites shall be equipped with water and sewage hook-ups and connected to approved distribution or disposal systems.

E. Planning and Review.

1. Roads, parking, sites, and required facilities shall be planned in accordance with the basic principles outlined below and shall be shown on the proposed plan which is submitted for review and approval.
 - a. A logical sequence of entry and circulation should be created: entrance, administration, storage, parking, sites, toilets, laundry, playing fields, or shoreline.
 - b. Sites should be clustered in groups according to intensity of use (low density, medium density, etc.) and also related to common support service areas (laundries, play areas, etc.) serving a number of site clusters. The purpose is to minimize road length, increase accessibility, and preserve open space.
 - c. Footpaths and roads should follow "desired lines" of pedestrian and vehicular movement between sites and all jointly used facilities.

- d. Access roads shall be laid out as loops to the greatest extent practicable, although "cul-de-sacs" or "dead ends" may be allowed to serve up to twenty (20) campsites.
2. Best management practices shall be employed for soil erosion and sedimentation control and a Storm Water Runoff Plan shall be submitted. In addition to data on soils, slopes, and drainage, a vegetation map showing the following items may be required:
- a. The major types of vegetation should be identified and described (as to age, height, openness or density, and pattern, either natural or reforested).
 - b. New plantings tolerant to existing and proposed site conditions, and blending compatible with existing natural vegetation should be selected to provide screening and shelter.
 - c. All vegetative clearing should avoid creating straight line edges between open land and surviving stands.
 - d. Areas of activity and/or traffic should be sited to avoid wildlife areas (such as thickets for birds and small mammals, or deer yards and trails).

Historical Note: Section 13-700 §6 as amended June 14, 2021.

ORDINANCE No. 20, 2021 Series

**City of Caribou
County of Aroostook
State of Maine**

An Ordinance Amending Chapter 13 Section 700 Subsection 6 Campground and/or Recreational Vehicle Park Development Standards

Short Title: An Ordinance to Amend Chapter 13 Section 700 Subsection 6

WHEREAS, the City of Caribou is a Local Unit of Government under the State of Maine and is granted home rule authority under Maine Revised Statutes, Title 30-A, §3001; and

WHEREAS, the City of Caribou has adopted Title 13, Land Use Ordinances as part of its ordinances and regulations, which outline land use laws and zoning regulations; and

WHEREAS, a request has been made to amend Title 13, Land Use Ordinances to facilitate the more beneficial use of land and properties for economic advancement within the community; and

WHEREAS, the City Planning Board conducted a public hearing on November 10, 2021 to receive comment on the proposal, which hearing was preceded by the notification and the general public in accordance with city notification procedures, and

WHEREAS, the City Planning Board has forwarded a positive recommendation to the City Council for the proposed Title 13 revisions.

NOW THEREFORE, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11, does ordain the following:

Section I. Title 13 Revisions

Section 13-700 subsection 6. Campground and/or Recreational Vehicle Park standards is amended as follows on Exhibit A.

Section II. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section III. Posting and Effective Date

This ordinance, being introduced on November 29, 2021 and a public hearing being held on December 13, 2021 was duly passed by the City Council of the City of Caribou, Maine, this _____ day of _____ 2021. This ordinance shall become effective 30 days after adoption by the Council.

Jody Smith, Mayor

Thomas Ayer, Deputy Mayor

Courtney Boma, Councilor

R. Mark Goughan, Councilor

Doug Morrell, Councilor

Joan Theriault, Councilor

Lou Willey, Councilor

Attest: _____
Danielle Brissette, City Clerk