

Draft Amendments to the Basic Land Use Ordinance and Shoreland Zoning Ordinance to Remove Minimum Lot Standards in the Shoreland Zone from the Basic Land Use Ordinance and Move Them to the Shoreland Zoning Ordinance

Proposed additions to the ordinances are underlined;
 proposed deletions are ~~struck-out~~.

Basic Land Use Ordinance

Amend Section 11.1 Minimum Lot Standards to read as follows:

11.1. Minimum Lot Standards

SHORELAND ZONE¹

	SHORELAND NON-TIDAL	SHORELAND TIDAL	SHORELAND OFFSHORE ISLANDS	NON-SHORELAND AREA OF OFFSHORE ISLANDS	SUBDIVISIONS⁴
MIN. LOT SIZE (S.F.) PER DWELLING UNIT	40,000	40,000	40,000	40,000	80,000
SHORE FRONTAGE (FT)	200	150	150	exempt	150
WATERBODY, TRIBUTARY STREAM, OR WETLAND SETBACK (FT)	75	75	75	n/a	75
PROPERTY LINE SETBACK (FT)	25	25	25	20	25
ROAD SETBACK (FT)	n/a	n/a	n/a	exempt	40
STRUCTURE HEIGHT (FT)	30	30	30	30	30

~~OTHER~~ AREAS OF TOWN NOT SUBJECT TO SHORELAND ZONING^{1,2&3}

	AREAS LOCATED OUTSIDE OF A SUBDIVISION	AREAS LOCATED WITHIN A SUBDIVISION ⁴
MIN. LOT SIZE (S.F.) PER DWELLING UNIT	40,000	80,000
ROAD FRONTAGE (FT)	150 ³	150 ⁵
PROPERTY LINE SETBACK (FT)	See Section 11.3.1	See Section 11.3.1
ROAD SETBACK (FT)	See Section 11.3.1	See Section 11.3.1
STRUCTURE HEIGHT (FT)	32	32

1. For ~~nonresidential~~ uses in the Shoreland Zone, see Sections 15.1 and 15.2 of the Shoreland Zoning Ordinance and the Site Plan Review Ordinance.
2. Nonresidential development in these areas is governed by the Site Plan Review Ordinance.
3. For any road serving more than two (2) lots or dwelling units, the road must comply with the requirements of the Town of Harpswell Road Ordinance. For any lot to which access is only by one (1) or more roads terminating at the lot, no minimum road frontage is required provided that access to any development on the lot is wide enough to accommodate emergency vehicles but in no event less than twelve (12) feet in width.
4. The minimum lot size and road frontage requirements may be reduced for lots in subdivisions developed in accordance with the Flexible Lot Size Subdivision provisions of the Subdivision Ordinance.
5. The frontage requirement for lots on a hammerhead or T-shaped turnaround for dead end roads in a subdivision may be reduced to fifty (50) feet where no future road is either feasible or provided for on the subdivision plan, provided that all of the requirements of the Town of Harpswell Road Ordinance are met.

Shoreland Zoning Ordinance

1. Amend Section 15.2 Principal and Accessory Structures by inserting the following after the Citizen’s Note and before 15.2.1 Setbacks to read:

The following table summarizes the minimum lot size, minimum shore frontage, minimum setback and maximum height requirements for residential uses in the shoreland zoning districts. The requirements shown in the table are based on the requirements set out in detail in 15.1 and 15.2. If there is any discrepancy between the requirements shown in this table and the

requirements set forth in 15.1 and/or 15.2, the requirements of 15.1 and/or 15.2 shall govern. **The requirements shown in this table do not apply to nonresidential uses or to functionally water-dependent uses or structures used for commercial fishing.**

RESIDENTIAL STANDARDS^{1,2,&3}

	<u>SHORELAND NON-TIDAL</u>	<u>SHORELAND TIDAL</u>	<u>SHORELAND OFFSHORE ISLANDS</u>	<u>SUBDIVISIONS^{4&5}</u>
<u>MIN. LOT SIZE (S.F.) PER DWELLING UNIT</u>	<u>40,000</u>	<u>40,000</u>	<u>40,000</u>	<u>80,000</u>
<u>SHORE FRONTAGE² (FT)</u>	<u>200</u>	<u>150</u>	<u>150</u>	<u>150</u>
<u>WATERBODY, TRIBUTARY STREAM, OR WETLAND SETBACK (FT)</u>	<u>75</u>	<u>75</u>	<u>75</u>	<u>75</u>
<u>PROPERTY LINE SETBACK (FT)</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>
<u>ROAD SETBACK (FT)</u>	<u>25</u>	<u>25</u>	<u>NA</u>	<u>40</u>
<u>STRUCTURE HEIGHT (FT)</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>

1. For nonresidential uses, see Section 15.1 of the Shoreland Zoning Ordinance and the Site Plan Review Ordinance.
2. See the sliding scale provisions of 15.1.3
3. For any road serving more than two (2) lots or dwelling units, the road must comply with the requirements of the Town of Harpswell Road Ordinance. For any lot to which access is only by one (1) or more roads terminating at the lot, no minimum road frontage is required provided that access to any development on the lot is wide enough to accommodate emergency vehicles but in no event less than twelve (12) feet in width.
4. The minimum lot size and road frontage requirements may be reduced for lots in subdivisions developed in accordance with the Flexible Lot Size Subdivision provisions of the Subdivision Ordinance.
5. The frontage requirement for lots on a hammerhead or T-shaped turnaround for dead end roads in a subdivision may be reduced to fifty (50) feet where no future road is either feasible or provided for on the subdivision plan, provided that all of the requirements of the Town of Harpswell Road Ordinance are met.

2. Amend Section 15.2.1 Setbacks to read:

15.2.1. Setbacks. All new principal and accessory structures shall be set back at least seventy-five (75) feet, horizontal distance, from the maximum high water line of a great pond, stream, tributary stream, HAT of the coastal wetland or the upland edge of a freshwater wetland described in Section 3 of this Ordinance, and twenty-five (25) feet from all other lot lines including a property line with any road, except as provided in subsection 15.2.1.1, 15.2.1.2 and 15.2.1.3.. In a Resource Protection District, the setback requirement shall be two hundred fifty (250) feet, horizontal distance, except for structures, roads, parking spaces or other related objects specifically allowed in that district in which case the setback requirements above shall apply.