

Dear Shapleigh Residents,

On the March Town Meeting Warrant are several proposed zoning changes you may not be familiar with unless you have attended a public hearing. In the event you are interested in voting on these amendments, this will provide you with a brief summary.

If approved:

1. Lot coverage by structures in the General Purpose District will be made less stringent by allowing a lot coverage increase from 10% to 20%.
2. Duplexes that meet current building code requirements will be allowed in zoning districts where duplexes are a permitted use on lots meeting all the dimensional requirements for a single family residence.
3. One business for which a conditional use permit is obtained may be located on a conforming single family residential lot in addition to a single family residence.

To view the proposed changes as written, you may go to Shapleigh.net where they will be posted. They will also be located in the Town Report.

Shapleigh Planning Board

Below are the proposed amendments to be voted on Saturday, March 10, 2018.

Proposed Amendment to §105-4.D(7)(b)[1][a]

- [a] Trees removed in order to relocate a structure must be replanted with at least one native tree, six feet in height, measured from the base of the trunk to the top of the tree, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed. **Trees shall be planted greater than five feet from side lot lines, and shall create a 'well distributed' stand of trees.**

Proposed Amendment to §105-15 'Definitions.'

New definition:

Two-family dwelling - Any building that contains two dwelling units used, intended, or designed to be built or occupied for living purposes.

Amendment to a Definition:

Dwelling Unit. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. The term shall include manufactured housing units but shall not include trailers or recreational vehicles.

~~Dwelling Units—A room or group of rooms designed and equipped exclusively for the use as living quarters for only one family, including provisions for living, sleeping, cooking and eating.~~ The term shall include manufactured housing units but shall not include trailers or recreational vehicles.

Proposed Addition to §105-17 ‘Land Uses’

LAND USES						
RURAL	RP	SD	GP	FD	SP	
Agricultural, commercial gardening ⁴	CU	CU	YES	YES	CU	
Seasonal sale of produce and plants raised:						
Off Premises ⁴	NO	CU	CU	CU	CU	
On the Premises ⁴	NO	CU	YES	CU	CU	

⁴Marijuana is neither considered an agricultural crop nor commercial gardening. Marijuana is not considered a seasonal produce or plant. Conduct pursuant to the Maine Medical Use of Marijuana Act, 22-M.R.S.A. c.558-C requires a Conditional Use Permit.

Proposed Amendment to §105-18. Dimensional Requirements

	Commercial and Industrial Dimensional Requirements (A)				
	Resource Protection	Shoreland	General Purpose	Floodplain	Stream
Land Uses	District	District	District	District	District
Maximum lot coverage by structure	N/A	10%	20%	²	10%

Protection Land Uses	Residential Dimensional Requirements (A)				Stream District
	Resource Protection District	Shoreland District	General Purpose District	Floodplain District	
Maximum lot coverage by structure	N/A	10%	20%	²	10%

Proposed Amendment to §105-19 'Notes to Table on Dimensional Requirements.'

- A. Each lot on which is located a principal structure or use, unless in compliance with Sections 105-40.2 or 105.42 of this Ordinance, shall meet all the dimensional standards set forth in section 105-18.** Dimensional requirements for two and multifamily dwellings are set forth in 105-42 of this chapter. ~~Required yard space shall serve only one lot. No part of the yard or other open space required on any lot for any building shall be included as part of the yard or open space similarly required for another building or lot. If more than one when two principal governmental, institutional, commercial or industrial structures or uses, or combination thereof, is are constructed or established on a single parcel, all dimensional requirements shall be met for each additional one principal structure or use shall apply.~~ **Dimensional requirements for a residence and a non-residential use on one conforming lot are set forth in 105-40.2**

Proposed Amendment to Ordinance – Add Section 105-40.2

§105-40.2 One non-residential use on a single-family residential lot.

- A. One use, other than a Home Occupation or a Child day care, may be located on a single-family residential lot that conforms to all ordinance dimensional standards in effect at the time the owner applies for the use, providing a CU permit or CEO permit if required by 105-17 is secured for the use, and providing there is only one single-family residence on the lot.**

Proposed Amendment to §105-42.A 'Multifamily dwelling units.'

- ~~A. Two family dwelling units. Lots for two family units shall meet all the dimensional requirements for a single family dwelling unit except that the lot area and the~~

~~shoreland frontage shall be equal to that required for an equivalent number of single-family dwelling units and the road frontage shall exceed by 50% the requirement of a single-family unit.~~

- A. Two-family dwelling unit: A lot with one two-family unit shall meet all the dimensional requirements of a lot with a single-family dwelling unit, providing the lot and structure dimensions conform to ordinance standards in effect at the time the two-family dwelling unit is proposed.**

Proposed Amendment to Ordinance – Add §105-61.6

105.61.6 Retaining walls.

- A. Any portion of a retaining wall in excess of 48 inches in height shall be designed by a licensed engineer or the owner shall secure a written confirmation by a licensed engineer that the proposed wall will be structurally sound if built as designed.**