



Town of Bowdoinham

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Memo:

To: Select Board
Cc: Planning Board
Comprehensive Planning Comm. **Date:** April 5, 2022

From: Jenn Curtis, Director of Planning
& Development; **Reference** Recommended Changes to
Land Use Ordinance

History:

The Comprehensive Planning Committee (Committee) voted at their meeting on September 14, 2021 to recommend to prohibit Automobile Graveyard, Automobile Recycling Business and Junkyard land uses in the Residential/Agricultural District and Village District 1.

At the November 9, 2021 meeting The Committee voted to recommend to the Planning Board the prohibition of an airport/landing strip/helipads in VD1, to recommend to the planning board to prohibit pulp mills in VD1 & RA zones and to recommend to the planning board to include potable water critical businesses under the well head protection zone for public drinking water.

At the Planning Board Meeting on December 16, 2021, the Planning Board voted to carry the recommendation to prohibit Automobile Graveyard, Automobile Recycling Business and Junkyard land uses in the Residential/Agricultural District and Village District I, prohibit[new] airports and air strips in the Village District I, and prohibit pulp mills in the Residential Agricultural District and Village District I. Instead of adding designated land use types to a well-head protection zone (which is a state designation), the Board voted to recommend amending the land use ordinance to prohibit dry cleaning, metal plating, and aboveground oil storage facilities from the RA District entirely. These proposed changes are reflected in the attached draft amendment.

The Planning Board held a public hearing on the proposed changes at their meeting on March 24, 2022. No changes to the proposed language were proposed at that time, and the Planning Board voted to recommend the changes to the Select Board.

TABLE 5.1 – LAND USES PERMITTED IN ZONING DISTRICTS

KEY

District-

R/A– Residential/Agricultural District

VDI – Village I District

VDII – Village II District

Reviewing Authority-

A – Allowed without a permit

RC– Permitted with permit from Road Commissioner

CEO – Permitted with permit from Code Enforcement Officer

LPI – Local Plumbing Inspector

PB – Permitted with permit from Planning Board

SPR – Site Plan Review permit

SB – License from Select Board Required- **SBA** - Annual License and **SBM** – 5-year license

P – Permit Required

NP – Not permitted

See Footnotes at end of Table. All uses are subject to the general performance standards of Article 4.

<u>LAND USES</u>	<u>DISTRICT</u>		
	<u>R/A</u>	<u>VDI</u>	<u>VDII</u>
<u>Agricultural & Resource Uses-</u>			
Access onto Town Road	RC	RC	RC
Agriculture	A	A	A
Agriculture products processing	SPR	SPR	SPR
Boarding and riding stables (private)	CEO ¹	CEO ¹	CEO ¹
Extractive industry	SPR	SPR	SPR
Earthmoving (less than 100 cubic yards)	A	A	A

Earthmoving(100 cubic yards or greater)	CEO ²	CEO ²	CEO ²
Farm Stand	SPR ⁵	SPR ⁵	SPR ⁵
Gravel Pit	SPR	SPR	SPR
Greenhouse (under 10,000sf)	CEO ¹	CEO ¹	CEO ¹
Greenhouse (10,000sf or greater)	SPR	SPR	SPR
Hoop House	A	A	A
Indoor Growing Facility	SPR ⁴	SPR ⁴	SPR ⁴
Non-permanent Structure	A	A	A
Non-roadside or cross-country distribution lines (greater than 34.5kV)	SPR	SPR	SPR
Marijuana Cultivation Facility	SPR & SB ^A	SPR & SB ^A	SPR & SB ^A
Solar Energy System - Large	SPR	SPR	SPR
Solar Energy System - Small	A	A	A
Subsurface Wastewater Disposal System	LPI	LPI	LPI
Timber Harvesting	A	A	A
Wind Mill	CEO ²	CEO ²	CEO ²
Agricultural or Resource Use not specified above	CEO ²	CEO ²	CEO ²
Accessory structures, uses or services (for items above)	P ³	P ³	P ³
<u>Residential Uses-</u>			
Condominiums	PB	PB	PB
Single-family dwelling	CEO ¹	CEO ¹	CEO ¹
Accessory Dwelling Unit	CEO & LPI	NP	NP
Two-family dwelling	CEO ¹	CEO ¹	CEO ¹
Individual campsites	A	A	A
Multi-family dwelling (3 or more)	PB and CEO ¹	PB and CEO ¹	PB and CEO ¹
Manufactured Housing Park	PB	PB	PB
Subdivision	PB	PB	PB
Home Occupation	A	A	A
Non-permanent Structure	A	A	A
Temporary Building	A	A	A
Residential Use not specified above	CEO	CEO	CEO

The construction, alteration, relocation, demolition or replacement of any building or part thereof.	CEO ¹	CEO ¹	CEO ¹
Accessory structures, uses or services (for items above)	P ³	P ³	P ³
<u>Industrial Uses-</u>			
Automobile Graveyard	<u>NP</u>	<u>NP</u>	SPR & SB ^A
Automobile Recycling Business	<u>NP</u>	<u>NP</u>	SPR & SB ^M
Airport (Public Use)	SPR	<u>NP</u>	NP
Air Strip (Private Use)	SPR ⁵	<u>NP</u>	NP
Bulk oil & fuel storage (over 500 gallons, except for on-site usage)	<u>NP</u>	SPR	SPR
Distribution Center	SPR	SPR	SPR
Junkyard	<u>NP</u>	<u>NP</u>	SPR & SB
Landfill	SPR	SPR	SPR
Light manufacturing	SPR	SPR	SPR
Lumber yard	SPR	SPR	SPR
Manufacturing	SPR	SPR	SPR
Pulp mill	<u>NP</u>	<u>NP</u>	SPR
Saw mill	SPR	SPR	SPR
Solid waste transfer station	SPR	SPR	SPR
Warehouse	SPR	SPR	SPR
Wood Processing Facility	SPR	SPR	SPR
Industrial Use not specified above	SPR	SPR	SPR
The construction, alteration, relocation, demolition or replacement of any building or part thereof.	CEO ¹	CEO ¹	CEO ¹
Accessory structures, uses or services (for items above)	SPR	SPR	SPR
<u>Institutional Uses-</u>			
Cemetery	SPR	SPR	SPR
Church	SPR	SPR	SPR
Civic, convention center	SPR	SPR	SPR
Community Center	SPR	SPR	SPR

Governmental Facilities	SPR	SPR	SPR
Hospital	SPR	SPR	SPR
Medical clinic	SPR	SPR	SPR
Museum	SPR	SPR	SPR
Outdoor recreation (parks, playgrounds, etc)	SPR	SPR	SPR
Public or private school	SPR	SPR	SPR
Public facility utility	SPR	SPR	SPR
Institutional Use not specified above	SPR	SPR	SPR
The construction, alteration, relocation, demolition or replacement of any building or part thereof.	CEO ¹	CEO ¹	CEO ¹
Accessory structures, uses or services (for items above)	SPR	SPR	SPR
<u>Commercial Uses-</u>			
Adult businesses	SPR	SPR	SPR
Amusement Facility	SPR	SPR	SPR
Art gallery/craft shop/gift shop	SPR	SPR	SPR
Automobile Repair Garage	SPR	SPR	SPR
Automobile Sales Business	SPR	SPR	SPR
Automobile Service Station	SPR	SPR	SPR
Bar	SPR	SPR	SPR
Bed & Breakfast	SPR	SPR	SPR
Boarding & Lodging facility	SPR	SPR	SPR
Boarding and riding stables (public)	SPR	SPR	SPR
Boat building/repair	SPR	SPR	SPR
Campground	SPR	SPR	SPR
Commercial complex	SPR	SPR	SPR
Commercial Kitchen	SPR ⁴	SPR ⁴	SPR ⁴
Communication tower	SPR	SPR	SPR
Construction Business	SPR	SPR	SPR
Convenience store	SPR	SPR	SPR
Daycare Center	SPR	SPR	SPR

<u>Dry Cleaning</u>	<u>NP</u>	<u>SPR</u>	<u>SPR</u>
Financial institution	SPR	SPR	SPR
Funeral home	SPR	SPR	SPR
Grocery store	SPR	SPR	SPR
Gym / Fitness club	SPR	SPR	SPR
Health Services	SPR	SPR	SPR
Home-Based Business	A ⁴	A ⁴	A ⁴
Hotel, motel	SPR	SPR	SPR
Kennel- (breeding/boarding facility)	SPR	SPR	SPR
Laundry, dry cleaning establishment	SPR	SPR	SPR
Marijuana Establishment	SPR & SB ^A	SPR & SB ^A	SPR & SB ^A
Marijuana Social Club	NP	NP	NP
<u>Metal Plating</u>	<u>NP</u>	<u>SPR</u>	<u>SPR</u>
Nursing home, care facility	SPR	SPR	SPR
Outdoor recreation (golf course, etc)	SPR	SPR	SPR
Professional offices, office building	SPR	SPR	SPR
Publishing, printing	SPR	SPR	SPR
Redemption center	SPR	SPR	SPR
Restaurant	SPR	SPR	SPR
Repair service (other than auto & boat)	SPR	SPR	SPR
Retail business	SPR	SPR	SPR
Salon / Day Spa	SPR	SPR	SPR
Self storage facility	SPR	SPR	SPR
Service business	SPR	SPR	SPR
Telecommunication Tower	SPR	SPR	SPR
Theater	SPR	SPR	SPR
Veterinary clinic	SPR	SPR	SPR
Wholesale business	SPR	SPR	SPR
Wind Mill Farm	SPR	SPR	SPR
Commercial Use not specified above	SPR	SPR	SPR
The construction, alteration, relocation, demolition or replacement of any building or part thereof.	CEO ¹	CEO ¹	CEO ¹

Accessory structures, uses or services (for items above)	SPR	SPR	SPR
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¹ A Building Permit from the Code Enforcement Officer is required.

² A Land Use Permit from the Code Enforcement Officer is required.

³ A permit for an accessory structure or use shall be given by the same permitting authority who issued the permit for the original use/structure, if a permit was required.

⁴ A Home-Based Business is allowed if it meets the Performance Standard in Article 4, Section D. If the Performance Standard in Article 4, Section D is not met, then Tier I Site Plan Review Permit shall be required from the Code Enforcement Officer. All Home-Based Businesses must register their business name with the Town Clerk.

⁵ A Tier I Site Plan Review Permit shall be required from the Code Enforcement Officer.