

**PROPOSED ZONING ORDINANCE AMENDMENT  
TO CLARIFY PLUMBING AND ELECTRIC PERMIT REQUIREMENTS**

*The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended deleting the following strikethrough words to Article 5 plumbing and electric permits:*

**5.4.2 Plumbing and Electric Permits Required.**

5.4.2.A All plumbing work in any structure requires a valid plumbing permit. All plumbing shall be in accordance with the current version of the adopted State of Maine Plumbing Code.

5.4.2.B. All Electrical wiring in any structure requires an electrical permit. All electrical work shall be in accordance with the current version of the State adopted version of the National Electrical Code. ~~Residential wiring requires a local electrical permit from the town. Commercial wiring requires a permit from the State of Maine Office of Professional and Occupational Regulation.~~

**PROPOSED ZONING ORDINANCE AMENDMENT  
TO CLARIFY BUILDING PERMIT EXPECTATIONS**

*The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words and deleting the following strikethrough words to Article 5.5:*

**5.5 Minimum Amount ~~-Permit exemption.~~**

No permit shall be required for the construction, alteration, relocation or replacement of any building or part thereof, so long as it conforms with the provisions of the Building Code of the Town of Buxton and this Ordinance to the extent of ~~\$1,000~~ \$2,500 or less in total estimated project value. The burden of proof in regard to this value rests with the property owner.

A building permit shall not be required for fences or the replacement of roofing, siding, windows and interior flooring if no structural changes to the building are required as part of such work. The Code Enforcement Officer shall be consulted before starting the work.

**PROPOSED ZONING ORDINANCE AMENDMENT  
TO REQUIRE PAVED APRONS FOR ALL ACCESS ROADS**

*The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words to Article 10.1 Access to Lots:*

Article 10.1

10.1.A.4 All access roads require a paved apron for a minimum of 50 feet where they connect with a paved public road.

10.1.B.7 All access roads require a paved apron for a minimum of 50 feet where they connect with a paved public road.

**PROPOSED ZONING ORDINANCE AMENDMENT  
TO CLARIFY SPRINKLER REQUIREMENTS**

*The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words and deleting the following strikethrough words to Article 10.17 and Article 13.5 Sprinkler requirements:*

**10.17.F – SPRINKLER SYSTEM INSTALLATION AND TESTING REQUIREMENTS – ALL SYSTEMS:**

10.17.F.1. Any installation, extension, modification or alteration of an Approved Automatic Sprinkler System within the Town of Buxton must be done by a State of Maine Licensed Sprinkler Installer.

10.17.F.2. Any Approved Automatic Sprinkler System that is installed, ~~that contains twenty (20) or more sprinkler heads, or the modifications of an existing approved automatic sprinkler system, which includes twenty (20) additional sprinkler heads,~~ must have the plans approved by the State Fire Marshal's Office.

~~10.17.F.3. Any building containing a sprinkler system shall have a yearly test completed on the system by a qualified sprinkler technician. A written copy of the yearly test report shall be forwarded to the Fire Rescue Chief's Office. The Fire Rescue Chief or his designee shall be notified before such test, alterations, or additions are started.~~

10.17.H - SPRINKLER SYSTEMS FOR RESIDENTIAL ONE AND TWO FAMILY HOMES: An Approved Automatic Sprinkler System in a single family or two family dwelling, or accessory structure thereto must comply with the following provisions:

1. The Approved Automatic Sprinkler System must be an NFPA 13D, 13R or Maine Life Safety automatic sprinkler system. All areas of the building will have sprinkler coverage, with the following exceptions:
  - a. Closets as allowed under 13D or 13R unless they are used for laundry room or storage of flammable liquids.
  - b. ~~Attics when the attic is not boarded over, has no stairway or ladder leading to the attic, and the scuttle hole is not bigger than 24" X 24" or 576 square inches, and the attic is not used for storage and that at least two (2) smoke detectors, hard wired, into the other detectors in the house are placed in the attic.~~
  - c. Attached garages, if there is no living area above or in the garage space ~~and a two-hour firewall is placed between the house and garage.~~
2. The sprinkler system is not required to be monitored by an outside source. ~~However, an electric alarm bell located on the outside of the building is required. Where a Multipurpose Residential Sprinkler System is used there is no requirement for an alarm bell.~~
3. ~~A single two and one half inch (2 1/2) FDC is to be placed on the outside of the building, in a location readily accessible to fire department personnel. Where a Multipurpose Residential Sprinkler System is used there is no requirement for an FDC.~~
4. The requirements for fire protection within a residential subdivision are found in the Town of Article 13, Section 13.5.K.1.c.

### **13.5 General Standards for All Subdivisions**

13.5.K.1.c. When the development of a new or the expansion of an existing subdivision, including any existing lots, contains a total of 5 or more lots, the developer shall be required to install a fire protection water supply within the new or expanded subdivision. The volume and location of the supply(s) shall be determined by the Fire Chief based on the NFPA Codes (rural water supply for fire protection) for the type and use of the buildings. The fire protection water supply shall meet the following standards, along with further standards, located in the Fire Chief's office: (amended June 14, 2003)

(i.) A 10,000 gallon storage tank, or two 5000 gallon tanks interconnected shall be installed in accordance with the guidelines adopted jointly by the Fire Chief and Code Enforcement Officer, which guidelines shall be kept on file at the Municipal Building. Amended June 15, 2002

~~(ii.) Fire Ponds may be allowed in lieu of holding tanks if the water source is approved by the Fire Chief and Code Enforcement Officer. A fire pond shall be constructed with a 2:1 sloped (horizontal: vertical) banking and a minimum depth of 10 feet. The fire pond shall have a minimum capacity of 120,000 gallons, as certified by a Maine registered professional~~

engineer, and shall be maintained at or above that volume at all times. An overflow system shall be installed and maintained. Amended June 15, 2002

(.vii.) The requirement of compliance with this Section 13.4.K.I.c. shall not apply if the developer, as a written condition of subdivision approval, agrees to install an approved sprinkler system in each and every dwelling in the development. The sprinkler system shall meet the current standards of NFPA 13D as set forth in the 1999 edition and the approval of the Fire Chief. An outside connection shall be required and approved by the Fire Chief. Section 10.17.B of this ordinance. Amended 6/18/05.

**PROPOSED ZONING ORDINANCE AMENDMENTS  
TO INCREASE THE SIZE OF ACCESSORY DWELLING UNITS**

*The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words and deleting the following strikethrough words to Article 11.23 Accessory Dwelling Unit*

11.23.C The ADU must have at least 190 square feet and not more than ~~500~~ 800 square feet of living space.

**PROPOSED ZONING ORDINANCE AMENDMENTS  
TO CLARIFY SUBMISSION REQUIREMENTS FOR SUBDIVISION APPLICATIONS**

*The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words and deleting the following strikethrough words to Article 13.3 (Submission Requirements and Procedures):*

Article 13:

13.3.B.2.j. Location of all existing sanitary sewers showing size, profile and cross-section; or description, plan and location of other means of sewage disposal. When disposal is proposed by use of individual subsurface disposal areas ~~a complete site evaluation must be submitted for each lot,~~ soil profile logs meeting requirements of section 13.5.H must be submitted for each lot. The location of all test pits must be shown on the plan.



**PROPOSED ZONING ORDINANCE AMENDMENTS  
TO CLARIFY RULES FOR ON-PREMISES SIGNS  
AND ALLOW INTERNALLY-LIT AND CHANGEABLE SIGNS**

*The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words and deleting the following strikethrough words to Article 2 (Definitions), Article 10.11 (Signs), and Article 11.28.6.H (Design Standards for Commercial Buildings, Structures, and Uses—Internally-Lit Signs):*

**ARTICLE 2 – DEFINITIONS**

**Changeable Sign:** An on-premises sign capable of displaying words, symbols, figures or images that can be electronically, digitally, or mechanically changed by the complete substitution or replacement of one display by another, by remote or automatic means.

**Display Area:** The surface area of an on-premises sign as calculated by its outer perimeter, including any lettering, graphics, background, and frames, but excluding posts, columns, pedestals, foundations, or other parts that perform solely a weight-bearing function. When the perimeter is not a square or rectangle, the display area shall be measured using simple geometric shapes that encompass the outermost boundary of the sign and all advertising features.

**On-premises Sign:** A sign that advertises only the business, facility, or point of interest at, or the sale, rent, or lease of, the lot upon which it is located.

**Sign:** Any ~~attached or free-standing~~ structure, whether attached to another structure or or part of another structure or freestanding, which is designed or used to advertise or call attention to any thing, person, business, activity, or place~~convey to persons not on the premises~~ some information. The area of a sign shall not be construed to be poles, standards or other parts which perform solely a weight-bearing function. It does not include the flag, pennant, or insignia of any nation, state, or municipality.

**10.11 Signs.**

This section governs on-premises signs in order to protect the Town’s appearance and promote safe traffic circulation. All on-premises signs, ~~unless complying with the Maine Traveler Information Services Act,~~ shall relate to goods and services available on the premises or the occupants of the premises on which the sign is located and shall be located within the bounds of the property upon which the business, facility, or point of interest is located. To the extent there is a conflict between this Section 11 and the signage standards set forth in Article 11.28, Section 6, the more restrictive provision shall control.

10.11.A. ~~Residential uses i~~In any Residential district, ~~may display~~ a single sign, not over six (6) square feet in display area, may be attached to a building or detached and located in the front yard.

10.11.B. In the Village district, ~~any non-residential use may display a one~~ sign per allowed use, attached to the building and one ~~or~~ free-standing sign per lot may be erected. ~~However, only one free-standing sign shall be permitted per lot and one attached sign per use.~~ No sign shall measure larger than twenty (20) square feet in display area for each surface used to display a message. No

free-standing sign shall be higher than twenty (20) feet above the road level ~~nor~~ closer than the height of the sign from any side or rear property line. Attached signs shall not be placed on the roof of a building.

10.11.C. In the Business-Commercial & Light Commercial districts, ~~any non-residential use may display one~~ sign per allowed use; attached to the building and one freestanding sign per lot may be erected. The display area of attached ~~Such~~ signs shall be no larger than ~~the~~ 10% of the total building face area, ~~to a maximum of~~ 120 square feet, whichever is less. ~~Only one free-standing sign shall be permitted per lot~~. No freestanding sign shall measure larger than eighty (80) square feet in display area for each surface used to display a message per side in area. No freestanding sign shall be higher than 20 feet above the road level ~~nor~~ closer than the height of the sign from any side or rear property line. Attached signs shall not be placed on the roof of a building.

10.11.C.1. In the Business-Commercial & Light Commercial districts, ~~any non-residential use shall be permitted to have~~, in addition to a freestanding ~~the~~ signs authorized by Section 10.11.C, above, one monument sign at a secondary entrance to the lot may be erected, if the lot has frontage and separate entrances on two or more public roads. Any such monument sign shall be (i) located on a different public road, and not closer than 400 feet, ~~form from~~ the freestanding sign, (ii) not larger than 40 square feet of display area per side in area, for each surface used to display a message, (iii) not higher than 10 feet above the road level, and (iv) not closer than 10 feet from any side or rear property line.

10.11.D. In ~~all other~~ the Residential and Rural districts, ~~churches, schools and other non-residential uses may display one~~ sign attached to a building or one freestanding sign may be erected. No sign shall measure larger than not over Twenty (20) square feet in display area in the aggregate.

10.11.E. ~~Signs may be illuminated only by shielded, non-flashing lights and shall not cast glare onto any residential premises. For any externally lit on-premises signs, lighting fixtures shall be shielded, non-flashing, and aimed only at the sign. Lights shall not be aimed toward adjacent streets, sidewalks, or abutting properties. Lights shall not be distracting to drivers. Lights shall not cause a glare to be cast onto any residential premises.~~

10.11.F. The above regulations shall not apply to the following:

10.11.F.1. ~~Flags and insignia of any government.~~

10.11.F.2. ~~Legal notices, identification, information or directional signs erected or required by governmental bodies.~~

10.11.F.3. ~~Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving or flashing lights.~~

10.11.F.4. ~~Signs directing and guiding traffic and parking on private property but bearing no advertising matter.~~

10.11.G. ~~All signs shall be measured in the most reasonable geometric shapes that encompass the letters and/or logo.~~

10.11.FH No new internally-lit or electronic-changeable signs shall be located in the Rural or Residential zones. allowed in the Village, Business Commercial District, and the Business Commercial Design Standards Overlay District as long as they meet the following standards:

10.11.F.1. Internally-lit Signs:

10.11.F.1.a. Internally-lit signs shall consist of light lettering or symbols set against a dark background to minimize the amount of light emanating from the sign. Where practicable, internally-lit letters and symbols shall be used, rather than whole panels that are internally lit. Letters or symbols on panels that are not internally lit shall constitute no more than 75% of the sign's display area.

10.11.F.1.b. Internally-lit signs shall not act as light fixtures or cause glare on nearby pathways, roadways or onto residential premises. Lighting levels shall not exceed 1 footcandle of illumination measured ten (10) feet from the base. The display must be equipped with automatic and manual dimming controls.

10.11.F.2. Changeable Signs:

10.11.F.2.a. The display on each side of a changeable sign must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing, or blending. Under no circumstance may a changeable sign flash or display continuous streaming of information or video animation.

10.11.F.2.b. Duration of Display: Each display of a changeable sign must displayed for a minimum of 20 minutes.

10.11.F.2.c. Hours of Operation: The changeable sign may operate in changeable form from 7:00 a.m. to 10:00 p.m., and must contain a static display from 10:00 p.m. to 7:00 a.m.

10.11.F.2.d. Changeable signs shall contain software that can display the current display brightness and automatically dim the display. The display brightness shall not exceed 3500 NITs for the period from one-half hour after sunrise to one-half hour before sunset and 500 NITs for the period from one-half hour before sunset to one-half hour after sunrise.

10.11.F.3. Maintenance: Internally-lit and changeable signs shall be located where they can be easily maintained. Non-functioning bulbs shall be replaced immediately.

10.11.F.4. The owner of an internally-lit or changeable sign shall provide certification to the Planning Board from the supplier or installer that the sign conforms with the maximum illumination levels set forth in this Section 10.11.

10.11.G. Mounting Systems: On-premises signs shall be mounted in a manner that provides adequate support for the weight of the sign. Mounting systems shall be designed to be compatible with the architecture in terms of color, forms, and style. Electrical connections, wiring, junction boxes, and other similar devices shall not be visible from pedestrian pathways or roadways. Signs shall not hinder a driver's sight of distance.



10.11.HF. The above regulations shall not apply to the following:

~~10.11.EF.1. Flags and insignia of any government.~~

10.11.H.1F.2. Legal notices, identification, information or directional signs erected or required by governmental bodies.

~~10.11.F.3. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving or flashing lights.~~

10.11.H.2-F.4. Signs directing and guiding traffic and parking on private property ~~but~~ bearing no advertising matter.

## 11.28 Design Standards for Commercial Buildings, Structures, and Uses

### SECTION 6. SIGNAGE

#### H. Internally-Lit and Changeable Signs

Refer to Article 10.11.F.

##### ~~1. Objectives~~

~~Internally lit signs are not permitted in the Village Zone.~~

##### ~~2. Design Standards~~

- ~~a. **Design:** Internally lit signs shall consist of light lettering and/or symbols set against a dark background to minimize the amount of light emanating from the sign. Where practicable, internally lit letters and symbols shall be used, rather than whole panels that are internally lit. Letters and/or symbols on panels shall constitute **no more than 40%** of the sign's surface area.~~
- ~~b. **Mounting Systems:** Signs shall be mounted in a manner that provides adequate support for the weight of the sign. Mounting systems shall be designed to be compatible with the architecture in terms of color, forms, and style. Electrical connections, wiring, junction boxes, and other similar devices shall not be visible from pedestrian pathways or roadways.~~
- ~~c. **Intensity:** Internally lit signs shall not act as light fixtures or cause glare on nearby pathways or roadways. Lighting levels **shall not exceed 1 footcandle** of illumination measured ten (10) feet from the base. *Signs shall be illuminated up to one hour before and one hour after posted hours of operation.*~~
- ~~d. **Maintenance:** Signs shall be located where they can be easily maintained. Non-functioning bulbs shall be replaced immediately upon notice.~~



**PROPOSED ZONING ORDINANCE AMENDMENTS  
TO ALLOW CERTAIN FARM RELATED USES, CAR WASH, AND BUSINESS  
CONTRACTOR USES**

*The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words to Article 2 Definitions and Article 9 Table of Land Uses, Section 11.3 Animal Husbandry standards:*

**Article 2 Definitions**

Agritourism Facility: A commercial enterprise that links agricultural production and/or processing with tourism to attract visitors onto a farm, ranch, or other agricultural business for the purposes of entertaining and/or educating the visitors while generating income for the farm, ranch, or business owner.

Animal Husbandry: Raising, breeding or keeping of more than ten fowl or any number of other animals except customary household pets for a person’s own consumption and the incidental sale of products.

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**Artisanal Food or Beverage Facility:** A facility wherein food or beverage products are produced and sold directly to the consumer. Products may be retailed for consumption on or off the premises, and promotional products may be offered for sale. The facility may additionally engage in small-scale wholesale distribution of products produced on-site, and may offer guided tours of the facility and tasting rooms. Examples include, but are not limited to: a facility engaged in small-batch baking; small-scale cheese productions; a small brewery/winery/distillery (producing under 50,000 gallons/ year); small-batch vegetable pickling; or small-scale meat or fish curing.

Business Contractor: A business engaged in the provision of a service off premises, but which has an office and equipment / materials stored on the premises, included but not limited to: General building contractor, landscaping business, electrical or plumbing contractors.

Commercial Composting: A business which imports organic materials to be composted for resale. This use does not include composting associated with gravel pits, or agricultural composting operations as defined in Maine Agricultural Protection Act, 7 M.S.R.A. §152.

**ARTICLE 9 - DISTRICT REGULATIONS**

TABLE B - LAND USE<sup>9</sup>

<u>LAND USE</u>	<u>Ord. Ref</u>	<u>V<sup>6</sup></u>	<u>Res</u>	<u>Rur</u>	<u>S</u>	<u>RP</u>	<u>BC<sup>6</sup></u>	<u>LC<sup>6</sup></u>
<u>Agritourism Facility</u>		E	E	E	N	N	E	E
<u>Artisanal Food and/or Beverage Facility</u>		E	N	E	N	N	E	E
<u>Business Contractor</u>		E	E	E	N	N	E	E
<u>Car Wash Facility#</u>		N	N	N	N	N	E	E
<u>Function, Reception ,Banquet Hall,Event Venue</u>		E	N	E	N	N	E	E
<u>Mobile Vendor/ Food Cart</u>		E	N	E	N	N	E	E
<u>Commercial Composting</u>		N	N	N	N	N	E	E

**PROPOSED ZONING ORDINANCE AMENDMENTS  
TO CLARIFY RULES FOR ELDERLY AND AFFORDABLE HOUSING DEVELOPMENT**

*The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words to Article 11.22 Elderly and Affordable Housing Development:*

**11.22 Elderly Housing and Affordable Housing Development.**

Elderly and affordable housing development projects shall meet all of the following standards as well as the general performance standards of Article 10:

11.22.F An affordable or elderly housing development that complies with the requirements of this Section 11.22.F is eligible for a dwelling unit density bonus of 2 ½ times the base density that is otherwise allowed on the lot proposed for affordable housing development. If fractional results occur when calculating the density bonus, the maximum number of allowed units shall be rounded down to the nearest whole number.

11.22.F.1.Location. The affordable or elderly housing development must be either (1) located in a designated growth area or (2) served by a public, special district, or other centrally managed water system and a public, special district, or other comparable sewer system.

11.22.F.3.2. The developer of the affordable or elderly housing development must make adequate provision for the long-term maintenance, repair, and improvement of any (i) individual private septic system, (ii) comparable sewer systems, (iii) individual private wells, and (iv) public water systems proposed to serve the units within the affordable housing development, including a process of collection and enforcement to obtain capital improvement funds from the developer (for rental housing) or the unit owners (for owned housing).

11.22.F.6. Nothing in this Section 11.22.F. exempts an affordable or elderly housing development from any other requirements of this zoning ordinance, including without limitation, any subdivision or shoreland zoning requirements.

11.22.F.7 Pursuant to the definition of Base Density in Article 2 of this ordinance, the buildable area requirement found in section 9.6 does not apply to affordable or elderly housing developments.

**PROPOSED ZONING ORDINANCE AMENDMENTS  
TO CHANGE HOURS OF OPERATION FOR MEDICAL MARIJUANA REGISTERED  
DISPENSARIES AND CULTIVATION FACILITIES**

*The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words and deleting the following strikethrough words to Article 11.27 Medical Marijuana Registered Dispensary and Cultivation Facilities:*

11.27.2 Performance Standards for Registered Dispensaries and Cultivation Facilities. The following standards apply to registered dispensaries and cultivation facilities associated with such registered dispensaries.

d. Hours of operation shall be between ~~8:00 am to 5:00 pm, Monday through Saturday~~ 8:00 a.m. to 9 p.m. Monday through Sunday.