

TOWN OF BUXTON
Design Standards for Buxton's Business Commercial Zone
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SECTION 1. GENERAL

A. Short Title

This Ordinance shall be known and may be cited as the “Buxton Business and Commercial Zone Design Standards” and may be referred to herein as “this Ordinance.”

B. Purpose

A well-designed commercial district being an integral part of the Town of Buxton’s future development and necessary to provide jobs, services, and a diverse tax base, the Business and Commercial Zone Design Standards are intended to establish a benchmark for high-quality New England-style architectural design that provide a greater sense of continuity throughout the business district; offer predictability to existing businesses and residents; encourage future commercial investment and diversification of the tax base; and provide confidence to businesses considering making a significant investment in the Town through building, relocating or renovating.

C. Retroactivity; Effective Date

Notwithstanding the provisions of 1 M.R.S. § 302, and regardless of the date on which it is approved by the voters, this Ordinance shall be retroactively effective as of April 25, 2016 and shall govern any and all pending proceedings on or at any time after April 25, 2016.

D. General Provisions

- 1. Authority.** This Ordinance is adopted by the Town, under the authority granted by the enabling provisions of the Maine Constitutions, 30-A M.R.S. § 3001, and all other applicable authority. The Board of Selectmen is hereby granted the authority to administer and enforce this Ordinance or any clause or provision thereof, and to promulgate rules and regulations consistent with this Ordinance after holding a public hearing and upon a majority vote of the Board of Selectmen, as may be necessary or desirable in the judgment of the Board of Selectmen to promote the public health, safety and welfare of the citizens of the Town.
- 2. Applicability.** All commercial buildings and structures hereinafter erected, reconstructed, renovated, altered, enlarged, or moved, and uses of the premises in the Town of Buxton Business and Commercial (BC), Light Commercial (LC) and Village (V) Zones shall be in conformity with the provisions of this Ordinance. The provisions herein shall be minimum requirements.
- 3. Conflict with Other Ordinances.** This Ordinance is intended to be complementary to other Town ordinances affecting land uses and structures. Whenever a provision of this Ordinance conflicts, or is inconsistent, with another provision of this Ordinance, or other Town ordinances, or where there is a conflict between this Ordinance and any other federal, state or local rule, regulation, ordinance, statute or other restriction, the more restrictive provision shall control.
- 4. Validity and Severability.** In the event that any section, subsection or portion of this Ordinance is declared invalid by any court of competent jurisdiction for any reason, such a declaration shall not affect the validity of any other section, subsection or portion of this Ordinance.

E. Administration

- 1. Permits.** The Town of Buxton Planning Board shall administer the standards of this Ordinance, except that if a use is permitted without Planning Board review pursuant to Table B of Article 9 of the Zoning Ordinance of the Town of Buxton, Maine (the "Zoning Ordinance"), the use shall be subject to review and approval by the Code Enforcement Officer. All submissions to the Planning Board or the Code Enforcement Officer shall be made through the Code Enforcement Office.
- 2. Enforcement.** It shall be the duty of the Code Enforcement Officer or other person duly qualified and authorized by the Town of Buxton to enforce the provisions of this Ordinance in accordance with the terms set forth in Article 5 of the Zoning Ordinance.
- 3. Board of Appeals.** The Board of Appeals shall hear appeals from actions or failure to act of the Code Enforcement Officer pursuant to Article 6 of the Zoning Ordinance.
- 4. Application Fees; Technical Review Fees.** An application subject to this Ordinance must be accompanied by a nonrefundable application fee. The fee is intended to cover the cost of the Town's administrative processing of the application, including but not limited to notification, advertising, and mailings. The fee must be paid to the Town and evidence of payment of the fee must be included in the application.

In addition to the application fee, an applicant subject to this Ordinance must also pay a technical review fee to defray the Town's legal and technical costs of application review, the amount to be determined by the Planning Board. The amount of the technical review fee shall be reasonably related to the necessary or probable costs incurred by the Town which relate directly to the review of the application pursuant to this Ordinance. Such costs may include, but are not limited to, consulting engineering, architectural, design professional and attorney fees. The Town shall provide the applicant, upon written request, with an accounting of the technical review fee and shall refund any amount remaining after the payment by the Town of all costs and services related to its review. Such payment of remaining monies shall be made no later than sixty (60) days after the approval of the application, denial of the application, or approval with condition of the application. Such refund shall be accompanied by a final accounting or expenditures from the fund. The monies in such fund shall not be used by the Town for any enforcement purposes.

The Municipal Officers, from time to time and after consultation with the Planning Board, establish a schedule of application fees and technical review fees following posting of the proposed schedule of fees and public hearing.

SECTION 2. DEFINITION OF TERMS

1. **Americans with Disabilities Act (ADA)**- A 1990 federal law, as amended, designed to bring disabled Americans into the economic mainstream in order to provide them equal access to jobs, transportation, public facilities, and services. (Codified in Title 4, chapter 126, and Title 47, chapter 5, of the United States Code.)
2. **Architectural Feature**- A visually prominent or significant part or element of a building, structure or site.
3. **Bollards**- Posts used in landscape for functional (e.g., separation of pedestrian and vehicular traffic) or decorative purposes.
4. **Buffering**- Landscaped areas, berms, fencing, walls or other physical features that are planted or installed to physically or visually separate land uses.
5. **Cross Easement**- The reciprocal legal right of vehicular passage from one property to another.
6. **Curb Cut**- The opening along the curb line at which point vehicles may enter or leave the roadway.
7. **Cutoff Fixture**- A type of light fixture that prevents most light from projecting above the horizontal plane of the fixture.
8. **Fenestration**- Window treatment in a building or on a building façade.
9. **Footcandles**- The basic unit of illumination.
10. **Gateways**- Entrances into recognizable places or areas of significant changes in land use.
11. **Human Scale**- The structural features of a development, including their size, height, and massing, which serve to integrate the development with the street environment so as to prevent the development from dominating the pedestrian experience.
12. **IES**- Illuminating Engineering Society - the professional society that makes recommendations for lighting standards.
13. **Massing**- The grouping of three-dimensional forms to achieve variation (as in a building or landscape planting).
14. **May**- A term that indicates authorization or permission to act.
15. **Must**- A term that indicates a mandatory duty, action or requirement. "Shall" and "must" are terms of equal weight.

16. **Neck downs-** Located at the opening of curb lines, an extension of the curb width, usually by 7-8 feet, in order to decrease the distance between opposing curb lines and to prohibit parking. Sometimes referred to as “bump outs.”
17. **Parapet-** The extension of the main walls of a building above the roof line.
18. **Peer Review-** The use of qualified professionals to review specific aspects of a Site Plan application for conformance with the Town’s Ordinances or Design Standards.
19. **Performance Guarantee-** Any security that is accepted by the Town to guarantee that improvements required as part of an application for development will be satisfactorily completed.
20. **Practicable-** Available and feasible considering cost, existing technology and logistics based on the overall purpose of the development.
21. **Readerboard-** A sign affiliated with a business or institution that contains temporary announcements about events or activities occurring on the premises.
22. **Residential Area-** Any residential property in the Commercial Business (BC) zone or any residentially zoned property.
23. **Redevelopment-** The reconstruction, reuse, or change in use of any developed property, including an increase in intensity of use or structural enlargement.
24. **Renovation-** The construction of an addition, alteration, rehabilitation, restoration or upgrade to the design and layout of a building.
25. **Scale-** The relationship of the structural features of a development, including their size, height, and massing, to one another and the surroundings.
26. **Service Area-** A designated area, either attached to or separated from the main commercial building, where a business accommodates services such as product shipping and delivery, trash pickup, machinery and equipment repair, and utility storage.
27. **Shall-** A term that indicates a mandatory duty, action or requirement. “Shall” and “must” are terms of equal weight.
28. **Should-** A term that indicates best practices or a recommended (but not mandatory) duty, action or requirement.
29. **Sight Triangle-** A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, or planted that would limit or obstruct the motorist’s vision as the motorist enters or departs the intersection.

30. **Site Furnishings-** Constructed above-ground objects, such as outdoor seating, kiosks, bus shelters, sculpture, tree grids, trash receptacles, and fountains that provide structural and visual variety to streets, sidewalks, plazas, and other outdoor spaces used by the public.
31. **Strip Shopping Centers-** Open-air shopping areas where retail establishments and other commercial structures are arranged in a row along a road, and usually accompanied by multiple roadway access points, highly visible off-street parking, and an assortment of commercial uses with direct access to abutting roads.
32. **Standard Note-** A citation that must accompany all site plans brought before the Planning Board. See *Section 3.C.f* (“Standard Note”) for example.
33. **Temporary Sign-** A commercial sign which is installed for a limited time and is not constructed or intended for long-term use.

SECTION 3. SITE PLANNING

A. Background

Each property within Buxton's commercial district is unique. Development site plans should be based upon a careful understanding of the site in order to meet the needs of the business while improving the functionality, safety, and visual character of Buxton's commercial community.

B. Site Planning Goals

Development site plans should contribute to:

- Creating distinctive, attractive commercial districts that welcome people to Buxton.
- Creating and maintaining public open space throughout the commercial area to enhance its appearance and encourage pedestrian use.
- Creating an attractive, functional, and safe environment that is conducive to commerce and other permitted activities.
- Creating quality redevelopment of transitional or substandard properties.
- Protecting abutting residential property values through sensitive site planning, buffering, and architectural design.
- Upgrading the visual character and human scale of commercial districts through particular attention to architecture, site planning, signage, and lighting.
- Increased walking and cycling activity within commercial districts by providing safe, attractive, interconnected facilities.
- Universal accessibility for all, in compliance with the Americans with Disabilities Act (ADA).
- Access management throughout the commercial district so as to maintain efficient traffic flow and high levels of traffic and pedestrian safety.

C. General Site Planning Standards

1. Objectives

Development site planning should result in an attractive, safe, and economically viable relationship between buildings, parking, signage, lighting, landscaping, and the surrounding environment. Site plans should minimize the visual effects of parking, feature high quality landscaping, accommodate pedestrian movement where possible, and encourage connections to nearby properties.

2. Design Standards

- a. **Proximity of Buildings to Roadways:** Buildings shall be located as close to the front property line as practicable. The majority of parking shall be located at the rear or side of buildings where practicable.
- b. **Relationships to Residential Properties:** The façades of buildings which abut or are visible from residential neighborhoods shall use forms, materials, and details which are residential in nature and appearance. Service areas, parking lots, outdoor storage yards, and other similar features shall not be visible from residential neighborhoods.
- c. **Licensed Professionals:** All plans for development/redevelopment shall be designed by licensed professionals (e.g., architects, landscape architects, civil engineers, traffic engineers). *The Planning Board, at its discretion, may require a peer review, at the applicant's expense, of any plans submitted.*
- d. **Access Management:** Site plans involving curb cuts onto major roadways shall promote efficient traffic flow and provide for the safety of pedestrians and motorists.
- e. **Landscaping:** Any space between a roadway and the front of a building which is not used for parking shall be landscaped with trees, flowering shrubs, fencing, stone walls, and similar aesthetic elements. Existing healthy trees and shrubs shall be preserved or transplanted to another area of the site whenever practicable.
- f. **Standard Note:** All plans submitted for Planning Board approval shall contain the following standard note:

The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant concerning the development and use of the property which appear in the record of the Planning Board proceedings are conditions of approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.

D. Circulation Planning

1. Objectives

All development activities should be characterized by safe, user-friendly, and efficient traffic flow. Access management principles should be followed to reduce the number of curb cuts, provide a safe vehicular and pedestrian environment, encourage intra-parcel travel, and minimize the number of trips on roadways.

2. Design Standards

- a. **Curb Cuts on Major Roads:** Site plans shall be designed to minimize the number of curb cuts on major roadways so as to increase vehicular and pedestrian safety.
- b. **Shared Access:** Entrances to abutting commercial properties shall be shared to the extent practicable.
- c. **Internal Traffic Flow:** To ensure the safety of motorists, delivery trucks, and pedestrians, the site plan shall clearly delineate internal traffic patterns. Parking space, directional arrows, crosswalks, and other markings on the ground shall be delineated with pavement paint or other similar materials.
- d. **Internal Connections:** Where practicable, connections between parking lots and driveways on adjacent parcels shall be provided to facilitate deliveries and minimize turning movements onto major roadways. Any such internal connections shall provide safe, direct access between adjacent lots in a manner that prevents such connections from becoming vehicular shortcuts. Cross easements shall be provided for any internal connections. The site plan shall be designed to accommodate future vehicular internal connections to abutting undeveloped property.
- e. **Internal Pedestrian Connections:** Safe pedestrian connections between abutting land uses shall be provided where practicable to encourage foot traffic and minimize vehicular movement.
- f. **Traffic Calming:** Traffic calming measures shall be utilized as necessary to discourage motorist speeding within the site and between abutting properties. Measures may include speed tables, on-street parking, raised crosswalks, vertical curbing, curvilinear road alignment, roadside plantings, neck downs, curbed islands, and signage.
- g. **Drive-Throughs:** Access routes leading to or from takeout windows or other drive-throughs shall be designed to avoid conflicts with pedestrian circulation routes. Signage, lighting, raised crosswalks, changes in paving, or other devices shall be used as necessary to make motorists aware of pedestrians. The site plan shall be designed to prevent motorist queuing in parking lots or other areas which would cause congestion or unsafe conditions.
- h. **Pedestrian and Bicycle Movement:** The site plan shall be designed to provide safe pedestrian and bicycle movement within the site and, where practicable, shall provide pedestrian and bicycle linkages to adjacent properties, both developed and undeveloped. Pedestrian and bicycle connections between abutting properties shall be coordinated with vehicular routes to encourage foot traffic and minimize vehicular movement.
- i. **Refuge Zones:** Pedestrian islands (**five feet minimum width**) shall be installed in driveways and streets where the crossing distance is **greater than 32 feet**.

- j. **Outparcel Development:** Plans for multi-building or multi-parcel developments shall be designed to accommodate future buildings, access roads, sidewalks, esplanades, and signage in a coordinated fashion.
- k. **Service Drives:** Service drives shall be separated from internal walkways, parking areas, or pedestrian use areas by landscaped islands, grade changes, or other devices to minimize pedestrian contact.

E. Parking Areas

1. Objectives

Parking lots should be designed to complement adjacent buildings, the site, and the commercial district without becoming a dominant visual element. The scale of parking lots should be reduced by minimizing the total amount of paved surface visible from the road.

Parking lots should be designed as inviting, pedestrian-friendly places by utilizing landscaping, lighting, and internal walkways. With proper planning, parking lots can balance the needs of both the vehicle and the pedestrian.

2. Design Standards

- a. **Siting:** Whenever practicable, the majority of parking areas shall be located at the rear or sides of commercial buildings, except where parking would be located adjacent to a residential neighborhood or when parking is included as part of a multi-building site plan. Where parking areas are located adjacent to a residential neighborhood, the parking area shall be screened from view from the residential neighborhood using evergreen trees, earth berms, fences, or shrubs.
- b. **Orientation:** Parking lots shall be included on the site plan for the site, and shall take into account the locations and design of building entrances, lighting, and landscaping.
- c. **Scale:** Parking areas shall be broken up with trees, landscaped islands, grade changes, low walls, or other similar features to reduce their scale in relation to their surroundings. See Section 5 (“*Landscaping*”) for specific standards regarding parking lots.
- d. **Relationship to Buildings:** Paved surfaces of parking lots shall be separated from buildings by a **minimum of five feet** of landscaping and/or a raised sidewalk.
- e. **Screening:** Where parking is permitted between the building and the road, the parking area shall be screened along the road by berms, fencing, low walls, trees, shrubs, perennial masses, or a combination of such elements. The maximum height of the screen shall be **3+/- feet**.

- f. Landscaping in Parking Lots:** A **minimum of 10%** of the parking lot surface area shall be landscaped. Planting islands shall be a **minimum of 9 feet** in width. Planting of natural groupings or clusters of trees within or surrounding parking areas is encouraged. See Section 5 (“*Landscaping*”) for further standards.
- g. Dead End Parking Lots:** Parking lots with a single point of access shall not be used to the extent practicable. . Where dead-end parking lots are used, space shall be provided to safely turn a vehicle around without having to back out of the parking lot.
- h. Shared Parking:** Shared parking should be utilized, particularly where abutting land uses have differing hours of peak parking demand. Where utilized, cross easements shall be required.
- i. Safety:** Crosswalks shall be marked by a change in pavement texture, pattern, or color to maximize pedestrian safety in parking areas and other potentially hazardous areas. Shrubs, ornamental grasses, walls, or other landscape elements used in or around parking areas shall be selected so as to maintain visibility necessary for safe pedestrian and vehicular movement.
- j. Side Lot Parking:** Parking on the side of a building shall not extend closer to the street than the front façade of the building. The space between the parking lot and any adjacent roadway shall be landscaped according to an overall plan for the property.
- k. Snow Storage:** Provision shall be made for snow storage in the design of all parking areas. Snow storage areas shall be shown on the site plan and shall be designed to avoid conflicts with landscaping, visibility, drainage, or icing during winter months. Site plans shall indicate locations for snow storage in areas where they will not interfere with pedestrian movement, block visibility, cause dangerous conditions from freezing meltwater, or cause conflicts with landscaping, visibility, drainage, or icing during winter months. Snow storage areas shall not be used in calculating the minimum parking spaces required for the site.
- l. Buildings in Existing Parking Lots:** Smaller commercial buildings may be constructed on existing parking lots on out-parcels to break up the scale of large parking areas.

F. Pedestrian Spaces

1. Objectives

Entrances to buildings should be designed to provide outdoor spaces for a variety of uses, including seating/resting, dining, displays, and aesthetic enhancement, in order to create a pedestrian-friendly environment.

2. Design Standards

- a. **Planning:** Outdoor use areas should be located in sunny, highly visible locations and sized to fit the anticipated uses. The design should be a collaborative effort between architect, landscape architect, engineers, artists, and other design professionals.
- b. **Materials:** Outdoor use areas shall be constructed of durable, easily maintained materials. All elements within the space shall be designed to achieve a unified look with the other architectural and site elements. Decorative paving may be used for sitting areas, pedestrian plazas, building entrances, or other designed open spaces. See Section 5 (“*Landscaping*”) for planting standards.
- c. **Entrances:** Major entrances to new or renovated buildings shall be visually prominent through the use of canopies, recessed entries, seating areas, decorative plantings and lighting, and other similar elements.

G. Public Sidewalks

1. Objectives

Public sidewalks should be provided wherever possible throughout Buxton’s commercial area. Existing and proposed road corridors, *excluding Route 202*, should include sidewalks, planted esplanades, crosswalks, and pedestrian amenities to encourage a safe flow of non-motorized traffic.

2. Design Standards

- a. **Public Sidewalks:** Wherever possible, sidewalks and planted esplanades shall be provided within or near the right-of-way on both sides of all streets to encourage safe pedestrian movement. Facilities shall be coordinated with abutting land uses to create interconnections throughout the commercial area and linkages to surrounding residential neighborhoods. Lighting and other amenities should be at a human scale.
- b. **Coordination with Site Plan:** All new sidewalks shall be coordinated with the Site Plan to avoid conflicts with landscaping, utilities, grading, drainage structures, signs, and other elements. All walks shall be designed to facilitate snow removal and allow year-round use. Sheet flow of storm water across sidewalks shall be avoided. Underground storm drainage systems are strongly encouraged.
- c. **Material Selection:** Concrete sidewalks with granite curbing shall be used on sidewalks within the public ROW.
- d. **Crosswalks:** Where sidewalks intersect with commercial drives or roads, crosswalks shall be installed to alert the motorist and improve visibility. Crosswalks shall offer a noticeable change in texture and color. Materials for crosswalks shall be highly durable and slip resistant.

- e. **Lighting:** Sidewalks shall be lit to minimum standards recommended by the IES Lightning Handbook, 10th Edition, to promote safe use during evening hours.
- f. **Accessibility:** All new and renovated facilities shall be located, designed, and detailed in full compliance with the Americans with Disabilities Act (ADA).

H. Internal Sidewalks and Walkways

1. Objectives

Commercial properties should provide attractive, safe, and functional walkways between the public right-of-way and the main entrance. Internal walkways should invite pedestrians onto the property and make them feel welcome.

2. Design Standards

- a. **Internal Walkways:** Continuous internal walkways shall be provided from any public sidewalks to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, outdoor seating, street crossings, and building entrances.
- b. **Location:** Walkways shall be located where motorists can anticipate pedestrians and react accordingly. Walkways shall be designed to give the pedestrian a full view of oncoming vehicles, with minimal interference from trees, shrubs, and parked cars. Walkways shall avoid drive-through lanes, access and service drives, and other high-traffic routes. Traffic control signs, light fixtures, trees, or other potential obstacles shall be located far enough from walkways to prevent interference with pedestrian movement.
- c. **Orientation:** Walkways in parking lots shall be aligned with the main entry or a focal point on the building to assist in wayfinding.
- d. **Curbing:** Internal walkways shall be separated from parking bays and/or travel lanes by raised curbing. Granite is preferred for its longevity, low maintenance, and appearance.
- e. **Width:** Internal walkways shall be a **minimum of five feet wide** to allow two people to pass comfortably. Where shopping carts or wheelchairs are anticipated to be used, where heavy pedestrian traffic is anticipated, or where cars are likely to overhang the walkway, additional width may be necessary.
- f. **Coordination with Landscaping:** Areas adjacent to walkways shall be landscaped with trees, shrubs, benches, flower beds, ground cover, or other such materials. Walkways in parking lots shall include landscaped islands to provide visual relief and shade, and to break up the scale of parking lots. Shrubs and other landscaping must not cause blind spots. Special features, such as benches, flower beds, and planters, may be used to enhance the

walkway. Trees along all walkways shall be trimmed to provide adequate sight distance and to remove potential visual obstacles for motorists. Vertical clearances of **at least eight feet** shall be maintained for all trees along walkways.

- g. Lighting:** A minimum level of lighting shall be provided, following the standards of the IES Lighting Handbook, 10th Edition, to safely guide the pedestrian from the front entrance to the parking lot and/or public sidewalk.
- h. Drainage:** All internal walkways shall be designed to avoid sheet flow of stormwater across walkways. Culverts shall be sized to prevent ponding and provide uninterrupted use of the walkway.
- i. Maintenance:** All internal walkways shall be designed to facilitate maintenance by the property owner. The site plan shall coordinate the locations of walkways with utilities, plantings, drainage, and other site elements that could affect long-term maintenance.
- j. Snow Removal:** All walkways shall be designed for ease of snow removal to encourage year-round use.
- k. Accessibility:** Walkways shall be located, designed, and detailed in full compliance with the Americans with Disabilities Act (ADA).

I. Multiple Building Developments

1. Objectives

Multiple building developments (MBDs) should exhibit a high degree of coordination in site planning, architectural design, site design, and site detailing. All physical components should be designed to complement an overall plan.

2. Design Standards

- a. Master Plan:** For MBDs, a conceptual master plan shall be prepared to illustrate the general location of all anticipated buildings, parking lots, roads and driveways, walkways, common open spaces, utilities, service areas, stormwater management features, and other components of site development. The master plan shall show how traffic, stormwater, and utilities will be coordinated with adjacent properties. The plan shall illustrate the measures that will be taken to minimize adverse impacts to significant natural or cultural features, including wetlands, specimen trees, or stone walls.
- b. Phasing Plan:** As part of the site plan application, the applicant shall provide a phasing plan that illustrates the sequence of development.
- c. Building Orientation:** All buildings in MBDs shall be oriented to create usable, safe, and attractive pedestrian spaces, preserve significant natural or cultural features, and minimize the scale of parking areas.

- d. **Outdoor Spaces:** MBDs shall include outdoor use common areas, including but not limited to greens, plazas, and courtyards. Buildings may be oriented toward open spaces rather than roadways. Open space oriented buildings shall have a major access point facing the open space and a secondary access point(s) oriented to parking areas. Outdoor spaces shall be coordinated with the pedestrian circulation plan to encourage pedestrian use, with provisions for seating and outdoor activities. Outdoor spaces shall be designed to separate pedestrian and vehicular traffic with landscaping, grade changes, and other site features.
- e. **Drive-Through Facilities:** Where drive-through facilities are a component of MBDs, the building and site plan shall accommodate and prioritize pedestrian access.
- f. **Signage Plan:** Applicants for MBDs shall submit a master signage plan that shows how graphics will complement and unify the proposed development. See Section 6 (“*Signage*”).
- g. **Lighting Plan:** Site lighting for MBDs shall be coordinated with all other elements of the site. A lighting plan shall be prepared and submitted to the Planning Board as part of the Site Plan review process. See Section 7 (“*Lighting*”).
- h. **Landscape Plan:** Landscaping for MBDs shall be coordinated with all other elements of the site. As part of the application for Site Plan approval, applicants shall submit a master landscape plan that shows how landscaping will be used to complement proposed buildings, reinforce circulation paths, help define pedestrian use areas, highlight entrances, provide shade and add seasonal interest to the landscape. See Section 5 (“*Landscaping*”) for additional standards on landscape materials.
- i. **Shared Stormwater Management:** Where practicable, treatment basins shall be designed to be shared by multiple building sites to minimize the land area devoted to stormwater management. See Section 3.L (“*Stormwater Management*”) for further details.

J. Non-Public Service Areas

1. Objectives

Non-public service areas should be integrated into the overall site plan. Such areas should be designed to meet the functional needs of the facility while minimizing traffic or visual conflicts, audible noise, or smells.

2. Design Standards

- a. **Locations:** All structures and facilities associated with service areas, including waste collection and storage facilities, off-street loading and unloading areas, loading docks, storage facilities, dumpsters, fueling areas, and vehicle service and maintenance areas, shall be located at the side or rear of the principal building. To the extent practicable, service areas shall avoid facing public roadways or abutting residential properties. Overhead doors

or other vehicle entrances or exits shall not be located on any façade that faces a public street or residential neighborhood.

- b. Design:** Service areas shall be sized to fit the specific needs of the building and its intended operations. The smallest size needed to meet the building's requirements should be used.
- c. Screening:** Service areas shall be screened to minimize their visibility from public and private roadways, main entrances, abutting residential neighborhoods, public open spaces, and public pathways. Service areas shall be screened with architectural elements such as walls or fences. Screening may also include evergreen trees, shrubs, and earth berms.
- d. Screening Design:** Structural screens and fencing shall complement the design of the main structure through repetition of materials, detailing, scale, and color. Where chain link fencing is required for safety, it shall be landscaped and painted black or a similar dark color, or coated with dark vinyl. Plastic slats in chain link fencing shall not be used. Gates shall be designed to prevent sagging.
- e. Service Access:** Service areas shall be sited to accommodate the turning movements of vehicles used for trash pickup, deliveries, and similar functions without conflicting with other vehicles.
- f. Coordination:** Prior to submittal of a Site Plan application, the applicant shall contact utility companies, fuel suppliers, trash haulers, the fire department to seek comment on the design and siting of service areas and facilities.
- g. Protection:** Where architectural screening or freestanding fencing is used for screening, it shall be protected with granite posts or concrete-filled steel bollards, or reinforced in a manner that will prevent damage from service vehicles.
- h. Recycling Facilities:** Recycling bins should be installed and used.. All recycling facilities shall be screened in a manner similar to other service areas. Dumpsters and recycling areas shall be consolidated where practicable.

K. Buffers & Screening

1. Objectives

Buffering and screening should be used to minimize incompatibility between land uses, particularly between commercial and residential properties. Plantings, earth berms, stone walls, grading changes, fences, distance, and other means can be used effectively to create visual and psychological separation.

2. Design Standards

- a. Planning:** Buffering and screening materials shall be selected based on existing site conditions, distances to property lines, and the intensity of the proposed land use.

Consideration should be given to preferences of abutting landowners, if any. Discussions between the applicant and the Planning Board regarding the need for buffers and appropriate sizes and types shall begin at the sketch plan review.

- b. Design:** Buffers and screens are an integral part of the Site Plan. Stone walls, plantings, fencing, landforms, and other buffering and screening materials shall be used to screen from view any incompatible land uses. Any buffering and screening materials shall be compatible in form, texture, scale, and appearance to other landscape elements. Structural buffers and screens (e.g., screening walls) shall be compatible with the buildings and structures, in terms of scale, materials, forms, and surface treatment.
- c. Maintenance:** All natural and structural buffers and screens shall be maintained in a condition that assures their continual effectiveness. Where plantings do not survive, or grow to a point where they no longer serve as effective buffers, they shall be replaced to comply with the approved plan.

L. Stormwater Management

1. Objectives

Where necessary to comply with Town requirements and MeDEP Stormwater Management law, site plans shall incorporate treatment basins or other measures to maintain the quality of stormwater runoff. All stormwater management areas should be treated as integral and attractive parts of the landscape.

2. Design Standards

- a. Location:** Where stormwater treatment basins or other related facilities are required, they shall be located in the least visible portion of the site. Where visible, they shall be graded to conform to natural contours and planted to integrate them into the natural landscape.
- b. Designs:** Stormwater treatment basins shall be patterned after naturalistic landforms, avoiding hard geometric shapes. Side slopes shall be landscaped with plantings that minimize erosion and screen the basin. Islands can be effective in breaking up the mass of a treatment pond while increasing habitat opportunities.
- c. Grading:** Abrupt changes in grading and steep side slopes (>3:1) shall be avoided. Transitional grading shall be used to blend all earthworks into the natural contours of the land where possible.

- d. **Structures:** Man-made drainage structures (e.g., culverts, manholes, and outfalls) that are visible from roadways or residential neighborhoods shall be screened with vegetation or treated to reduce their visibility and integrate them into the landscape.
- e. **Planting Design:** Plantings used in stormwater treatment ponds should be designed by a professional familiar with the growing requirements of wetland species.
- f. **Shared Basins:** Where practicable, treatment basins shall be designed to be shared by abutting properties to minimize the amount of land area devoted to stormwater management.
- g. **Rip-Rap:** Where ground protection is necessary in highly visible locations (e.g., at spillways and culverts), it shall be constructed of hand-placed rock or geo-grid, rather than course rip-rap. Where practicable, coarse crushed rock in visible roadside ditches shall be avoided.

SECTION 4. ARCHITECTURE

A. Background

These Architecture Standards establish criteria for new or renovated buildings in Buxton's commercial districts. They anticipate a greater sense of continuity and identity by encouraging high quality New England-style architectural design.

B. Architectural Goals

New or renovated buildings should be designed using architecture that offers a positive experience from three perspectives: by the motorist driving along the road corridor, by the pedestrian viewing the buildings up close, and in relation to surrounding buildings that tie into the community's identity. New or renovated buildings should be designed:

- To neighborhood scale, form, orientation, height, setback, massing, materials, and architectural features.
- To a human scale that addresses the comfort, enjoyment, and safety of the users.
- As permanent, positive additions to the commercial districts, constructed of high quality, long lasting materials.
- To utilize energy conservation measures wherever possible.

C. General Architectural Standards

1. Objectives

The purpose of these standards is to encourage architecture with Buxton's commercial districts that take its inspiration from traditional New England examples. Building design should reinforce a human-scaled environment through careful consideration of architectural forms, massing, detailing, the number and use of materials, and color.

2. Design Standards

- a. Design:** The architectural design shall utilize traditional New England building forms for rooflines, window trim, entrances, and all other major architectural elements to the extent practicable.
- b. Licensed Architects:** Any structure subject to site plan review shall be designed by an architect licensed in the State of Maine.
- c. Freestanding Accessory Structures:** Non-habitable structures, such as freestanding ATMs, garages, service stations, canopies, storage units, recycling sheds, trash enclosures, and utility buildings shall meet the same design standards as the principal building(s) on the

site. The design of freestanding structures shall be coordinated with the principal building through repetition of architectural forms, materials, colors, and detailing.

- d. **Energy Conscious Design:** Commercial architecture and site planning shall promote energy conservation wherever practicable. Consideration should be given to solar orientation and siting, use of insulating materials, reduced lighting loads, and landscaping for windbreaks and shading.

D. Renovations and Additions

1. Objectives

Existing structures within the Commercial Business Zone (BC) may come before the Planning Board for Site Plan approval as they undergo major renovations or additions. This is an opportunity to add visual interest to the building and to strengthen its relationship with the site and nearby structures. High quality architectural and site design should be applied to all renovated structures.

2. Design Standards

- a. **Renovations:** Where an existing building meets the design standards, proposed renovations must be designed to be compatible with the proportions, fenestration patterns, and details of the existing building. Where the existing building does not meet the design standards, the applicant may update the existing building to meet the design standards.
- b. **Design; Master Planning:** Applications to the Planning Board that involve renovations and additions shall show all improvements as well as the existing structure. A narrative shall accompany the application which explains the designer's intent to relate the old with the new. Where an existing building does not meet the design standards, the applicant shall demonstrate, by submitting a master renovation plan, how the existing building will be upgraded over time to conform to these design standards, taking into consideration the life of the building; anticipated future renovations, additions or reconstructions; and materials to be used in the proposed renovation and in future renovations and improvements to the existing building. The Planning Board may condition its approval on conformance with the master renovation plan.
- c. **Materials:** Where the existing building meets the design standards, additions or renovations shall complement or match the materials, form, color, and detailing of the existing building.
- d. **Architectural Features:** Renovations shall retain any distinctive architectural features or examples of skilled craftsmanship.

E. Façade Design

1. Objectives

All buildings should present a visually inviting façade to the street, internal drives, parking areas, and surrounding neighborhoods. Wherever practicable, entrances to buildings shall be clearly visible from the street and reinforced through site and architectural features.

2. Design Standards

a. Façade Treatment: The façade containing the main entrance shall be treated as a front façade and shall be designed in compliance with the design standards. Wherever practicable, building entrances shall be designed to be clearly visible from the street and shall provide unobstructed areas for pedestrians. The front façade shall contain a clearly defined, highly visible customer entrance and **three (3) or more** of the following elements to add scale to the building:

- Canopies
- Overhanging rooflines to provide shelter for pedestrians
- Recesses or projections in keeping with the scale of the building
- Arcades
- Raised corniced parapets over entrances
- Gables and dormers
- Pilasters
- Peaked roof forms
- Outdoor sitting or dining areas
- Display windows that are visible from the sidewalk
- Architectural details such as moldings which are integrated into the building design
- Other features which are designed to add scale and visual interest to the façade.

For **retail** structures, the front façade or any other façade that faces a public or private street shall have display windows, entry areas, or other transparent features along **40%** or more of its horizontal length. This standard may be waived by the Planning board if other architectural elements are used to provide scale and visual interest to the front façade in keeping with these Design Standards.

b. Offsets: No uninterrupted length of any façade shall exceed **100 horizontal feet**. Facades greater than **100 feet** in length shall incorporate wall plane projections or recesses having a depth of a least **3%** of the length of the façade and extending at least **20%** of the length of the façade as a way to break up the offsets. Projections may include:

- Strong shadow lines
- Changes in rooflines

- Pilasters and other architectural details

- Patterns in the surface material
 - Wall openings.
- c. **Rear and Side Facades:** Blank walls facing public roads, residential neighborhoods, or abutting properties are prohibited. Where rear or side facades are visible from adjacent properties or roadways, they shall be designed to match or complement the architectural treatment of the primary façade to give it scale and visual interest. Concealed fastened metal siding, 22 gauge or thicker may be used.
 - d. **Site Design:** Signage, lighting, landscaping, and other exterior elements shall be designed to complement and be in scale with the façade, avoid visual or functional conflicts, and retain visibility.
 - e. **Trim:** Windows, door openings, ventilation openings, and other forms of exterior fenestration in frame construction shall be trimmed.
 - f. **Window Shapes:** Windows should be vertical in orientation, or square.
 - g. **Shutters:** If shutters are used, they must be sized to fit the openings and provide for all windows on a given wall. They must also conform to a New England design.
 - h. **Functional Elements:** All vents, downspouts, flashing, electrical conduits, meters, HVAC equipment, service areas, loading docks, service connections, and other functional elements shall be treated as integral parts of the architecture, starting at the conceptual building design phase. When these elements need to be part of the façade (e.g., downspouts, vents) they shall be incorporated into the architecture through detailing or matching colors. Meters, utility banks, HVAC equipment, and other exterior service elements shall be contained in service closets, behind walls, or located out of view from the public. Building elevations presented for Planning Board review shall show the locations and treatment of all functional elements.
 - i. **Vending/Self-Service Machines:** Where vending or self-service machines are provided, they shall be sited in locations that are either not visible from any public or private road or designed to be compatible with the façade. The site plan and architectural elevations shall show the location of all vending/self-service machines.
 - j. **Illustrations:** Upon request by the Planning Board, the applicant shall submit perspectives of the building to illustrate the three-dimensional relationship between the front and side elevations. Elevations and perspective drawings shall include all landscape elements (trees, shrubs, lighting, street furnishings, etc.) that will be seen in conjunction with the façade.

F. Building Materials

1. Objectives

Building materials are significant design elements that define the appearance of the structure and strengthen the sense of identity throughout Buxton. Materials used should give the appearance of New England architecture.

2. Design Standards

- a. Materials Permitted:** Traditional, high-quality building materials common to northern New England (e.g., brick, clapboard, shingles or other similar products) or contemporary materials that are similar in appearance to traditional materials shall be used as the primary siding material. Painted MDO plywood may be used only when used in combination with traditional materials. Long-term maintenance needs should be a consideration in the selection of all building materials. Materials shall be selected to withstand conditions of climate, future use, and long-term stability of products.
- b. Materials Prohibited:** Highly reflective or processed materials (e.g., metal or plastic panels, brushed aluminum, bronzed glass, concrete block, T-111, untreated plywood, dryvit, etc.) and multicolored brick (incorporating occasional white brick in a random pattern) shall not be used on the primary or front-facing façade.
- c. Colors:** Traditional colors commonly found in New England villages should be used for all components of the building. Façade colors shall be low reflectance. The use of high intensity, high reflectance, chrome, metallic, or fluorescent colors or black is prohibited as the primary color.
- d. Trim:** Where trim is used, it shall be a color that complements the building's primary color. Neon tubing shall not be allowed as an exterior trim or accent material. All door and window trim must reflect the style of trim of the entire building and complement the front façade design. Metal Trim (Pre-Bent or Coil Stock) is only permitted for rake and horizontal roof trim. Metal Trim shall be painted and a minimum of .024" thick.

G. Awnings and Canopies

1. Objectives

Awnings and canopies can enhance the appearance and function of a building by providing shade, shelter, shadow patterns, and visual interest. Where awnings and canopies are used, they should complement the design, materials, color, and appearance of the building.

2. Design Standards

- a. **Location:** Where awnings and canopies are used, both fixed and retractable, they shall be located directly over windows or doors to provide protection from the elements.
- b. **Materials:** Awnings and canopies shall not be made of reflective materials. Their color shall match or complement the façade of the building and they shall be made of materials that will be able to withstand wind, snow, ice load, and the elements.
- c. **Design Elements:** Graphics used on awnings and canopies for identification or advertising shall be designed as an integral part of the signage program for the property, and shall be coordinated with other sign elements in terms of typeface, color, and spacing. Awnings and canopies shall not be used as advertising features or light sources. Backlit awnings and canopies are prohibited. Graphics on awnings and canopies are counted toward the total signage area.

H. Rooflines

1. Objectives

Rooflines should be designed to provide diversity in the form of the building and add visual interest to the streetscape. When used properly, rooflines can reduce the mass of large buildings, emphasize entrances, and provide shelter and shade for the pedestrian.

2. Design Standards

- a. **Pitched Roofs:** Buildings should be designed with pitched roofs. Where pitched roofs are used, the minimal pitch shall be at least **5/12**. Projecting rooflines shall be designed to create strong shade/shadow patterns. Where pitched roofs are used, the design shall create no horizontal line greater than 100-feet, without an architectural break using features found on traditional New England buildings.
- b. **Prohibited Shapes:** False mansard, A-frames, and other similar non-traditional roof forms shall not be used as the primary roofline.
- c. **Flat Roofs:** To the extent practicable, flat roofs, especially on single-story isolated buildings, shall not be used. Where flat roofs are used, the design shall create no horizontal line greater than the frontage of the building, not to exceed **100 feet**, without an architectural break using features found on traditional New England buildings. For buildings with a facade less than 100feet, flat roofs shall incorporate parapets or an architectural break featuring New England style with a height difference greater than 5% and a width greater than 33% of the overall length of the building façade. See Section 4.K "*Large Scale Buildings*") for additional design standards. Flat roofs on multi-story office buildings may be used only when designed in conformance with the design standards in Section 4.N ("*Office Buildings*").

- d. **Parapets:** Where parapets are used to break up a flat roofline, the height of the parapet shall be at least **5%** of the total length of the wall.
- e. **Permitted Materials for Pitched Roofs:** Composite asphalt shingles and standing-seam non-glare metal should be used for visible roofing. High gloss roofing materials shall not be used. Roofing materials shall complement the color and texture of the building's façade. Roof colors shall be muted earth tones of a color that is darker than the façade. Stripes and patterns on the roof should not be used.
- f. **Roof-Mounted Equipment:** Mechanical and other equipment mounted on rooftops must be screened from public view or grouped in a location where visibility is minimized. Where used, screening for roof-mounted equipment shall be designed to complement the building's mass and appearance.

I. Street Corner Buildings

1. Objectives

Buildings located on corners are particularly important because they help define the character of two streets. These high-visibility locations should be emphasized by quality architecture and site development.

2. Design Standards

- a. **Siting on Corner Lots:** A building on the corner of two public streets shall be located close to the intersection and should exhibit strong relationship to both streets that it fronts. Where zoning allows, a limited amount of parking and vehicular travel ways may be located between the building and the property lines along one or more of the streets; however, the majority of the parking shall be located to the side or rear of the building.
- b. **Corner Buildings:** Buildings on corners shall be a minimum of **twenty feet (20')** in height to add mass and visual prominence to the street.
- c. **Façade Treatment:** Both façades of corner buildings shall be designed according to the standards in *Architecture: Façade Design* section. Blank or unadorned façades facing streets on corner buildings are prohibited. The façade of any upper floor(s) shall be visually related to the ground floor through repetition of design elements (e.g., color, materials, window treatment, and detailing) so as to unify the structure and help frame the ground floor.
- d. **Corner Treatment:** The architectural treatment of the street corner of the building shall emphasize its prominent position through the use of enhanced massing and height, unique detailing, lighting, and other façade treatment. This corner treatment shall be designed to be visible from both streets. Where practicable, an entrance to the building shall be located at the corner.

J. Design Standards for National Franchises

1. Objectives

National franchises (e.g., restaurants, service stations, retail stores) are a welcome and permitted use within Buxton's commercial business districts. Buildings for these types of uses shall reflect an New England architectural traditions in their form, detailing, and materials.

2. Design Standards

- a. **Franchise Styles:** Architectural forms primarily derived from building styles from other regions of the country are prohibited. New England regional prototypes from national franchises are permitted, provided they meet the Design Standards.
- b. **Coordination of Site Features:** Applicants shall provide the Planning Board with illustrations that demonstrate how the architectural design of site features and accessory structures (including dumpster screens, storage buildings, refrigeration lockers, playgrounds, signage, and lighting) will be coordinated with the architecture of the principal building.

K. Large Scale Buildings

1. Objectives

Due to their visibility and mass, large scale buildings (**20,000 square feet or greater**), such as large retail or grocery stores, can greatly enhance or detract from the visual character of the commercial districts. These buildings should be designed as attractive pieces of commercial architecture that are consistent with the scale and form found in traditional New England architecture.

2. Design Standards

- a. **Design and Massing:** Large structures shall be designed to break up their mass into smaller visual components through the use of projections, recesses, and varied façade treatments. See Section 4.E ("*Architecture: Façade Design*").
- b. **Site Design:** Scale reductions of large buildings shall be reinforced by site features such as pedestrian shelters, large trees, clearly-defined entrances, and site furnishings.
- c. **Architectural Details:** Architectural details shall be used to reduce the scale and uniformity of large buildings. Elements such as colonnades, pilasters, gable ends, canopies, display windows, and light fixtures should be used to add human scale.
- d. **Façades and Exterior Walls:** Horizontal façades greater than **100 feet** in length shall incorporate wall plan projections or recesses having a depth of **at least 3%** of the length of

the façade and extending at least **20%** of the length of the façade. No uninterrupted length of any façade shall exceed **100 horizontal feet**.

Other devices to add interest to long walls may be used, including strong shadow lines, changes in rooflines, pilasters and architectural details, patterns in the surface material, and wall openings. All façade elements shall be coordinated with the landscape plan to ensure balance, proportion, and compatibility.

Ground floor façades that face public streets shall have display windows, entry areas, or other such transparent features along **40% or more** of their horizontal length.

- e. Façades and Exterior Walls for Small Retail Stores within Large Scale Buildings:** Where principal buildings contain separate retail stores which in total occupy less than 20,000 square feet of gross floor area and which each have separate, exterior customer entrances, the following standards shall apply:
- The street level façade of such stores shall be transparent between the height of **three (3) feet and eight (8) feet** above the walkway grade for **no less than 40%** of the horizontal length of the building façade of such additional stores.
 - Windows shall be trimmed and include visually prominent sills, shutters, or other similar forms of framing.
- f. Entryways:** Each principal building shall have a clearly defined, highly visible customer entrance featuring three (3) or more of the following:
- Canopies
 - Overhangs or recesses to provide shelter
 - Arcades that lead to entrances
 - Raised corniced parapets over the door
 - Peaked roof forms
 - Outdoor patios
 - Architectural details such as tile work and moldings which are integrated into the building structure and design, or
 - Other features which are designed to add scale and visual interest to the buildings.

Where separate retail stores are located in the principal building, and customer entrances to such stores are outdoors, each separate retail store shall conform to the above entryways requirements. All components used to enhance entranceways or provide a distinctive look shall be designed or detailed as integral parts of the whole building.

- g. Multiple Entrances:** All sides of a large-scale building that face an abutting public or private street shall feature at least one customer entrance to facilitate pedestrian access, minimize walking distances from cars, and reduce the scale of façades. Where a building abuts more than two street, this requirement shall apply to only two sides of the building, including the side facing the primary public street and another side facing a second street.

- h. Outdoor Sales and Storage:** Where permitted, areas for outdoor sales, storage, or service shall be designed as an integral part of the site and architectural plan, and shall meet the Service Areas Standards. See Section 3.J (“*Site Planning: Non-Public Service Areas*”).
- i. Cart Storage:** Shopping carts must be stored inside the building, or in ‘cart corrals’, out of the way of pedestrian circulation.

L. Linear Commercial Buildings (Strip Shopping Centers, Multi-tenant Offices, Commercial Buildings)

1. Objectives

Linear commercial structures (e.g., strip shopping centers, multi-tenant offices, or commercial buildings) shall be designed with façade and roofline elements that reduce their scale and add architectural interest.

2. Design Standards

- a. Design:** Buildings with multiple storefronts (e.g., strip shopping centers, one-story office buildings) shall be visually unified through the use of complementary architectural forms, similar materials and colors, consistent details, and coordinated signage. Variations in the front setbacks should be used to add visual interest, create spaces for common entries, outdoor eating/social spaces, and landscaped spaces.
- b. Scale:** Linear structures shall include architectural elements (including covered walkways, open colonnades, arcades, and similar features) designed to provide shelter, encourage pedestrian movement, and visually unite the building.
- c. Entrances:** Pedestrian entrances to each building shall be clearly delineated using architectural detailing, roofline breaks, landscaping, lighting or a combination of these elements. Where covered walkways are used, they should extend the full length of the façade.
- d. Rooflines:** Variations in rooflines, detailing, and building heights shall be included to break up the scale of connected linear buildings.

M. Linear Commercial Buildings (Service Stations, Car Washes, and Convenience Stores)

1. Objectives

Service stations, car washes, and convenience stores shall be designed with façade and roofline elements that reduce their scale and add architectural interest.

2. Design Standards

- a. **Architecture:** Windows or other forms of fenestration shall be included on the façade facing the street which shall be treated as a front façade. See Section 4.E (“*Architecture: Façade Design*”). The front façade shall include a pedestrian entrance from the street.
- b. **Canopies:** Service station canopies shall be visually compatible with the main structure through consistency in roof pitch, architectural detailing, materials, and color. Pitched roofs or pitched-faced parapets are required for canopies. Bands of bold color on the canopy and backlighting inside the canopy are prohibited. See Section 7 (“*Lighting*”) for more details.
- c. **Large Openings:** Openings for car washes or building with **four (4) or more** service bays must be integrated with the design of the building and sited so they are not directly visible from public roadways or adjacent residential areas.
- d. **Site Design:** The site design must minimize off-site noise exposure, and must provide for underground drainage systems to keep water off public streets (in the case of car washes), snow storage, safe traffic circulation patterns, and room for vehicle stacking. Pump location design must provide for traffic flow and safety.
- e. **Pedestrian Circulation:** Connections to the public sidewalk shall be included in the site plan to encourage pedestrian use. Access routes leading to or from service stations and convenience stores shall minimize conflicts with pedestrian circulation.

N. Office Buildings

1. Objectives

Large-scale, multi-story office, research and hi-tech buildings (**40,000 square feet or greater**) are allowed and encouraged in our commercial districts. These buildings should be designed as attractive pieces of commercial architecture. The Planning Board may apply alternative design standards to large-scale office, research and hi-tech building which vary from a few specific sections of the Design Standards. These alternative standards are outlined below. The Planning Board can allow alternative design standards with **a 2/3 affirmative vote** by its members. Other than these alternatives, the remainder of the Design Standards for Buxton’s Commercial Districts shall apply.

2. Alternative Design Standards

- a. **Permitted Materials:** Subject to the waiver provision, the Planning Board may allow materials including but not limited to non-reflective metal panels and brushed aluminum to be incorporated into the façade design of these structures. These materials shall be supplemented with the traditional, high quality building materials common to New England.
- b. **Roof Treatment:** Under the Flat Roofs Standard in the *Architecture: Rooflines* section, flat roofs are discouraged in most applications. However, flat roofs are anticipated and

acceptable on office, research and hi-tech buildings which are three or more stories in height. In these instances, changes in the roofline, pilasters, trim and other architectural detailing shall be used to vary and break up a flat roofline. Further, roof-mounted equipment must be screened from public view in accordance with the *Architecture: Rooflines* section.

- c. **Waiver.** The Planning Board may waive the provisions of Section 4.F (“Building Materials”) and Section 4.H (“Rooflines”) for office buildings when it determines that granting a waiver will not adversely affect abutting landowners and the general health, safety and welfare of the Town and when it determines that at least one of the factors justifies the waiver: (i) special circumstances of the site, building, or building placement exist; and/or (ii) special circumstances of the surrounding buildings and uses exist.

O. Drive-Throughs

1. Objectives

Architectural design and circulation planning for buildings with drive-throughs require careful consideration to integrate them into the Buxton environment. Drive-through operations and other automobile-oriented facilities should be designed with façade and roofline elements that reduce their scale, add architectural interest, and maintain the pedestrian-orientation of the structure.

2. Design Standards

- a. **Drive-Throughs:** Where drive-through windows are allowed, they shall be incorporated into the design of the building by matching or complementing their scale, color, detailing, massing, and other architectural treatments to that of the main structure.
- b. **Location:** Drive-throughs shall not face public or private roads, and should generally be located at the side or rear of the building. Where drive-throughs are located at the rear, the drive-throughs shall be designed to maintain the safety of the employees and patrons.
- c. **Canopies:** Drive-through canopies shall be subordinate to and visually compatible with the design of the main structure. This may be accomplished through consistency in roof pitch, architectural detailing, materials, and color. Bands of bold color on the canopy and backlighting inside the canopy are prohibited.
- d. **Pedestrian Circulation:** Access routes leading to or from drive-through facilities shall minimize conflicts with pedestrian circulation. Where walkways must cross driveways, motorists shall be made aware of pedestrians through signage, lights, raised crosswalks, changes in paving, or other similarly effective devices.

SECTION 5. LANDSCAPING

A. Background

Landscaping is an integral part of all site plan developments. Trees, shrubs, and other landscape elements can be used to accentuate buildings, create a sense of identity, and provide human scale. The applicant should carefully evaluate the physical characteristics of each site and each plant when making the final selection to ensure that the plantings will survive and thrive in their selected location.

B. Landscape Goals

The landscaping elements of the site plan should:

- Reinforce the identity of the commercial districts through the use of plant materials in scale with their surroundings.
- Enhance the attractiveness and scale of commercial development through the use of colorful plant materials with interesting forms and massing.
- Help define areas where pedestrians are safely separated from the road.
- Reinforce wayfinding by emphasizing entrances and circulation patterns.
- Increase the attractiveness of parking lots by reducing their scale, providing shade, and adding seasonal interest.
- Provide screening for less attractive parts of a site or incompatible land uses.

C. General Standards

1. Objectives

Landscaping shall be used to complement the architecture, enhance human scale, reinforce circulation paths, highlight entrances, provide shade, add seasonal interest, and provide screening for less attractive parts of a site.

2. Design Standards

- a. **Preparation:** As part of the Site Plan application for site improvements involving parking lots with **more than ten (10) cars and/or more than 2,000 square feet** of building, a landscape plan shall be prepared by a landscape architect registered in Maine, or other qualified professional familiar with local growing conditions. All other Site Plan applicants shall submit a detailed landscape plan in compliance with these design standards.

- b. **Selection:** Plant materials and landscape elements that require a low degree of maintenance should be utilized. All plantings shall be resistant to insect infestation, drought, disease, roadside salt, and auto emissions, and hardy to Maine winters.
- c. **Safety:** Plant materials should be selected with consideration to public health and safety. Plants with poisonous or messy fruits, large thorns, invasive growth patterns, or shrubs that could provide hiding places along pathways or block the view of moving vehicles shall not be used. The form and height of plantings as they mature shall not create unsafe conditions or block sight lines for pedestrians, bicyclists, or motorists.
- d. **Coordination with Utilities:** The planting plan shall illustrate how plantings are coordinated with the location of underground and overhead utilities and lighting. The planting plan shall show screening for transformers, propane tanks, and similar utilitarian elements.
- e. **Variety:** A variety of plant materials that exhibit seasonal color and interesting textures should be used to create a distinctive, yet low maintenance environment. Planting plans should strike a balance between the over-use of a single species and too much variety.
- f. **Integration:** Plantings shall be massed to soften edges, corners, and pavement areas, and to integrate the building into the landscape. Planting design shall stress simplicity in form and limit the number of species. Shrubs, perennials, annuals, ornamental grasses, and other similar plantings used along the roadways should be planted in masses or 'drifts' that emphasize colors and textures, rather than used as single specimens.
- g. **Irrigation:** Underground irrigation should be installed in front setbacks, public spaces, and other highly visible areas. Any underground irrigation shall be coordinated so it does not cause overflow or flooding in pedestrian use areas, such as walkways, sidewalks, or parking lots.
- h. **Existing Trees/Plants:** Wherever practicable, existing trees or other significant plantings shall be preserved by means of transplanting and reuse. The landscape plan shall illustrate which vegetation will be preserved and what protective measures will be taken during construction.
- i. **Rocks:** Large rocks shall be used as landscape elements sparingly and only as accents in mass plantings. Where used, they shall be buried to **at least 25%** of their mass.
- j. **Ground Cover:** Extensive areas of bark mulch shall not be used as a substitute for live ground cover. Where mulch is used, it shall consist of dark decomposed shredded bark, with pieces **less than 1"** in any one dimension. Consideration should be given to regular maintenance of any mulch application. Clean edges shall be maintained between various features. The landscape plan shall cover any exposed soils.
- k. **Buffers & Screening:** Plant materials and other landscape elements shall be used to create buffers as necessary between residential and commercial properties. The design of buffers

should consider the appearance from both commercial and residential viewpoints. Evergreen plantings are particularly effective year-round buffering.

- l. **Minimum Plant Sizes:** Unless otherwise required by site conditions, plant materials shall meet the following minimum sizes:

Canopy Trees	2 ½" caliper	Evergreen Shrubs	18" ht./spread
Flowering Trees	2" caliper	Perennials	2 year clumps
Evergreen Trees	5-7' height	Ornamental Grasses	2 year clumps
Deciduous Shrubs	24" height	Ground Covers	3" pots

- m. **Guarantee Period:** All newly installed lawns and planting materials shall be guaranteed for a period of **not less than 2 years**. The developer shall submit a copy of a guarantee and a contract with a landscape contractor, indicating the terms of the guarantee period, which shall include a time frame for replacing damaged or destroyed plantings including grass.

D. Parking Lots

1. Objectives

Landscaping is necessary in parking lots to improve the visual appearance, reduce the scale of paved areas, define edges, provide shade, and add seasonal interest. Trees, shrubs, and ornamentals shall be planted in large groups, or drifts, appropriate to the scale of the space.

2. Design Standards

- a. **Total Landscape Area:** A **minimum of 10%** of the total area of a parking lot shall be landscaped. Larger and more visible parking lots should have more intensive landscape treatments. Driveways leading into and around parking lots are not calculated in determining the area of a lot.
- b. **Location of Trees:** Trees shall be planted a **minimum of five (5) feet** from the end of parking lot islands.
- c. **Screening:** Parking lots shall be separated from the street by plantings, low earth berms, walls, and/or other landscape elements to minimize the view of vehicles, while still allowing the public to see the building.
- d. **Safety:** Where trees abut pedestrian walkways or places where people will be walking in parking lots, their lower branches shall be pruned to **at least eight (8) feet** above the paved surface to avoid becoming an obstacle. Shrubs in parking lot islands shall **not exceed three (3) feet** in height to avoid blocking visibility.
- e. **Parking Stall Separation:** Landscaped areas used for separation between banks of parking stalls shall be a **minimum of nine (9) feet** in width.

- f. **Snow Tolerance:** Landscape materials surrounding parking lots and in islands must tolerate large quantities of snow stored during winter months. Delicate plant materials shall not be used in areas where they are likely to be buried under snow.

E. Tree Selection & Plantings

1. Objectives

Trees should be used throughout Buxton's commercial districts, planted within the right of way, near buildings, and throughout parking lots. Trees should be sited to achieve full maturity and display their natural form. Planting plans should emphasize large shade trees within or near right-of-ways in order to create a more unified streetscape.

2. Design Standards

- a. **Suitability:** Newly planted trees shall be resistant to insect infestation, drought, disease, roadside salt, and auto emissions. All plant material shall be suitable to Buxton's growing conditions.
- b. **Coordination with Architecture:** Trees shall be selected and located to complement the building elevation without blocking storefronts, signs, or lighting.
- c. **Roadside Plantings:** Trees shall be planted a minimum of **five (5) feet** from the edge of the roadway. Trees and other landscaping planted at intersections shall preserve an adequate sight triangle.
- d. **Pedestrian Movement:** The lower branches of trees planted near pathways and sidewalks shall be at **least eight (8) feet** above the pavement to minimize interference with pedestrian movement throughout the year.
- e. **Root Zones:** Trees shall be planted in locations where their root development and branching patterns will not interfere with window displays, signage, underground or overhead utilities, streets, and sidewalks.

F. Shrubs & Ornamental Plantings

1. Objectives

A variety of shrubs and ornamental plantings should be used throughout the commercial districts to add seasonal color, provide visual interest, help define spaces, screen undesirable elements, and emphasize circulation routes.

2. Design Standards

- a. **Variety in Plantings:** The landscaping plan should use flowering shrubs, evergreen shrubs, perennials, annuals, vines, ornamental grasses, and other plant materials, as well as street trees, evergreen trees, and ornamental trees.
- b. **Selection:** The selection of plantings should consider height and spread at maturity, maintenance, pest and disease tolerance. Invasive species shall not be used.
- c. **Foundation & Wall Plantings:** Planting beds should be used along exposed building edges, foundations, and uninterrupted walls. any foundation and wall plantings shall create either a formal pattern or a naturalistic blend of heights, colors, and textures for visual relief.
- d. **Mass Plantings:** Shrubs and perennials should be planted in large masses or 'drifts', rather than as individual specimens.
- e. **Safety:** Plant material shall be selected with consideration to public health and safety. Plants with poisonous or messy fruits or leaves, large thorns, invasive growth patterns, or shrubs that could provide hiding places along pathways or block the view of moving vehicles shall not be used

G. Landscape Maintenance

1. Objectives

The planting plans presented to the Planning Board should anticipate an **eight (8)** year growing cycle to achieve maturity for shrubs, and **twenty (20)** years for trees. Provision for long-term maintenance of landscape elements is required so the site continues to improve as the landscaping achieves maturity.

2. Design Standards

- a. **Maintenance Plans:** As part of the Site Plan application, a written maintenance plan shall be provided for all landscape elements to be installed on the property. The maintenance plan shall include (but not be limited to) details regarding initial installation, guarantee period, replacement policy, periodic and seasonal maintenance, special considerations, use of pesticides and fertilizers, irrigation, and seasonal displays.

- b. **Low Maintenance Materials:** Plant materials and landscape elements that require a low degree of maintenance should be used. Planting characteristics to be considered include: drought resistance (except where irrigated), tolerance to auto emissions, disease and insect resistance, lack of thorns that could trap debris, and relatively light leaf litter for ease of fall cleanups.

- c. **Replacement Plantings:** Where plant materials specified on the planting plan do not survive or are damaged, they shall be replaced and/or reinforced in accordance with the two-year performance guarantee to maintain conformance with the approved planting plan and to provide the necessary landscape effect.

SECTION 6. SIGNAGE

A. Background

Signs play a central role in providing information, wayfinding, and setting the tone for Buxton's commercial districts. They inform motorists and pedestrians, while having a direct effect on the overall appearance of the roadway.

B. Signage Goals

Permanent commercial signage should:

- Provide basic, legible information about commercial establishments on attractive, signage.
- Be designed to complement the design, size, placement, and graphic format of all signage used in the commercial areas of Buxton.
- Create distinctive commercial corridors where signage is compatible with quality architecture and site design.
- Reduce visual clutter along Buxton's major roadways.
- Protect the investment of commercial interests throughout Buxton by establishing a quality benchmark for future signage, in keeping with the design standards.

C. Sign Design

1. Objectives

Commercial uses in Buxton shall be identified by attractive, legible signs that serve the needs of the individual business, complement the site and the architecture, and are legible to both the motorist and pedestrian. All new and replacement signs erected within Buxton's commercial districts shall be designed to meet these standards.

2. Design Standards

- Signage Plan:** A Signage Plan shall be submitted as part of the Site Plan application. It shall be developed by design professionals experienced in commercial signage or environmental graphics. The applicant shall resubmit the plan to the planning staff if the building's tenant is unknown at the time of application.
- Compatibility:** Sign shall be designed to be visually compatible with the building(s) and its surroundings through the use of similar detailing, form, color, lighting, and materials.

- c. **Design:** The shape of the sign shall complement the architectural features on the building. Simple geometric shapes should be used for all signage. Signs shall be trimmed and detailed to complement the building.
- d. **Maximum Gross Area of Signs:** See Section 6.D ("*Signage: Maximum Sign Sizes*") for maximum gross area of signs.
- e. **Maintenance and Replacement:** Damaged or non-operable portions of the sign shall be replaced or repaired in a timely manner.
- f. **Lettering Size:** The minimum lettering size for identification signs shall be **six inches** in height.
- g. **Location:** Signs shall be mounted in locations that do not block motorists' line of sight or create a hazard for pedestrians or bicyclists. Roof-mounted signs are prohibited.
- h. **Street Numbers:** The principal site identification sign shall contain the street address shown in a prominent location to facilitate wayfinding and 911 emergency response.
- i. **Advertising Features:** Except for permanent commercial signs, advertising features designed primarily to attract public attention are prohibited in the business commercial zone. Examples of prohibited advertising features include greater-than-life size models of food or other products, replicas of spokes-people associated with commercial products, flags or banners, sandwich board signs, and internally-lit bands of color.
- j. **Standard Note:** Any modifications to signage must be submitted to and approved by the Planning Board, in compliance with the Standard Note. No changes from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.
- k. **Readerboards:** To the extent practicable, readerboards using stationary or electronic text shall not be used within Buxton's business commercial districts. Where readerboards are permitted, they shall contain **no more than 3 lines of text**. Lettering height shall be a **minimum of 6"**. The readerboard shall be fully integrated into the overall sign design by virtue of its form, scale, color, and detailing. Readerboards will be considered part of the total signage area.

D. Maximum Sign Sizes

1. Sign Dimensional Chart

The following chart summarizes the maximum gross area (in square footage) that is permitted for signage by type of sign design.

MAXIMUM SIGN SIZES - Freestanding (FS) / Wall-Mounted (W)			
<u>TYPE OF SIGN DESIGN</u>	<u>REF</u>	<u>MAX. DIM.</u>	
		(FS)	(W)
TEMPORARY SIGNS:			
Temp. Sandwich Board	Gross Area	8 sf	
Advertising retail	Gross Area	32 sf	
Advertising retail in the Village Zone	Gross Area	8 sf	
CAMPUS SIGNS:			
Campus directory	Gross Area	75 sf	75 sf
	Height	10'	10'
Campus primary	Gross Area	45 sf	45 sf
Directional	Height	9'	9'
Campus secondary	Gross Area	16 sf	16 sf
Directional	Height	8'	8'
Campus pedestrian	Gross Area	8 sf	8 sf
Directional	Height	8'	8'
ADVERTISING/RETAIL SIGNS:			
Advertising Freestanding Signs	Gross Area FS	100 sf	
	Length FS	16'	
	Heights FS	16'	
Advertising Freestanding Signs in the Village Zone	Gross Area FS	24 sf	
	Length FS	8'	
	Heights FS	8'	
Advertising Wall Signs	Gross Area/bldg.	100 sf	

	Face: wall		
	Combined Gross Area Corner Lot	150 sf	
Advertising Wall Signs in the Village Zone	Gross Area/Bldg.	3 sf	
Business Directory Signs	Gross Area	150 sf	
MAXIMUM SIGN SIZES - Freestanding (FS) / Wall-Mounted (W)			
<u>TYPE OF SIGN DESIGN</u>	<u>REF</u>	<u>MAX. DIM.</u>	
		(FS)	(W)
Home Occupation	Gross Area	6 sf	
Readerboards	Gross Area	25 sf	25 sf
Retail banner (see note 2)	Gross Area	24 sf	
IDENTIFICATION, BULLETIN AND DIRECTIONAL SIGNS:			
Bulletin board	Gross Area	24 sf	
Directional Signs at driveways	Gross Area Heights	3 sf	7'
Doorway Identification	Gross Area	10% of doorway or opening	

2. Sign Dimensional Chart Notes and Standards

- a. Identification signs do not count toward maximum number of signs on a lot, or for applying requirements for separation of signs.
- b. Banners allowed under Section XII (B)21 do not count toward maximum number of signs on the lot.
- c. Area of readerboard included in the maximum sign area of the freestanding sign of which it is a part of.
- d. Gross sign area may be divided between the principal and secondary sign and under this section the principal sign shall not exceed 100 sf.

- e. Unless otherwise provided, wall and window signs shall conform to the following:
- (i) Total gross display area of all wall and window signs shall not exceed 10% of the area of the wall on which they are located. Where separate units of occupancy exist in a building, the gross display area under this paragraph shall be calculated separately for each unit of occupancy, based on the wall areas which enclose each unit, provided that the total gross display area for the building does not exceed the limits of this paragraph.
 - (ii) Except in the cause of an awning, no wall sign shall project more than 12” inches beyond the surface of the wall to which it is attached, or extend above the drip edge of the roof above it or extend laterally beyond the ends of the wall to which it is attached. Where separate units of occupancy exist in a building, the limitations of this paragraph shall apply separately to the wall surface which encloses each unit.

E. Façade-Mounted Signs

1. Objectives

Façade-mounted signs should not dominate the façade of the building.

2. Design Standards

- a. Design:** Façade mounted signs shall be designed as an integral element of the architecture. The shape and materials of the sign shall complement the architectural features on the building.
- b. Location:** Signs shall not be mounted in locations that obscure architectural details on the building. Signage shall be mounted on vertical surfaces without projecting above the fascia trim. In general, signs shall be located a **minimum of 18”** from the corner of the building. No sign shall extend out **more than 12”** from the wall on which it is mounted.
- c. Hardware:** Signage shall be mounted with concealed hardware. Metal hardware shall be stainless steel or galvanized to prevent rust and corrosion that could stain or discolor the building. Where hardware will be painted to blend with the sign, rust inhibiting paint shall be used to prevent rust streaks.

F. Multi-tenant Properties

1. Objectives

Multi-tenant commercial properties should provide legible, attractive signs that help people identify the property without contributing visual clutter in the commercial district.

2. Design Standards

- a. **Identification Signs:** Multi-tenant buildings of multi-building sites shall have one identification sign. The identification sign shall be located near the main entrance to reinforce circulation patterns and minimize visual clutter.
- b. **Street Numbers:** The identification sign for multi-tenant properties shall incorporate the street address into the sign to facilitate wayfinding and 911 emergency response.
- c. **Compatibility:** The design of multi-tenant signs shall be coordinated with the design of the principal building(s) in terms of color, materials, detailing, and style.
- d. **Color Consistency:** Multi-tenant signs shall conform to a simple color and graphic palette in order to minimize the confusion and clutter of the sign. Multi-tenant signs shall have **no more than three (3) colors**.
- e. **Landscaping:** Landscaping surrounding signs for multi-tenant buildings shall be consistent with the landscape treatment for the entire property.

G. Externally-Lit Signs

1. Objectives

Externally-lit signs are permitted but not required. Lighting for externally-lit signs should be designed as an integral part of the sign design. Lighting shall not create glare that would distract motorists or pedestrians, nor shall the degree of illumination disturb the surrounding residential areas or contribute to light pollution. See Section 7 (“*Lighting*”) for additional information.

2. Design Standards

- a. **Light Level:** The illumination level on the vertical surface of the sign shall be bright enough to provide a noticeable contrast with the surrounding building or landscape without causing undue glare or reflection. *Signs shall be illuminated up to one hour before and one hour after posted hours of operation.*
- b. **Lighting:** Lighting fixtures shall be located, aimed, and shielded so that light is directed only onto the sign façade. Lights shall not be aimed toward adjacent streets, sidewalks, or abutting properties. Ground-mounted lighting shall be screened or partially buried to minimize the view of the light source.
- c. **Light Sources:** Top-mounted lighting fixtures may be used only if they are directed downward in a manner that hides the light source. Uplighting may be used if the fixture can be aimed to prevent spillage beyond the sign.
- d. **Design:** Light fixtures and mounting devices shall complement the color and design of the sign and the architecture. Concealed light sources should be utilized.

H. Internally-Lit Signs

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.

I. Temporary Signs

1. Objectives

Most commercial uses in Buxton's commercial district rely upon temporary signs on occasion to convey special information, alert the public to special events, or announce new businesses. The design and placement of temporary signs shall be closely related to existing sign systems, landscape improvements, and the building design to avoid visual clutter. Nothing herein is intended to apply to temporary signs bearing a noncommercial message that have been placed within the public right-of-way, which are regulated pursuant to 23 M.R.S. § 1913-A.

2. Design Standards

- a. **Content and Design:** Plastic, fabric, cardboard, wooden, paper or similar signs that are not part of the permanent signage of the premises are considered temporary signs. These signs are intended to advertise products and services available on the premises. The same standards established for permanent signs shall be applied to temporary signs.

- b. **Location:** Temporary signs shall be installed in locations that do not create a hazard for pedestrians or vehicles. They shall be installed and properly secured to remain in place in high winds.
- c. **Size:** The total size of temporary signs, regardless of function **shall not exceed 20%** of the total signage area on the premises.
- d. **Lighting:** Temporary signs shall not include any additional sources of illumination, either internal or external.
- e. **Length of Time Allowed:** *Up to two (2)* temporary signs are allowed **not more than two (2) times per calendar year for no more than thirty (30) consecutive days**, provided such periods of use are **separated by at least thirty (30) days**.
- f. **Permits:** Temporary signs are allowed only with a sign permit issued by the Code Enforcement Officer. A permit must be obtained for each sign and for each of the individual periods of use.

SECTION 7. LIGHTING

A. Background

Outdoor lighting directly impacts the visual appearance of Buxton, as well as the town’s safety and security. The lighting standards are designed to help balance the need for visibility and safety and enhance the visual quality of Buxton, while respecting the privacy of abutting residential properties. Lighting plans should consider illumination levels and fixtures that accommodate safety and visibility needs, but are also respectful of neighbors.

B. Lighting Goals

Site plans should:

- Provide lighting that offers a high level of visibility and safety throughout Buxton’s commercial districts.
- Unify the quality of the visual environment through the selection of attractive, appropriately scaled fixtures which:
 - Minimize distractions or hazards to motorists or pedestrians.
 - Minimize reflected light from parking lots and large commercial users that contributes to sky glow.
 - Avoid intrusions onto abutting property owners, especially residential uses.
 - Enhance noteworthy features such as monuments, sculptures, or architectural elements.
 - Promote wise energy consumption.

C. General Standards

1. Objectives

Lighting for commercial facilities shall be designed to provide the minimum level of illumination necessary for security, safety, and visual appeal for both pedestrians and vehicles. Lighting should encourage activity after sunset without adding to unnecessary sky glow. Fixtures should be designed as integral site elements.

2. Design Standards

- a. **Site Plan:** A Lighting Plan shall be submitted as part of the site plan application, and shall contain, at minimum:

- A plan showing the location of lighting fixtures proposed to illuminate all buildings, roadways, service areas, landscaping, parking areas, and pedestrian areas.
 - A narrative that describes the hierarchy of site lighting, how lighting will be used to provide safety and security, and aesthetic effects.
 - A maintenance and replacement plan discussing lighting maintenance.
 - A photometric diagram that shows illumination levels from all externally and internally visible lighting sources, including existing sources, to show how the minimum amount of illumination will be provided and the maximum amounts will not be exceeded.
 - Specifications and illustrations of all proposed lighting fixtures including mounting heights, photometric data, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information.
- b. Safety and Energy Conservation:** Illumination levels shall not exceed the minimums to provide safe conditions as defined by IES, *Lighting Handbook*, 10th Edition.
- c. Coordinated Design:** The location and design of lighting systems shall complement adjacent buildings, pedestrian amenities, and site elements. Poles and fixtures shall be proportionate to the buildings and spaces they are illuminating.
- d. Safety:** Buffers, screen walls, fencing, and other landscape elements shall be coordinated with the lighting plan to eliminate dark spots and potential hiding places.
- e. Feature Lighting:** Unique building or landscape features may be highlighted if the lighting does not create glare or distraction. Neon tubes may not be used as lighting features on the exterior of buildings.
- f. Light Pollution:** Lighting shall not cause spillover onto neighboring residential properties or create dangerous conditions due to glare on adjacent roadways. Bare bulbs are not allowed.
- g. Replacement and Modifications:** Any modifications, expansions, or replacements to the lighting system must be submitted to and approved by the Planning Board, in compliance with the Standard Note.
- h. Energy Saving Devices:** Wherever practicable, lighting design shall include the installation of timers, photo sensors, and other energy savings devices to reduce the overall energy required for the development and eliminate unnecessary lighting.
- i. Lighting Reductions:** Where commercial properties abut residential areas, lighting in parking lots shall be reduced to **an average of 0.2 footcandles** within **one (1) hour** after closing hours.

D. Driveway Lighting

1. Objectives

Driveway lighting should be designed to provide the minimum lighting necessary for traffic and pedestrian safety, using the minimum number of poles. Lighting shall not cause glare or avoidable spillover onto adjacent properties. Poles and fixtures shall be proportional in size to the roadways they are illuminating.

2. Design Standards

- a. **Illumination:** Driveway lighting shall be designed to illuminate the roadway and sidewalk, with a concentration on roadways. Light fixtures shall be selected and aimed to prevent glare.
- b. **Illumination Levels:** Illumination levels shall comply with the IES recommendation “ANSI Standard Practice for Roadway Lighting” (2014). Levels shall be designed for specific locations.
- c. **Luminaries:** Lamps shall be housed in a luminaire that is classified by IES as a cutoff distribution (see IES Lighting Handbook, 10th Edition). Decorative fixtures may be used, provided they meet the cutoff criteria.
- d. **Design:** The design and color of fixtures (poles and luminaries) used along driveways shall complement the architecture, landscaping, and street furnishing of the site to be developed or redeveloped in terms of color, form, and style.
- e. **Layout:** The alignment and spacing of fixtures shall follow a regular pattern that is coordinated with the layout of buildings, parking lots, and other site elements, while using the minimum lighting necessary for traffic and pedestrian safety.
- f. **Coordination with Planting Plan:** The layout of light fixtures should complement the spacing and rhythm of surrounding plantings, especially large shade trees. The lighting plan should take into consideration growth patterns of trees to avoid the need for excessive pruning as trees mature.
- g. **Mounting Height:** Light fixtures used in driveways and parking lots shall be in scale with adjacent buildings. To the extent practicable, the maximum mounting height along driveways shall **not exceed 25 feet**. Mounting heights shall be a maximum height of **12-16 feet** where sidewalks are present.

E. Parking Lot Lighting

1. Objectives

Parking lot lighting should be designed to provide the minimum lighting necessary for safety, visibility, and comfort, without causing glare or avoidable spillover onto adjacent properties or roadways, or an increase in sky glow. In general, parking areas should have less illumination than their surrounding commercial uses.

2. Design Standards

- a. **Layout:** The alignment and spacing of fixtures in parking lots shall follow a regular pattern that is coordinated with the orientation of buildings and other site elements.
- b. **Location:** Light poles shall be incorporated within raised planting areas wherever practicable to avoid damage from vehicles and plows.
- c. **Bases:** Bases raised above the level of plantings (when installed in islands or plant beds) or higher than one foot above the level of the pavement (when installed in walkways) should not be used.
- d. **Coordination with Planting Plans:** The lighting plan shall be coordinated with the landscape plan to avoid obstructions from large trees, dark spots from shadows, or other conflicts as plantings mature.
- e. **Illumination Levels:** Illumination levels shall be defined by IES recommendation "Lighting for Parking Facilities" (2014). Illumination levels for general parking and pedestrian areas shall maintain a **minimum of 0.6 horizontal footcandles** with a **uniformity ratio of 4:1 average to minimum**. This standard shall be met both on the ground and six feet above the ground.
- f. **Luminaries:** Lamps shall be housed in a luminaire that is classified by IES as a cutoff distribution (see IES Lightning Handbook, 10th Edition). Decorative fixtures may be used, provided they meet the cutoff criteria.
- g. **Mounting Heights:** The maximum light fixture height for pole-mounted or mast-mounted light fixtures shall be twenty (20) feet for lots that are less than twenty thousand (20,000) square feet in area, twenty-five (25) feet for lots that are twenty thousand (20,000) to eighty thousand (80,000) square feet in area, and thirty (30) feet for lots larger than eighty thousand (80,000) square feet in area. The maximum light fixture height for building-mounted light fixtures shall be the upper limit of vertical building face.
- h. **Period or Historical Fixtures:** Period or historical fixtures that do not meet the requirements of this section may be used as an alternative to conventional lighting provided that, if the fixtures are not cutoff fixtures, the maximum initial lumens generated by each fixture shall **not exceed 2,000** for incandescent lamps, and **8,500** for metal halide lamps if

the lamp is internally recessed within the fixture or is shielded by internal louvers or refractors. The mounting height of period or historical fixtures shall **not exceed fifteen (15) feet** above the adjacent ground.

- i. **Adjacencies:** Cutoff fixtures shall be designed to limit spillover onto adjacent residential properties **to less than 0.1 footcandles**.
- j. **Design:** The design and color of fixtures used in parking lots shall complement the roadway and pedestrian lighting, the architecture, and other street furnishings in terms of color, form, and style.

F. Pedestrian Spaces Lighting

1. Objectives

The lighting of pedestrian spaces should consider pedestrian needs and safety. Light standards should illuminate the space occupied by pedestrians and the elements within those spaces, such as stairs, walls, benches, curbs, and landscaping.

2. Design Standards

- a. **Heights:** Mounting heights for pedestrian lighting shall be compatible with the project and the setting. Bollard fixtures, **3-4 feet** in height, and ornamental fixtures, **up to 12 feet** in height, should be used as pedestrian area lighting. When decorative or special lighting is used, pole height shall be a **maximum of 16 feet** above the ground.
- b. **Luminaries:** Lamps shall be housed in a luminaire that is classified by IES as a non-cutoff (see IES Lighting Handbook, 10th Edition). Maximum wattage shall **not exceed 100 watts**, except that equivalent energy efficient lamps may be used.
- c. **Illumination Levels:** Illumination levels shall be **1.0 minimum horizontal average footcandle** on the ground. **At six (6) feet** above the ground, the illumination level shall be **2.2 average vertical maintained footcandles**.
- d. **Decorative:** Ornamental and decorative lighting shall be used to highlight significant design elements (e.g., gateways, plazas, major building entrances).
- e. **Design:** Light poles and fixtures shall complement the roadway and parking lot lighting, as well as the other elements of the streetscape.

G. Building Façade & Landscape Lighting

1. Objectives

Façade lighting is a way of highlighting special architectural features and attractively landscaped areas, while adding depth and variety to Buxton at night. Lighting used to illuminate building facades and landscaping should be limited to areas where it enhances particular features in accordance with the overall lighting plan and does not disturb surrounding residential areas.

2. Design Standards

- a. Intent:** The lighting plan narrative shall describe how the façades of individual buildings and/or landscaping will be lit (if at all) and the design intent behind such lighting.
- b. Levels:** Maximum level of illumination on any vertical surface shall not exceed **5.0 footcandles**.
- c. Façade:** Lighting fixtures shall be sited, aimed, and shielded so that light is directed only onto the building façade. Lighting fixtures shall not be directed toward adjacent street, sidewalks, or properties.
- d. Landscape Lighting:** Landscape lighting shall be sited, aimed, and shielded so that light is directed only onto the selected tree or shrub. Lighting fixtures shall not be directed toward adjacent streets, sidewalks, or properties. The lighting plan shall demonstrate that the installation will not generate excessive light levels, cause glare, or direct light beyond the landscaping toward the night sky. Indirect landscape lighting (uplighting and washes) should be utilized, rather than high branch-mounted floodlights aimed toward the ground.
- e. Bands of Light:** Neon tubes as lighting features are prohibited on building exteriors. The use of internally illuminated bands of color and/or light is prohibited.

H. Gas Station, Convenience Store & Drive-Through Lighting

1. Objectives

Lit canopies or architectural features or devices used to illuminate gas stations, convenience stores, and drive-through elements of a building should facilitate the activities taking place in such locations without creating glare onto adjacent properties or roadways.

2. Design Standards

- a. Light Levels under Canopies:** Areas around gasoline pumps and under canopies where a higher level of light is necessary for effective use of pumps shall be illuminated so the average horizontal illumination at ground level is **30 footcandles or less**, with a uniformity ratio of **1.25** (average to minimum).

- b. Parking Areas:** The maximum average horizontal illumination level shall only apply to the area under and within **20 feet** of the canopy. Areas beyond **20 feet** from the canopies and gasoline pumps shall comply with the standards for parking lots. If gasoline pumps are not provided under a canopy, the entire apron shall be treated as a parking area.
- c. Canopy Luminaries:** Recessed luminaries with flat or regressed lenses shall be used in canopies so the motorist cannot see the source of light. Drop fixtures are prohibited. A sufficient cutoff angle must be maintained so the light source is invisible to passing motorists.
- d. Fascia:** Lights shall not be mounted on the sides (fascia) or top of the canopy. Sides and tops of canopies shall not be illuminated.

11.29 Solar Energy Systems Added 11/2/21

11.29.A Applicability.

The requirements of this Section 11.29 apply to the construction or installation of exempt, small scale, medium scale, and large scale Solar Energy Systems and any modification, upgrade, or structural change that materially alters the size, placement, or energy output of an existing solar energy system.

11.29.B Standards.

11.29.B.1 General Standards.

11.29.B.1.a Exempt Systems; Permits Required. Exempt solar energy systems are allowed as of right in every zoning district without a permit. All other solar energy systems require a building permit from the Code Enforcement Officer. In addition, medium scale and large scale solar energy systems require a conditional use permit from the Planning Board. In addition to any other application submission requirements under this Ordinance, applicants for a conditional use permit must submit d. Plans prepared by a licensed engineer or surveyor showing the location of all solar energy system components, existing and proposed structures, existing and proposed impervious surfaces, areas proposed to be cleared of vegetation, and their physical dimensions, including a calculation of the solar energy system footprint.

11.29.B.1.b Anti-Glare Coating. Solar energy system photovoltaic panels must have an anti-glare coating.

11.29.B.1.c Compliance with Codes. Solar energy systems must meet all applicable fire safety and building code standards. Without limiting the foregoing sentence, solar energy system electrical equipment must comply with the National Electrical Code, most recent edition as adopted by State of Maine, must be installed by a Maine licensed electrician, and inspected by the Code Enforcement Officer. Solar energy system electrical equipment must be UL listed approved. Substitutions of other certifications for the UL Listing are prohibited.

11.29.B.1.d Utility Interconnection Inspection. Interconnection of a solar energy system to the electric grid must be inspected by the public utility. A copy of the interconnection permit shall be provided to the Code Enforcement Officer as part of any application for a building permit.

11.29.B.1.e Batteries. Solar storage batteries must be placed in a secure container or enclosure meeting the requirements of the NFPA standards when in use, and when no longer used must be disposed of in accordance with the laws and regulations of Maine.

11.29.B.1.f No Unreasonable Safety Risk. Solar energy systems must not present unreasonable safety risks, including without limitation risks associated with:

- (i) Weight load;
- (ii) Wind resistance; or
- (iii) Ingress or egress in the event of fire or other emergency.

In making this determination, the Code Enforcement Officer or Planning Board shall solicit input from the Fire Chief.

11.29.B.2 Additional Standards for Small Scale Solar Energy Systems.

In addition to the general standards in Section 11.29.B.1, the following standards apply to small scale solar energy systems:

11.29.B.2.a Maximum Height. Ground mounted small scale solar energy systems shall not exceed a total height of 12 feet from the ground at the point of support to the highest point of the system when oriented at its maximum vertical angle.

11.29.B.2.b Minimum Setbacks. Ground mounted small scale solar energy systems must meet all minimum setback requirements that apply to structures in the applicable district.

11.29.B.3 Additional Standards for Medium Scale and Large Scale Solar Energy Systems

In addition to the general standards in Section 11.29.B.1, the following standards apply to medium scale and large scale solar energy systems:

11.29.B.3.a Underground Utility Connections. To the greatest extent practicable, utility connections for medium scale and large scale solar energy system must be underground installations. In determining the practicability, the Planning Board shall consider, at minimum, the following factors: (i) soil conditions, shape, and topography of the site; (ii) commercial and technical feasibility, including costs; and (iii) any requirements of the public utility.

11.29.B.3.b Compliance Operations, Maintenance, and Safety Plan. The solar energy system must be constructed, installed, and operated in compliance with an operations, maintenance, and safety plan approved by the Planning Board. The applicant must provide a copy of the site plan review application to the Fire Chief for review, which must include a project summary and an proposed operations, maintenance, and safety plan containing, at minimum:

- (i) Schedule of construction, the anticipated commercial operations date, and the manufacturer-identified useful life of the photovoltaic technology;
- (ii) Documentation of the entity that will be legally responsible for operating, maintaining, and repairing the system for the term of its manufacturer-identified useful life;
- (iii) All means of emergency shutoff of the solar energy system, clearly marked;
- (iv) Provision for making emergency access to fire safety equipment available to the Fire Chief;
- (v) Name and contact information of response person(s) for public inquires about the system throughout the life of the installation;

- (vi) Name and contact information of 24-hour emergency contacts throughout the life of the installation; and
- (vii) A statement prepared by a licensed professional engineer certifying that the system design complies with all applicable safety codes and regulations concerning material strength, stability, security, and grounding.

The applicant shall cooperate with the Fire Chief in preparing the operations, maintenance, and safety plan. The proposed plan and the Fire Chief's recommendations shall be considered by the Planning Board in evaluating the application.

11.29.B.3.c Adverse Visual Impact. A solar energy system must be sited, designed, constructed, and operated to avoid or minimize adverse visual impacts by preserving natural vegetation, screening abutting properties, and minimizing views of the system from high-value scenic resources. A 50-foot undisturbed vegetative buffer must be maintained or, where none exists, must be planted, between the solar energy system footprint and property lines and public roadways, except where driveways and entrances are located.

11.29.B.3.d Glare. Solar energy systems must be placed and designed to avoid or minimize any solar glare onto roadways or abutting properties.

11.29.B.3.e Natural Resources. A solar energy system must be sited, designed, constructed, and operated to avoid or minimize adverse impacts to wetlands, water bodies, agricultural lands, as well as undeveloped habitat blocks, high value plant and animal habitats, and areas of ecological significance as identified by the Maine Department Inland Fisheries and Wildlife. Solar energy system shall not be located on slopes greater than 20%.

11.29.B.3.f Land Clearing, Soil Erosion, and Habitat Impacts. To the greatest extent practicable:

- (i) Clearing of natural vegetation and removal of mature trees shall be avoided or minimized;
- (ii) Mowing of vegetation shall be minimized;
- (iii) Native pollinator-friendly seed mixtures shall be used;
- (iv) Herbicide and pesticides use shall be avoided or minimized; and
- (v) Prime agricultural soil and significant volumes of topsoil shall be preserved.

In determining “greatest extent practicable” pursuant to Section 11.29.B.3.f, the Planning Board shall consider the need to keep areas adjacent to the solar energy system free of trees or shrubs in order for the system to capture sunlight.

11.29.B.3.g Setbacks. Solar energy systems must be setback a minimum of 50 feet from any public roadway or property line.

11.29.B.3.h Fencing. For ground mounted solar energy systems, perimeter fencing shall be installed around the solar energy system in compliance with the grounding requirements of the National Electrical Safety Code (NESC).

11.29.B.3.i Signage. A sign, not larger than 8 square feet and utilizing a light reflective surface, shall be placed on the premises of the solar energy system to identify the owner and operator, provide a 24-hour emergency contact phone number, and list equipment specification information including disconnect and other emergency shutoff information as required by the National Electrical Safety Code (NESC). A clearly visible warning sign concerning voltage shall also be placed at the base of all pad mounted transformers and substations.

11.29.B.3.j Road Access. Road access, with a turnaround for emergency vehicles, shall be maintained for emergency access to the solar energy system.

11.29.B.3.k Operations and Maintenance Plans. The applicant shall submit a plan for the operation and maintenance of the solar energy system, which must include provision for maintaining safe access to the system.

11.29.B.3.l Financial and Technical Capacity. The applicant shall provide evidence of financial and technical capacity to construct, operate, and decommission the solar energy system. Evidence of financial capacity shall include a statement or other documentation from a lending institution that the owner has secured financing to cover the cost of construction and decommissioning.

11.29.B.3.m Noise. The solar energy system shall not emit any continuous noise that exceeds a sound decibel of 50 dB, measured at the property line.

11.29.B.3.n Maximum Height. Ground mounted solar energy systems shall not exceed a total height of 16 feet from the ground at the point of support to the highest point of the system when oriented at its maximum vertical angle.

11.29.B.4 Additional Standards for Large Scale Solar Energy Systems

In addition to the general standards in Section 11.29.B.1, and the additional standards in Section 11.29.B.3, the following standards apply to large scale solar energy systems:

11.29.B.4.a Decommissioning and Removal; Abandonment.

- (i) The owner or operator of a large scale solar energy system shall, at its expense, be responsible for the decommissioning and removal of the system within 180 days of the end of the manufacturer-identified useful life of the photovoltaic technology, within 90 days of the expiration of the site lease, or within 90 days of the receipt of a notice to the owner or operator of a determination by the Code Enforcement Officer that the system has been abandoned pursuant to Section 11.29.B.4.
- (ii) The Planning Board may extend the 180-day decommissioning deadline if the owner or operator demonstrates that the photovoltaic technology is likely to remain commercially feasible for its intended use for longer than 12 months after the end of its manufacturer identified useful life.
- (iii) The solar energy system must be decommissioned in compliance with an decommissioning plan approved by the Planning Board. The plan must contain, at minimum, a proposed decommissioning schedule and statements and plans addressing the following:
 - 1. Physical removal of all solar energy system components, structures, foundations, supports, fencing, or security barriers, access roads, and transmission lines from the site.
 - 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal laws and rules.
 - 3. Stabilization or re-vegetation of the site as necessary to minimize erosion and return the site to substantially its pre-construction state. The plan must include provision to restore native vegetation and use of pollinator friendly seed mixtures to the greatest extent practicable when re-vegetating.
 - 4. An estimate of costs for the decommissioning the system, including methodology and data supporting the estimate, prepared by a Maine

licensed professional engineer. No salvage value may be used calculating decommissioning costs.

11.29.B.4.b Decommissioning Bond.

- (i) The owner or operator shall provide a performance guarantee in the form of an escrow account, irrevocable letter of credit, or other form satisfactory to the Town in an amount no less than:
- For years 1-10, 100% of the cost to fully decommission and dispose of the solar energy system, repair any unsafe conditions, and return the site to substantially its pre-construction state.
 - For years 11- 18, 125% of the cost to fully decommission and dispose of the solar energy system, repair any unsafe conditions, and return the site to substantially its pre-construction state.
 - For years 19 – to the end of operation, 150% of the cost to fully decommission and dispose of the solar energy system, repair any unsafe conditions, and return the site to substantially its pre-construction state.

11.29.B.4.c Inspection and Reporting. The owner or operator of the solar energy system shall perform an annual inspection of the solar energy system and provide to the Code Enforcement Officer an inspection report and an annual energy production report. If the system becomes commercially inoperable, the report shall identify the source and scope of any identified damage along with a schedule to repair damage or a decommissioning schedule.

11.29.B.4.d Abandonment.

- (i) A large scale solar energy system is deemed abandoned on the date on which the system has been out of service or not commercially produced energy for a continuous period of 12 months. The failure to renew an operation permit as required by Section 11.29.B.5 is *prima facie* evidence of abandonment.
- (ii) Removal Deadline. The owner or operator of a large scale solar energy system shall, at its expense, be responsible for the decommissioning and removal of the system within 180 days of the date of abandonment. If the owner or operator of the system fails to timely decommission and remove the system, the Town retains the right to use all legal means to

cause the system to be removed, including without limitation the right to exercise the decommissioning bond.

11.29.B.5 Operation Permits and Inspections for Medium Scale and Large Scale Solar Energy Systems

11.29.B.5.a Initial Operation Permit. After construction and before commercial operation, the owner or operator of a medium scale or large scale solar energy system must apply for and secure an operation permit from the Code Enforcement Officer and pay the fees for same as established in the Town's schedule of license, permit, application and other fees. Before issuing the operation permit, the Code Enforcement Officer and Fire Chief shall inspect the solar energy system to determine compliance with the requirements of Section 11.29 and any permit conditions. The owner or operator must provide the Code Enforcement Officer with copies of all state and federal permits and public utility licenses or agreements required to commercially operate the system.

11.29.B.5.b Renewal of Operation Permit—Large Scale Solar Energy Systems. The owner or operator of a large scale solar energy system must renew the operation permit every 5 years and pay the fees for same as established in the Town's schedule of license, permit, application and other fees. Before issuing the operation permit renewal, the Code Enforcement Officer and Fire Chief shall inspect the solar energy system to determine compliance with the requirements of Section 11.29 and any permit conditions. The renewal operation permit application must contain proof of the performance guarantee and, as applicable, any cost recalculation, as required by Section 11.29.B.4.b.(i) and (ii).

11.29.B.5.c Inspections. The Code Enforcement Officer may at any time inspect the premises of a medium scale or large scale solar energy system for compliance with Section 11.29 and permit conditions. As part of the inspections, the Code Enforcement Officer shall:

- (i) Spot check the photovoltaic panels for cracking or evidence of water infiltration within the panels. Any panel that is determined by the Code Enforcement Officer to be defective shall be removed or replaced by the owner or operator within 30 days.
- (ii) Ensure that perimeter fencing in good repair.

- (iii) Ensure that electrical equipment is properly grounded.
- (iv) Verify that signage exists in compliance with Section 11.29.B.3.i.
- (v) Verify that all safety systems are operating.
- (vi) Verify compliance with vegetation management and buffer requirements.
- (vii) Confirm that access roadways to and within the site are properly maintained.

11.30 Performance Standards for Medical Marijuana Caregiver/ Home Occupation Purpose:

The purpose of this section of the ordinance is to ensure that all cultivation, processing, storage, and distribution of medical marijuana does not have an adverse impact on the health, safety, and general welfare of the residents of the Town of Buxton, while still allowing for treatment and alleviation of a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition. Exemptions: As an accessory use, Medical Marijuana Home Production shall be allowed in any qualifying patient's residence or any medical marijuana caregiver's primary year-round residence in every zone following the rules of Home Occupation Section 11.10.

Medical marijuana caregivers not required to register with the State and qualifying patients are not regulated under this section.

Section A: Medical Marijuana Home Production Facilities are permitted within the caregiver's primary year-round residence as a home occupation subject to the following performance standards, in addition to the requirements of the districts in which the caregiver use is located:

1. The caregiver shall be least twenty-one (21) years of age.
2. The caregiver resides in the dwelling unit as his/her primary year-round residence in conformance with the Maine Medical Use of Marijuana State Administrative Rules or as otherwise specified in Maine statutes and/ or administrative rules.
3. A caregiver who does not own his or her primary residence shall obtain notarized written permission from the property owner prior to cultivating marijuana and shall make the written permission available to the Town.
4. Caregivers shall cultivate medical marijuana within an enclosed, locked building.

Medical marijuana caregivers growing for their own personal use and one qualifying patient may grow outside of a building. This is limited to 12 adult plants.

No exterior evidence of cultivation, including signs, shall be visible from a public way or area. Marijuana plants shall be entirely screened from common visual observation

from a public way or area by natural objects, plantings, or a solid fence at least six (6) feet or taller in height, density, and depth sufficient to accomplish complete screening of plants from ordinary view. Should the plants grow higher than the screening such they are visible from a public way or area, either the plants shall be cut to not extend higher than the screening or the individual who is authorized to cultivate the marijuana shall install additional screening sufficient to conceal the plants from public view within ten (10) days of notification of the violation by the Code Enforcement Officer.

5. Medical Marijuana shall be distributed to medical marijuana patients within an enclosed building. Drive through, drive-up or window service is prohibited.

Caregivers who dispense to more than 6 patients including themselves, must do so at an approved retail location or dispensary. This is to avoid high traffic in conformance with section 11.10.C.5.

6. Compliance with health and safety codes. The primary residence, outbuilding, garage, or other structure where marijuana is grown, cultivated, processed, and/or stored shall meet all applicable requirements of the adopted building code, electric, fire and other health safety and technical codes.

7. Ventilation and odor management. Any primary residence, outbuilding, garage, or other structure used for cultivation shall have proper ventilation to prevent mold damage and to prevent odors or particles from becoming a nuisance to surrounding properties or the public.

8. Gases. The use of gas products for extraction processes, including but not limited to carbon dioxide, sulfur dioxide and butane, and ozone generators are prohibited.

9. Dispensing of medical marijuana to medical marijuana patients shall not take place prior to 7:00 a.m. or later than 8:00 p.m. on any day.

10. If electric service increases beyond 200 amps and an upgraded transformer is required, that transformer may only service the buildings wired to receive the increased amperage.

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