

**SUMMARY OF REVISIONS TO THE
NORTHPORT VILLAGE CORPORATION ZONING ORDINANCE
(Prepared for the August 13, 2022 Public Hearing)**

GOALS FOR REVISION

- Clarification of zoning districts.
- Clarification of certain building restrictions, particularly as related to non-conforming structures.
- Clarification of zoning appeal procedures.
- Clarification of definitions and alignment with those used by Northport.
- Consistency with Maine Shoreland Zoning requirements and Town of Northport ordinances.
- Recognition of Maine’s new zoning limitations effective 2023.
- Deletion of extraneous provisions regarding conditions that do not exist.

The Governance Committee had no authority to alter the boundaries of the Bayside Historic District (Exhibit B). The committee did ~~attempt to~~ clarify the Basic Requirements of the zoning Districts (Exhibit C) to ensure appropriate enforcement of the zoning restrictions by the Northport Code Enforcement Officer (~~Exhibit C~~).

SUMMARY OF MATERIAL PROPOSED CHANGES

The following list of proposed changes to the existing NVC Zoning Ordinance is not exhaustive but represents what the Governance Committee deems to be the most material changes to the existing ordinance. This list of changes may exclude changes that a reader might consider material. This list is meant to serve as a companion to the publicly available document that redlines the proposed ordinance against the existing ordinance.

1. Eliminated the ability of the Northport Zoning Board of Appeals to initiate an amendment to the Ordinance. [Section 1.8]
- ~~1.~~2. Modified certain definitions to make them more clear and/or to conform, to the greatest extent practicable, to the definitions used by the Town of Northport in its ordinances, including the Shoreland Zoning Ordinance and Building Permit Ordinance. [Section 2.2]
- ~~2.~~3. Added a definition of Impervious Surface and incorporated it into the definition of Lot Coverage. [Section 2.2]
- ~~3.~~4. Clarified that any increase in Height of a non-conforming Structure is prohibited, except as might be caused by the addition or expansion of a foundation. [Section 3.2.4.3]
- ~~4.~~5. Added minimum off-street parking requirements. [Section 5.1.2.2(i), 5.2.2.2(f), and 5.3.2.2(f)]
- ~~5.~~6. Modified language to acknowledge revisions to Maine statutes that prohibit zoning limitations on Accessory Dwelling Units and other land use restrictions. [Article 5]
- ~~6.~~7. Added a requirement that each residential Structure, including any Accessory Dwelling Unit, must have a separate connection to a sanitary sewer system or a subsurface wastewater disposal system. [Section 5.1.2.2(j), 5.2.2.2(g), 5.3.2.2(g), and 5.4.2.2(f)]
- ~~7.~~8. In the Bayside Historic District, augmented and clarified procedures for a restoration or replication of an historic Building. [Section 5.1.4.3]1(e)
- ~~8.~~9. In the R-1, R-2, and GP Districts, removed gravel pits and earthmoving business from Permitted Uses. [Sections 5.2.3, 5.3.3, and 5.4.3]
- ~~9.~~10. In the R-2 District, removed religious houses of worship from Permitted Uses and added Family Daycare Homes to Permitted Uses. [Section 5.3.3]

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- ~~10.11.~~ In the R-1 District, removed Convenience Stores from Conditional Uses. [Section 5.2.4]
- ~~11.12.~~ In the R-2 District, removed commercial or industrial facilities from Conditional Uses. [Section 5.3.4]
- ~~12.13.~~ In the GP District, added Family Daycare Homes, religious houses of worship, and nursing homes to Permitted Uses. [Section 5.4.3]
- ~~13.14.~~ In the GP District, added Convenience Stores and swimming pools to Conditional Uses. [Section 5.4.4]
- ~~14.15.~~ Clarified that the management and development of Mobile Home Parks is governed by Maine state statutes that prohibit exclusion of mobile homes and determination of where mobile homes will be allowed. [Article 5 and Section 6.7]
- ~~15.16.~~ Clarified what an Accessory Structure is. [Section 6.1 and Section 2.2]
- ~~16.17.~~ Substantially augmented the Signs and Billboards Performance Standards to, among other things, limit permissible illumination of signs and the size and placement of “for sale” and “for rent” signs. [Section 6.10.3]
- ~~17.18.~~ Added a Performance Standard for Exterior Lighting, mostly to limit the spillover of lighting from affecting the quiet enjoyment of abutting property owners. [Section 6.11]
- ~~18.19.~~ Clarified the requirements for vegetative cutting, most specifically when replacement is required to protect soil stabilization in all Districts, not just the Shoreland Zone. [Section 6.13]
- ~~19.20.~~ Augmented the Performance Standards for Bed and Breakfasts accommodations. [Section 6.15]
- ~~20.21.~~ Removed certain provisions related to the Zoning Board of Appeals in Article 7 if such provisions were already documented in the Town of Northport’s Building Permit Ordinance. [Article 7]

SUMMARY OF MATERIAL CHANGES MADE AFTER 6/25/22 PUBLIC HEARING AND WITH INPUT FROM NORTHPORT’S CODE ENFORCEMENT OFFICER

- ~~21.22.~~ Eliminated the ability of the Zoning Board of Appeals to initiate an amendment to the ordinance. [Section 1.8]
- ~~22.23.~~ Removed Design Review Advisory Committee provisions, retaining only, in the preamble, the option for the Board of Overseers to “appoint a design review advisory committee or provide other resources to, at the request of a property owner, provide exterior design guidance to applicants planning to construct or renovate a Structure in the Bayside Historic District, to encourage retaining fidelity to the historical character of the Village.” There is no mandatory review process and no other mention of the design review process in the ordinance.
- ~~23.24.~~ Clarified the Definitions of Permitted Use Accessory Structures and Conditional Use Accessory Structures. [Section 2.2]
- ~~24.25.~~ Modified the ordinance to permit certain Accessory Structures (garages, sheds, and greenhouses) to be either a Permitted Use Accessory Structure, if located on the same Lot as the Principal Use or Principal Structure, or a Conditional Use Accessory Structure, if located on a different Lot of Record from the Principal Structure’s as long as each Lot is owned by the same person, except as further limited in the Bayside Historic District by Section 5.1.4.1(a). [Sections 2.2 and 5.1.4.1(a)]

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~~25.~~ Modified the definition of Lot Coverage to provide that a required Parking Space that is not covered with concrete, impervious asphalt, or compacted gravel is excluded from the calculation of Lot Coverage in certain circumstances. [Section 2.2]

26.