TOWN OF CORINNA

LAND USE ORDINANCE

Amended March 8, 2025

Amended March 13, 2021

Amended March 14, 2020

Amended March 12, 2011

Amended May 13, 2009

Amended March 8, 2008

Amended March 11, 2006

Amended March 13, 2004

Amended May 6, 2003

Amended March 8, 2003

Amended March 9, 2002

Amended March 10, 2001

Adopted March 11, 2000

TOWN CLERK _____ DATE: _____

PAMELA PARLEE

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SECTION I: GENERAL PROVISIONS

A. TITLE

This Ordinance shall be known as, and may be cited as, the "Land Use Ordinance of the Town of Corinna, Maine", and will be referred to herein as the "Ordinance".

B. AUTHORITY

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII of the Maine Constitution and Title 30-A, Section 4352 and Title 38, Section 435 et.seq., of the Maine Revised Statutes.

C. PURPOSES: The purposes of this Ordinance are as follows:

1. COMPREHENSIVE PLAN IMPLEMENTATION: To implement the policies and recommendations of the Corinna Comprehensive Plan;

2. PROTECTION OF THE GENERAL WELFARE: To assure the comfort, convenience, safety, health and welfare of the present and future inhabitants of the Town of Corinna;

3. PRESERVATION OF THE TOWN CHARACTER: To preserve and protect the character of Corinna by dividing the Town into districts according to use of land and buildings and the intensity of such uses;

4. PROTECTION OF THE ENVIRONMENT: To protect and enhance the natural, cultural, and historic resources of the Town from unacceptable adverse impacts and to integrate development harmoniously into the Town's natural environment;

5. PROMOTION OF COMMUNITY DEVELOPMENT: To promote the development of an economically sound and stable community;

6. REDUCTION OF TRAFFIC CONGESTION: To lessen the danger and congestion of traffic on the roads and highways, limit excessive numbers of intersections, driveways, and other friction points, minimize hazards, and ensure the continued usefulness of all elements of the existing transportation systems for their planned function;

7. BALANCING OF PROPERTY RIGHTS; To protect property rights and values by balancing the rights of landowners to use their land with the corresponding rights of abutting and neighboring landowners to enjoy their property without undue disturbance from abutting or neighboring uses.

8. REDUCTION OF FISCAL IMPACT: To provide a means of evaluating development proposals to determine their fiscal impacts on the municipality's ability to provide and improve necessary public facilities and services, and;

9. ESTABLISHMENT OF PROCEDURES/STANDARDS: To establish procedures whereby the Town Officials may review the developments regulated by this Ordinance by providing fair and reasonable standards for evaluating such developments; to provide a public hearing process through which interested persons may raise questions and receive answers regarding how such developments may affect them; and to provide procedures whereby aggrieved parties may appeal decisions made under this Ordinance.

D. APPLICABILITY

This Ordinance shall apply to all land areas within the Town of Corinna. All buildings or structures thereinafter constructed, reconstructed, altered enlarged, or moved, and the uses of building and land, including the division of land, shall be in conformity with the provisions of this Ordinance.

E. CONFLICT WITH OTHER ORDINANCES

Whenever the requirements of this Ordinance are in conflict with the requirements of any other lawfully adopted rule, regulation, ordinance, deed restriction, or covenant, that imposing the most restrictive or higher standards shall govern.

F. SEVERABILITY

In the event that any section, subsection, or any provision of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or other portion of this Ordinance; to this end, the provisions of this Ordinance are hereby declared to be severable.

G. AMENDMENTS TO ORDINANACE

1. INITIATION: An amendment to this Ordinance may be initiated by one of the following:

A. The Planning Board, provided a majority of the board has voted so.
B. Request of Board of Selectmen to the Planning Board.
C. A written petition signed by registered voters consisting of 10% of the voter count in the most recent gubernatorial election.

2. PUBLIC HEARINGS: All proposed amendments shall be referred to the Planning Board for their recommendation. The Planning Board may hold a Public Hearing for any proposed amendment. Within 30 days of holding a Public Hearing for any proposed amendment, the Planning Board shall make a written recommendation to the Board of Selectmen.

3. MAJORITY VOTE: After receiving the recommendations of the Planning Board, by a majority of the Planning Board members, the amendment may be adopted or rejected by the majority vote of the voters at a Town Meeting.

4. SHORELAND ZONING: The appropriate State Agency shall be notified of applicable amendments to this Ordinance within 30 days after the effective date of such amendments.

5. GENERAL AMENDMENTS: At any time this ordinance is amended, the Town Clerk upon advice from the Planning Board, is authorized to insert and/or delete amended language, insert and/or delete clearly inconsistent references caused by such amendments, renumber sections of the amended ordinance in a logical and appropriate fashion, and correct typographical errors, provided such changes do not result in any substantive alteration of the meaning of the ordinance and further the clear intent of such amendment.

H. ANNUAL ADMINISTRATIVE REVIEW

The Code Enforcement Officer, Planning Board and Board of Appeals each shall report annually to the Town Manager and the Board of Selectmen on their respective experience with the administration of this Ordinance during the previous year. Their reports to the Manager and Board of Selectmen shall include and recommend amendments they may have that would:

1. Enhance their ability to more effectively meet their respective administrative responsibilities under this Ordinance; and
2. Enhance the implementation of the purpose of this Ordinance contained in subsection C, paragraphs 1-9, above.

I. EFFECTIVE DATE

The effective date of this Ordinance, when adopted, and any amendments thereto, shall be effective immediately following its/their adoption or approval at Town Meeting or Special Town Meeting. A copy of this Ordinance certified by the Town Clerk shall be filed with the Town Clerk and the Penobscot County Registry of Deeds.

J. REPEAL OF PRIOR ORDINANCE

The existing Site Plan Review Ordinance, Building Notification Ordinance, Minimum Lot Size Ordinance, Junkyard/Graveyard/Auto Recycling Ordinance and the Garage/Yard Sale Ordinance, as amended, are repealed as of the effective date of this Ordinance. The adoption of this Ordinance, however, shall not affect nor prevent any pending or future prosecution of, or action to abate, any violation of these Ordinances repealed by this Section. It is further the intention and direction of this Section that if this Ordinance is held to be invalid or void in its entirety, then the Ordinances repealed by this Section shall be automatically revived.

SECTION II: ADMINISTRATION, ENFORCEMENT AND PENALTIES

A. ADMINISTERING BODIES AND AGENTS

1. CODE ENFORCEMENT OFFICER: The Code Enforcement Officer (CEO) shall approve or deny those applications on which he/she is employed to act on as provided in this Ordinance. Approval shall be granted only if the proposed use is in conformance with the provisions of this Ordinance.

2. PLANNING BOARD: The Planning Board of the Town of Corinna is hereby designated as the Planning Board heretofore, established in accordance with Article VIII, Pt.2, Section 1, of the Maine Constitution and Title 30-A MRSA, Section 3001. The Planning Board shall be appointed by the Selectmen of the Town of Corinna.

The Planning Board shall approve, approve with conditions, or deny those applications on which it is empowered to act upon in this Ordinance. Approval shall be granted only if the proposed use is in conformance with the provisions of this Ordinance.

3. BOARD OF APPEALS: The Board of Appeals for the Town of Corinna is hereby designated as Board of Appeals heretofore, established in accordance with Article VIII, Pt.2, Section 1 of the Maine Constitution and with Title 30-A MRSA, Section 4353. The Board of Appeals shall be appointed by the Selectmen of the Town of Corinna.

The Board of Appeals is limited to ensuring that required administrative procedures are followed and that variances are granted in strict conformity with the requirements of this Ordinance.

B. ENFORCEMENT

1. VIOLATIONS. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance. If the Code Enforcement Officer shall find that any provision of this Ordinance is being violated, he/she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct the violation, including discontinuance of illegal use of land, buildings, structures, and abatement of nuisance conditions. A copy of such notices shall be maintained as a permanent record.

a.) Violations of the terms and conditions of this Ordinance shall be corrected within thirty (30) days of receipt of Notice of Violation, unless an extension of time is granted by the Code Enforcement Officer in writing, said violation may void all permits.

b.) Any contractor involved in any activity regulated by the provisions of this Ordinance may be held liable for violating this Ordinance if the necessary permits for said activity have not been obtained or if work performed by the contractor does not conform to all conditions of approval of the permit or the terms of this Ordinance.

2. LEGAL ACTIONS. When the above does not result in the correction or abatement of the violation or nuisance condition, the Selectmen, upon notice from the Code Enforcement Officer, are hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of the Ordinance in the name of the municipality.

3. NUISANCES. Any violation of this Ordinance shall be deemed a nuisance.

C. PENALITIES

Any person who continues to violate any provisions of this Ordinance after receiving notice of such violation shall be liable for civil penalty of a minimum of $100.00 - $2,500.00 for each violation. Each day the violation continues shall constitute a separate violation as referenced in MRS; Title 30-A, Section 4452.

SECTION III: ESTABLISHMENT OF DISTRICTS

A. DISTRICTS ESTABLISHED.

For the purposes of this Ordinance, the Town of Corinna is hereby divided into the following districts:

1. Commercial District (C)
2. Industrial District (I)
3. Mixed Residential District (MR)
4. Residential District (R)
5. Restricted Use District (RU)
6. Rural Agricultural District (RA)
7. Rural Residential District (RR)
8. Village Green District (VG)

B. STANDARDS ESTABLISHING DISTRICTS AND DISTRICT DESCRIPTIONS.

The location of all Districts is illustrated on the Land Use Zoning Map of Corinna, Maine.

1. COMMERCIAL DISTRICT (C). PURPOSE: The purpose of the Commercial District is to provide an area of the community for commercial uses to blend and be compatible with surrounding residential development.

2. INDUSTRIAL DISTRICT (I). PURPOSE**:** The purpose of the Industrial District is to provide an area of the community for industrial and large-scale commercial development.

3. MIXED RESIDENTIAL DISTRICT (MR). PURPOSE: The purpose of the Mixed Residential District is to provide areas of the community for higher density residential and limited commercial development.

4. RESIDENTIAL DISTRICT (R). PURPOSE: The purpose of the Residential District is to provide an area that serves the strictly residential character of the community.

5. RESTRICTED USE DISTRICT (RU). PURPOSE: The purpose of the Restricted Use District is to recognize the area currently occupied by the Transfer Station, Recycling Center, closed Landfill; buffering lots of the closed landfill and the Corinna Water Districts well sites.

6. RURAL AGRICULTURAL DISTRICT (RA). PURPOSE: The purpose of the Rural Agricultural District is to encourage and provide for the use of prime agricultural land for agricultural related businesses and land uses.

7. RURAL RESIDENTIAL DISTRICT (RR). PURPOSE: The purpose of the Rural Residential District is to provide an area of the community consisting of agricultural, business and residential uses.

8. VILLAGE GREEN DISTRICT (VG). PURPOSE: The purpose of the Village Green District is to identify lots connecting an undeveloped green and open space surrounding Corundel Lake.

C. INTERPRETATION OF DISTRICT BOUNDARIES.

Where uncertainty exists as to boundary lines of Districts as shown on the "Land Use Zoning Map of Corinna, Maine", the following rules of interpretation shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, public utilities or right-of-ways shall be construed as following such center lines;
2. Boundaries indicated as approximately following shoreline of any lake or pond shall be construed as following the normal highwater mark;
3. Boundaries indicated as approximately following the center line of streams, rivers, or other continuous flowing water courses shall be construed as following the channel center line of such watercourse;
4. Boundaries indicated as being an extension of center lines of streets shall be construed to be an extension of such center lines;
5. Boundaries indicated as being parallel to or extension of features listed above shall be so construed. Distances not specifically indicated on the official map shall be determined by the scale of the map.
6. Where physical or cultural features existing on the ground are at variance with those shown on the official map, or in circumstances where uncertainty exists with respect to the location of a boundary, the Planning Board shall interpret the district boundaries.

D. DIVISION OF LOTS BY DISTRICT BOUNDARIES.

In the event that a District boundary line divided a lot or parcel of land of the same ownership of record, at the time such line is established by adoption or subsequent amendment of this Ordinance, the Planning Board, after written findings of fact finds that such extensions will not create unreasonable adverse impacts on the existing uses of adjacent properties, may:

1. When a portion of the lot, located in the more restrictive District is greater than ten (10) acres, extend the regulations applicable to the less restrictive portion into no more than twenty (20) percent of the more restrictive portion.

2. When that portion of the lot, located in the more restrictive District is less than ten (10) acres, extend the regulations applicable to the less restrictive portion into not more than fifty (50) percent of the more restrictive portion.
3. When that portion of the lot, located in the more restrictive District is equal to that which is located in the less restrictive District, extend the regulations applicable to the less restrictive portion to all of the more restrictive portion.
4. Except that, no extensions shall be granted by the Planning Board into any Protection Districts.

E. AMENDMENTS TO DISTRICT BOUNDARIES.

The Board of Selectmen, of its own initiative, and the Planning Board, or any property owner, may petition for a change in the boundary of any District. No change in a District boundary shall be approved without the duly authorized majority vote at a Special or Annual Town Meeting. A warrant article shall not be presented for consideration without written finding or fact upon substantial evidence that:

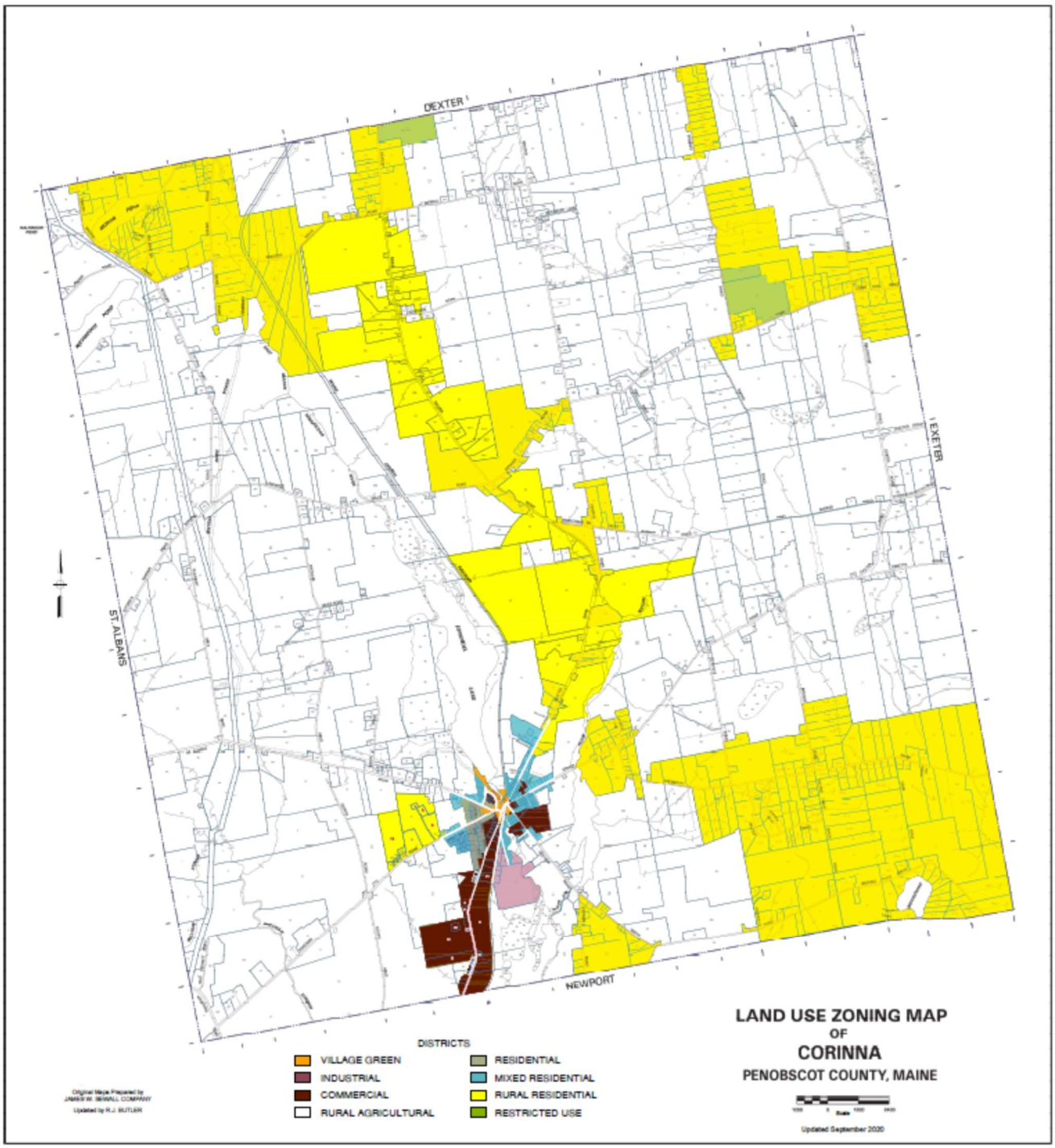
1. The change would be consistent with the standards of the District Boundaries in effect at the time; the Comprehensive Plan, and the purpose, intent, and provisions of this Ordinance; and
2. The change in District boundaries will satisfy a demonstrated need in the community and will have no undue adverse impact on existing uses or resources; or that a new District designation is more appropriate for the protection and management of existing uses and resources within the affected area. The Board of Selectmen will not act upon a petition for a change in District boundaries unless notice is first given to all owners of land abutting or located within 100 feet of the parcel for which a change in boundaries is sought. The Board of Selectmen may require, as part of any petition for a change in District boundaries, that the petitioner submit names and addresses of all such

F. LAND USE ZONING MAP OF CORINNA, MAINE

Districts established by this Ordinance are bounded and defined as shown on the official "Land Use Zoning Map of Corinna, Maine". The following rules of interpretation shall apply:

The official copy of the map shall be that map which bears the certification that it is true and correct, signed by the Chairman of the Planning Board and attested by the Town Clerk, and on file in the office of the Town Clerk.

Official Land Use Zoning Map of Corinna, Maine



True copy attest: _____ _____

Town Clerk: Pamela Parlee Planning Board Chair: Laurene Clark

SECTION IV: SCHEDULE OF USES

A. ACTIVITIES DESCRIBED.

The various land uses contained in this listing are organized according to the following seven activity classifications:

1. Agricultural Activities
2. Commercial Activities
3. Industrial Activities
4. Institutional Activities
5. Natural Resource Management Activities
6. Residential Activities
7. Transportation & Utility Activities

B. SYMBOLS USED IN SCHEDULE OF USES

The following symbols contained in the Schedule of Uses have the following meanings:

1. DISTRICT SYMBOLS:

SYMBOLS	DESCRIPTION
C	COMMERCIAL DISTRICT
I	INDUSTRIAL DISTRICT
MR	MIXED RESIDENTIAL DISTRICT
R	RESIDENTIAL DISTRICT
RU	RESTRICTED USE DISTRICT
RA	RURAL AGRICULTURAL DISTRICT
RR	RURAL RESIDENTIAL DISTRICT
VG	VILLAGE GREEN DISTRICT

2. PERMIT SYMBOLS:

SYMBOLS	DESCRIPTION
Y	Uses allowed without a Permit
N	Uses prohibited within district
C	Use requires a Code Enforcement Permit
P	Use requires a Planning Board Permit

SECTION IV: SCHEDULE OF USES

USES **DISTRICTS**

AGRICULTURAL ACTIVITIES	**C**	**I**	**MR**	**R**	**RR**	**RA**	**RU**	**VG**
Agricultural Commercial Activities; ***	C	C	N	N	Y	Y	N	N
Agriculture & Forest Management activities using pesticide applications; **	Y	Y	Y	N	Y	Y	N	N
Commercial timber harvesting; **	N	Y	N	N	Y	Y	N	N
Forest Management Activities	Y	Y	Y	N	Y	Y	N	N
Greenhouse/ Nurseries	C	N	C	N	C	C	N	N
Accessory Structures, uses, or services that are essential for the exercise of uses listed above.	C	C	C	N	C	C	N	N

** Activities require State licensing

*** Some activities may require licensing

See Schedule of Uses Descriptions on page 4.10 for Agricultural activities.

USES	DISTRICTS							
COMMERCIAL ACTIVITIES	**C**	**I**	**MR**	**R**	**RR**	**RA**	**RU**	**VG**
RETAIL ACTIVITIES								
All Retail Establishments of less than or equal to 5,000 square feet;*	C	N	C	N	C	N	N	N
All Retail Establishments of more than 5,000 sq. ft.	C	N	C	N	C	N	N	N
SERVICE ACTIVITIES								
Animal Hospital/Veterinary Clinic;	C	N	C	N	C	C	N	N
Automobile Junk/Salvage/Recycling;*	C	C	N	N	C	C	N	N
Automobile Repair/Service;	C	N	C	N	C	N	N	N
Banks/Credit Unions;	C	N	C	N	C	N	N	N
Bed and Breakfast;	C	N	C	N	N	N	N	N
Boarding Home Care	C	N	C	C	C	C	N	N
Cabins & Cottages*	N	N	N	N	C	C	N	N
Car Wash	C	N	C	N	C	N	N	N
Funeral Home;	C	N	C	N	N	N	N	N
Beauty Shops;	C	N	C	N	C	N	N	N
Kennels;	N	N	C	N	C	C	N	N
Lodging Facilities	P	N	P	N	N	N	N	N
Professional Office/Complex;	C	P	C	N	C	N	N	N
Recreation Facilities	C	N	C	C	C	N	N	Y
Redemption Center;	C	N	C	N	C	N	N	N
Restaurant;	C	N	C	N	C	N	N	N
Self-Storage Facility;	C	C	C	N	C	N	N	N
Video Rentals;	C	N	C	N	N	N	N	N
Wholesale Businesses;	P	P	P	N	N	P	N	N
Accessory structures, uses, or services that are essential for the exercise of uses listed above	C	C	C	C	C	C	N	C

See Schedule of Uses Descriptions on page 4.11 for Commercial activities.

USES	DISTRICTS							
INDUSTRIAL ACTIVITIES	**C**	**I**	**MR**	**R**	**RR**	**RA**	**RU**	**VG**
Bulk Oil & Fuel Tank Storage in excess of 50 gallons except for on-site heating and cooking purposes;	P	P	P	N	P	P	N	N
Disposal of Hazardous Waste/Leachable Materials;	N	N	N	N	N	N	N	N
Heavy Manufacturing;	P	P	N	N	N	N	N	N
Land Transportation Facility;	P	P	P	N	P	P	N	N
Lumber Yard, Sawmill & Pulp Mill;	P	P	N	N	P	P	N	N
Light Manufacturing Assembly Plant;	P	P	N	N	P	P	N	N
Slaughterhouse;	N	N	N	N	N	P	N	N
Solid Waste Disposal other than Agricultural;	N	N	N	N	N	P	P	N
Sewage Treatment Facility;	N	P	N	N	P	P	N	N
Warehouse Storage Facility	N	C	N	N	N	N	N	N
Accessory structures, uses or services that are essential for the exercise of uses listed above	C	C	C	N	C	C	C	N

See Schedule of Uses Descriptions on page 4.15 for Industrial activities.

USES	DISTRICTS							
INSTITUTIONAL ACTIVITIES	**C**	**I**	**MR**	**R**	**RR**	**RA**	**RU**	**VG**
Health & Medical Facilities/Services								
Hospital, Medical Clinic;	C	N	C	N	N	N	N	N
Nursing Home	C	N	C	N	C	N	N	N
Methadone Clinic;	P	P	P	P	P	P	N	N
All Other Activities								
Cemeteries;	C	N	C	N	C	C	N	N
Churches;	C	C	C	C	C	C	C	N
Day Care Centers,	C	N	C	C	N	C	N	N
Fraternal Orders & Service Clubs;	C	N	C	N	C	C	N	N
Government Facilities & Services;	C	C	C	N	C	C	N	Y
Museums, Libraries and Public Buildings;	C	N	C	N	C	C	N	Y
Post-Secondary Education Facility	P	N	P	N	N	N	N	N
Public & Private Schools;	C	N	C	N	P	P	N	N
Accessory structures, uses or services that are essential for the exercise of uses listed above	C	C	C	C	C	C	C	P

See Schedule of Uses Descriptions on page 4.16 for Institutional activities.

USES	DISTRICTS							
NATURAL RESOURCE MANAGEMENT ACTIVITIES	**C**	**I**	**MR**	**R**	**RR**	**RA**	**RU**	**VG**
Agricultural Management Activities, **not including** pesticide and fertilizer applications;	Y	Y	Y	N	Y	Y	N	N
Emergency Operations conducted for the public health, safety, or general welfare, such as resource protection, law enforcement, and search and rescue operations	Y	Y	Y	Y	Y	Y	Y	Y
Filling, grading, draining, dredging, or alteration of water table level, not including individual wells;	P+	P+	P+	P+	P+	P+	N	N
Mineral extraction for road purposes only, affecting an area of less than 2 acres;*	C+	C+	C+	C+	C+	C+	N	N
Mineral extraction operations for any purpose affecting an area 2 acres or greater;*	P+	P+	P+	P+	P+	P+	N	N
Mineral Exploration;*+	Y	N	Y	Y	Y	Y	Y	N
Non-Commercial uses for scientific, educational, or nature observation purposes, which are not of a size or nature which would not adversely affect the resources protected by the district in which it is located;	Y	N	Y	Y	Y	Y	Y	Y
Surveying and other resource analysis;	Y	Y	Y	N	Y	Y	Y	Y
Wildlife/fishery management practices	Y	Y	Y	N	Y	Y	Y	Y
Accessory structures, uses or services that are essential for the exercise of uses listed above.	C	C	C	C	C	C	C	P

+Activities to require special DEP/EPA approval.

See Schedule of Uses Descriptions on page 4.20 for Natural Resource activities

* Applicable Performance Standards pg. 6.1

USES	DISTRICTS							
RESIDENTIAL	**C**	**I**	**MR**	**R**	**RR**	**RA**	**RU**	**VG**
Home Occupations;*	C	N	C	C	C	C	N	N
Manufactured Homes;*	C	N	C	N	C	C	N	N
Mobile Home Park;	N	N	P	N	N	N	N	N
Multi Family Dwelling, 3 or more families, including apartments;	C	N	P	C	N	N	N	N
Senior Citizen Housing;	N	N	P	P	P	N	N	N
Single Family Dwelling;	C	N	C	C	C	C	N	N
Two Family Dwelling;	C	N	C	C	C	C	N	N
Livestock Activities	C	N	C	C	C	C	N	N
Accessory structures, uses or services that are essential for the exercise of uses listed above (Accessory and Additional Dwelling Units are excluded from this definition.)	C	N	C	C	C	C	N	N
Accessory Dwelling Units	C	N	C	C	C	C	N	N
Additional Dwelling Units	C	N	C	C	C	C	N	N
Affordable Housing Developments	C	N	C	C	N	N	N	N
Tiny Homes	C	N	C	C	C	C	N	N

See Schedule of Uses Descriptions on page 4.18 for Residential activities.

* Applicable Performance Standards pg. 6.1

USES	DISTRICTS							
TRANSPORTATION & UTILITY ACTIVITIES	**C**	**I**	**MR**	**R**	**RR**	**RA**	**RU**	**VG**
Airport Terminal Building & Airport uses;	C	N	N	N	P	P	N	N
Communication Towers;	C	C	N	N	C	C	P	N
Corridor Transmission lines & Uses;	N	N	N	N	C	C	N	N
Land Management roads & water crossing of minor flowing water;	C	C	C	N	C	C	N	N
Land Management roads & water crossings of standing water & of major flowing waters;	C	C	C	N	C	C	N	N
Major Utility Facilities, such as electric service, water supply & sewage treatment facilities not including service drops;	C	C	C	N	C	C	N	Y
Minor Utility Facilities, including service drops;	C	C	C	N	C	C	N	Y
Road Construction projects, other than land management roads;	C	C	C	N	C	C	N	N
Road Construction projects, other than land management roads, which are part of projects requiring Planning Board review;	P	P	P	N	P	P	N	N
Medium and large-scale ground-mounted Solar Energy Systems;	P	P	P	N	P	P	P	N
Thermal, building-integrated photovoltaic, building-mounted photovoltaic, roof-mounted, or small-scale ground-mounted Solar Energy System;	C	C	C	N	C	C	C	N
Accessory structures, uses or services that are essential for the exercise of uses listed above.	C	C	C	N	C	C	N	P

See Schedule of Uses Descriptions on page 4.21 for Transportation activities.

D. DIMENSIONAL REQUIREMENTS.

All structures and uses shall meet or exceed the following minimum requirements. Additional lot area or setbacks may be required by other provisions of this Ordinance. See notes following the table for additional requirements.

DISTRICTS

Minimum Dimensional Requirements	**C**	**I**	**MR**	**R**	**RR**	**RA**
Minimum Lot Size	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	80.000 sq. ft.	80.000 sq. ft.
Minimum lot size per dwelling unit	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	80.000 sq. ft.	80.000 sq. ft.
With Public Sewer	20,000 sq. ft.	20,000 sq. ft	10,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft	20,000 sq. ft.
With Subsurface	20,000 sq. ft.	20,000 sq. ft	20,000 sq. ft.	20,000 sq. ft.	80,000 sq. ft.	80,000 sq. ft.
Minimum Road Frontage with sewer	100 Feet	100 Feet	100 Feet	100 Feet	200 Feet	200 Feet
Minimum Road Frontage with Subsurface	200 Feet	200 Feet	200 Feet	200 Feet	200 Feet	200 Feet
Minimum Front Yard Setback from Center of Road	50 Feet	50 Feet	50 Feet	50 Feet	50 Feet	50 Feet
Minimum Side Yard Setback	15 Feet	15 Feet	15 Feet	15 Feet	30 Feet	30 Feet
Minimum Rear Yard Setback	15 feet	15 Feet	15 Feet	15 Feet	30 Feet	30 Feet
Maximum Building Height	35 Feet	35 Feet	35 Feet	35 Feet	35 Feet	35 Feet
Methadone Treatment Facilities and Clinics						
Minimum Lot Size	5 Acres	5 Acres	5 Acres	5 Acres	5 Acres	5 Acres
Minimum Road Frontage	500 Feet	500 Feet	500 Feet	500 Feet	500 Feet	500Feet
Minimum Setback to Property lines	150 Feet	150 Feet	150 Feet	150 Feet	150 Feet	150 Feet

All Dimensional Requirements for Restricted Use and Village Green Districts are N/A.

F. SCHEDULE OF USES DESCRIPTIONS.

AGRICULTURAL DESCRIPTION OF USES:

AGRICULTURAL ACTIVITY: Land clearing, tilling, fertilizing, including spreading and disposal of animal manure and manure sludge, liming, planting, pesticide application, harvesting of cultivated crops, pasturing of livestock and other similar or related activities.

TIMBER HARVESTING: means the cutting or removing of timber for the primary purpose of selling or processing forest products, their conversion into logs, and the construction and maintenance of roads used primarily for timber harvesting, the mining of gravel used for the construction and maintenance of roads used primarily for timber harvesting and other activities conducted to facilitate timber harvesting.

FOREST MANAGEMENT ACTIVITIES: Timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, management planning activities, timber stand improvement, pruning, regeneration of forest strands, and other similar or associated activities, exclusive of timber harvesting and the construction, creation or maintenance of roads.

` GREENHOUSE/NURSERY: means a structure enclosed and used for the cultivation or protection of tender plants, and a place where young plants and trees are grown for sale or for planting elsewhere.

PESTICIDE APPLICATIONS: means the use of general or restricted use pesticides in the production of agriculture commodities or the production of other commodities, or use on non- agricultural sites open to public use, and refers to the practical way in which pesticides, (including herbicides, fungicides, insecticides, or nematode control agents) are delivered to their biological targets, and requires a licensing from the State of Maine.

COMMERCIAL DESCRIPTION OF USES

RETAIL ESTABLISHMENTS DESCRIPTION OF USES:

ANTIQUE SHOPS: means a business dedicated to storing, selling, restoring, and trading in items from previous eras for their superficial and historical value, especially furniture and trinkets.

AUTOMOBILE SALES: A lot arranged, designed, or used for the storage and display for sale of any motor vehicle and where no repair work is done except minor incidental repair of automobiles or trailers displayed and sold on the premises.

AUTOMOBILE PARTS/ SUPPLIES: means the different pieces of a motor vehicle, which are manufactured separately, and sold to build or repair automobiles.

CAR WASH: means an area or structure equipped with facilities for washing automobiles.

CLOTHING STORE: is any store which sells items of ready-made clothing.

CRAFT SHOP: a shop that sells decorative objects made by hand or the materials and tools used for making such objects.

FLORIST SHOP: a shop where flowers and ornamental plants are sold.

FUEL OIL SALES: a liquid petroleum product sold to consumers for domestic, industrial and commercial heating systems.

FURNITURE STORE: a shop that sells or manufactures the movable, generally functional, articles that equip a room, house, etc.

GROCERY STORE: A small neighborhood establishment retailing food and related commodities, as distinguished from a supermarket, defined as a "Major Retail Outlet".

HARDWARE & BUILDING SUPPLY STORE: means a store where articles for the house and garden, but not limited to tools, nails, and building supplies, are sold.

JEWELRY STORES: is a retail business, that specializes in selling jewelry and watches and may provide many services such as repairs, remodeling, restoring, designing and manufacturing pieces.

PHARMACY: a store where medicinal drugs are dispensed and sold.

RETAIL ESTABLISHMENTS CON'T.:

RECREATION VEHICLE SALES: means sales of vehicles designed for recreational use.

SMALL ENGINE SALES & SERVICE: sales and service of small engines used to power lawn mowers, generators, concrete mixers and many other machines that require independent power sources.

SPORTING GOODS: means an item of tangible personal property designed and sold for use in a sport or sporting activity, including apparel and footwear.

TAKE-OUT RESTAURANT: Prepared food packaged to be consumed away from its place of sale, including home bakeries.

USED CLOTHING STORES: a shop that sells secondhand clothing and articles to the ` public.

SERVICE ESTABLISHMENTS DESCRIPTION OF USES:

SERVICE BUSINESS: means a form of business providing different types of labor services in a wide variety of business sectors, e.g., lawn mowing, housecleaning, banking, to mention a few;

ANIMAL HOSPITAL/VETERINARY CLINIC: a business in which veterinary services are rendered by a veterinarian to small domestic pets, equine, or farm animals, on either an out- patient basis or through overnight boarding.

AUTOMOBILE RECYCLING FACILITY: An automobile recycling business is a business which purchases or acquires salvage vehicles for the purpose of reselling the vehicles or component parts, rebuilding or repairing salvage vehicles for resale. (See Title 30-A MRS 3752)

AUTOMOBILE REPAIR/ SERVICE: A place where, with or without the attendant sale of engine fuels, the following services may be carried out: general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame, or fender straightening and repair; over-all painting and undercoating of automobiles.

BANKS/CREDIT UNIONS: is any financial institution licensed to receive deposits and make loans.

SERVICE ESTABLISHMENTS CON'T.:

BEAUTY SHOPS: means an establishment for the hairdressing, manicuring, or other cosmetic treatment of women and men.

BED AND BREAKFAST: Accommodations provided for compensation as a business in the private year-round residence of the host family, consisting of a maximum of three guest rooms and 10 guests at any one time. Breakfast is the only meal, if any, to be provided for compensation.

BOARDING HOME CARE: Boarding care homes provide room, board and some level of services for one or more unrelated individuals and are able to help with daily activities but do not provide skilled nursing assistance. They prepare meals daily and are typically able to provide help with activities.

CABIN & COTTAGE ACOMMODATIONS: means a small individual home, particularly a traditional one-story house that is used seasonally for compensation.

FUNERAL HOME: is a business that provides interment and funeral services for the dead and their families.

JUNKYARDS:

a. Automobile Graveyards: A yard, field or other area used as a place of storage for three (3) or more unserviceable, discarded, worn-out or junked automobiles.
b. Junkyard: A yard, field or other area used as a place of storage for discarded worn-out or junked plumbing, heating supplies, household appliances, furniture, scrap and junked lumber, old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris, waste and scrap iron, steel and other ferrous and non-ferrous material.

KENNEL, COMMERCIAL: Any place in or at which any number of dogs or cats are kept for the purpose of sale or in connection with boarding, care, training or breeding, for which a fee is charged.

KENNEL, NON-COMMERCIAL: An accessory building to a residence designed or used for the accommodation of dogs or cats owned by the occupants of the residence.

LODGING: Lodging accommodations include buildings where rooms, cabins or cottages, etc. are provided for compensation, which may or may not include accessories and recreational facilities.

PROFESSIONAL OFFICE/COMPLEX: An office of a professional such as an architect, accountant, Doctor of medicine, lawyer, etc., but not including any manufacturing, commercial or industrial activity.

SERVICE ESTABLISHMENTS CON'T.:

RECREATION FACILITIES: means those facilities constructed or installed for recreational purposes for the public or for support of such recreational purpose. Recreational facilities include, but are not limited to, Campgrounds, Picnic grounds, Boat Docks and Ramps; Amusement facilities, Marina, Exercise Machines and Equipment, Fishing Piers and Platforms, Golf Facilities, Miniature Golf Facilities, Parks, Gymnasiums, Swimming Pools, Shooting Facilities with Firing Positions, Tennis Courts, and Recreational Trails and Walks.

a. Campground: Any land area specifically designed and developed, containing two or more individual campsites which accommodate that segment of the traveling public seeking temporary camping accommodations for tents, recreational vehicles and/or towed travel trailers for compensation. Accessory uses include camper services and facilities such as shower and laundry facilities, electricity, fresh water, propane and gas sales, ice, outlet for camping supplies and equipment, recreational services etc.

b. Marina: A business establishment having frontage on navigable water within the Town providing for hire off-shore mooring or docking facilities for boats and accessory services and facilities such as: boat sales, rental and storage, marine supplies and equipment, marina, engine and hull repairs, construction and outfitting for pleasure craft, fuel and oil, electricity, fresh water, ice, shower and laundry facilities and on-premise restaurant.

REDEMPTION (Bottle) CENTER: means an establishment at which consumers may return empty beverage containers and receive payment of the refund value of the containers.

RESTAURANT: An establishment whose principal business is the sale of food and/or beverages to consumers in a ready-to-consume state, and whose principal method of operation includes one or both of the following characteristics:

(1) Customers normally provided with an individual menu, are served their food and beverages by a restaurant employee at the same table or counter at which food and beverages are consumed; or
(2) A cafeteria type operation where food and beverages generally are consumed within the restaurant building.

SELF STORAGE FACILITY: a facility in which customers can rent space to store possessions.

VIDEO RENTALS: the system of renting films on video or DVD for a period of time in exchange for payment.

WHOLESALE BUSINESS: Any business, housed in a permanent structure, engaged in the sale of goods in large amounts to retailers or jobbers, rather than directly to consumers.

INDUSTRIAL DESCRIPTION OF USES:

BULK OIL & FUEL TANK STORAGE: A bulk storage container is any container storing oil or fuel at a facility. Bulk oil storage containers may include, but are not limited to tanks, containers, drums, and mobile or portable totes.

DISPOSAL OF HAZARDOUS WASTE: means a special type of waste that cannot be disposed of by common means like other by-products of our everyday lives.

HEAVY MANUFACTURING: industries which require very large capital investment in weighty machinery and huge facilities.

LAND TRANSPORTATION FACILITY: means any existing or new highway, road, bridge, tunnel, toll road, overpass, ferry, mass transit facility, vehicle parking facility, rail facility, or similar facility open to the public and used for the transportation of persons or goods, together with any buildings.

LIGHT MANUFACTURING: The fabrication or processing of materials into a finished product. Fabrication relates to the stamping, cutting or otherwise shaping of the processed materials into useful objects/products. Light manufacturing does not include the refining or other initial processing of basic raw materials such as metal ore, lumber or rubber.

LUMBER YARD/SAWMILL & PULP YARDS: a lumber yard means a place where a stock of lumber is kept for sale. A sawmill means a mill or machine for sawing logs into lumber, and a pulp-yard means a place where timber is stored with the principal use of making wood pulp for paper production.

SEWERAGE TREATMENT FACILITY: the process of removing contaminants from municipal wastewater, and storm drains, containing mainly household sewage plus some industrial wastewater.

SLAUGHTERHOUSE: means a facility where animals are slaughtered, most often (though not always) to provide food for humans.

SOLID WASTE FACILITY: means a facility that accepts "solid waste" meaning any garbage or refuse, and other discarded material, resulting from industrial, commercial, mining, agricultural operations, and from community activities.

WAREHOUSE AND STORAGE FACILITY: A structure for the storage of merchandise or commodities, including bulk storage and bulk sales outlet.

INSTITUTIONAL DESCRIPTION OF USES:

DAY CARE CENTER: A house or place in which a person or combination of persons maintains or otherwise carries out a regular program, for consideration, for any part of a day, providing care and protection for 3 or more children under the age of 16 unrelated to the operator, not to include nursery schools, summer camps, formal public or private schools, and further defined by the Department of Human Services as follows:

> Day Care Center: A Day Care Facility as defined in State statutes for 13 or more children on a regular basis; and
>
> Day Care Home: A Day Care Facility as defined in State statutes for 3 to 12 children on a regular basis.

FRATERNAL ORDERS & SERVICE CLUBS: means an organization wherein a group of men, women are bound together for the purposes of advancing their educational, social or other benefits; also, a body or class of persons having common purposes and interests.

HOSPITAL: An institution providing health services, primarily for in-patients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities and staff offices.

METHADONE TREATMENT FACILITY/ CLINIC: Is a program or treatment facility/clinic operated for the purpose of providing treatments to persons with heroin or other opiate or narcotic addictions, when treatment provided includes administration of prescription of methadone or other opiate replacements either for detoxification or maintenance purposes. For the purposes of this ordinance, the term "methadone treatment facility/clinic" includes but it not limited to substance abuse treatment programs licensed by the State of Maine, Department of Behavioral and Developmental Services, Office of Substance Abuse, to provide supervised opiate withdrawal and maintenance treatment services under 14-118 Code of Maine Regulations section 4.16.

MUNICIPAL FACILITIES: Buildings or land which is owned by a Public entity and operated under its supervision for a public purpose, including Museums, Libraries, and Public buildings.

NURSING HOME: means a public or private residential facility providing a high level of long-term nursing care for persons such as the aged or the chronically ill, who are unable to care for themselves properly.

INSTITUTIONAL DESCRIPTION OF USES CONT.:

PRIVATE & PUBLIC SCHOOLS: private schools are privately funded, or non-state funded schools, while a public school is a school that runs on public funds, usually by government- imposed taxes.

POST SECONDARY EDUCATION FACILITIES: means the educational level following the completion of a school providing a secondary education, such as a high school.

RESIDENTIAL DESCRIPTIONS OF USES:

ACCESSORY DWELLING UNIT: means a self-contained dwelling unit located within, attached or detached from a single-family dwelling unit located on the same parcel of land. An ADU must be a minimum of 190 sq ft.

ADDITIONAL DWELLING UNIT: means a separate residential dwelling unit located within, attached to, or detached from the single principal dwelling unit.

AFFORDABLE HOUSING DEVELOPMENT: See SECTION X.

HOME OCCUPATIONS: The purpose of the Home Occupation provision is to permit the conduct of those businesses which are compatible with the Districts in which they are allowed. Home occupations are limited to those uses which may be conducted within a residential dwelling without substantially changing the appearance or condition of the residence or accessory structure;

MANUFACTURED HOUSING: A structural unit or units designed for occupancy and constructed in a manufacturing facility and then transported, by the use of its own chassis or placed on an independent chassis, to a building site.

For the purposes of this Ordinance, three (3) types of manufactured housing will be referred to:

1. NEWER MOBILE HOME: Those units constructed after June 15, 1976, which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards and complies with the Manufactured Housing Construction and Safety Standards Act of 1974, et. seq., which in the traveling mode are 14 body feet or more in width and are 750 or more square feet and are constructed on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation;

2. OLDER MOBILE HOMES: Those units constructed before June 15, 1976, and not in compliance with the Manufactured Housing Construction and Safety Standards Act of 1974, which are constructed on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, but does not include those smaller units commonly called "travel trailers"; and

3. MODULAR HOMES: Those units which the manufacturer certifies are constructed in compliance with the State's manufactured Housing Act and regulations, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and area designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained herein.

RESIDENTIAL DESCRIPTIONS OF USES CON'T.:

MOBILE HOME PARK: A parcel of land under unified ownership approved by the Town of Corinna for the placement of three (3) or more manufactured homes.

MULTI-FAMILY DWELLING: A building or portion thereof used for residential occupancy by three (3) or more families living independently of each other and doing their own cooking in the building, including apartments, group houses and row houses.

SENIOR HOUSING: Means a subdivision of a lot, parcel, or an existing structure for the purpose of creating a housing development consisting of two or more dwellings units designed for and utilized by senior citizens only, in single or multi-family structures. For the purposes of this definition the term "senior citizen" shall mean any person aged fifty-five or older.

SINGLE-FAMILY DWELLING: A dwelling designed for and occupied by not more than (1) one family and having no roof, wall, or floor in common with any other dwelling unit. The term shall include manufactured and prefabricated homes.

TINY HOME: A dwelling unit permanently constructed on a frame or chassis that may be placed on a foundation and designed for use on a permanent single-family home or an accessory dwelling unit that complies with the American National Standards Institute Standard A119.5 on plumbing, propane, fire and life safety and construction and that does not exceed 400 sq. ft. in footprint.

KEEPING OF LIVESTOCK: The term "Livestock" shall mean any cattle, horses, sheep, goats, swine, fowl, or any other animals as defined by Title 7 MRS §3907. The purpose of this section is to allow for and provide standards for the keeping of livestock on lots of 15,000 sq. ft. or less. Livestock shall be kept for personal use only; no person shall participate in livestock breeding or fertilizer production for commercial purposes. The maximum number of livestock allowed is six (6) per lot, regardless of how many dwelling units on the property.

ENCLOSURES: A permit is required from the Code Enforcement Officer for all livestock enclosures. Livestock must always be kept in an enclosure or fenced area. Enclosures must be kept clean, dry and odor free and kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring properties due to noise, odor or other adverse impact. The livestock enclosure must provide adequate sun and shade and must be impermeable to predators, including dogs and cats. Any livestock enclosure must be 25 feet from any residential structure or any other premises on any adjacent lot. Livestock enclosures may only be allowed in the rear yards. For a corner lot or other property where no rear yard exists, a side yard may be used if the 25' setback is met. In no case may the enclosure be placed in the front yard or allowed to be located in any part of a home.

RESIDENTIAL DESCRIPTIONS OF USES CON'T.:

ODOR OR NOISE: Odors from livestock shall not be perceptible from the property boundaries. Perceptible noise from livestock shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity. The Animal Control Officer (ACO) shall have the authority to order the removal of any livestock from any premises in the town, regardless of location, whenever the ACO finds that the keeping of such livestock at the premises concerned threatens the public health. Any order issued by the ACO under this section shall be served to the owner of the occupant of the premises, or on the keeper or owner of such animals, and shall allow 48 hrs. after service of the order for removal of the livestock concerned.

NATURAL RESOURCE MANAGEMENT ACTIVITIES

DESCRIPTION OF USES:

AGRICULTURAL MANAGEMENT ACTIVITIES: Agricultural practices shall be conducted in such a manner as to prevent soil erosion, sedimentation, and contamination or nutrient enrichment of surface waters. Phosphorous allocation is addressed through implementation of the Town of Corinna Subdivision Regulations.

EMERGENCY OPERATIONS: Emergency operations shall include operations conducted for the public health, safety or general welfare, such as protection or resources from immediate destruction or loss, law enforcement, and operations to rescue human beings and livestock from the threat of destruction or injury.

FOREST MANAGEMENT ACTIVITIES: is a branch of forestry concerned with overall administrative, legal, economic, and social aspects, as well as scientific and technical aspects, such as protection, and forest regulation.

MINERAL EXTRACTION: The removal of sand, gravel, bedrock or soil from its natural site of geologic deposition or formation; the screening, sorting, crushing or other processing of any part of the geologic material so removed; the storage of sand, gravel, crushed stone, or soil in stock piles or other forms.

MINERAL EXPLORATION: to discover or verify the existence of mineral deposits, including the removal of specimens or trace quantities, provided such exploration is accomplished by methods of hand sampling, including panning, hand test boring, diggings, and other non- mechanized methods which create minimal disturbance and take reasonable measures to restore the disturbed area to its original condition.

SURVEYING: is the scientific method of making surveys of land.

WILDLIFE/FISHERY MANAGEMENT PRACTICES: is the science of managing wildlife and fisheries and its habitats for the benefit of the soil, vegetation, water and space.

TRANSPORTATION & UTILITIES DESCRIPTION OF USES:

AIRPORT TERMINALS & USES: An airport terminal is a building at an airport where passengers transfer between ground transportation and the facilities that allow them to board and disembark from aircraft and consist of runways for the take-off, landing, and maintenance of aircraft.

COMMUNICATION TOWER: A tower that houses the electronic communications equipment along with an antenna to support cellular communication in a network.

CORRIDOR TRANSMISSION USES: uses approved on lands, as a location that may be suitable for the siting of electric transmission systems.

GROUND MOUNTED /MED/LARGE SCALE SOLAR ENERGY SYSTEMS: an area of land or other area that uses Solar Energy Systems consisting of more than one free standing ground mounted solar panels or solar related equipment.

LAND MANAGEMENT OF ROADS: is the process of regulating the management of roads, to promote more efficient uses of resources.

MAJOR UTILITY FACILITIES: means buildings of telephone utilities, transmission lines, power plants, and substations of electric utilities.

MINOR UTILITY FACILITIES: means overhead lines running from a utility pole directly to a building or premises, in the distribution of utility services that have minor impact on adjacent lands.

ROAD CONSTRUCTION PROJECTS: the act of constructing a road.

ROOF MOUNTED/SMALL/MED SCALE SOLAR ENERGY SYSTEMS: a single solar panel mounted to a roof, building or ground for private residential use.

SECTION V: PERMITS / APPLICATIONS

After the effective date of this Ordinance, it shall be unlawful, without first obtaining a permit from the appropriate reviewing authority, as listed in Section IV, to engage in any activity or use of land or structure requiring approval in the district in which such activity or use would occur.

A. CODE ENFORCEMENT OFFICER PERMITS

1.) A permit issued by the Code Enforcement Officer shall be required before beginning or undertaking any activity in Section IV of this Land Use Ordinance requiring a Code Enforcement Officer approval.

2.) A permit issued by the Code Enforcement Officer shall also be required for activities which are not included in Section IV, including, but not limited to:

ALTERATIONS

CHANGE OF USE

FLOOD HAZARD AREAS

GARAGE SALE / YARD SALE

MOVING OR DEMOLITION

NEW CONSTRUCTION

PLACEMENT OF SIGNS

3.) USES SUBSTANTIALLY SIMILAR TO PERMITTED USES MAY BE PERMITTED

Uses that are not listed in the Schedule of Uses, may be permitted upon a ruling by the Code Enforcement Officer that such use is substantially similar to uses in the schedule;

4.) USES SUBSTANTIALLY SIMILAR TO PROHIBITED USES ARE PROHIBITED

Uses substantially similar too any of uses listed as a Prohibited Use in the Schedule of Uses, shall be Prohibited.

5.) CERTIFICATE OF OCCUPANCY: After the official inspections of all permitted alteration or additions to existing structure, or new construction finds no violations of the provisions of the Land Use Ordinance (and electrical code, plumbing code, American Disabilities Act, Life Safety 101, and NFPA 31,) the Code Enforcement Officer shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the structure/property.
3. The name and address of the owner.
4. A description of the portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the provisions of the Land Use Ordinance.
6. The name of the building official.
7. All special stipulations and or conditions of the building permit including, but not limited to:
    a. Plumbing Inspection;
    b. Life Safety Inspection;
    c. NFPA Inspection;
    d. ADA Inspection.

Official certificate shall be kept on file at the Town Office, and one copy provided to the landowner and unless a certificate is issued, a structure cannot be lawfully occupied.

B. APPLICATIONS REQUIRED

1. CODE ENFORCEMENT

Applications for approval shall be submitted in writing, on forms provided, to the CEO who shall oversee the permitting process and record keeping. The CEO may require the submission of additional information deemed necessary to determine conformance with the provisions of this Ordinance.

a. **Written application**.
All applications for a Code Enforcement Officer Permit shall be submitted, with appropriate fee, in writing to the Code Enforcement Officer on a form provided, and showing:

1. The shape, size and location of the lot for which a permit is sought;
2. The location and size of all buildings, structures and other significant features currently existing on the lot, as well as all waterbodies and wetlands within two hundred feet (250') of the property lines.
3. The location and building plans of new buildings, structures or portions thereof to be constructed;
4. The existing and intended use of each building or structure;

5. Where applicable, the location of soil test pits, subsurface sewage disposal system, parking lots and driveways, signs, buffers, and private wells; and
6. Such other information as may be reasonable by the Code Enforcement Officer to provide for the administration and enforcement of this Ordinance.

b. **To Whom Issued:** No permit shall be issued except to the owner of record or his authorized agent. Written proof of authorization shall be required.

c. **Compliance with Land Use Ordinance:** All uses permitted must occur and be maintained in compliance with the applicable requirements and performance standards contained in Section VI.

d. **Submission of Application to Code Enforcement Officer**

1**. Deadline for Decision:** The Code Enforcement Officer shall, within thirty (30) days of receipt of an application: issue a permit, if all proposed construction and uses meet the provisions of the Ordinance; refer the application to the Planning Board for their review; or deny the application. All decisions of the Code Enforcement Officer shall be in writing.
2**. Copies:** One (1) copy of the application, with the permit or other written decision of the Code Enforcement Officer, shall be returned to the applicant and one (1) copy, of the permit or written decision, shall be retained by the Code Enforcement Officer as a permanent public record.
3. **Posting**: The applicant shall cause the permit issued to be conspicuously posted on the lot of which the activity will occur at a location clearly visible from the street
4**. Commencement and Completion of work**: Construction and alteration activities on projects for which a permit has been granted under this Section shall commence within six (6) months of the date of issuance of the permit and shall be completed within eighteen (18) months of that date. Activities which are not commenced or completed within the time limits provided above shall be subject to a new application and the permit issued under this Section shall be considered void. Activities which are not commenced or completed within the time limits provided above shall be subject to new application and the permit issued under this Section shall be considered void.
Activities may be extended for up to twelve (12) months by the Code Enforcement Officer, for good cause, if the application for an extension is submitted not later than thirty (30) days prior to the expiration of the prior permit.

2. PLANNING BOARD REVIEW AND PERMITS

A permit issued by the Planning Board shall be required before beginning or undertaking any activity in Section IV of this Land Use Ordinance requiring Planning Board approval.

1.) **Written application.** All applications for a Planning Board Permit shall be submitted with applicable fee, in writing to the Code Enforcement Officer on forms provided by the municipality, accompanied by a sketch plan, accurately drawn to scale and showing actual dimensions, distances, and showing:

a. Map drawn to scale.
b. Name of applicant
c. Boundaries of the tract of land.
d. Location of existing and proposed buildings and other structures, including use and proposed use thereof;
e. Location of buildings on abutting properties or within 300 feet of the ` property line of the proposed development.
f. Location of existing public streets
g. Location of proposed access drives to the lot from public streets.
h. Location and arrangement of proposed off-street parking and loading areas and their appurtenant drives and maneuvering areas.
i. Location of existing and proposed pedestrian walkways.
j. Location of existing and proposed utilities and easements therefore, including sanitary sewerage, water, and electricity.
k. Location of existing natural drainage ways and proposed storm drainage facility including dimensions of culverts, pipes etc.
l. Location, intensity, type, size and direction of all outdoor lighting.
m. Location and proposed use for areas proposed for outdoor recreation.
n. Location and type of existing and proposed fences, hedges, and trees of 12 inch diameter and over a point 4.5 feet above ground level or filled.
o. Contour lines at appropriate intervals to show the effect on the land of existing and proposed grades for areas proposed to be excavated or filled if deemed necessary by the Planning Board.
p. Location and size of signs and all permanent outdoor fixtures.
q. Zoning district classification.
r. Setback dimensions from property lines and center of road.

2.) **To Whom Issued:** No permit shall be issued except to the owner of record or his authorized agent. Written proof of authorization shall be required.

3.) **Compliance with Performance Standards Required:** All uses permitted must occur and be maintained in compliance with the applicable requirements and performance standards contained in Section VI

4.) **Submission of Application to Planning Board**

A. **Public Hearing Deadline**: Within a maximum of thirty (30) days after the filing of an application for a Land Use Permit, and before taking action thereon, the Planning Board shall hold a public hearing on the application. Notice of said hearing shall be published in a local newspaper at least ten (10) days in advance of said hearing. A notice of said hearing shall be mailed to each landowner abutting the parcel involved. Landowners shall be considered as those against whom property taxes are assessed. Failure of the landowner to receive a notice of public hearing shall not necessitate another hearing or invalidate any action of the Planning Board. Responsibility for such notification shall be assumed by the Code Enforcement Officer. The applicant shall bear all associated costs of advertisements and notifications. The purpose of the public hearing shall be to receive input from the general public relative to the applicable sections of the review standards.

B. **Planning Board Review and Action:** Within thirty (30) days after the public hearing, in which the permit application is reviewed, the Planning Board shall approve, approve with modifications, or disapprove the application. The Board shall limit its review to the criteria and standards established within this Ordinance. The Board shall inform the applicant of its decision in writing, and in cases of disapproval or approval with modifications, reasons for such action shall be stated. A copy of the Board's decision shall be retained on file with the Code Enforcement Officer. A Land Use Permit shall not be issued unless approval of the application has been granted.

C. **Copies:** One (1) copy of the application, with the permit or other written decision of the Planning Board, shall be returned to the applicant, and one (1) copy, with a copy of the permit or written decision, shall be retained by the Code Enforcement Officer as a permanent public record.

D. **Posting:** The applicant shall cause any permit issued to be conspicuously posted on the lot on which the activity will occur at a location clearly visible from the street.

E. **Commencement and Completion of Work:** Construction and alteration activities on projects for which a permit has been granted under this Section shall commence within six (6) months of the date of issuance of the permit and shall be completed within eighteen (18) months of that date. Activities which are not commenced or completed within the time limits provided above shall be subject to new application and the permit issued under this Section shall be considered void.

Activities may be extended for up to twelve (12) months by the Planning Board for good cause if an application for an extension is submitted not later than thirty (30) days prior to the expiration of the prior permit.

C. OTHER PERMITS REQUIRED BEFORE APPROVAL

Applications for approval will not be considered complete for processing until all other required local, state, and federal permits have been secured and evidence that they have been secured has been provided unless state or federal regulations require local approval first.

D. POSITIVE FINDINGS REQUIRED

Approval shall be granted after receipt of a complete application, only upon a positive finding by the Code Enforcement Officer or Planning Board that the proposed use:

a. Is a permitted use in the district in which it is proposed to be located;
b. Is in conformance with the applicable performance standards of Section VI of this Ordinance;
c. Will not result in unsafe or unhealthful conditions;
d. Will not result in undue land, water or air pollution, or in undue erosion or sedimentation; or problems associated with development in flood hazard areas;
e. Will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
f. Will conserve significant natural, archaeological and historical resources;
g. Will not adversely impact the proposed use on public infrastructure;
h. Be consistent with the long-range goals of the Comprehensive Plan, other adopted plans of the town, and the goals and purposes of the established districts.

E. COMMENCEMENT AND COMPLETION OF WORK

Construction and alteration activities for which approval has been granted under this Ordinance shall commence within six (6) months of the date of issuance of the permit with a "substantial start to construction" (as defined by this Ordinance) being achieved within eighteen (18) months of the date of permit issuance; the exterior of any permitted structure, including finished siding, must be completed within thirty (30) months of the date of the permit issuance.

SECTION VI: LAND USE STANDARDS

SECTION USERS GUIDE: This section contains general performance standards with which all development proposals submitted for approval pursuant to this Ordinance must comply.

The purpose of the regulations contained in this section is to allow maximum utilization of land while insuring against adverse impacts on the environment, neighboring properties, and the public interest. This assurance is provided by separating the areas of the Town of Corinna into districts and permitting specific land uses within each, provided that a use meets all the additional criteria specified in this Ordinance.

This regulatory approach has been termed "performance zoning" because it permits a use to be developed on a particular parcel only if the use on that parcel meets "performance standards" which have been enacted to insure against the use causing (or having the potential to cause) adverse impacts.

The following Land Use Standards shall govern all Land Use Permits issued by the Code Enforcement Officer and the Planning Board.

In reviewing applications submitted pursuant to this Ordinance, the Code Enforcement Officer or the Planning Board shall consider the following performance standards and make written findings that each applicable standard has been met prior to issuing final approval. In all instances, the burden of proof shall be upon the applicant.

PERFORMANCE STANDARDS

1. ACCESSORY USES; An accessory use shall not include any use injurious or offensive to the neighborhood as initially determined by the Code Enforcement Officer and/or Planning Board.

2. ACCESS REQUIREMENTS (Applies to the Commercial and Mixed Residential Districts) Access to public roads shall be strictly controlled in both location and design. Provision shall be made for adequate access to the development to safeguard against hazards to traffic and pedestrians in the road and within the development, to avoid traffic congestion on any road and to provide safe and convenient circulation on public roads.

Guidelines: Development shall employ the following guidelines to the extent possible in designing access points:

1. Where a residential lot will front on two or more streets, access shall be to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.

2. All access points should be located so to provide adequate sight distance for vehicular movement. Adequate sight distance means an unobstructed view of the road in each direction for at least 100 feet for every 10 MPH of speed limit. (E.g., for access to a 25 MPH road, an access point shall have a clear view of 250 feet in each direction).

3. Every effort shall be made to reduce the number of access points onto the public road. Measures to be taken may include shared driveways and frontage roads.

4. All entry and exit points shall be kept free from visual obstructions higher than three (3) feet above street level and for a distance of, twenty-five (25) feet from the edge of the traveled way in order to provide visibility for entering and leaving vehicles.

3. AIR POLLUTION: Air pollution control and abatement shall comply with applicable minimum Federal and State requirements.

4. ARCHAEOLOGICAL AND HISTORIC RESOURCES

If any portion of the site development site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

5. AUTOMOBILE GRAVEYARD/JUNKYARD/ RECYCLING: The following performance standards are required of all automobile graveyards, junkyards and automobile recycling businesses, whether new or existing.

a. The site must be enclosed by a visual screen at least 6 feet in height and built in accordance with the Department of Transportation rules issued pursuant to 30-A MRS 3754-A;

b. No vehicle shall be stored within 300 feet of any water body or inland wetland;

c. No vehicle shall be stored within 300 feet of public or private well (excluding owners), or within 500 feet from a school, church or public playground or public park;

d. No vehicle shall be stored within 100 feet of a floodplain;

e. Upon receiving a motor vehicle, the battery shall be removed, and the engine lubricant, transmission fluid, brake fluid and engine coolant (air conditioners included) shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of such waste material. No discharge of fluids from any motor vehicle shall be permitted into or onto the ground.

f. No vehicles shall be stored over a sand and gravel aquifer or aquifer recharge area as mapped by the Maine Geological Survey or by a licensed geologist;

g. No vehicle shall be closer than 50 feet from a lot line.

h. All vehicles, once stripped of valuable parts shall be crushed and removed from the lot to a metal recycler. Any vehicle remaining over one year shall be considered as junk metal to be recycled.

i. No more than four tires per vehicle shall be allowed to be stored in the yard. Scrap tires shall not be allowed to accumulate into a scrap tire pile. All tires shall be disposed of in an appropriate facility and manner in accordance with State and Federal regulations.

j. No open burning of salvage materials or junk shall be permitted on the premises. Waste fluids and unusable materials shall be disposed of in a duly licensed disposal facility.

k. The Planning Board and/or Code Enforcement Officer may recommend the application of more stringent restrictions and /or limitations, and stipulate reasonable conditions which shall be attached to the permit covering the operation and use of the junkyard prior to the Selectmen's issuance of the permit.

6. BED & BREAKFAST: "Bed and Breakfast" accommodations shall be permitted in the private, year-round residence of the host family who live on the premises provided that:

a. The maximum number of guests at any time is ten (10) persons;
b. The maximum number of guestrooms is three (3);
c. Breakfast is the only meal provided by the host family;
d. One (1) sign not to exceed four (4) square feet is permitted on the premises; and
e. The "Bed and Breakfast" operation shall not have any adverse effect on the neighbors.

7. BUFFERS: All development adjacent to residential dwellings must provide landscaped buffer strips in the form of evergreen, deciduous vegetation or fencing. The buffer shall be sufficient to minimize the impact of expected uses such as exposed machinery, outdoor storage areas, vehicle loading and parking, mineral extraction and waste collection and disposal areas.

8. BUILDINGS/STRUCTURES MAINTENANCE STANDARDS: All buildings, structures and parts thereof permitted under this ordinance shall be required to be maintained as indicated below:

a. Each property owner shall keep all exterior components of the every principal and accessory structure in good repair, including but not limited to, walls, roofs, chimneys, cornices, gutters, down spouts, drains, porches, steps, landings, fire escapes, exterior stairs, windows, shutters, doors and storefronts; and

b All surfaces shall be maintained free of deterioration, including but not limited to, broken glass, loose, or missing shingles or siding, crumbling brick, stone and mortar, and peeling or scaling of paint; and

c. All surfaces shall be covered with protective coating, such as paint; plastic or other coating which preserves the structure and does not contribute to deterioration; and

9. CABIN & COTTAGE ACCOMMODATIONS: Buildings where rooms are provided for compensation and may or may not include accessories uses. To ensure the health, safety, and welfare of guests and the occupants of neighboring properties, the following requirements shall be met:

a. A minimum lot size of 20,000 sq. ft. (accommodates 4 cabins)
b. A minimum of two hundred (200) square feet of off-road parking shall be provided for each unit.
c. cabins or cottages must be set back a minimum of the exterior lot line in the applicable district.
d. Each cabin or cottage shall be provided with a safe and adequate means of sewage, garbage disposal, water supply, fire protection, as well as adequate storm water drainage.

10. COMMERCIAL AND INDUSTRIAL PERFORMANCE STANDARD: The following provisions shall apply to all permitted commercial and industrial uses:

1. Danger: No material which is dangerous due to explosion, extreme fire hazard, chemical hazard or radioactivity shall be used, stored, manufactured, processed or assembled except in accordance with applicable State and Federal codes and regulations.

2. Vibration: With an exception of vibration necessarily involved in the construction or demolition of buildings, no vibration shall be transmitted outside the lot where it originates.

3. Wastes: No offensive wastes shall be discharged or dumped into any river, stream, watercourse, storm drain, pond, lake, or swamp. Industrial wastewater may be discharged to municipal sewers only and in such quantities and quality as to be compatible with existing municipal facilities.

4. Noise. Offensive noise shall not be transmitted beyond lot lines so as to cause disturbance to neighboring residential properties.

11. CONFORMANCE WITH COMPREHENSIVE PLAN: All proposed development shall be in conformity with the Comprehensive Plan and Policy Statements of the Town contained within the Plan and with the provisions of all pertinent local ordinances and regulations, State laws and Federal regulations.

12. CONSTRUCTION IN FLOOD HAZARD AREAS: When any part of a development is located in a Flood Hazard Area as identified by the Federal Emergency Management Agency, and locally adopted Floodplain Management Ordinance, the plan shall indicate that all principal structures on lots in the development shall be constructed with their lowest floor, including the basement, at least one foot above the 100- year flood elevation.

13. CONVERSIONS: Conversions of existing structures into multi-family units, in Districts permitting multi-family dwellings, may be permitted provided that:

1. Off-street parking for two (2) vehicles per dwelling unit plus maneuvering space will be provided;
2. Approval of conversion plans by the fire, electrical and plumbing inspector(s) is required prior to issuance of a land use permit;
3. Each dwelling unit shall be at least three-hundred fifty (350) square feet in area for one (1) bedroom units plus one-hundred and fifty (150) square feet for each additional bedroom; and
4. Each dwelling unit shall have its own toilet and kitchen facilities and no dwelling unit will share these facilities with any other dwelling unit; and
5. Each unit shall be provided with adequate rubbish disposal facilities.

14. DENSITY BONUS PROVISIONS: If a project is a planned development or cluster development, the minimum lot area per dwelling unit may be reduced by the amount shown below within all district designations. In no case shall lots served by subsurface sewage disposal systems be less than 20,000 square feet.

1. A density bonus of ten (10) percent, if ten (10) percent to less than twenty-five (25) percent on the site shall be permanently preserved as open space;
2. A density bonus of twenty (20) percent, if twenty-six (26) percent to less than forty (40) percent of the site shall be permanently preserved as open space;
3. A density bonus of thirty (30) percent, if forty-one (41) percent or more of the site shall be permanently restricted as open space.

15. DUST, FUMES, VAPORS, GASES, ODORS, GLARE, AND EXPLOSIVE MATERIALS: Emission of odors, dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation, or property must comply with State and Federal standards.

16. EROSION AND SEDIMENTATION CONTROLS: The following measures relating to conservation, erosion, and sediment control shall be included where applicable as part of all projects submitted for review.

1. The procedures outlined in the erosion and sedimentation control plan, prepared and submitted by the applicant, shall be implemented during the site preparation, construction, and clean-up stages; and
2. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best management practices:
    (a) Stripping of vegetation, soil removal and re-grading or other development shall be done in such a way as to minimize erosion;
    (b) Development shall preserve outstanding natural features, keep cut-fill operations to a minimum and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.
    (c) The development shall not unreasonably increase the rate or volume of surface water runoff from the proposed site;
    (d) Whenever feasible, natural vegetation shall be retained, protected supplemented;
    (e) The disturbed area and the duration of exposure shall be kept to a practical minimum;
    (f) Disturbed soils shall be stabilized as quickly as practicable;
    (g) Temporary vegetation or mulching shall be used to protect disturbed areas during development;

(h) Permanent (final) vegetation and mechanical erosion control measures in accordance with the provisions of the Department of Environmental Protection's Best Management Practices for Erosion and Sedimentation Control or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends;
(i) Until the disturbed area is stabilized, sediment in the runoff water shall be trapped with the use of debris basins, silt traps or other acceptable methods;
(j) The top of the cut or the bottom of a fill section shall not be closer than ten (10) feet to an adjacent property, unless otherwise specified by the Planning Board;
(k) Whenever sedimentation is caused by stripping vegetation, re-grading or other development, it shall be the responsibility of the developer causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expense as quickly as possible;
(l) During grading operations, methods of dust control shall be employed wherever practicable;
(m) Maintenance of drainage facilities or watercourses originating and completely on private property is the responsibility of the owner to the point of open discharge at the property line or at a communal watercourse within the property.

17. HOME OCCUPATIONS: The purpose of the Home Occupation provision is to permit the conduct of those businesses which are compatible with the Districts in which they are allowed without substantially changing the appearance or condition of the residence or accessory structure. A permit issued by the Code Enforcement Officer is required to establish any home occupation. To apply for the permit, an applicant must submit:

a.) a completed application form;
b.) a floor plan of the dwelling, or accessory structure with the area to be used in the commercial activity clearly marked;
c.) a home/site plan of the property with the dimensions of parking area (driveway) clearly marked;
d.) a fire inspection of the floor/room or accessory structure used for the home occupation.

Any home occupation or profession which is accessory to and compatible with a residential use shall conform with the following conditions and shall be permitted if:

1.) The home occupation must be clearly incidental and secondary to the principal use as a residence by a member or member of the family residing in the dwelling unit, and/ not more than one employee;

2.) No exterior evidence of the home occupation; all equipment, supplies and materials used in the business must be stored inside the home or in attached carports/garages/or accessory structures;
3.) In addition to the off-street parking provided to meet the normal requirements of the dwelling, adequate off-street parking shall be provided for the vehicles of the maximum number of users the home occupation may attract during peak operating hours;
4.) Signs - Only 1 non-illuminated exterior home occupancy sign is allowed and shall not be greater than two (2) feet square in area;
5.) The floor area of the dwelling used for the home occupation cannot exceed twenty (20%) percent of the gross floor area of the dwelling floor area;
6.) Unfinished basement and attic spaces shall be used for storage only;
7.) Accessory structures shall not exceed fifty (50%) percent of the total floor area of the dwelling unit;
8.) Objectionable conditions such as noise, vibration, smoke, dust, electrical disturbance, odors, heat, glare, activity at unreasonable hours, or storage of hazardous or leachable materials in excess of normal residential use shall not be permitted;
9.) Any home occupation shall not injure the usefulness of the dwelling unit or disturb the residential character of the immediate neighborhood.

Any home occupation approved by the CEO that is in use before the enactment of this ordinance or any amendments to this ordinance are grandfathered and can continue.

18. LANDSCAPING: Development proposed within the commercial or industrial districts shall be landscaped as to maintain the aesthetic appearance of the property and preserve as much natural vegetation as possible on the site.

19. LIGHTING DESIGN STANDARDS: All exterior lighting shall be designed to minimize adverse impact on neighboring properties.

20. LODGING ACCOMMODATIONS: Buildings where rooms, or lodges are provided for compensation and may or may not include accessories uses.

21. LOT SIZE, SETBACK AND COVERAGE REQUIREMENTS

See Section IV, D, Dimensional Requirements

22. MANUFACTURED HOUSING

1. Intent: It is the intent of this Ordinance to provide a variety of housing alternatives to all economic levels within the community, while continuing to insure the minimum standards of health, safety and welfare of the community. To this end, this ordinance allows the siting of all types of manufactured housing within designated areas of the Town regardless of their construction date or compliance with all the standards of the Manufactured Home and Construction Safety Standards of the Department of Housing and Urban Development, adopted in 1976. The Town does hereby require however, that all manufactured housing sited within the Town of Corinna meet certain minimum safety and design criteria.

2. Minimum Safety Standards: All manufactured housing as defined in this Ordinance, regardless of date of manufacture, and sited within the Town of Corinna after the effective date of this ordinance, shall meet or exceed the following minimum standards before a "Certificate of Occupancy" shall be issued by the Code Enforcement Officer in conformance with Section VI. H. of this Ordinance.

3. HUD Approval Sufficient: All manufactured housing, as defined, constructed after July 1, 1976 and bearing the seal of the Department of Housing and Urban Development which certifies the manufactured home was built pursuant to the provisions of the Manufactured Homes Construction and Safety Standards as revised shall be deemed to have fulfilled the requirements of this section.

4. Minimum Electrical Safety Standards: All manufactured housing shall meet the following minimum safety requirements for electrical installation and maintenance as provided for by the National Electrical Code as said code pertains to the following:

(1) 100 Ampere Entrance required;
(2) Copper wiring required;
(3) Two means of grounding required;
(4) Ground faulting receptacles required;
5. Minimum Fire Prevention Standards: All manufactured housing shall meet the following minimum fire safety requirements as provided for by the National Electrical Code and the Manufactured Housing Construction Standards of 1976 established by the Department of Housing and Urban Development (HUD)

a) All homes shall contain at least one operable fire extinguisher which shall be accessible at all times;

b) All homes shall have at least one operable AC smoke detector centrally located within the home and one operable smoke detector in each of the bedrooms;

c) The installation and maintenance of all heating systems including vents, chimneys, and encompassing secondary and tertiary as well as primary heating sources, shall meet the standards of NFPA 211; In addition, no wood stove shall be used for heating purposes in a manufactured home in the Town of Corinna without first being inspected and approved by the Corinna Fire Department for safe installation; and

d) All automatic dryers, whether electric or gas, must meet the venting requirements of the Manufactured Home Construction Standards of 1976 as established by HUD; and

e) All manufactured homes must meet the requirements of the Manufactured Home Construction Standards of HUD, to wit, all manufactured homes shall provide for at least two means of egress from each bedroom, one of which must be directly to the outside of the home and may be accomplished by way of a window of suitable size which can be opened easily without tools, and two doors exiting directly to the outside of the home separated by distances as established by the standards.

6. Minimum Plumbing Standards: All manufactured housing shall meet the minimum standards of the Maine Plumbing Code as amended.

7. In addition, all electrical installation or modifications to existing manufactured housing shall be inspected by and certified by an electrician licensed by the State of Maine or the Municipal Code Enforcement Officer if duly appointed as electrical inspector.

8. Minimum Design Standards: All manufactured housing will be sited and maintained in such a manner as to blend harmoniously with other residential structures in close proximity, to this end all manufactured housing located within the Town of Corinna after the effective date of this ordinance shall:

a) Have and maintain external siding which is residential in appearance for the manufactured home as well as any additions thereto or accessory structures located on the same lot;

b) Be located on a permanent foundation at a minimum of a gravel pad. Pad must be 8" compacted and the manufactured home must be blocked with 2X2 pressure treated at the blocking points unless otherwise specified by a duly adopted building code.

c) Permanent skirting shall be installed within thirty (30) days of siting;

d) Provide a safe means of egress and ingress to and from the manufactured home including stairs with handrails when applicable.

23. MINERAL EXPLORATION AND EXTRACTION: The following requirements for mineral exploration and extraction activities, including the removal of topsoil, shall apply in all Districts:

(1) All exploration/extraction activities, including test pits and holes, shall be promptly capped, refilled, or secured by other equally effective measures so as to reasonably restore disturbed areas and to protect the public health and safety;

(2) No portion of any ground area disturbed by the extraction activity shall be closer than 25 feet from a public roadway;

(3) Within 250 feet of any water body, the extraction areas shall be protected from soil erosion by ditches, sedimentation basins, dikes, dams, or such other control devices which are effective in preventing sediments from being eroded or deposited in such water body;

(4) A natural vegetation screen of not less than 50 feet in width shall be retained from any facility intended primarily for public use, excluding privately owned roads; and

(5) If any mineral extraction operation located within 75 feet of any property line or public roadway or facility intended primarily for public use, excluding privately owned roads, is to be terminated or suspended for a period of one year or more, the site shall be rehabilitated by grading the soil to a slope of 2 horizontal to 1 vertical, or flattened.

(6) Extraction operations (gravel pit, etc.,) shall not be permitted within one hundred (100) feet of any property line without a written agreement of consent between property owners.

24. OFF-STREET LOADING: Adequate off-street loading areas shall be provided for appropriate land uses. Loading areas cannot be included as parking spaces when meeting parking requirements.

25. OFF-STREET PARKING: Off-street parking, either by means of open-air spaces or by garage space being a permitted use, shall be considered as an accessory use when required or provided to serve conforming uses located in any District;

(1) Dwelling: Two parking spaces per dwelling unit;

(2) Lodging Accommodations:

(a) Lodging accommodations with 10 rooms or less -- Two (2) parking spaces plus one space for each guest room; and

(b) Lodging accommodations with more than 10 rooms --One (1) parking space for each guest plus one (1) space for each three (3) employees;

(3) Schools -- Five (5) parking spaces for each classroom plus one (1) space for each four (4) employees;

(4) Hospitals (bed facilities only) – One (1) parking space for every three (3) beds, plus one (1) for each employee based on the expected average employee occupancy;

(5) Theaters, churches, and other public assembly places – One (1) parking space for every four (4) seats or for every, one hundred (100) \sq. ft. or major fraction thereof of assemblage space if no fixed assets;

(6) Retail Stores – One (1) parking space for every two hundred (200) square feet of retail area, plus one for every two employees, unless public parking is provided;

(7) Restaurants, eating and drinking establishments – One (1) parking space for every four (4) seats, plus one (1) for every two (2) employees, unless public parking is provided;

(8) Professional Offices and Public Buildings – One (1) parking space for every two hundred (200) square feet of gross leasable area, exclusive of cellar and bulk storage areas, unless public parking is provided;

(9) Other Commercial Recreation Establishments (mini golf courses, etc.) The number of spaces deemed appropriate by the Planning Board; and

(10) Industrial – One (1) parking space for each 1.5 employees, based on the highest expected average employee occupancy, plus visit or customer parking to meet the needs of specific operations.

26. OIL AND CHEMICAL STORAGE:

a. All storage of petroleum or liquid products shall be in conformance with the provisions of Title 38 MRS, Section 563 et.seq., which among other things establishes a ten-year compliance schedule for the discontinuance and removal of non-conforming underground oil storage facilities and requires qualified personnel to oversee the removal of certain underground facilities; and compliance with any duly adopted building codes and ordinances of the Town of Corinna.

b. When applicable, the applicant shall have the burden of proof to assure the Planning Board or Code Enforcement Officer that all provisions of the above statutes have been met before the issuance of any permits may take place.

27. PESTICIDE APPLICATION: Pesticide application in any of the Districts shall not require a permit provided such application is in conformance with applicable State and Federal statutes and regulations. Any pollutant introduced into soil on the site shall not exceed a concentration in the ground water that is greater than the guidelines established for it in the Safe Drinking Water Standard, EPA Health Advisory. Any violation of this standard shall be cause, to order the immediate stop of the use or activity responsible for the contamination. The landowner shall be responsible for the cost of all remedial actions.

28. PREMISES-YARD MAINTENANCE STANDARDS

a. All premises and yard areas shall be maintained in a safe and sanitary condition, including but not limited to, steps, walks, driveways, fences, retaining walls, trees, shrubs, grass and weeds. If any such area or object constitutes a danger to health or safety, it shall be repaired, replaced or removed.

b. Weeds and grass shall be kept trimmed and from being overgrown so to not present a hazard.

c. All yards, courts or lots shall be kept free of accumulations of trash, garbage, refuse, junk or other noxious or offensive material which may cause a fire hazard or may act as a breeding place for vermin or insects.

d. All fences, retaining walls or similar structures shall be firmly anchored in the ground and maintained in good structural repair. Wooden elements or other elements subject to deterioration from weathering shall be maintained with chemicals or paint to preserve the element and to retard deterioration.

29. REFUSE DISPOSAL: The impact of particular industrial or chemical waste or by-products upon the sanitary facilities (in terms of volume, flammability, or toxicity) shall be considered and the applicant may be required to dispose of such wastes elsewhere, in conformance with all applicable state and federal regulations. The applicant must specify the amount and exact nature of all industrial or chemical wastes to be generated by the proposed operation, and shall provide for the disposal of all wastes in a timely basis and in an environmentally safe manner

30. SENIOR HOUSING: Senior Housing, as defined in this Ordinance, shall comply with all other standards of this Section including but not limited to building construction, site preparation, access requirements, erosion and sedimentation control, off street parking requirements, and signage. Single-wide mobile homes are prohibited for use as dwellings in a Senior Citizen Housing development.

31. SEWAGE DISPOSAL: No development shall be permitted which utilizes, for on-site subsurface sewage disposal purposes, any soil listed in the Soil Suitability Guide as having a very poor rating for the proposed use, unless the proposed sewage disposal system is approved under the Subsurface Waste Water Disposal Rules.

1. Subsurface Sewage Disposal: No permit shall be issued for a project with subsurface sewage disposal unless:

a) There is an area of suitable soils according to the Subsurface Wastewater Disposal rules of sufficient size, to accommodate the proposed system;

b) An acceptable plan to construct the absorption area is prepared in accordance with the Subsurface Wastewater Disposal Rules; and

c) In lieu of (1) and (2) above, the applicant demonstrates that any deficiencies of the soil for purposes of sewage disposal can and will be overcome by a suitable engineering solution;

32. SIGNS:

1. Conformance of Signs: No sign shall be hereafter placed or erected, altered or maintained, within the limits of the Town of Corinna, Maine except in conformance with the provisions of this section and a permit from the Code Enforcement Officer.

2. Signs Prohibited: No sign, whether new or existing, shall be permitted within the Town of Corinna, which causes a traffic sight, health or welfare hazard, or results in a nuisance, due to illumination, placement, display, or obstruction of existing signs.

3. Temporary Signs: The following temporary signs are permitted provide said signs conform to all standards of this section and all other municipal, federal and state ordinances, statutes and/or regulations:

a) Temporary Signs Giving Notice: Signs of a temporary nature, such as political posters, advertisements or charitable functions, notices of meetings, other non-commercial signs of a similar nature, are permitted for a period not to exceed thirty (30) days, provided that the persons who posted the signs shall be responsible for their removal.

b) Temporary Yard Sale Signs: Temporary yard sale signs are permitted provided they do not exceed the size standards of Subsection (e) and provided they are removed within 24 hours of the completion of the sale. Yard sales which extend for more than four (4) consecutive days are considered commercial use.

4. Sign Requirements: All signs within the limits of the Town of Corinna shall meet the following requirements:

a) No sign shall project over a walkway or interfere in any way with the normal flow of foot or vehicular traffic. All free-standing signs shall be set back a minimum of eight (8) feet from property lines in all Districts.

b) No sign shall contain, include, or be illuminated by flashing, blinking, intermittent, or moving lights;

c) No sign shall exceed 25 feet in height;

d) Signs may be illuminated only by shielded, non-flashing lights so as to effectively prevent beams of light from being directed at neighboring residential properties or any portion of the main traveled way of a roadway, or is of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with the operation thereof.

e) Roof signs shall not extend more than 10 feet above the roof line;

f) Signs in Industrial District. No more than two free standing signs per use. Signs may be double faced. No larger than 100 square feet in area and no higher than 25 feet in height.

5. Off Premise Signs: No off-premise sign shall be erected or maintained in the Town of Corinna except in conformity with the MRS Title 23, Section 1901-1925, and The Maine Traveler Information Services Law. Off premises official business directional signs shall be located in the Town of Corinna in such a location and in such a manner as allowed under Title 23, Section 1901-1925 and under the rules and regulations of the Department of Transportation of the State of Maine.

6. Exempt Signs: The following signs are exempt from the provisions of this section except as otherwise provided for herein:

a) Traffic control signs, signals, and/or other devices regulating or enhancing public safety erected by a governmental body.

33. SITE CONDITIONS

a. During construction, the site shall be maintained and left each day in a safe and sanitary manner, and any condition which could lead to personal injury or property damage shall be immediately corrected by the developer upon order of the Code Enforcement Officer or other authorized personnel. The developer shall make provisions for disposal of oil and grease from equipment and the site area should be regularly treated to control dust from construction activity, and

b. Developed areas shall be cleared of all stumps, litter, rubbish, brush, weeds, dead and dying trees, roots and debris, and excess or scrap building materials shall be removed or destroyed immediately upon the request and to the satisfaction of the Code Enforcement Officer prior to issuing an occupancy permit; and

c. No changes shall be made in the elevation of the lot or site by the removal of earth to another lot or site other than as shown on the approved site plan. Minimal changes to elevations or contours necessitated by field conditions may be made only after approval by the Code Enforcement Officer.

34. SOILS: All land uses shall be located on soils in or upon which the proposed uses or structures can be established or maintained without causing adverse environmental impacts, including severe erosion, mass soil movement, and water pollution, whether during or after construction. Proposed uses requiring subsurface waste disposal, and commercial or industrial development and similar intensive land uses, shall require a soils report, prepared by a duly licensed individual as appropriate for the project.

35. SOLAR ENERGY SYSTEMS: The purpose is to provide for the siting standards and operations of small, medium, and large-scale solar energy systems in The Town of Corinna while protecting the public health, safety, and welfare of Corinna citizens. No medium or large-scale Solar Energy System shall be located within the Town of Corinna without a site plan review by the Planning Board and a permit issued by the Code Enforcement Officer. Any physical modification to any existing Solar Energy System that expands the Solar Energy System shall require approval under this Ordinance. Routine maintenance or replacements do not require a permit.

A. Dimensional Requirements

1. Height

a. Building-integrated photovoltaic systems and roof-mounted Solar Energy Systems shall not exceed the maximum allowed building height or peak of the roof, whichever is greater, in the district they are proposed to be located, except as otherwise provided herein.

2. Setbacks

a. Ground-mounted Solar Energy Systems in all zoning districts shall conform to all setback requirements of the zoning district(s) in which they are permitted in.

B. Standards for all Solar Energy Systems

1. All wiring must comply with the National Electrical Code, most recent edition, as amended and adopted by the Town of Corinna.

2. Prior to operation, electrical connections must be inspected by the Town of Corinna Electrical Inspector.

3. Any connection to the public utility grid must be inspected by the appropriate public utility unless waived by the public utility.

4. Roof-mounted and building-mounted solar collectors shall meet all applicable fire safety and building code standards.

C. Standards for Medium and Large-Scale Ground-Mounted Solar Energy Systems

In addition to the standards above, medium, and large-scale ground-mounted Solar Energy Systems shall comply with the following:

1. Utility Connections – All on-site utility transmission lines and plumbing shall be placed underground. If, however, the applicant can demonstrate that this would not be feasible based on requirements of the utility provider or the soil conditions, shape, or topography of the site, then the reviewing authority may waive this requirement.

2. Safety – The Solar Energy System owner shall provide a copy of the site plan review application to the Fire Chief for their comment. All means of shutting down the Solar Energy System shall be clearly marked on the plan.

3. Visual Impact – Solar Energy System shall be screened from view of any adjacent property that is a Residential District or may be used for residential purposes. The screen shall consist of a vegetative barrier which provides a visual screen, a fence that provides a visual screen, or a similar structure. Applicant shall make reasonable efforts to preserve existing natural vegetation.

4. Glare – Solar panel placement shall be prioritized to minimize or negate any solar glare onto nearby properties, public gathering places or roadways without unduly impacting the functionality or efficiency of the Solar Energy System.

D. Standards for Large-Scale Ground-Mounted Solar Energy Systems

In addition to the standards above, large-scale ground-mounted Solar Energy Systems shall comply with the following:

1. Operations & Maintenance Plan – as part of a large-scale ground-mounted Solar Energy System site plan the project owner shall include an operation and maintenance plan, which shall include measures for maintaining safe access to the

installation as well as the roles and responsibilities of the system owner, operator, landowner and any other party involved in the projects general procedures for operational maintenance and meet the satisfaction of the Planning Board that the public interest is protected.

2. Signage – A sign shall be required to identify the owner and provide a 24-hour emergency contact phone number. A clearly visible warning sign shall be placed at the base of all pad mounted transformers and substations and on the fence surrounding the Solar Energy System informing individuals of potential voltage hazards.

3. Emergency Services – The owner or operator of a large-scale ground-mounted Solar Energy System shall provide a copy of the project summary, electrical schematic, and site plan to the Fire Chief. Upon request the owner or operator shall cooperate with the local emergency services in developing an emergency response plan. A"3200 Series KNOX BOX" shall be provided and installed by the operator to be used to allow emergency service personnel continuous access. All means of shutting down the system shall be clearly marked on the plan. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

4. Maintenance Conditions – The owner or operator of a large-scale ground-mounted Solar Energy System shall maintain the facility in good condition. Maintenance shall include, but not be limited to, faulty wiring, structural repairs, and integrity of security measures. All such systems will be fenced with a chain link fence that is at least 6 feet in height. Site access shall be maintained to a level acceptable to the Fire Chief. The owner or operator shall be responsible for the cost of maintaining the access roads.

5. Removal – Any large-scale ground-mounted Solar Energy System which has reached the end of its useful life or has been abandoned consistent with this ordinance shall be removed. The owner or operator shall physically remove the installation no more than one year after the date of discontinued operations. The owner or operator shall notify the Code Enforcement Officer by certified mail of the proposed date of discontinued operations and plans for removal and disposal. A decommissioning plan shall include:

i. Physical removal of all Solar Energy Systems, structures, equipment, security barriers and transmission lines from the site.

ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.

iii. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Code Enforcement Officer may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

iv. No permit shall be issued until decommissioning funds have been posted by the Applicant with a bonding company or state-chartered

lending institution guaranteeing that upon the end of the useful life of the Solar Energy System the Applicant will have the necessary financial funds in place for 100% of the total cost of decommissioning. Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit or other form of financial assurance acceptable to the Bord of Selectmen. Decommissioning estimates shall be done annually on the anniversary of the project permit and or any time of transfer of ownership. Owner of the project shall be required to maintain Decommissioning Funds that are at least equal to the most recent estimate and submitted to the Town Manager of Corinna for review.

v. The Town of Corinna shall be listed as a co-trustee of the Escrow Account for Decommissioning and the Escrow Agent shall not release the decommissioning funds except upon written approval of the Town of Corinna Board of Selectmen.

6. Abandonment - a large-scale ground-mounted Solar Energy System shall be considered abandoned when it fails to generate electricity for more than one year. Determination of abandonment shall be made by the Code Enforcement Officer.

i. If the owner or operator of the large-scale ground mounted Solar Energy System fails to remove the installation in accordance with the requirements of this section within one year of abandonment or the proposed date of decommissioning, the Town retains the right to use any, and all legal or available means necessary to cause an abandoned, hazardous, or decommissioned large-scale ground-mounted Solar Energy System to be removed.

36. TEMPORARY STORAGE: Portable or mobile trailers, vans, and similar vehicles or temporary buildings may be used for storage, only upon approval of the Code Enforcement Officer and only for temporary period not to exceed six (6) months. Such approval may be granted by the Code Enforcement Officer and may be extended for successive periods of six (6) months each, if a finding can be made that the use:

a. Does not diminish area requirements set forth for the District in which it is located;

b. There is a valid temporary need which cannot be met with the principal structure and that adequate economic hardship can be shown;

c. The initial approval, or any renewal, of the use will not in any way be detrimental to the neighboring properties including aesthetic appearance;

d. The use is not intended as a permanent or long-term use;

e. The use is not intended to circumvent building area limitations for the District in which it is located or prolong the use of facilities which have been outgrown;

f. Will be adequately screened from neighborhood properties and the street;

g. Will not be used as or intended for advertising for on or off premise purposes; or used for retail sales.

The above provisions do not prohibit the use of such temporary facilities as construction or job site office or equipment storage facilities during construction provided that no advertising other than the contractors name shall be permitted and that such signs meet the sign requirements of this Ordinance.

37. TOPSOIL AND VEGETATION REMOVAL:

a. Topsoil shall be considered part of the development and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations;

b. Except for normal thinning, landscaping, cutting or trees to provide access to direct sunlight, existing vegetation shall be left intact to prevent soil erosion. The Planning Board shall require a developer to take measures to correct and prevent soil erosion in the proposed development.

38. UTILITY INSTALLATION: The installation of utilities such as electrical service, transmission lines and associated cables shall be installed underground within the perimeters of the Village Green and Commercial Districts as determined by the Planning Board so as to blend harmoniously with the adjacent land uses and district design. Any installation of an electrical transmission system that has a rated voltage of 115kv or more shall meet the following requirements:

1. Setbacks

a. All electrical transmission systems installed after the effective date of this ordinance shall maintain a setback distance of three hundred fifty feet (350') from any existing occupied structure, located on a parcel other than participating parcels. Distances shall be measured from the middle of the constructed transmission line to the outside wall of an occupied structure for any electrical transmission systems installed in the Town of Corinna.

2. Protection Requirements

a. An electrical transmission line system shall provide State and Federal permits and documentation from the Maine Department of Environmental Protection and the Army Corp. of Engineers showing that the electrical transmission line system will not cause an undue effect on rare, threatened, or endangered wildlife, significant and essential wildlife habitat, rare, threatened, or endangered plants, and rare and exemplary natural plant communities and ecosystems.

b. For all other wetland protection requirements, an electrical transmission line system shall abide by the Corinna Shoreland Zoning and all setback requirements contained in the shoreland zoning ordinance.

3. Standards

a. Application for all electrical transmission line system permits shall be submitted to the Town of Corinna Code Enforcement Officer.

b. An electrical transmission line system shall comply with the NESC (National Electric Safety Code), and all state and local electrical codes.

c. Beyond the outside of an easement, removal of so-called hazard and danger trees shall require the landowner's permission during construction and maintenance of the transmission line.

d. Tree Growth regulators and herbicides shall be permitted for vegetation management.

e. An electrical transmission line system shall document procedures, processes, or specifications it uses to prevent encroachment of vegetation into the ROW in an annual work plan provided to abutting landowners, and the Town of Corinna.

39. YARD/GARAGE SALES: A land use permit for a garage/yard sale shall be issued for a single sale or for a one-year period. The permit shall cover no more than three (3) separate sales during the period. Duration of any one sale shall be three (3) days. No more than three (3) sales shall be held at the same location in any given year. Retail establishments are exempt.

SECTION VII: NON-CONFORMANCE

There are three types of non- conforming status:

A. NON- CONFORMING LOTS OF RECORD: A single parcel of land, the legal description of which or the dimensions of which are recorded on a document or map recorded in the Registry of Deeds which at the effective date of adoption or subsequent amendment of this Ordinance, does not meet the lot area or width requirements or both**,** of the District in which it is located, may be built upon as an existing non-conforming lot of record even though such lot may be contiguous with any other lot in the same ownership, provided that all other provisions of this Ordinance are met.

B. NON-CONFORMING STRUCTURE: A structure that is nonconforming fails to meet yard, height or other development requirements established for the land use district in which it is located; and

C. NON-CONFORMING USE: The use to which lots of record and/or structures are being used but is not a permitted or conditional use in the District in which it is located. Any use of a lot of record or structure which, on the date of adoption of this Ordinance, and that which does not conform to this ordinance is "grandfathered" and can continue, subject only to the following restrictions.

The following provisions shall apply to all non-conforming lots, structures and uses:

1. Burden of Proof: The burden of establishing that any non-conforming structure, use, or lot is a lawfully existing non-conforming structure, use or lot as defined in this Ordinance, shall, in all instances, be upon the owner of such non- conforming structure, use, or lot and not upon the Town of Corinna.

2. Conversion to Conformance Encouraged: Owners of all existing non- conforming structures and uses shall be encouraged to convert such existing non- conforming structures and uses to conformance whenever possible and shall be required to convert to conforming status as required by this Ordinance.

3. Construction begun prior to Ordinance: This Ordinance shall not require any change in the plans, construction, size, or designated use for any building, structure, or part thereof for which a completed application for a local permit has been made, provided application has been subject to substantive review, or a permit that has been issued and upon which construction has been lawfully commenced prior to the adoption or amendment of the Ordinance. Such construction shall comply with Section VI, 8.

4. Transfer of Ownership: Ownership of land and structures which remain lawful but become non-conforming by the adoption or amendment of the Ordinance may be transferred and the new owner may continue the non-conforming use subject to the provisions of this Ordinance

5. Continuance: The use of any building, structure, or parcels of land, which is made non-conforming by reason of the enactment of this Ordinance, or which shall be made non-conforming by reason of a subsequent amendment, may be continued, subject to the following provisions:

a. An existing non-conforming use, non-conforming structure, or a non-conforming use of a structure, shall not be enlarged or increased, nor extended to occupy a greater area of land than that occupied at the effective date of this Ordinance, or any amendment thereto;

b. If any non-conforming use of land or structure ceases for any reason for a period of more than twelve (12) consecutive months, any subsequent use of land shall conform to the regulations specified by this Ordinance for the District in which such land is located. Should any structure be destroyed or damaged by any means, said structure may be rebuilt on the existing foundation to the dimensions of the structure which was destroyed providing rebuilding is begun within one year; and

c. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of the adoption or amendment of this Ordinance, but no such uses shall be extended to occupy any land outside such building;

d. Any non-conforming use of a structure, premises or land may be changed to another non-conforming use provided that the Planning Board shall find that the proposed use is more consistent with the District's purpose than the existing non-conforming use, at no time shall a use be permitted which is less conforming nor revert back to the previous non-conforming use;

e. A non-conforming use of a structure, or a non-conforming structure may be moved within the boundaries of the lot provided that the Planning Board finds that the change in location on the lot is appropriate to:

(1) Location and character;
(2) Fencing and screening;
(3) Landscaping, topography, and natural features;
(4) Traffic and access;
(5) Signs and lighting; and
(6) Potential nuisance.

SECTION VIII: APPEALS

A. ADMINISTRATIVE APPEALS. The Board of Appeals shall hear and decide appeals where it is alleged that there is any error in any order, requirement, decision, or determination made by, or failure to act by, the Code Enforcement Officer or the Planning Board in the administration of this Ordinance. When errors of administrative procedures or interpretation are found, the case shall be remanded to the Code Enforcement Officer or Planning Board for correction.

B. HEARINGS.

a. For all appeals from decisions by the Code Enforcement Officer concerning applications for permits authorized by this ordinance, the Board of Appeals shall hold a public hearing as prescribed herein. The Town Clerk shall cause to be published and posted a notice which shall indicate the property involved, the nature of the appeal and the time and place of public hearing.

b. The Code Enforcement Officer, unless prevented by illness or absence from the state, shall attend all hearings and shall present to the Board of Appeals all plans, photographs, and other factual information which is appropriate to an understanding of the appeal.

c. All appeals to the Board of Appeals must be filed within 30 days of the date of decision or action.

C. VARIANCES. The Board of Appeals shall authorize variances upon appeal, within the limitations set forth in this Ordinance.

a. Dimensional variances may be granted only from dimensional requirements including frontage, lot area, lot width, height, and setback requirements.

b. Variances shall not be granted for establishment of any use otherwise prohibited by this Ordinance.

c. The Board shall not grant a variance unless it finds that:

1. The proposed structure or use would meet the performance standards of this Ordinance except for the specific provision which has created the non-conformity and from which relief is sought; and

2. The strict application of the terms of this Ordinance would result in an undue hardship. The term “undue hardship”, shall mean the following:

a.) The land in question cannot yield a reasonable return unless a variance is granted;

b.) That the need for a variance is due to the circumstances of the property and not to the general conditions of the neighborhood;

c.) That the granting of a variance will not alter the essential character of the locality; and

d.) That the hardship is not the result of action taken by the applicant or a prior owner.

d. The Board may grant a variance to a property owner for the purpose of making that property accessible to a person with a disability who is living or regularly visits the property. The Board shall restrict any variance granted under this Sub-Section solely to the installation of equipment or the construction of structures necessary for access to or egress from the property by the person with the disability.

e. The Board may grant a variance to a property owner from a setback requirement only when strict application of the zoning ordinance to the petitioner and the petitioner's property would cause undue hardship. A variance under this section may not exceed 20% of a set-back requirement and may not be granted if the variance would cause the area of the dwelling to exceed the maximum permissible lot coverage (if applicable). If the petitioner has obtained the written consent of an affected abutting landowner, the 20% limitation may be extended. The term "undue hardship" for this section means:

1. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;

2. The granting of a variance will not alter the essential character of the locality;

3. The hardship is not the result of action taken by the applicant or a prior owner;

4. The granting of the variance will not substantially reduce or impair the use of abutting property; and

5. That the granting of a variance is based upon demonstrated need, not convenience, and no other feasible alternative is available.

D. **VARIANCES RECORDED.** If the board grants a variance under this section, a certificate indicating the name of the current property owner, identifying the property by reference to the last recorded deed in its chain of title and indicating the fact that a variance, including any conditions on the variance, has been granted and the date of the granting, shall be prepared in recordable form. This certificate must be recorded in the local registry of deeds within 90 days of the date of the final written approval of the variance of the variance is void. A variance is not valid until recorded as provided in this section. The date of the final written approval shall be the date stated on the written approval.

E. APPEAL TO SUPERIOR COURT. An appeal may be taken within thirty (30) days after any decision is rendered by the Board of Appeals, by any party to Superior Court in accordance with State Law.

F. APPEALS. Appeals from decisions of the Code Enforcement Officer or the Planning Board may be taken pursuant to the provisions of this Ordinance.

SECTION IX: FEE SCHEDULE

CODE ENFORCEMENT OFFICER PERMITS. All application fees for permits shall be paid to the Town of Corinna in accordance with the fee schedule as established by the Selectmen of the Town of Corinna. Fees shall be for the cost of processing the permits and shall not be refundable regardless of the final decision to issue or deny a permit. Advertising costs, technical or legal assistance and associated costs deemed necessary by the Town for the review of applications shall be the responsibility of the applicant.

1. NEW BUILDINGS AND STRUCTURES

Residential (one family)	75.00
Multi Family Buildings	100.00
Each additional unit	50.00
Commercial, Industrial, Agricultural Barns, etc	100.00
Barns non-commercial 500 sq. ft. or less	20.00
Over 500 sq. ft.	30.00
Outbuildings (Accessory) Up to 100 sq. ft.	10.00
Camps, Garages 101 to 500 sq. ft.	20.00
Over 500 sq. ft.	30.00

2. ELECTRICAL PERMIT

Residential	50.00
Commercial	75.00
Inspection Fee	75.00
Commercial Solar	2500.00

3. RENTAL PERMITS

Initial Permit	20.00
Per additional unit	5.00
Renewal Permit	20.00
Per additional unit	5.00

4. SUBDIVISIONS

With application	250.00
Per lot (after approval)	25.00
Per acre (after approval)	3.00

5. MISCELLANEOUS USE

Business	25.00
Flea Market (per season)	10.00
Harvest Permit	
Shoreland Zoning	10.00
Home Occupation	25.00
Outdoor Wood Fired Boiler	50.00
Housing Inspection	50.00

ALL OTHER USES OF THE SCHEDULE OF USES IN SECTION III OF THE LAND USE ORDINANCE IN PERMITTED ZONES

1. ALTERATIONS TO EXISTING BUILDINGS

Alterations to existing residential structures	10.00 per alteration
Alterations to existing commercial, industrial, agricultural and institutional buildings	25.00 per alteration

2. PLACEMENT OF SIGNS

Sign placement	5.00 per sign

3. CHANGE OF USE

With floor area or land less than 100 sq. ft.	25.00
With floor or land over 100 sq. ft.	25.00 plus $.03 per sq' over 100 sq ft

4. DEMOLITION OR MOVING

Moving or Demolition of principal buildings or structures	15.00
Mobile Homes in /out / Mobile Home Parks	15.00

5. ERECTION OF FENCES

Erection of fence (non-agricultural)	5.00

6. YARD SALES

3 days (maximum 3 per year)	10.00 per 3 days

BOARD OF APPEALS ADMINISTRATIVE FEES

APPEALS AND VARIANCES: All applications for Administrative Appeals and approval of variances by the Board of Appeals, under the Ordinance shall be accompanied by a check in the amount of fifty ($50.00).

When a permit is not obtained until after construction begins the above fees shall be doubled. The doubled fee is in addition to any fine or penalty imposed for violating this by failing to obtain a building permit prior to construction.

Approved July 12, 2000

Amended February 13, 2002

Amended June 12, 2002

Amended January 8, 2003

Amended June 25, 2025

SECTION X: HOUSING SUPPLEMENT

1. This section of the Town of Corinna Land Use Ordinance is intended to meet the requirements of LD2003; LD 1706 and rule, 19-100 CMR Ch. 5, *Housing Opportunity Program: Municipal Land Use and Zoning Ordinance Rule.* The intent of compliance with State of Maine statute and rule is to allow for (1) additional density for affordable housing developments in certain areas; (2) multiple dwelling units on lots designated for housing; and (3) one accessory dwelling unit located on the same lot as a single-family dwelling unit in any area where housing is permitted.

2. **The Department of Economic and Community Development (DECD) Rule and this ordinance do not:**

A. Abrogate or annul the validity of enforceability of any valid and enforceable easement, covenant, deed restriction, or other agreement or instrument between private parties that imposes greater restrictions than those provided in this rule, as long as the agreement does not abrogate rights pursuant to the United States Constitution or the Constitution of Maine.

B. Exempt a sub-divider from the requirements in Title 30-A Chapter 187 subchapter 4.

C. Exempt an affordable housing development, a dwelling unit, or accessory dwelling unit from the shore-land zoning requirements established by the Department of Environmental Protection pursuant to Title 38 Chapter 3 and municipal shore-land zoning ordinances.

D. Abrogate or annul minimum lot size requirements Title 12 Chapter 423-A.

AFFORDABLE HOUSING AND DENSITY BONUS

A. Municipalities with designated growth areas, areas that allow multi-family housing and density requirements, e.g., zoning defined lot sizes and setbacks, must adopt additional density requirements for affordable housing developments. The law establishes the municipal role in statewide housing production goals established by the DECD. Section §4364-C and provides that a municipality:

* Shall ensure local ordinances and regulations are designed to "affirmatively further" the purposes of the federal Fair Housing Act (FHA) and the Maine Human Rights Act (MHRA) to achieve the statewide or regional housing production goals.
* May establish and enforce short-term rental regulations to achieve housing production goals.

B. Section §4364 governs affordable housing developments approved on or after July 1, 2024. Under this section, a municipality that has adopted **"density requirements"** is required to authorize a **"density bonus"** for eligible **"affordable housing developments"** constructed in specific areas in the municipality.

C. A proposed Affordable Housing Development is entitled to a density bonus if it:

1. Meets the definition of an "affordable housing development" in §4364 (1) and DECD Rule and this ordinance. (which includes specific income limits for rental or owner occupied developments).

2. Is in a "designated growth area" as defined by the law and DECD Rule or is served by public water and sewer.
3. Is in any area in the municipality where multi-family dwellings are allowed. Multi-family structures and dwellings are defined in this ordinance.
4. Meets the state subsurface wastewater disposal system minimum lot size requirements (12 M.R.S. Ch. 423-A)
5. Complies with state and local shore-land zoning requirements (if the proposed development will be in the shore-land zone).
6. The owner of the development provides written verification that the affordable housing units will meet the water and wastewater system requirements outlined in Title 30-A §4364 (5).
7. The owner of the development executes and records a restrictive covenant in the Penobscot County Registry of Deeds, for the benefit of and enforceable by a party acceptable to the municipality, ensuring that the development will remain affordable, as defined by the law, for at least 30 years. See Title 30-A §4364 (3) for affordability criteria. See also "long term affordability," in the definition section of this ordinance.

D. **Corinna is subject to the affordable housing density bonus; therefore, the following must be applied:**

1. Eligible affordable housing developments must be granted a dwelling unit "density bonus" of at least 2.4 times the base density otherwise allowed by municipal ordinance in that location.
2. No more than two off-street parking spaces for every three units in an eligible affordable housing development can be required. If fractional results occur when calculating off-street parking requirements, the number of necessary parking spaces rounded up to the nearest whole number.

E. **Affordable Housing Developments in Corinna- Requirements and Process:**

1. The process for submission and review of applications for an affordable housing development project will be done in accordance with the requirements of the Corinna Land Use Ordinance and Subdivision Ordinances; however, the dimensional requirements for an affordable housing project may be adjusted during the Planning Board review to accommodate the density bonus.
2. The minimum lot size for a multi-family structure in Corinna is 2 acres. The resulting lot size for additional dwelling units resulting from application of the density bonus cannot result in lots that are less than the minimum lot size required by the state under Title 12, Chapter 423-A.
3. All dwelling units must meet the requirements of a "dwelling unit" as defined in the Corinna Land Use Ordinance.
4. Verification of an adequate subsurface wastewater system and a source of potable water must be provided to the CEO or Town appointed designee qualified plumbing inspector.

a) If a dwelling unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of approval and payments for the connection to the sewer system.
b) If a dwelling unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector pursuant to 30-A M.R.S. §4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules* adopted under Maine Title 22, §42.
c) If a dwelling unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of approval and payment for the connection and the volume and supply of water required for the unit; and
d) If a dwelling unit is connected to a well, proof of access to potable water, including standards outlined in 01-672 C.M.R. Ch.10 section 10.25(J), Land Use Districts and Standards. An existing well or proposed well must be tested to verify that the water supply is potable; and has sufficient capacity to support the attached dwelling units and is acceptable for domestic use.

5. The Town Attorney will review and approve the restrictive covenants required for an affordable housing project as required by Title 30-A, 4364(3) and defined in this ordinance to ensure long-term affordability of the units. The developer will be required to cover the costs to the Town for the legal review.
6. The Town will work with the Maine State Housing Authority to administer and enforce covenants related to state and federal housing laws.

3. **ACCESSORY DWELLING UNIT AND ADDITIONAL DWELLING UNITS:**

A. If a lot owner builds four Additional Dwelling Units on a lot in the growth area, addition of an accessory dwelling unit will not be permitted.
B. The Town of Corinna has the discretion to determine whether a proposed housing structure is an accessory dwelling unit or an additional dwelling unit.
C. If a property owner adds ~~three (3) or more~~ additional dwelling units to a tract of land ~~within a five-year period~~, the requirements of the subdivision ordinance may be triggered.
D. If a property owner installs a total of three Tiny Homes (as defined in this ordinance), mobile homes, or combination thereof as dwelling units, the property is subject to the application of Corinna's Manufactured Housing Standards (Section VI).

ACCESSORY DWELLING UNIT (ADU) 30-A M.R.S.A. §4364-B

1. Eligibility for an Accessory dwelling unit:

A. An Accessory Dwelling Unit (ADU) shall be allowed on any lot having an existing single-family home if certain conditions are met. The single-family home will be considered the principal dwelling unit. This includes a lot where the existence of a single-family dwelling is a conditional use.

B. An ADU shall be allowed on a non-conforming lot with an existing single-family dwelling so long as the ADU does not increase the non-conformity. In other words, the accessory dwelling unit does not make worse the deviation from the dimensional standards which produced the non-conformity, excluding lot area.

C. A building permit for a single-family home may include an ADU if the provisions of this section are met, and the building conforms to all the dimensional requirements for the zone in which it will be built. An ADU may be included in a new home constructed on a lawful non-conforming lot of record.

D. An ADU built prior to July 1, 2024, but without municipal approval, will be allowed if the ADU otherwise meets the requirements of a single-family dwelling unit.

E. An ADU may not be subject to any additional motor vehicle parking requirements beyond the parking requirements of the single-family dwelling unit on the lot.

2. Conditions: An ADU shall be permitted under the following conditions:

A. Setbacks:

1) Only one ADU is permitted per lot. The ADU must meet the same setback requirements as the principal dwelling unit.

2) The ADU may be in the same building as the single-family dwelling unit; in a building attached to or sharing a wall with the principal dwelling; or as a separate dwelling on the lot. Any structure containing an ADU must meet minimum setback requirements for principal structures.

B. ADU Requirements:

1) The ADU must have an exterior door that allows the occupants to enter or exit without going through the principal dwelling. All ADUs must meet the State of Maine Life/Safety codes.

2) The ADU must have a separate 911 and mailing address from the principal dwelling unit.

3) The property owner must occupy either the principal dwelling unit or the ADU as their principal residence, and at no time receive rent for the owner-occupied unit. Principal residence must be proven by voter registration or other evidence acceptable to the CEO.

4) The property owner must have a legal or equitable ownership interest in the property and bear all or part of the economic risk of decline in value of the property and who receives all or part of the remuneration, if any, derived from the lease or rental of the dwelling unit.

5) The ADU may be rented so the owner-occupant may benefit from additional income. The owner may also elect to occupy the ADU and rent the principal dwelling unit. Rental of either the ADU or the principal dwelling unit must be registered with the CEO annually.

6) The minimum square footage for an ADU is 190 habitable sq.ft. The minimum square footage is subject to change if the Technical Building Code and Standards Board, pursuant to 10 M.R.S. Section §9722, adopts a different minimum standard. If so, that standard will apply. The maximum gross floor area of the ADU shall be the lessor of 100% of the square footage of the principal dwelling, or 2,500 sq. ft. The ADU must meet the definition and requirements of a dwelling unit in this ordinance.

7) The property owner wishing to build an ADU must provide written verification of services prior to obtaining a building permit. Verification of an adequate subsurface wastewater system and a source of potable water must be provided to the CEO or Town appointed designee qualified as a Plumbing Inspector. Written verification must include the following:

a) If a housing structure is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of approval and payments for the connection to the sewer system.

b) If a housing structure is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector pursuant to 30-A M.R.S. §4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules.*

c) If a housing structure is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of approval and payment for the connection and the volume and supply of water required for the unit; and

d) If a housing structure is connected to a well, proof of access to potable water, including standards outlined in 01-672 C.M.R. Ch.10 section 10.25(J), *Land Use Districts and Standards.* An existing well or proposed well must be tested to verify that the water supply is potable, and acceptable for domestic use.

8) The CEO may inspect an ADU with or without complaint with a minimum of forty-eight hours of receipt of notice of inspection to the property owner to ensure compliance with the ordinance. If the CEO is denied access to the property for inspection, the building permit or occupancy permit may be cancelled, and the property owner may be subject to fines and legal action. Any property owner found in violation of this section shall have 30 days from the date of written notice to correct such violation. Failure to correct the violation may subject the property owner to legal action, penalties, and remedies.

3. Reporting and Record Keeping

The CEO shall prepare a biennial report to the planning board on ADU's which will include:

- The number of units established.
- The geographic distribution of the units; and
- The average size of the units.

4. Application Process to Construct an ADU

A. The CEO will accept applications for an ADU; review plans, issue building permits and verify the ADU meets all ordinance requirements. The Planning Board will not act on applications for an ADU.

B. If an applicant disagrees with a determination by the CEO, the applicant can appeal the decision to the Board of Appeals.

C. The applicant must provide a copy of the deed to document there are no restrictions or covenants on the property which would prevent an ADU from being constructed.

D. Upon completion of the ADU, the CEO will conduct as inspection before issuing an occupancy permit in accordance with the Corinna Land Use Ordinance.

ADDITIONAL DWELLING UNITS 30-A M.R.S.A. §4364-A

1. GENERAL

a) Additional Dwelling units on lots where housing is allowed on July 1, 2024, must be permitted subject to the requirements below. Private, state, or local standards such as homeowners' association regulation, deed restrictions, lot size, setback, density, septic requirements, minimum lot size, additional parking requirements, growth ordinance permits, shore-land zoning and subdivision requirements, may also apply to lots.

b) Additional dwelling units may be separate units or within one structure.

c) Additional Dwelling units constructed with an existing dwelling unit may be attached or detached from the existing dwelling.

d) If a property uses a total of three Tiny Homes (as defined in the ordinance), mobile homes, or combination thereof as dwelling units, the property is subject to the application of Corinna's Manufactured Housing Standards (Section VI-pg 6.9).

e) All additional dwelling units must have individual 911 and mailing addresses.

2. PERMITTED NUMBER OF ADDITIONAL DWELLING UNITS PER LOT UNDER CERTAIN CONITIONS:

An additional dwelling unit may be allowed on any lot permitting residential use as follows:

A) If a lot is designated growth area and **does not contain an existing dwelling unit,** up to four (4) dwelling units may be allowed per lot. The designated growth areas in the Town of Corinna are the Commercial, Mixed Residential, Industrial and Residential zones.

1. The number of Additional dwelling units allowed is contingent on whether the lot meets the requirements of Title 12 M.R.S. Ch 423-A.
2. The addition of four additional dwelling units is prohibited if a dwelling unit in existence after July 1, 2024, is torn down and an empty lot results. In this circumstance, the lot is still considered to have a single dwelling unit.
3. A lot may be considered vacant even though it has a commercial building or other structure besides a dwelling on it.

B. If a lot **does not have an existing dwelling unit**, two (2) additional dwelling units per lot may be allowed provided:

1. The lot is in an area allowing residential housing, including as a conditional use.
2. The lot is not located in a designated growth area.
3. A lot may be considered vacant even though it has a commercial building or other structure on it.
4. The number of additional dwelling units allowed is contingent on whether the lot meets the requirements in Title 12 M.R.S. Ch. 423-A.

C. A lot **with one existing dwelling unit** is allowed, up to two (2) additional dwelling units under certain conditions. The additional dwelling units may be within or attached to the existing dwelling units, may be detached from the existing structure; may be within one structure or separate structures. The number of additional dwelling units allowed is contingent on whether the lot meets the requirements in Title 12 M.R.S. Ch. 423-A.

D. If a lot contains two existing dwelling units, no additional dwelling units may be built on the lot. Combinations of two dwelling units include:

1. a principal dwelling unit and an additional dwelling unit.
2. the presence of a duplex or other multifamily dwelling unit.

3. CONDITIONS FOR ADDITIONAL DWELLING UNITS

A. An additional dwelling unit shall be permitted under the following conditions:

1. Additional dwelling units will require the same lot size and must meet the same setbacks as those applied to a single-family dwelling. For example, if the minimum lot size needed for a single-family dwelling is one acre, each additional dwelling unit built will require an additional acre thereby increasing the lot size required to 2 acres. Furthermore, the additional dwelling unit must meet the same setback requirements as required for a single-family dwelling.

2. The additional dwelling unit must have an exterior door that allows the occupants to enter or exit without going through an attached dwelling. All additional dwelling units must meet the state of Maine Life/Safety codes.
3. The additional dwelling unit must meet the definition and requirements of a dwelling unit as defined in this ordinance.
4. Occupancy of an additional dwelling unit shall be in accordance with the definition of occupancy limits and habitable space contained in this ordinance. Increased occupancy limits may be granted after application to the CEO and inspection of the dwelling unit by the CEO or designee.
5. The property owner wishing to build an additional dwelling unit must provide written verification of services prior to obtaining a building permit. Verification of an adequate subsurface wastewater system and a source of potable water must be provided to the CEO or Town-appointed designee and payments for the connection to the sewer system.

a) If a housing structure is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of approval and payments for the connection to the sewer system.
b) If a housing structure is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector pursuant to 30-A M.R.S. §4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules.*
c) If a housing structure is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of approval and payment for the connection and the volume and supply of water required for the unit; and
d) If a housing structure is connected to a well, proof of access to potable water, including standards outlined in 01-672 C.M.R. Ch.10 section 10.25(J), *Land Use Districts and Standards.* An existing well or proposed well must be tested to verify that the water supply is potable, and acceptable for domestic use.

F. The property owner must own the additional dwelling units on the lot. Leasing or renting the land to a person or entity to build a dwelling or set-up a tiny home or mobile home for the purpose of habitation is prohibited. However, the property owner may rent or lease additional dwelling units to tenants. Use of the additional dwelling unit as rental property must be registered with the CEO. Property owners are not permitted to advertise or use additional dwelling units as short-term rentals, until five (5) years after construction.

G. The CEO may inspect an ADU with or without complaint with a minimum of forty-eight hours of receipt of notice of inspection to the property owner to ensure compliance with the ordinance. If the CEO is denied access to the property for inspection, the building permit or occupancy permit may be cancelled, and the property owner may be subject to fines and legal action. Any property owner found in violation of this section shall have 30 days from the date of written notice to correct such violation. Failure to correct the violation may subject the property owner to legal action, penalties, and remedies.

H. Additional dwelling units must have a road or driveway accessible by emergency vehicles.

4. REPORTING AND RECORD-KEEPING

The CEO shall prepare a biennial report to the planning board on additional dwelling units which will include:

A. The number of units established.
B. The geographic distribution of the units; and
C. The average size of the units.

5. APPLICATION PROCESS TO CONSTRUCT ADDITIONAL DWELLING UNITS

A. The CEO will accept applications for additional dwelling units, review plans, issue building permits, and verify the additional dwelling units meet all ordinance requirements. The CEO may approve a single additional dwelling unit if it is attached to a single-family dwelling and otherwise meets all ordinance requirements. The CEO, if necessary, shall refer the request for additional dwelling units to the Planning Board for approval.

B. The Planning Board will review requests for two or more additional dwelling units on a property to determine if the requirements of the Corinna Land Use Ordinance for lot dimensions, setbacks, road frontages, and road entrances are met in addition to ordinance requirements for additional dwelling units. The addition of four additional dwelling units may trigger the application of the Corinna Subdivision Ordinance.

C. Planning Board approval is required for any additional dwelling units proposed for establishment in commercial or industrial garages or buildings as that may constitute a change in use.

D. The applicant must provide a copy of the deed to document that there are no restrictions or covenants on the property.

E. Upon completion of the additional dwelling unit, the CEO will conduct an inspection before issuing an occupancy permit in accordance with the Corinna Land Use Ordinance.

F. All additional dwelling units must have a driveway or road accessible by emergency vehicles.

SECTION XI: DEFINITIONS

A. CONSTRUCTION OF LANGUAGE

1. In this Ordinance, certain terms or words should be interpreted as follows:
    a. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual;
    b. The present tense includes the future tense, the singular number includes the plural and plural includes the singular;
    c. The word "shall" is mandatory;
    d. The word 'may" is permitted;
    e. The words "used" or "occupied" includes the words "intended", "designed", or "arranged to be used or occupied"; and
    f. The word "dwelling" includes the word "residence".

In the case of any difference or meaning or implication between the text of this ordinance and any map or illustration, the text shall control.

2. Terms not defined shall have the customary dictionary meaning.

B. DEFINITIONS: For the purposes of interpreting this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein.
*Requires a Code Enforcement Permit.

ABUTTER: Owners of properties sharing a property line with that of the applicant, including properties directly across the road or stream.

ABUTTING: Having a common border with or being separated from such common border by an alley or easement.

ACCESS: A means of approach or entry to or exit from property.

ACCESSORY DWELLING UNIT*: A separate residential dwelling unit which is located within, attached to or in a detached building and subordinate to the principal dwelling located on the same lot. ADU is for a single family. The owner must occupy either the ADU or principal dwelling. The unit must be registered with the town of Corinna. Must meet size requirements.

ACCESSORY STRUCTURES: Include, but not limited to, parking lots, on-premises advertising signs, solar collectors, in-ground swimming pools, fuel tanks, dish antennas. Accessory Dwelling Units and Additional Dwelling Units are not considered Accessory Structures.

ACRE: A measure of land containing forty-three thousand, five hundred and sixty (43,560) square feet.

ADDITIONAL DWELLING UNIT*: A separate residential dwelling unit which is located within, attached to or in a detached building and subordinate to the principal dwelling located on the same lot. The number of additional dwelling units allowed varies with the zoning location of the lot, and the lot size required and the existing presence or absence of a dwelling unit.

AFFORDABLE HOUSING DEVELOPMENT*: For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs; and

For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area, as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs.

AGGRIEVED PERSON: A person whose interests are damaged or adversely affected by a decision, an action, or the failure to act by the Planning Board or Code Enforcement Officer.

ALTERATIONS*: Alterations of a building, including expanding, replacing, extending on a side or by increasing height; or in moving from one location or position to another, or changing an existing use or structure or parts thereof, including, but not limited to:

a. Interior renovations for change in use;
b. Enclosing a porch, for creation of additional sleeping space or any activity which increases the existing of water used daily;
c. Erection of fences as specified under State Statue;

APPEAL: A means for obtaining review of a decision, determination, order or failure to act pursuant to the terms of this Ordinance as expressly authorized by this Ordinance.
ARCHAEOLOGICAL/HISTORIC SITE/STRUCTURE: Means any site or structure that is:

1. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
3. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or

4. Individually listed on a inventory or historic places in communities which historic preservation programs that have been certified either: (a)by an approved State program as determined by the Secretary of the Interior; or (b) directly by the Secretary of the Interior in States without approved programs.

AREA MEDIAN INCOME: The midpoint of a region's income distribution calculated on an annual basis by the U.S. Department of Housing and Urban Development.

ATTACHED DWELLINGS: “Attached” means connected by a shared wall to the principal dwelling or another dwelling on the lot.

ATTIC: That part of a building which is immediately below, and wholly or partly within, the roof framing.

BASEMENT: The substructure of a building that is partially or wholly below ground level which may or may not be used for living spaces.

BUFFERS: Units of land, together with specified types and amounts of planting thereon and any structures which may be required between land uses to eliminate or minimize conflicts between them.

BUILDING FRONT LINE: Line parallel to the front lot line transecting that point in the building face which is closest to the front lot line. This face includes porches whether enclosed or unenclosed but does not include steps.

CERTIFICATE OF OCCUPANCY*: Official certification that a premise conforms to the provision of the Land Use Ordinance (and electrical code, plumbing code, American Disabilities Act, Life Safety101 and NFPA 31). Unless such a certificate is issued, a structure cannot be lawfully occupied. See SECTION V.

CHANGE OF USE*: The change of any premises from one category of land use to any other land use.

CLUSTER DEVELOPMENT*: The development, according to an approved plan, of a large tract of land where three (3) or more buildings are constructed on lots smaller than normally required in the district where located, provided the overall density of the development of the tract does not exceed the density or requirements of the district; and land not built upon is permanently preserved as common "open space". The term also refers to a Planned Unit Development.

CODE ENFORCEMENT OFFICER: A person appointed by the Board of Selectmen to administer and enforce this Ordinance.

DANGEROUS BUILDINGS: Any building that is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.

DEMOLITION/MOVING*: All buildings or structures which are removed from or onto, or moved around within a lot, or demolished.

DESIGNATED GROWTH AREA: An area that is designated in a municipality's comprehensive plan as suitable for orderly residential, commercial, or industrial development, or any combination of those types of development and into which most development projected over ten years is directed. Designated growth areas may also be referred to as priority development zones or other terms with a similar intent. If a municipality does not have a comprehensive plan, a designated growth area means an area served by a public sewer system that has the capacity for the growth-related project, an area identified in the latest Federal Decennial Census as a census-designated place, or a compact area of an urban compact municipality.

DEVELOPER: The legal or beneficial owner(s) of a lot or parcel of any land proposed for inclusion in a development, including the holder of an option or contract to purchase.

DISTRICT: A specified portion of the Town, delineated on the Official Zoning Map, within which certain regulations and requirements or various combinations thereof, apply under the provisions of this Ordinance.

DRAINAGE: The removal of surface or ground water from land by drains, grading or other means. Drainage includes the control of runoff to minimize erosion and sedimentation during and after development and includes the means necessary for water-supply preservation or alleviation of flooding.

EASEMENT: Legally binding authorization by a property owner of the use by another and for a specified purpose of any designated part of his property.

ENLARGEMENT OR TO ENLARGE*: An "enlargement" is an addition to an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use. To "enlarge" is to make an enlargement.

ESSENTIAL SERVICES: The construction, alteration, maintenance of gas, electrical, communication facilities, steam, fuel or water transmission or distribution systems, collection supply or disposal systems. Such systems include towers (with exception of cellular towers), poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories. These systems are exempt from definition of a structure.

EXTENSION OR TO EXTEND: An increase in the amount of existing floor area used for an existing use within an existing building. To "extend" is to make an extension.

FAMILY: Two (2) or more persons related by blood, marriage or adoption or guardianship, or not more than five (5) persons not so related occupying a dwelling unit and living as a single housekeeping unit; such a group to be distinguished from a group occupying a boarding house, lodging house, club, or fraternity, or hotel.

FLOOD HAZARD AREAS: All construction or earth activities or other improvements within a 100-year flood plain designated on the Flood Insurance Rate Maps published by the Federal Emergency Management Agency.

GARAGE, RESIDENTIAL: An accessory building for parking or temporary storage of automobiles of residential occupants of the premises, or a part of the residence usually occupying the ground floor area of principal one-or-two family dwellings. Not more than one (1) space may regularly be used by the private passenger automobile or a person not resident on the premises.

GUEST ROOM: A room in a hotel, motel, tourist home or "bed and breakfast" residence offered to the public for compensation in which no provision is made for cooking.
designated place, or a compact area of an urban compact municipality.

HABITABLE SPACE: Space in a building for living, sleeping, eating, or cooking, bathrooms, toilets, hallways, storage areas, closets, or utility rooms are not considered habitable space. Habitable space is conditioned and provides access to natural light and air.

INDUSTRY: Use of a premises for assembling, fabricating, finishing, manufacturing, packaging, or processing. These include but are not limited to assembly plants, laboratories, power plants, pumping stations and repair shops.

LAND USE PERMIT*: A permit for proposed land use activity as defined in this Ordinance and issued by the Planning Board or Code Enforcement Officer in accordance with the provisions of this Ordinance.

LOADING SPACE: An off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.

LONG-TERM AFFORDABILITY: Before granting final approval of an affordable housing development, including but not limited to issuing an occupancy permit, a municipality shall require that the owner of the affordable housing development have executed a restrictive covenant, recorded in the appropriate registry of deeds, for the benefit of and enforceable by a party after completion of construction.

For rental housing, occupancy of all the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and for owned housing, occupancy of all the units designated affordable in the development will remain to households at or below the 120% of the local area median income at the time of initial occupancy.

LOT: A parcel of land undivided by any street or public road and occupied by, or designated to be developed for, one (1) building or principal use and the accessory buildings or uses incidental to such building, use or development, including such open spaces and yards as are designed, and arranged or required by this Ordinance for such building, use or development.

LOT AREA: The area contained within the boundary lines of a lot.

LOT CORNER: A lot abutting two or more streets at their intersection.

LOT DEPTH: The mean horizontal distance between the front and rear lot lines measured within the lot boundaries.

LOT FRONTAGE: Lot width measured at the street lot line. When a lot has more than one street lot line, lot width shall be measured, and the minimum lot width required by the Ordinance shall be provided, on at least one street.

LOT LINE: A line bounding a lot which divides one lot from another, or from a street or any other public or private space, as defined below:

a. Front Lot Line: In the case of a lot abutting only one street, the street line separating such lot from such street; in the case of a double frontage lot, each street line separating such lot from a street shall be considered to be the front lot line, except where the rear yard requirement is greater than the front yard requirement in which case one of two opposing yards shall be a rear yard. In the case of a lot with no road frontage, the front lot line shall be considered the lot line in front of the building.

b. Rear Lot Line: That lot line which is parallel to and most distant from the front lot line of the lot; in the case of an irregular, triangular, or gore-shaped lot, a line twenty (20) feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the front lot line shall be considered to be the rear lot line. In the case of lots which have frontage on more than one road or street, the rear lot line shall be opposite the lot line along which the lot takes access to a street.

c. Side Lot Line: Any lot line other than a front or rear lot line.

LOT OF RECORD: Any validly recorded lot which at the time of its recordation complied with all applicable laws, ordinances, and regulations.

LOT STANDARDS: The combination of controls which establishes the maximum size of a building and its location on the lot. Components of lot standards, also known as "space and bulk" regulations in size and height of building; location or exterior walls at all levels with respect too lot lines, streets and other buildings; building coverage; gross floor area of buildings in relation to lot area; open space (yard) requirements; and amount of lot area provided per dwelling unit.

MOTOR VEHICLE: Every vehicle which is self-propelled and designed for carrying persons or property or which is used for the transportation of persons.

MOTOR VEHICLE, UNSERVICEABLE: Any motor vehicle which is wrecked, dismantled, cannot be operated legally on any public highway, or which is not being used for the purposes for which it was manufactured.

MOVING OR DEMOLITION*: All buildings or structures which are removed from, or moved onto, or moved around within a lot, or demolished.

NEW CONSTRUCTION: New construction of buildings and structures.

NON-CONFORMING USE: See SECTION VII

NORMAL MAINTENANCE AND REPAIR: Any work necessary to maintain an improvement or structure in its original or previously improved state or condition. Normal maintenance and repair shall not include reconstruction, change in design, change in structure, change in use, change in location, change size or capacity.

. NUISANCE: Any violation of this Ordinance shall be deemed a nuisance.

OCCUPIED STRUCTURE: Means any structure, over 100 sq. ft. maintained, or intended for the use of shelter of persons, or animals, with a completed construction date prior to the date of adoption or amendment of this ordinance.

OWNER: The person or persons having the right of legal title to, beneficial interest in, or a contractual right to purchase a lot or parcel of land.

PARCEL: The entire area of a tract of land before being divided by a development.

PARKING LOT: An open area other than a street used for the parking of more than four automobiles and available for public use whether free, for compensation, or an accommodation for clients or customers.

PARKING SPACE: A surfaced area, enclosed or unenclosed, being sufficient in size to store one automobile together with a driveway connecting the parking space with a street, road or alley and permitting ingress and egress of that automobile without the necessity of moving any other automobile.

PARTICIPATING PARCEL: A parcel of land from which an interest has been conveyed to a publicly regulated utility company, including said interest conveyed and any remaining portion thereof.

PERFORMANCE STANDARD: A criterion established to control the use of land and structures. The purpose of performance standards is to provide detailed regulations and restrictions by means of minimum criteria which must be met by users in order to protect neighbors from adverse impacts of adjoining land uses and to protect the general health, safety and welfare of citizens of Corinna.

PHOTOVOLTAIC (PV) SYSTEM OR DEVICE: A Solar Energy System that produces electricity with the use of semiconductor devices called photovoltaic cells, which generate electricity when exposed to sunlight. A PV system or devise which may be roof-mounted or ground-mounted.

PLACEMENT OF SIGNS*: Placement of signs except temporary signs.

PROJECT BOUNDARIES: Means the boundaries of any project under construction within which the Owner/Operator has legal right title or interest, or the option to acquire the same.

RETAIL ESTABLISHMENT: Any business, housed in a permanent structure, engaged primarily in the sale of goods to the ultimate consumer for direct consumption and/or use.

RIGHT OF WAY (ROW): Is a right to make a way over a piece of land, usually to and from another piece of land. A right of way is a type of easement granted or reserved over the land for transportation purposes, such as a highway, public footpath, rail transport, canal, as well as electrical transmission lines.

ROAD: A thoroughfare or way consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles.

a. Private Road: A thoroughfare or way designated for private use and maintained by a property owner or group of property owners.

b. Public Road: A public thoroughfare, way, or easement permanently established for passage of persons or vehicles.

SETBACK: The minimum distance from the center of the road or lot line to the nearest part of a structure.

SIGN ITEMS: Device, model, banner, pennant, insignia, flag, or other representation, which is used as the nature of an advertisement, announcement or direction.

SIGNS*: Free Standing: A sign supported by one or more uprights or braces permanently affixed into the ground.

a. **Portable**: A sign not designed or intended to be permanently affixed into the ground or to a structure.
b. **Roof**: A sign which is attached to a building and is displayed above the eaves of such building.
c. **Temporary**: A sign of a temporary nature, erected less than ninety (90) days, exemplified by the following: political poster, charitable signs, construction signs carnival signs, garage sale signs, lawn sale signs, rummage sale signs, and all signs advertising sales of personal property, and for rent signs.
d. **Wall**: Any sign painted on, or attached parallel to, the wall surface of a building and projecting therefrom not more than six (6) inches.
e. **Window**: Any on-premise, non-temporary sign visible from the exterior of the building or structure which is permanently painted, attached, glued, or otherwise affixed to a window.
f. **Area of a Sign**: The exposed surface of the sign including all ornamentation, embellishment, background, and symbols.

SOLAR ARRAY: Multiple solar panels, modules or solar devices grouped together to create one system with the purpose of harvesting energy.

SOLAR CELL: The smallest basic solar electric device which generates electricity when exposed to light.

SOLAR ENERGY: Radiant energy (direct, diffuse, and/or reflective) received from the sun.

SOLAR ENERGY SYSTEM: A solar PV cell, panel, module or array, or solar thermal collector, which relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation or transfer of stored heat.

SOLAR ENERGY SYSTEM, LARGE SCALE: A Solar Energy System whose physical size based on total airspace projected over the ground is equal to or greater than 4 acres (174,240 square feet), and that generates a nameplate capacity of 1 mgw or greater.

SOLAR ENERGY SYSTEM, MEDIUM SCALE: A Solar energy system whose physical size based on total airspace projected over the ground is equal to or greater than 20,000 square feet but less than 4 acres (174,240 square feet), and that generates a nameplate capacity of 125 kw to 1 mgw.

SOLAR ENERGY SYSTEM, SMALL-SCALE: A Solar Energy System whose physical size based on total airspace projected over the ground is less than 20,000 square feet and that generates a nameplate capacity of about 125 kw or less. A small-scale system typically is an accessory use to a principal use on the property.

SOLAR GLARE: The potential for solar panels to reflect average sunlight, with an intensity sufficient to cause annoyance, discomfort, loss in visual performance or visibility, or a public safety hazard.

SOLAR MODULE: A grouping of solar cells with the purpose of harvesting solar energy.

SOLAR RELATED EQUIPMENT: Items including a solar PV cell, module, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used or intended to be used for collections of solar energy.

STRUCTURAL TERMS: Building: Any structure, maintained, or intended for use as shelter or enclosure of persons, animals, goods or property of any kind. This term is inclusive of any use thereof. Where independent units with separate entrances are divided by walls, each unit is a building.

Building, Accessory: A building which (1) is subordinate in area, extent and purpose to the principal building or use served, (2) is located on the same lot as the principal building or use served except as otherwise expressly authorized by the provisions of this Ordinance, and (3) is customarily incidental to the principal building or use. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building. Does not include Accessory or Additional Dwelling Units.

Building, Principal: A building (structure) which is conducted or in which is intended to be conducted, the main or primary use of the lot on which it is located.

Dwelling: A building or portion thereof, used exclusively for residential occupancy, including single-family, two-family and multiple family dwellings.

Dwelling Unit/Apartment: A room or group of rooms designed and equipped exclusively for use as living quarters for only one (1) family, including provisions for living, sleeping, cooking and eating.

STRUCTURE*: Anything constructed or erected, the use of which requires permanent location on, above or below the surface of the land, including a pool, storage sheds, animal sheds, workplace cafeteria, recreational facilities, septic system, wells, patio or deck. (See Essential Services)

SUBSTANTIAL START TO CONSTRUCTION: the completion of thirty (30) percent of a permitted structure or use measured as a percentage of estimated cost.

TINY HOME: As defined in 29-A M.R.S. §101 (80-C). A dwelling unit permanently constructed on a frame or chassis and designed for use as permanent living quarters.

TRANSIENT: A non-resident person residing within the Town of Corinna less than thirty days.

USE: The purpose or activity for which land or any building thereon is designed, arranged, or intended, or for which it is occupied or maintained.

1. Accessory Use: A use subordinate to a permitted use located on the same lot, and customarily incidental to the permitted use.
2. Principal Use: The specific primary purpose for which land is used.
3. Conforming (Permitted) Use: A use which may be lawfully established in a particular district, provided it conforms with all the requirements, standards and regulations of such district.
4. Non-Conforming Use: A use which does not conform to the provisions of this Ordinance.
5. Open Space Use: A use which does not disturb the existing state of the land except to restore this land to a natural condition.

VARIANCE: A relaxation of the terms of this Ordinance where such a variance would not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this Ordinance would result in unnecessary or undue hardship.

YARD: The area of land on a lot not occupied by buildings.

1. Front Yard: The open, unoccupied space on the same lot with the principal building between the front lot line and the nearest part of any building on the lot, extending the entire width of the lot.
2. Rear Yard: The open, unoccupied space on the same lot with the principal building between a rear lot line and the nearest part of any building on the lot and extending the entire width of the lots.
3. Side Yard: The open, unoccupied space on the same lot with the principal building between a side lot line and the nearest part of any building on the lot, extending from the front yard to the rear yard.

YARD SALE/GARAGE SALE*: Shall mean and include all sales entitled “garage sale”, “lawn sale”, “porch sale”, “yard sale”, “attic sale”, “rummage sale”, or “flea market” sale or any similar casual sale of tangible property which is advertised by an means or is made evident by articles being set out in a yard, porch, or garaged whereby the public at large is/can be made aware of such sale. A land use permit for a garage/yard sale shall be issued for a single sale or for a one-year period. The permit shall cover no more than three (3) separate sales during the period. Duration of any one sale shall be three (3) days. No more than three (3) sales shall be held at the same location in any given year. Retail establishments are exempt.