Town of Bridgton
Land Use Ordinance
Draft Date March 29, April 4, 2017
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ARTICLE I. GENERAL PROVISIONS

A. Official Land Use District Maps. The Town of Bridgton (hereafter, the “Town” or “Bridgton”) hereby divides a portion of the Town into districts as defined and described herein, and as shown on the Official Land Use District Maps of Bridgton, which maps are hereby incorporated into this Town of Bridgton Land Use Ordinance (hereafter “Ordinance”), in accordance with 30-A M.R.S.A. § 4352(3). The maps shall be signed by the Town Clerk and Chairman of the Planning Board at the time of adoption or amendment of this Ordinance, certifying the date of such adoption or amendment, and shall be filed in the office of the Town Clerk.

B. Prohibited Uses; Omitted Uses. It is the intent of this Ordinance that any use not specifically allowed herein is specifically prohibited.

C. Amendment. This Ordinance, or any provision thereof, may be amended, including to allow other allowed uses allowed uses and conditional uses or to change district boundaries and classifications, by an affirmative vote of the Town voters at a regular or special Town Meeting, by written ballot, in accordance with Article XVI and applicable law.

D. Availability. A certified copy of this Ordinance shall be filed with the Town Clerk and shall be accessible to any member of the public. Copies shall be made available to the public at reasonable cost at the expense of the person making the request.

E. Conflicting Provisions

This Ordinance is complementary to all other Town Ordinances affecting the use, Height, area, and location of buildings and the use of land, but where there is a conflict between this Ordinance and any other federal, state or local rule, regulation, Ordinance, statute or other laws or rules, the more restrictive provision shall control.

Violations of any Ordinance existing prior to the adoption of this Ordinance shall not be considered moot as a result of the adoption of this Ordinance. Nothing herein shall exempt any applicant or proposed development or land use from the requirement(s) of complying with other applicable Ordinances and regulations of the Town of Bridgton.

ARTICLE II. AUTHORITY

This Ordinance is adopted pursuant to home rule powers as provided for in Article VIII, Part Second, of the Maine Constitution; 30-A M.R.S.A. §§ 2101 et seq., 2691, 3001 and 4352-4358; 38 M.R.S.A. §§ 435 to 449; any other enabling statutes; and all amendments thereto.
ARTICLE III. PURPOSES AND INTENT

This Ordinance and its regulations are designed for all the purposes of zoning embraced in the Maine Revised Statutes including, among other things, to promote and conserve the general health, safety, and welfare of the inhabitants and to encourage compatible land uses. The purpose of this Ordinance is also to implement the goals from the Land Use Plan contained in the approved Comprehensive Plan as set forth below:

- Protect the character of Bridgton while preserving the private property rights of its citizens
- Using minimal restrictions, protect residents from incompatible uses, protect natural resources, and preserve the existing character of the landscape
- Provide encouragement and incentives to direct commercial growth to appropriate growth areas
- Expand and nurture economic growth in ways that build on the assets we have
- Expand and nurture economic growth that contributes to the vitality of the downtown
- Expand and nurture economic growth with plans for commercial development in designated growth areas along the inner 302 and 117 corridors
- Retain and protect the New England village character of the downtown and the outlying villages through thoughtful planning and the use of development and design standards
- Encourage development that is human-scale, walkable, pleasant, dense, accessible
- Protect the Town’s many natural resources
- Protect the character of the Town’s rural neighborhoods

ARTICLE IV. APPLICABILITY

This Ordinance shall apply to the land as described below. All buildings or Structures hereinafter constructed, reconstructed, altered, enlarged, or moved, and the uses of buildings and land, including the division of land, shall be in conformity with the provisions of this Ordinance. No building, Structure, land, or water area shall be used for any purpose or in any manner except as provided for in this Ordinance.

A. Districts – Land contained in the properties assigned the following 2016 Assessors Map and Lot numbers are regulated under the respective district below:

1. Downtown Village I Business:

   Map 22, Lots 42, 43A, 43, 84, 85, 86, 90, 91, 92, 94, 95, 96, 97, 98, 99, 113, 114, 115, 123, 123A, 125, 126, 127

Map 24, Lots 11, 12, 34, 38, 102, 103

Map 27, Lots 5, 6, 11, 12, 13, 15, 16, 17, 18, 38, 39, 40, 41, 43

2. Downtown Village II Business:

Map 9, Lots 54, 55, 56, 79, 79A-1, 79B, 80, 83

Map 23, Lots 99, 100, 101, 102

Map 24, Lots 3, 6, 6A, 7, 9, 33, 46, 47, 48, 49, 50, 51, 52, 68, 69, 70, 71, 71A, 71B, 92B, 94, 95, 96, 97, 98, 99, 100, 101

Map 27, Lots 15, 16, 17, 18, 22A, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37

Map 28, Lots 19, 24, 37

3. Inner Corridor:

Map 5, Lot 82

Map 9, Lots 53, 57, 59, 58, 60, 60A, 60B, 61, 62, 63, 64A, 64-1, 64-2, 64-3, 65, 66, 67, 67A, 69, 69A, 69B, 69C, 70, 70A, 71, 72, 72B, 72C, 72D, 73, 74, 75, 76, 76A, 77

Map 10, Lots 1, 1A, 3-1, 3-2, 3-3, 5, 6, 7, 8, 8A, 9, 10, 10B, 10-1, 10-2, 10-3, 10-4, 12, 13, 14, 14A, 15, 15B, 15B-1, 15B-2, 15C, 56, 57, 58A, 58E, 58F

4. Outer Corridor:

Map 3, Lot 63


Map 6, Lots 1, 2, 2A, 2A-12, 3, 4, 4A, 5A, 5B, 5C, 5C-1, 5D, 6A, 6B, 6, 10, 11C, 11B, 15, 18, 19, 23, 24, 24A, 24G, 24L, 24-1, 25, 26, 26-1, 26-2, 26-3, 26-4, 26-5, 26-6, 27, 27A, 28, 30, 29, 29A, 29B

Map 10, Lot 4
B. No land shall be used or occupied and no Structures shall be designed, constructed, reconstructed, altered, enlarged, moved, or occupied except in conformity with this Ordinance and all applicable regulations, including all applicable design standards, and upon performance of all conditions attached to a permit issued by the Code Enforcement Officer, Planning Board, or Board of Appeals approved pursuant to this Ordinance.

C. No person, firm, corporation, or other entity, and no officer, employee, or agent of said firm, corporation, or other entity shall sell, rent, lease, offer, or attempt to sell, rent, lease, or offer any land or Structure in a manner or for a use prohibited by this Ordinance.

D. Notwithstanding the provisions of 1 M.R.S.A. § 302, this Ordinance shall govern any and all proceedings, applications for permits, or approvals required hereunder or any other Ordinances of the Town which were pending before any officer, board, or agency of the Town on or any time after the effective date of this Ordinance.

ARTICLE V. EFFECTIVE DATE

A. The effective date of this Ordinance or any amendments thereto shall be immediately upon its/their adoption by a favorable vote of the voters of the Town at a regular or special Town Meeting, unless otherwise expressly specified; provided, however, that those portions of this Ordinance related to shoreland regulation shall not be effective unless approved by the Commissioner of the Maine Department of Environmental Protection. A certified copy of this Ordinance, attested and signed by the Town Clerk, shall be forwarded to the Commissioner of the Department of Environmental Protection for approval. If the Commissioner fails to act on this Ordinance within 45 days of the Commissioner’s receipt of this Ordinance, the Ordinance shall be deemed approved. Any application for a permit submitted to the Town within such 45-day period shall be governed by the terms of this Ordinance as if the Ordinance were approved by the Commissioner.

B. A certified copy of this Ordinance shall also be filed with the Cumberland County Registry of Deeds.

ARTICLE VI. INTERPRETATION OF DISTRICTS

A. Boundary Lines of Districts

Where uncertainty exists as to boundary lines of districts as shown on the Official Land Use District Maps of Bridgton the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, public utilities, or rights-of-way shall be construed as following such center lines.
2. Boundaries indicated as approximately following established lot lines or Town boundaries shall be construed as following such lines.

3. Boundaries indicated as approximately following shorelines of any water body, including any great pond, shall be construed as following the normal high water mark of the water body. Boundaries indicated as approximately following the thread of a stream shall be construed as following the lower edge of the stream. Boundaries indicated as approximately following the edge of a wetland shall be construed as following the upland edge of the wetland.

4. Boundaries indicated as being parallel to or extensions of any of the features listed in subparagraphs 1, 2, or 3, above, shall be so construed.

5. Distances not specifically indicated on the Official Land Use District Map of Bridgton shall be determined by the scale of the map.

6. Where physical or natural features existing on the ground are at variance with those shown on the Official Land Use District Map of Bridgton, or in other circumstances where uncertainty exists with respect to the location of a boundary, the Board of Appeals shall interpret the district boundaries; provided, however, that in all cases the determination of any shoreline Minimum Setback shall be determined by actual site measurement.

7. Any conflict between the Official Land Use District Maps of Bridgton and a description by metes and bounds contained in this Ordinance shall be resolved in favor of the description by metes and bounds.

B. Division of Lot by Boundaries

When a lot is transected by a district boundary, the regulations set forth in this Ordinance applying to the larger part, as measured by area, of such lot shall also govern in the smaller part beyond such district boundary, but not more than 50 linear feet in depth beyond said district boundary, except that no such extension shall be permitted into a shoreland district or a resource protection district.

C. Authority to Interpret Maps

The Code Enforcement Officer shall have the initial authority to interpret the Official Land Use District Maps of Bridgton except where another officer, board, or agency of the Town is specifically empowered to administer a related provision of this Ordinance.
In the event of a dispute that cannot be resolved by the rules in this Article, the applicant or the Code Enforcement Officer may refer the matter to the Board of Appeals, and the Board of Appeals shall interpret the location of the disputed district boundaries pursuant to the procedure for administrative appeals. Where uncertainty exists as to the exact location of district boundary lines, the Board of Appeals shall be the final administrative authority as to the location of district boundaries.

ARTICLE VII. REQUIREMENTS FOR ALL DISTRICTS

A. Use Regulations; General

No use is permitted unless it is listed as a permitted or conditional use in this Ordinance. Any use not expressly permitted in a district shall be prohibited in said district.

B. Uses Allowed in All Districts

1. Municipal Uses, Institutional Uses, Private Clubs/Associations, and Public Schools are allowed in all districts, and shall be subject to all permitting requirements applicable to such uses.

2. Essential Services are allowed in all districts, and shall not be subject to permitting requirements or requisite setbacks.

3. Farmer’s Markets and Non-commercial Agriculture are allowed in all districts.

4. Parking lots and garages are allowed as an Accessory use in all districts. Parking lots are allowed as a primary use in all districts if municipally owned or open to the public.

5. Signs, in accordance with the Town of Bridgton Sign Ordinance.

6. Structures and uses that are Accessory to permitted principal uses.

C. Nonconforming Uses, Structures, and Lots

1. Definition

A legally existing (grandfathered) nonconforming lot, Structure, or use is a lot, Structure, or use that lawfully existed immediately prior to the enactment of this Ordinance, or any subsequent amendment thereto, and which, as a result of the enactment of this Ordinance, or any subsequent amendment thereto, presently fails to comply with any of the requirements of this Ordinance or its amendments, including, but not limited to, the restrictions and standards for the district in which the lot, Structure, or use is located.
2. General

i. It is the intent of this Article that all nonconformities shall be converted to conformity when required by this Article.

ii. Any nonconformity not expressly allowed by this Ordinance as a legal nonconformity is hereby deemed illegal and shall cease or be corrected immediately.

iii. The burden of establishing that any nonconformity is a legal nonconformity shall, in all cases, be upon the owner of such nonconformity and not upon the Town of Bridgton.

iv. Any legally existing nonconformity may be transferred, and the new owner may, subject to the requirements of this Article, continue such legal nonconformity; provided, however, that nothing contained herein shall be construed to permit any person or entity to occupy or use any lot or Structure or to continue any use in violation of any applicable federal or state law, Ordinance, or regulation.

v. Once converted to conformity, no lot, Structure, or use shall be permitted to revert to nonconformity.

vi. Nothing herein shall require any change in the plans, construction, size, or use for any building, Structure, lot or part thereof for which a permit has been issued and upon which construction has been lawfully commenced prior to the adoption of this Ordinance or any amendment thereto.

3. Nonconforming Uses

The use of any land or Structure, or any portion thereof, which is made nonconforming as a result of the enactment of this Ordinance, or any subsequent amendment thereto, may be continued, but only in strict compliance with the following requirements:

i. No nonconforming use or Accessory use related thereto shall be enlarged, increased, or extended to occupy a greater area of land than such use occupied when it became nonconforming.

ii. No existing Structure devoted partially or entirely to a nonconforming use shall be enlarged, increased, or extended to occupy a greater area of land than such Structure occupied when it became nonconforming.
iii. Any nonconforming use may be extended throughout any parts of an existing Structure which, at the time such use became a nonconformity, was arranged or designed for such nonconforming use; provided, however, that no nonconforming use shall be enlarged, increased, or extended to occupy any land outside such Structure.

iv. Any nonconforming use of land or a Structure may be changed to another nonconforming use provided that: (1) the Planning Board finds that the proposed use will have no greater adverse impact on the subject and adjacent properties and resources, than the existing use, and (2) the Planning Board grants site plan approval upon a finding that the proposed use meets all standards except those that cause the existing use to be nonconforming.

v. If any nonconforming use ceases or is discontinued for any reason for a period of 12 or more consecutive months, any subsequent use shall conform to the requirements of this Ordinance in all respects.

vi. A nonconforming use may be moved within the boundaries of a lot provided that the Planning Board finds that the proposed new location would cause the nonconforming use to become more appropriate with regard to one or more of the following conditions:

a. Location, character, and natural features;

b. Fencing and screening;

c. Landscaping and topography;

d. Traffic and access;

e. Signs and lighting; and

f. Potential nuisance.

vii. Notwithstanding the above requirements, a non-conforming multi-residential use may be modified, enlarged and extended in the Downtown Village District I and the Outer Corridor.

4. Nonconforming Structures

Any Structure which is made nonconforming as a result of the enactment of this Ordinance, or any subsequent amendment thereto, may be continued, but only in strict compliance with the following requirements:
Town of Bridgton Land Use & Zoning Committee
3.29.17 LUZ meeting draft

i. Except as specifically permitted herein, no Structure shall be enlarged, altered, or extended in any way that increases its nonconformity.

ii. Any enlargement, alteration, or extension of a nonconforming Structure that does not project past existing walls, foundations, or eaves that already encroach into the required Minimum Setback Area shall not be considered to increase the Structure's nonconformity.

iii. A Structure that is nonconforming because it does not meet a Maximum Front Setback requirement may be enlarged, altered, or extended so as to may increase the footprint of the Structure by no more than 30%. Only one such 30% enlargement, alteration, or extension of the footprint of such a Structure is permitted.

iv. The façade of a structure that is nonconforming because it does not meet the façade requirements may be altered by up to 30% of the total square footage of the façade. Only one such 30% alteration of the façade is permitted.

v. If a nonconforming Structure is accidentally destroyed by fire or natural catastrophe, the Structure may be re-built on the existing footprint if re-construction does not increase the non-conformity of the building and if re-construction commences within 2 years of the destruction.

vi. Whenever a new or replacement foundation is constructed under a nonconforming Structure, the Structure and new foundation must be placed such that district requirements are met to the greatest extent possible as determined by the Planning Board. The Planning Board, as part of its review, shall consider the following factors when determining whether said requirements are met to the greatest extent possible:

a. Consistency with setback distances of existing adjacent buildings;
b. General character of the neighborhood;
c. Operations of the nonconforming Structure;
d. Physical barriers on the property; and
e. Site characteristics.
5. Nonconforming Lots

A single parcel of land, the legal description or dimensions of which are recorded in a deed, plat, or map on file at the Cumberland County Registry of Deeds, which lawfully existed immediately prior to the enactment of this Ordinance or any subsequent amendment thereto and which, as a result of the enactment of this Ordinance or any amendment thereto, does not meet the lot size requirements in the district in which it is located, and which does not adjoin another parcel in common ownership, may be built upon without the need for a variance, subject to the following requirements:

i. Such building or construction shall, in all other respects, comply with the provisions of this Ordinance and any other applicable laws, rules, and Ordinances.

ii. No construction shall be commenced until the owner demonstrates to the satisfaction of the officer, body, or agency of the Town charged with authorizing said construction that there is reasonable access to the site for emergency vehicles.

iii. Two or more nonconforming vacant parcels of land in common ownership shall be consolidated to form one or more lots which conform to the greatest extent possible to the dimensional standards of the district(s) in which the parcels are located. Whenever possible, such lots shall be consolidated so that no nonconforming lot or lots are formed or remain.

iv. One or more nonconforming vacant parcels of land adjoining a conforming parcel in common ownership and containing a Structure shall be consolidated so as to bring the nonconforming vacant lot into conformity to the greatest extent possible.

v. One or more conforming vacant parcels of land adjoining a nonconforming lot in common ownership and containing a Structure shall be consolidated with said improved lot so as to bring the improved lot into conformity to the greatest extent possible. If the remaining portion of the vacant parcels constitutes a conforming lot, said remaining portion shall constitute a separate lot. Otherwise, the combined lots shall constitute one lot.

vi. If two or more principal uses or Structures exist on a single lot of record, each may be transferred or sold on a separate lot, provided that the separate lots are each in compliance with the State Minimum Lot Size Law (12 M.R.S.A. §§ 4807-A through 4807-D) and the State of Maine Subsurface Wastewater Disposal Rules.
D. Lots In Two Towns

When a lot is transected by a municipal boundary, the regulations set forth in this Ordinance apply only to that portion of the lot located in Bridgton.

ARTICLE VIII. ESTABLISHMENT OF ZONING DISTRICTS

The Town of Bridgton is hereby partially divided into the following zoning districts:

A. Downtown Village I Business District (DVB-I)
B. Downtown Village II Business District (DVB-II)
C. Inner Corridor District (IC)
D. Outer Corridor District (OC)
E. Shoreland Zoning, as an overlay district, as set forth in the Town of Bridgton Shoreland Zoning Ordinance, in accordance with the Mandatory Shoreland Zoning Act, 38 M.R.S.A. §§ 435-449.
A. Downtown Village I Business District (DVB-I)

1. Preamble

The Downtown Village I Business District encompasses Bridgton’s traditional downtown along its Main Street and includes Depot Street and the Post Office block. In this area are located: Town Government uses including Police and Fire Departments; the District Court; public services such as the Library and the Community Center; parks; the Town beach; Retail, professional, and service businesses, including restaurants and bars; along with single family homes and apartments. The Downtown Village I Business District underlies Shoreland Zoning areas along Highland Lake, where the Town beach, residences, and businesses are located right on the water, as well as in the heart of the downtown along Corn Shop Brook and Stevens Brook. Pondicherry Park lies in the center of Town along Stevens Brook. Both on street and off street parking is available. A main focus and the primary goal of this district is to achieve a lively, highly functional downtown supporting an intentional mix of Retail, office/institutional, and Residential uses at relatively higher densities. The rehabilitation of older buildings is encouraged and new building in this area should continue to add, improve, and complement the pattern of development that exists. While Commercial use of the ground floor is required, second Story Residential use is permitted and encouraged.

For a list of all parcels in this District, see Article IV, A, 1.

2. Building

i. Façade

a. A 6-foot Maximum Front Setback Line is established for each Principal Building.

b. At least 65% of the Principal Building façade shall be located within the Maximum Front setback Area. To add variety and diversity to a Principal Building, up to 35% of a Principal Building may have an architectural recess.

c. Protrusions on any portion of a Principal Building above the Ground Story shall be cantilevered.

d. No portion of a Principal Building façade within the Maximum Front Setback Area shall exceed 120 feet of continuous linear plane.
Fig. 1- Depiction of 6’ Maximum Front Setback Line (in support of VIII A.2.i.a)

Fig. 2- Principal Building Façade location within Maximum Front Setback Area (in support of VIII A.2.i.b)
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3.29.17 LUZ meeting draft

Downtown Village I, continued

ii. Height

a. Each Principal Building shall be at least 2 stories in Height, but no greater than 2 ½ stories in Height and, in any event, no Structure Height shall exceed 35 feet.

b. The Height of Accessory Structures shall be no more than 18 feet.

c. Ground Story Height

(1) The average Ground Story finished floor elevation within 30 feet of the Maximum Front Setback Line shall be not lower than the front sidewalk elevation and not higher than 21 inches above the front sidewalk, unless a higher elevation is required to comply with applicable floodplain or flood insurance requirements.

iii. Building Envelope

a. Fenestration

(1) Lengths of façade uninterrupted by windows or other exterior openings exceeding 15 feet are prohibited on all Ground Story façades.

(2) Ground Story Fenestration shall comprise a minimum of 30% of the Ground Story façade.

(3) Upper Story Fenestration shall comprise a minimum of 20% of the façade of each upper Story.

(4) Functioning doors shall be required along the Ground Story façade at intervals of no greater than 50 feet.

b. Building Projection

(1) No portion of any Structure shall obstruct a public or private sidewalk, or extend beyond a property line, except as provided herein.

(2) Awnings on the Ground Story may project over a public sidewalk provided they maintain a clearance height of at least 8 feet but no more than 12 feet above the sidewalk.

(3) Signs may project over a public sidewalk provided that they maintain a clearance height of at least 10 feet above the sidewalk.
Fig. 3- Minimum Ground Story Fenestration of Façade (in support of VIII A.2.iii.a.2) [38% Ground Story Fenestration depicted]

Fig. 4- Minimum Upper Story Fenestration of Façade (in support of VIII A.2.iii.a.3) [25% Upper Story Fenestration depicted]
Downtown Village I, continued

(4) Awnings, balconies, stoops, porches, and walkways shall be set back at least 2 feet from a Common Lot Line, except for Alleys for which the property owners have a recorded an instrument allowing a lesser setback. Walkways and stoops providing access into a Structure shall not be subject to this requirement.

3. Street Wall

A Street Wall of not less than 42 inches in height or greater than 4 feet in height shall be required on any portion of a lot which abuts a public road and is not occupied by a Principal Building, drive, garage entry or pedestrian gate. The Street Wall may be set back a maximum of 4 feet from the Structure façade.

The Street Wall height shall be measured from the adjacent sidewalk, or, when not adjacent to a sidewalk, from the average finished grade in the Maximum Front Setback Area.

One pedestrian gate no wider than 6 feet shall be permitted within any required Street Wall.

Lots containing open public spaces and parks are exempt from the Street Wall requirements set forth in subparagraphs i, ii, and iii, above.

4. Garage and Parking

i. All parking lots must be set back a minimum of 15 feet from the front Public Lot Line.

ii. One curb cut with a width no greater than 18 feet is allowed on any street frontage for surface parking lots, unless otherwise required by the Maine Department of Transportation.

iii. Openings for parking Garage access shall have a maximum height of 16 feet and an access width no greater than 24 feet.

iv. Parking lots and Garages on lots with frontage on Main Street and another street shall not use Main Street for vehicular access.

5. Corner Lots

Principal Buildings located on corner lots shall meet all applicable standards with respect to each roadway, including Maximum Front Setback requirements.
Fig. 5- Depiction of 15' Setback Line for Parking Lots (in support of VIII A.4.i)

Fig. 6- Depiction of 6' Maximum Front Setback Line for Corner Lots (in support of VIII A.5)
Downtown Village I continued

6. Uses

Uses in this district shall be consistent with the intent set forth in the preamble for this district. (see page 15)

i. Allowed uses—Ground Story:
   
a. Retail, Restaurant, Office, and Professional Service
b. Light Assembly
c. Warehousing
d. Transient Accommodation
e. Institutional, Cultural, and Public Assembly
f. Bank
g. Residential, provided such uses do not occupy more than 30% of Gross Floor Area and provided that the Gross Floor Area which is not devoted to Residential uses is located nearest to the Public Lot Line
h. Research and Development
i. Health Institution

ii. Allowed uses—Upper Stories, including within the roof of any Structure where the roof is configured as an Attic Story:
   
a. Residential, including Multi-Residential I or Multi-Residential II
b. Home Occupation
c. Retail, Restaurant, Office, and Professional Service, but excluding Registered Medical Marijuana Dispensary Facility
   
d. Light Assembly
e. Institutional, Cultural, Public Assembly
f. Senior and Special Needs
g. Transient Accommodation
h. Warehousing
i. Bank
j. Pharmacy
Downtown Village I, continued

K. Research and Development
I. Health Institution

7. Minimum Lot Size: 2,500 square feet
B. Downtown Village II Business District (DVB-II)

1. Preamble

The Downtown Village II Business District creates a transition into Bridgton’s downtown, where the traffic slows and the street character changes. New development in these areas should reflect the historic pattern while enriching the experience for people coming into Town. The enhancement of pedestrian activity from and to the downtown, the residential neighborhoods, and into outlying districts is a major goal for development in this area. Rehabilitation of existing buildings is encouraged and new construction shall respect the existing scale of adjacent buildings.

For a list of all parcels in this District, see Article IV,A,2.

2. Open and Buildable Areas

i. A contiguous public space or Private Open Area of at least 15% of the total Buildable Area shall be preserved on each lot.

ii. The Minimum Setback from all Public and Common Lot Lines shall be 10 feet.

3. Building

i. Façade

a. A 15-foot Maximum Front Setback Line is established for each Principal Building.

b. At least 65% of the Principal Building façade shall be located within the Maximum Front setback Area. To add variety and diversity to a Principal Building, up to 35% of a Principal Building may have an architectural recess.

c. Protrusions on any portion of a Principal Building above the Ground Story shall be cantilevered.

d. No portion of a Principal Building façade within the Maximum Front Setback Area shall exceed 120 feet of continuous linear plane.

ii. Height

a. Each Principal Building shall be at least 1 ½ stories in Height, but no greater than 2 ½ stories and, in any event, no Structure Height shall exceed 35 feet.

b. The Height of Accessory Structures shall be no more than 18 feet.
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3.29.17 LUZ meeting draft

Fig. 7 - Depiction of 10' Minimum Setback for Buildings from all Public and Common Lot Lines (in support of VIII B.2.ii)

Fig. 8 - Depiction of 15' Maximum Setback for Buildings from Public Lot Line (in support of VIII B.3.i.a.)

Fig. 9 - Principal Building Façade location within Maximum Front Setback Area (in support of VIII B.3.i.b)
Downtown Village II, continued

c. Ground Story Height

(1) For Residential Uses: The average Ground Story finished floor elevation shall be a minimum of 2 feet and a maximum of 4 feet above the exterior sidewalk or front yard elevation at the Maximum Front Setback Line.

(2) For Commercial Uses: The average Ground Story finished floor elevation within 30 feet of the Maximum Front Setback Line shall be:

(i.) Not lower than the front sidewalk or front yard elevation; and

(ii.) Not higher than 21 inches above the sidewalk or front yard elevation.

4. Building Envelope

i. Fenestration

a. Lengths of façade uninterrupted by windows or other external openings exceeding 15 feet are prohibited on all Ground Story façades.

b. Ground Story Fenestration shall comprise a minimum of 25% of the Ground Story façade.

c. Upper Story Fenestration shall comprise a minimum of 15% of the façade of each upper Story.

d. Functioning doors shall be required along the Ground Story façade at intervals of no greater than 50 feet.

ii. Building Projection

a. No portion of any Structure shall obstruct a public or private sidewalk, or extend beyond a property line, except as provided herein.

b. Awnings on the Ground Story may project over a public sidewalk provided they maintain a clearance height of at least 8 feet but no more than 12 feet above the sidewalk.

Signs may project over a public sidewalk provided that they maintain clearance height of at least 10 feet above the sidewalk.
Fig. 10- Minimum Ground Story Fenestration of Façade (in support of VIII B.4.i.b.) [31% Ground Story Fenestration depicted]

Fig. 11- Minimum Upper Story Fenestration of Façade (in support of VIII B.4.i.c.) [17% Upper Story Fenestration depicted]
Downtown Village II, continued

c. Awnings, balconies, stoops, porches, and walkways shall be set back at least 2 feet from a Common Lot Line, except for Alleys for which the property owners have a recorded instrument allowing a lesser setback. Walkways and stoops providing access into a Structure shall not be subject to this requirement.

5. Garage and Parking

i. All parking lots must be set back a minimum of 30 feet from the front Public Lot Line.

ii. One curb cut with a width no greater than 22 feet is allowed on any street frontage for surface parking lots, unless otherwise required by Maine Department of Transportation.

iii. Openings for parking Garage access shall have a maximum height of 16 feet and an access width no greater than 24 feet.

iv. Garage entries may be set back up to a maximum 2 feet behind the surrounding façade.

v. Parking lots and Garages on lots with frontage on more than one street shall not use Main Street or Portland Road for vehicular access.

6. Corner Lots

Principal Buildings located on corner lots shall meet all standards applicable to each roadway, including Maximum Front Setback Line requirements.
Town of Bridgton Land Use & Zoning Committee
3.29.17 LUZ meeting draft

Fig. 12- Depiction of 30' Setback Line for Parking Lots (in support of VIII B.5.i)

Fig. 13- Depiction of 15' Maximum Front Setback Line for Corner Lots (in support of VIII B.6)
Downtown Village II, continued

7. Uses

Uses in this district shall be consistent with the intent set forth in the preamble for this district. (see page 24)

i. Allowed uses:
   a. Retail, Restaurant, Office and Professional Service
   b. Light Assembly
   c. Residential, including Multi-Residential I or Multi-Residential II
   d. Transient Accommodation
   e. Commercial Agriculture
   f. Registered Medical Marijuana Dispensary Facility
   g. Institutional, Cultural, Public Assembly
   h. Indoor Recreation
   i. Senior and Special Needs
   j. Home Occupation
   k. Veterinarian/Animal Hospital
   l. Bank
   m. Pharmacy
   n. Contractor’s Storage Yard
   o. Research and Development
   p. Health Institution
   q. Residential-Institutional, subject to site plan review

8. Landscaping in Conjunction with Project Development

i. Shade Trees shall be placed in the Minimum Setback Area and the Maximum Front Set Back Area at a minimum density of 1 tree per 50 linear feet of lot frontage. Native species shall be used. Trees planted or saved to meet the requirement shall be a minimum of 2” in diameter at breast height (“DBH”) for new trees and a minimum of 4” DBH for existing
trees. No existing trees shall be counted towards this requirement if they are included on the Maine Invasive Plant List.

ii. Medium Sized Trees shall be placed on the property at a minimum density of 1 tree per 900 square feet of pervious area. Existing Medium Sized Trees may be saved on the property to meet this requirement. Planted or existing trees shall be at least 6 to 8 feet in height for evergreen and multi-stemmed trees and 1½” to 2” DBH for flowering deciduous trees.

iii. Plantings, including Shrubs, perennials, and/or native ornamental grasses and ferns, shall be placed in the Setback Area so as to cover at least 15% of the Setback Area. Plants shall be installed in continuous beds and spaced and sized appropriately for the species. Plant sizing shall be as follows: perennial and groundcover -- #1 container (minimum 152 cubic inches, maximum 251 cubic inches), small shrub -- #2 container (minimum 320 cubic inches, maximum 474 cubic inches), large shrub -- #3, #4 or #5 container (minimum 628 cubic inches, maximum 1242 cubic inches) or balled and burlapped.

iv. Any constructed berms with slopes greater than 10% shall be planted with groundcover, perennials, or native ornamental grasses so as to cover at least 50% of the berm area.

v. Any front yard fence or wall shall not be more than 4 feet in height.

vi. All required plantings shall be installed prior to the issuance of a final occupancy permit. A temporary occupancy permit may be granted by the regulating authority.

9. Sidewalks

Sidewalks shall be required along any artery and Public Lot Line of the property, unless otherwise required by Maine Department of Transportation.

Minimum Lot Size: 20,000 square feet.
C. Inner Corridor District (IC)

1. Preamble

The Inner Corridor represents the growth area along Portland Road between the more dense Village Business areas and the less dense Outer Corridor. Careful attention is given to new development and expansion of existing development to encourage shared entrance and parking, connected sidewalks, and the installation and maintenance of landscaping, including Shade Trees. A mix of uses is encouraged allowing for Multi-Residential housing as well as new business to serve the community and provide employment opportunities.

For a list of all parcels in this District, see Article IV,A,3.

2. Buildable Area

i. All Structures shall be set back a minimum of 15 feet from any Public Lot Line and Common Lot Line. The Minimum Setback Line for Accessory Structures shall be 25 feet from any Public Lot Line and 15 feet from any Common Lot Line. All Structures shall also be set back 20 feet from any Residential district boundary. Display areas for Open Air Markets and Outdoor Flea Markets shall also comply with these setback requirements.

ii. A contiguous public or Private Open Area equal to at least 15% of the total Buildable Area shall be preserved on each lot. The calculated area may include any requisite Minimum Setback Areas.

3. Building

i. Façade

a. A 25 foot Maximum Front Setback Line is established for each Principal Building.

b. At least 65% of the Principal Building façade shall be located within the Maximum Front setback Area. To add variety and diversity to a Principal Building, up to 35% of a Principal Building may have an architectural recess subject to the requirements of subparagraph e, below.

c. For multiple buildings on a lot where there is no single Principal Building, one building shall meet this requirement that is not an Accessory building. For multiple buildings on a lot where there is one Principal Building, the Principal Building shall meet this requirement.

d. Within 30 feet of a Block Corner, the Principal Building façade shall have no architectural recesses.
Town of Bridgton Land Use & Zoning Committee
3.29.17 LUZ meeting draft

Fig. 14- Depiction of 15' Minimum Setback for Buildings from all Public and Common Lot Lines (in support of VIII C.2.i)

Fig. 15- Depiction of 25' Maximum Setback for Buildings from Public Lot Line (in support of VIII C.3.t.a.)
Inner Corridor, continued

e. No portion of a Principal Building façade within the Maximum Front Setback Area shall exceed 200 feet of continuous linear plane.

ii. Height

a. Each Principal Building shall have no more than 3 stories and shall not exceed a Height of 45 feet. No other structure shall exceed a Height of 45 feet. No minimum Structure Height is required.

b. Ground Story Height (Commercial)

The average Ground Story finished floor elevation within the Maximum Front Setback Area shall be not lower than the average front yard elevation and not higher than 21 inches above the average front yard elevation.

iii. Building Envelope

a. Fenestration

(1) Lengths of façade uninterrupted by windows or other external openings exceeding 15 feet are prohibited on all Ground Story façades.

(2) Ground Story Fenestration shall comprise a minimum of 30% of the Ground Story façade.

(3) Upper Story Fenestration shall comprise a minimum of 20% of the façade of each upper Story.

b. Building Projection

(1) No portion of any Structure shall obstruct a public or private sidewalk, or extend beyond a property line, except as provided herein.

(2) Awnings on the Ground Story may project over a public sidewalk provided they maintain a clearance height of at least 8 feet but no more than 12 feet above the sidewalk.
Fig. 16- Minimum Ground Story Fenestration of Façade (in support of VIII C.3.iii.a.2.) [31% Ground Story Fenestration depicted]

Fig. 17- Minimum Upper Story Fenestration of Façade (in support of VIII C.3.iii.a.3.) [25% Upper Story Fenestration depicted]
Inner Corridor, continued

4. Garage and Parking
   i. All parking lots must be set back a minimum of:
      a. 25 feet from any Public Lot Line,
      b. 15 feet from any Common Lot Line, and
      c. 20 feet from any rear lot line.

Inner Corridor, continued

   ii. The requirements of subparagraph i, above, do not apply to driveways that provide vehicle or pedestrian access.

   iii. Vehicle parking areas shall be located behind the Parking Minimum Setback Lines set forth in subparagraph i, above, except where parking is underground.

   iv. Unless otherwise required by Maine Department of Transportation, curb cuts shall have a maximum clear width of no greater than 24 feet.

   v. Openings for parking Garage entries shall have a maximum clearance height of 16 feet and an access width no greater than 22 feet.

   vi. Garage entries may be set back up to a maximum 2 feet behind the surrounding façade.

5. Corner Lots

   Principal Buildings located on corner lots shall meet all applicable standards with respect to each roadway, including Maximum Front Setback requirements.
Fig. 18- Depiction of 25' Setback Line for Parking Lots (in support of VIII C.4.i.a)
Inner Corridor, continued

6. Uses

Uses in this district shall be consistent with the intent set forth in the preamble for this district. (see page 33)

i. Allowed uses:

   a. Retail, Restaurant, Office, and Professional Service
   b. Light Assembly
   c. Transient Accommodation
   d. Indoor Recreation, Outdoor Recreation
   e. Institutional, Cultural, Public Assembly
   f. Commercial Agriculture
   g. Registered Medical Marijuana Dispensary Facility
   h. Heavy Industry
   i. Residential, including Multi-Residential I and Multi-Residential II
   j. Telecommunications facility, tower, wind energy system
   k. Cemetery
   l. Senior and Special Needs
   m. Day Care Center
   n. Forest Management Activity
   o. Home Occupation
   p. Kennel, Animal Shelter, Veterinarian/Animal Hospital
   q. Warehousing
   r. Bank
   s. Pharmacy
   t. Contractor’s Storage Yard
   u. Open Air Market/Outdoor Flea Market
   v. Research and Development
Inner Corridor, Continued

w. Health Institution
x. Residential-Institutional, subject to site plan review

7. Landscaping in Conjunction with Project Development

i. Shade Trees shall be placed in the Setback Area at a minimum density of 1 tree per 50 linear feet of lot frontage. Native species shall be used. Trees planted or saved to meet the requirement shall be 2” DBH minimum for new trees and 4” minimum for existing trees. No existing trees shall be counted towards this requirement if they are included on the Maine Invasive Plant List.

ii. Medium Sized Trees shall be placed on the property at a minimum density of 1 tree per 900 square feet of pervious area. Existing Medium Sized Trees may be saved on the property to meet this requirement. Planted or existing trees shall be at least 6 to 8 feet in height for evergreen and multi-stemmed trees and 1½” to 2” DBH for flowering deciduous trees.

iii. Plantings, including Shrubs, perennials, and/or native ornamental grasses and ferns, shall be placed in the Setback Area so as to cover at least 15% of the Setback Area. Plants shall be installed in continuous beds and spaced and sized appropriately for the species. Plant sizing shall be as follows: perennial and groundcover -- #1 container (minimum 152 cubic inches, maximum 251 cubic inches), small shrub -- #2 container (minimum 320 cubic inches, maximum 474 cubic inches), large shrub -- #3, #4, or #5 container (minimum 628 cubic inches, maximum 1242 cubic inches) or balled and burlapped.

iv. Any constructed berms with slopes greater than 10% shall be planted with groundcover, perennials or native ornamental grasses so as to cover at least 50% of the berm area.

v. Any front yard fences or walls shall not be more than 4 feet in height.

All required plantings shall be installed prior to the issuance of a final occupancy permit. A temporary occupancy permit may be granted by the regulating authority.
Inner Corridor, Continued

8. Sidewalks
   Sidewalks shall be required along the frontage of the property, unless otherwise required by the Maine Department of Transportation.

9. Minimum Lot Size: 40,000 square feet.
(intentionally Blank)
D. Outer Corridor District (OC)

1. Preamble

The Outer Corridor characterizes the highway approaches into Bridgton from its borders with its neighboring towns and abutting the Inner Corridor District. These sections of Route 302 lend residents, visitors, and passers-through alike an appealing vision of rock outcroppings, woods, and swamps, with a smattering of residences, businesses, and side roads along the way.

The Outer Corridor offers a transitional area supporting a wide range of uses, at medium and low densities, with requirements to balance development with open space. To minimize conflicts between large-scale development and single residential housing, larger scale multi-residential housing is encouraged in this district. Buffer and landscaping regulations seek to maintain the natural wooded entry point into the town. Side road access, shared entries, and rear access roads are all encouraged.

For a list of all parcels in this District, see Article IV,A,4.

2. Building

i. Façade

All non-Residential Structures shall be set back at least 75 feet from any Public Lot Line of a Major Artery; at least 25 feet from any other Public Lot Lines and Common Lot Lines; and at least 50 feet from any Residential district boundary. Display areas for Open Air Markets and Outdoor Flea Markets shall also comply with these setback requirements.

All Residential Structures shall be set back a minimum of 15 feet from any Public Lot Line and Common Lot Line. The Minimum Setback Line for Residential Accessory Structures shall be 25 feet from any Public Lot Line and 15 feet from any Common Lot Line. All Residential Structures shall also be set back 20 feet from any Residential district boundary.

ii. Height

Each Principal Building shall have no more than 4 stories and shall not exceed a Height of 60 feet. No other Structure shall exceed a Height of 60 feet. No
minimum Structure height is required.

Fig. 19- Depiction of 75’ Minimum Setback for Non-Residential Structures and 15’ Minimum Setback for Residential Structures from Public Lot Line (in support of VIII D.2.i.)
3. Garage and Parking
   i. All parking lots shall be subject to the Minimum Setbacks set forth in subparagraph (2)(i), above, except that the 25-foot setback from other Public Lot Lines and Common Lot Lines shall not apply to parking lots, access drives, or curb cuts.
   
   ii. Unless otherwise required by Maine Department of Transportation, curb cuts shall have a maximum clear width of no greater than 24 feet.

4. Uses

   Uses in this district shall be consistent with the intent set forth in the preamble for this district. (see page 43)

   i. Allowed uses:
      a. Retail, Restaurant, Office, and Professional Service
      b. Light Assembly
      c. Transient Accommodation
      d. Indoor Recreation, Outdoor Recreation
      e. Institutional, Cultural, Public Assembly
      f. Commercial Agriculture
      g. Registered Medical Marijuana Dispensary Facility
      
      h. Residential, including Multi-Residential I and Multi-Residential II, subject to a minimum lot size of 5 acres; except for a single Housing Unit on a parcel less than 5 acres lawfully existing prior to the enactment of this Ordinance, which is exempt from this minimum lot size requirement.

      i. Multi-Residential II, subject to a minimum lot size of 5 acres per 6 Housing Units.
         a. Aquaculture
         b. Automobile Graveyard or Junkyard, subject to a minimum lot size of 25 acres
         c. Telecommunications facility, Tower, or Wind Energy System
         d. Cemetery
**Outer Corridor District, continued**

e. Senior and Special Needs  
f. Day Care Center  
g. Excavating Business  
h. Forest Management Activity  
i. Home Occupation  
j. Kennel, Animal Shelter, Veterinarian/Animal Hospital  
k. Mobile Home Park  
l. *Open Air Market*, Outdoor Flea Market  
m. Warehousing  
n. Bank  
o. Pharmacy  
p. Contractor’s Storage Yard  
q. *Open Air Market*  
r. Heavy Industry  
s. Research and Development  
t. Health Institution  
u. Residential-Institutional, subject to site plan review  
v. *Large Scale Water Extraction*, but only as a principal use of the property. Minimum lot size is 100 acres for this use.  
w. *Mineral Extraction Activity*

**5. Landscaping in Conjunction with Project Development**

i. Statement of Intent: The intention of these landscaping requirements is to provide a natural entrance to the municipality.

ii. The 75 foot Minimum Setback Area for Commercial uses on a Major Artery shall be planted with a well-distributed mix of native canopy trees, conifers, understory trees, Shrubs, and groundcovers to best simulate the layers of natural buffer found along the Major Artery. This planting shall remain undisturbed post-development.
Outer Corridor District, continued

ii. A planting plan for the 75-foot Minimum Setback Area shall be prepared and submitted for review by the Planning Board as part of site plan review.

iii. All required plantings shall be installed prior to the issuance of a final occupancy permit. A temporary occupancy permit may be granted by the regulating authority.

iv. To the extent wooded buffers exist within the 75 foot Minimum Setback Area, maintaining such buffers is preferable to planting, and such existing buffers will be considered to meet the planting buffer requirements set forth in subparagraphs ii, iii, and iv, above.

6. Minimum Lot Size: Unless otherwise required for a permitted use, 80,000 square feet.
ARTICLE IX.  TABLE ONE

Table one is intended to provide a simple and clear method of effectively communicating the regulations applicable to each district. To the extent any conflict exists between table one and any other provision(s) of this Ordinance, the other provision(s) of this Ordinance shall control.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Maximum Setback</th>
<th>Minimum Setback</th>
<th>Side setbacks</th>
<th>Minimum/Maximum Height</th>
<th>Ground Story Height Minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Downtown Village I</td>
<td>6’ for building</td>
<td>15’ for parking</td>
<td></td>
<td>Min: 2 stories</td>
<td>10’ from Maximum Front Setback Line in 30’</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Max: 2.5 stories</td>
<td></td>
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<td></td>
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<td>Max: 35’</td>
<td></td>
</tr>
<tr>
<td>Downtown Village II</td>
<td>15’ for building to Public Lot Line</td>
<td>10’, 15’ for parking</td>
<td>10’</td>
<td>1.5 stories and 2.5 or 35’ maximum; Accessory Structures 18’ maximum</td>
<td>Commercial 9’ for a 25’ depth; Residential 8’</td>
</tr>
<tr>
<td>Inner Corridor</td>
<td>25’</td>
<td>15’ to public or Common Lot Lines</td>
<td>15’; 20’ to Residential district</td>
<td>3 stories maximum or 45’</td>
<td>Commercial 10’ for 30’</td>
</tr>
<tr>
<td>Outer Corridor</td>
<td>75’ to major arteries; 25’ to other streets</td>
<td>25’; 50’ to Residential district</td>
<td></td>
<td>4 stories maximum</td>
<td></td>
</tr>
</tbody>
</table>
ARTICLE X. RESERVED

ARTICLE XI. ADMINISTRATION

A. Permit Required

Unless otherwise provided, no Structure, or part thereof, shall be erected, altered, improved, renovated, enlarged, moved, or demolished and no use shall be changed or expanded without a written permit issued by the Code Enforcement Officer or the Planning Board. Such a permit shall be issued only if the application materials, building plans and proposed uses comply with the requirements of this Ordinance and all other applicable laws, regulations and Ordinances.

B. No Permit Required

No building permit shall be required for the following Structures or uses:

1. Free-standing Structures Accessory to Residential uses not more than 100 square feet in area and not exceeding 10 feet in Height.

2. Maintenance of Structures, including, but not limited to, insulation, plumbing, painting, re-roofing, and minor efficiency upgrades such as replacement doors or windows.

3. Enclosure of a pasture or area with a fence.

4. Projects which in total concept do not exceed $900.00 in fair market value (labor and materials).

C. Issuance and Time Limits of Permits

Each permit shall be issued in writing in duplicate with one copy to the applicant and one copy, including any conditions or exceptions attached thereto, kept on file in the Town office.

If no start is made on the construction or use for which a permit was issued within one year of the date of the permit, the permit shall lapse and become void. A permit shall expire if the construction for which the permit was issued is not substantially started within two years of the date of issuance of the permit, or if the use for which the permit was issued is discontinued for a term of 12 or more months. The Code Enforcement Officer may issue a temporary certificate of occupancy or a permit extension for one additional year if, in the Code Enforcement Officer’s judgment, reasonable progress is being made and nuisance conditions do not exist. Extensions beyond one year shall require a new permit.
D. Application Requirements

Each application for a permit required under this Ordinance shall be filed with the Code Enforcement Officer and, if the application involves the erection, alteration, improvement, renovation, enlargement, movement or demolition of a Structure or part thereof, shall be accompanied by a plot plan drawn to scale showing and stating the dimensions in feet of the lot containing such structures, all existing Structures and natural features, and the locations and dimensions of the proposed Structure. The application shall state the use intended to be made of such Structure and of its lot. Such plot plan shall also show each street, Alley or right of way on or adjacent to the lot in question, as well as all applicable Minimum Setback Areas and Maximum Setback Areas.

E. Suspension and Revocation of Permits

A permit may be suspended or revoked if:

1. The permit was issued on incomplete or false information, or continuation of the work authorized would result in a violation of applicable laws, regulations or Ordinances;

2. A violation was created during the completion of work initially authorized by the permit;

3. The continuation of the work authorized is endangering or may endanger the safety, health or general welfare of the public;

4. The scope of the work for which the permit was issued is or has been exceeded; or

5. The Code Enforcement Officer is unable to determine the continued validity of a permit, in which case the Code Enforcement Officer shall suspend the permit, without penalty, and require the permit holder to file an appeal.

A notice of suspension pursuant to this paragraph shall be in writing, stating the reason for the suspension, the corrective measures to be taken, and the period of time given to the applicant to correct the violation. The suspension of a permit shall apply only to that segment of the work authorized which is, or will create, a violation. Such suspension shall cease when the Code Enforcement Officer certifies that the violation or potential violation ceases to exist. When cause for suspension has been removed or corrected, the Code Enforcement Officer shall so certify, in writing, and state the reason for the suspension, the corrective measures taken, and the period of time which the applicant had to correct the violation.
If, within the time specified for correction, the violation has not been corrected or removed, the suspension may be continued, or the Code Enforcement Officer may then revoke the permit.

When a permit is revoked, the Code Enforcement Officer shall prepare a statement stating the reasons for revocation, and the corrective measures, if any, that may be taken to correct the violation. Such revocation statement shall include a time period given to correct the violation and shall remain in force until (i) the Code Enforcement Officer determines that the work for which the permit was issued will not result in a new or continued violation, (ii) the violation has been removed or otherwise discontinued, or (iii) a new permit has been issued. During the period of revocation, no work shall continue on a project for which a permit was issued except as may be required in the interest of public safety, health and welfare or protection of property, such work having the written approval of the Code Enforcement Officer.

F. Certificates of Occupancy

After a building, Structure, or part thereof has been erected, altered, improved, renovated, enlarged, moved, or demolished and before a use has been changed or expanded, a certificate of occupancy shall be obtained from the Code Enforcement Officer before the same may be occupied or used. A certificate of occupancy is also required for the following:

1. An increase in the number of Housing Units in a Structure, or on a lot;
2. The establishment or change in the use of a Home Occupation;
3. A change in the use of a nonconforming Structure or lot; or
4. Occupancy and use, or change of use, of vacant land.

ARTICLE XII. ENFORCEMENT

Any violation of this Ordinance shall be deemed to be a nuisance. Failure to comply with the terms and conditions of any permit or approval granted under this Ordinance shall be a violation of this Ordinance. The Code Enforcement Officer shall enforce the provisions of this Ordinance in accordance with 30-A M.R.S.A. §§ 4451-4454.

A. Authority. The Code Enforcement Officer shall be appointed or reappointed annually by July 1 and, if certified in accordance with 30-A M.R.S.A. § 4451, shall have all of the powers and authorities described in 30-A M.R.S.A. § 4452, as the same may be amended.
B. **Enforcement and Notice of Violation.** The Code Enforcement Officer shall enforce the provisions of this Ordinance and the terms and conditions of any permit or approval granted under this Ordinance, including approvals from the Code Enforcement Officer, Department Heads, Planning Board and Board of Appeals. If, after investigation, the Code Enforcement Officer finds that any provision of this Ordinance or any term or condition of any permit or approval granted under this Ordinance is being violated, he/she shall give written notice by certified mail, return receipt requested, of such violation to the owner and to the occupant of such premises, and to any other person responsible for such violation, indicating the nature of the violation and ordering that action necessary to correct it, including discontinuance of illegal use of land, buildings or Structures, or work being done, removal of illegal buildings or Structures, and abatement of nuisance conditions, be taken within some designated reasonable time. A copy of such notice shall be submitted to the Select Board and shall be maintained as a permanent record.

C. **Inspection and Investigation.** The Code Enforcement Officer shall conduct on-site inspections to ensure compliance with all applicable laws and all terms and conditions attached to permits and approvals under this Ordinance. The Code Enforcement Officer shall also investigate all complaints of alleged violations of this Ordinance.

D. **Records.** The Code Enforcement Officer shall keep a complete record of all essential transactions of the office, including applications submitted, permits granted or denied, variances granted or denied by the Board of Appeals, revocation actions, revocation of permits, appeals, court actions, violations investigated, violations found, and fees collected. On an annual basis, a summary of this record shall be submitted to the Director of the Bureau of Land and Water Quality within the Department of Environmental Protection.

**ARTICLE XIII. PENALTIES**

A. **Actions and Consent Agreements**

1. If, after notice given, the violation or nuisance condition is not abated or corrected within the specified time, the Code Enforcement Officer shall report same to the Select Board. The Code Enforcement Officer's report shall indicate the additional enforcement actions that he/she intends to take and whether the Town Attorney has been consulted or will subsequently be involved. At its next meeting, the Select Board shall consider whether to accept, reject or modify the Code Enforcement Officer's report. The Select Board shall not entertain comment from the person alleged to have violated this Ordinance nor shall it take any evidence relating to whether a violation has in fact occurred.
2. The Select Board or its authorized agent is hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Ordinance and recovering fines without court action.

B. Fines and Penalties

1. Any person who violates any term or condition of an approval from the Code Enforcement Officer, Department Heads, Planning Board or Board of Appeals or who continues to violate any other provision of this Ordinance after receiving notice of such violation shall be subject to such fines, penalties, actions and orders as are authorized by 30-A M.R.S § 4452, as same may be amended. A fine or penalty may be imposed for each violation. Each day of violation after notification shall constitute a separate offense with respect to each violation.

2. Any contractor involved in any activity regulated by the provisions of this Ordinance may be held liable for fines for violating this Ordinance if the necessary permits for said activity have not been obtained.

3. Any person, including, but not limited to, a landowner, the landowner's agent, tenant, or contractor, who violates any provision of this Ordinance shall be liable for the penalties set forth in 30-A MRS § 4452 as may be amended, including attorney fees.

ARTICLE XIV. VALIDITY AND SEVERABILITY

The invalidity of any section, provision or article of this Ordinance shall not affect the validity of any other section, provision or article of this Ordinance.

ARTICLE XV. APPEALS AND VARIANCES

A. Appeals

1. Any person, firm or corporation aggrieved by a decision of the Code Enforcement Officer (“CEO”) or Planning Board may appeal such decision to the Board of Appeals within 30 days of the written decision by filing an appeal at the office of the Town Clerk on forms approved by the Board of Appeals.

2. The fee established by the Board of Selectmen (see fee schedule) shall be paid at the time of filing the appeal to cover the cost of advertising. An escrow fee shall also be paid for miscellaneous services rendered in processing the application. This fee shall also be established by the Board of Selectmen. Any unused portion of the escrow shall be returned to the appellant.
3. Appeals from decisions of the CEO, the Local Plumbing Inspector, and the Planning Board made without conducting a public hearing, shall be de novo. The CEO shall transmit to the Board of Appeals the decision and all documents and other evidence on which the decision was based which may be considered as evidence in the de novo proceeding. The Board of Appeals shall conduct a public hearing at which all persons shall have the right to present additional testimony and documentary evidence. At the public hearing, any party shall have the right to cross-examine witnesses. The standard of review shall be whether, on the basis of the evidence before the Board of Appeals, the application conforms to the requirements of the Ordinance. The burden of proof shall be upon the applicant for the permit or approval. The Board of Appeals shall have authority to grant or deny a permit or approval or to remand the matter to the CEO, Local Plumbing Inspector, or Planning Board for further proceedings.

4. Appeals from decisions of the Planning Board made after conducting a public hearing shall be purely appellate. The CEO shall transmit to the Board of Appeals the decision of the Planning Board and all documents and other evidence comprising the record on which the Planning Board decision was based. The Board of Appeals shall conduct a public proceeding at which all persons shall have the right to present legal argument concerning the decision of the Planning Board. The Board of Appeals shall not permit the introduction of additional testamentary or documentary evidence. The standard of review shall be whether the decision of the Planning Board was arbitrary or capricious, based on error of law or on findings of fact not supported by substantial evidence in the record. The Board of Appeals shall have authority to sustain or reverse a decision of the Planning Board or to remand the matter to the Planning Board for further proceedings.

5. The Board of Appeals shall not continue a public hearing on an appeal to a future date except for good cause.

6. The affirmative vote of three members of the Board of Appeals shall be necessary to grant an approval or permit on appeal from a decision of the CEO or Local Plumbing Inspector, or to grant an appeal from a decision of the Planning Board. The failure of the Board of Appeals to issue a written notice of its decision, directed to the appellant by registered mail, within thirty five (35) days of the close of the public hearing shall constitute a denial of the appeal.

7. Any aggrieved party may appeal a decision of the Board of Appeals to Maine Superior Court within 45 days of the date of the vote of the Board of Appeals in accordance with 30-A M.R.S.A. § 2691 and Rule 80B of the Maine Rules of Civil Procedure.
B. Variances

1. Granting of Variance to be Handled Strictly

The Board of Appeals shall limit any variances granted as strictly as possible in order to ensure conformance with the purposes and provisions of this Ordinance to the greatest extent possible, and in so doing may impose such conditions to a variance as it deems necessary. The party receiving the variances shall comply with any conditions imposed.

2. Copy of Application to Department of Environmental Protection

For any variance application within the Shoreland Zone, a copy of each variance request, including the application and all supporting information supplied by the applicant, shall be forwarded by the Board of Appeals or the Code Enforcement Officer, as the reviewing entity, to the Commissioner of the Department of Environmental Protection at least twenty (20) days prior to action by the Board of Appeals. Any comments received from the Commissioner prior to the action by the Board of Appeals or Code Enforcement Officer shall be made part of the record and shall be taken into consideration by the Board of Appeals or Code Enforcement Officer.

3. Variance, General

Except as provided in Sections 4, 5, and 6, below, a variance may be granted by the Board of Appeals:

i. Only when strict application of the Ordinance, or a provision thereof, to the petitioner and the petitioner’s property would cause undue hardship; and

ii. When the proposed Structure or use would meet all the provisions of this Ordinance except for the specific provision(s) from which relief is sought.

Variance shall not be granted for establishment of any uses otherwise prohibited by this Ordinance.

For purposes of this subsection, the words “undue hardship” shall mean:

i. That the land in question cannot yield a reasonable return unless a variance is granted;

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

iii. That the granting of the variance will not alter the essential character of the locality; and
iv. That the hardship is not the result of action taken by the applicant or a prior owner.

4. Variance from Dimensional Standards

i. The Board of Appeals may grant a variance from the dimensional standards of this Ordinance when strict application of the provisions of the Ordinance would create a practical difficulty, as defined herein, and when the following conditions exist:

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

   b. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not have an unreasonably detrimental effect on either the use or fair market value of abutting properties;

   c. The practical difficulty is not the result of action taken by the applicant or a prior owner;

   d. No other feasible alternative is available to the applicant;

   e. The granting of a variance will not have an unreasonably adverse effect on the natural environment; and

   f. The property is not located, in whole or in part, within a shoreland area, as defined in 38 M.R.S.A. § 435.

ii. As used in this subsection:

   a. “Dimensional standards” means and is limited to those provisions of this Ordinance which relate to lot area, lot coverage, frontage, and setback requirements.

   b. “Practical difficulty” means that the strict application of the Ordinance to the property for which a variance is sought would both preclude the ability of the applicant to pursue a use of the property which is permitted in the district in which the property is located and would result in significant economic injury to the applicant.
c. Significant Economic Injury: The value of the property if the variance were denied would be substantially lower than its value if the variance were granted. To satisfy this standard, the applicant need not prove that denial of the variance would mean the practical loss of all beneficial use of the land.

5. Setback Variance for Single Family Residential Units

The Board of Appeals may grant a variance from required minimum and maximum setbacks from lot lines for a single family Residential unit subject to the following limitations:

i. The Board must find that strict application of the Ordinance to the applicant and the applicant’s property would cause undue hardship. For purposes of this subsection, the words “undue hardship” shall mean:

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

b. That the granting of a variance will not alter the essential character of the locality;

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

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

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

ii. A variance may be granted pursuant to this subsection only for a single family Residential unit that is the applicant’s primary year-round residence.

iii. A variance granted under this subsection may not exceed twenty (20%) percent of the applicable setback requirement.

iv. A variance shall not be granted under this subsection if the variance would cause the area of the Residential unit to exceed the maximum permissible lot coverage.
6. Disability Variance

The Code Enforcement Officer may grant a variance from setback requirements only to an owner of a Residential unit, for the purpose of making that unit accessible to a person with a disability who resides in or regularly uses the unit. The Code Enforcement Officer shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the unit by the person with the disability. The Code Enforcement Officer may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the unit. The term “structures necessary for access to or egress from the dwelling” shall include railings, walls, or roof systems necessary for the safety or effectiveness of the structure.

7. Recording

If the Board of Appeals or Code Enforcement Officer grants a variance under this Article XV, 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 Cumberland County Registry of Deeds within 90 days of the date of the final written approval of the variance or the variance is void. The variance is not valid until recorded as provided in this subsection. For the purpose of this subsection, the date of the final written approval shall be the date stated on the written approval.

8. Conflict with State Law

In the event of a conflict between this Article XV and the provisions of state law governing variances, setback variances for single-family dwellings, variances from dimensional standards, or variances for disability structures, the State Law provisions shall control.

ARTICLE XVI. AMENDMENT

This Ordinance may be amended by secret ballot referendum vote or by written ballot at a regular or special Town Meeting, after a public hearing conducted by the Planning Board and the Board of Selectmen.

There shall be four methods for proposing amendments to this Ordinance, as follows:
A. Citizen Petition. Upon the written petition of a number of registered voters equal to at least 10% of the number of votes cast in the Town at the last gubernatorial election, but in no case fewer than 10 registered voters, the Board of Selectmen may insert in the warrant for a regular or special Town Meeting an article to amend this Ordinance, in accordance with applicable state law.

B. Property Owner. A property owner may submit a written request to the Planning Board to consider an amendment for recommendation to the Board of Selectmen, and the Planning Board shall conduct a public hearing on the request. Notice of the public hearing shall be provided as set forth below.

1. The Planning Board, may, upon a written request from a property owner, submit a written request to the Board of Selectmen to insert in the warrant for a regular or special Town Meeting an article to amend this Ordinance.

2. Such request shall contain at a minimum the following materials:
   a. An application form from the Code Enforcement Office;
   b. A map showing the existing neighborhood districts for the subject property and for properties within 600 feet;
   c. A map showing the existing land uses at the time of application for the above-mentioned subject property and area;
   d. A narrative and evidence of how the requested change meets the policies and strategies in the most recently adopted Comprehensive Plan (including the Land Use Plan);
   e. Other information necessary to illustrate the need for a change in the district or other standards in this Ordinance.
   f. Within 30 days of submission of the written request, together with fees and materials, the Planning Board shall meet to determine if the application is complete for their review. A public hearing will be held within 45 days of the Planning Board finding the application complete.
   g. The Planning Board shall give notice by U.S. Mail to property owners within 600 feet of the subject property and a notice shall be published in a newspaper of general circulation in the Town of Bridgton at least 10 days prior to the hearing. For the purpose of notification, the owners of property shall be considered to be the persons listed in the most recent version of the Town of Bridgton Assessing Office Property Owner list. Notice shall be deemed received if mailed to an owner's last known address according to the Town tax records.
Failure of any property owner to actually to receive notice shall not necessitate another hearing or invalidate any actions of the Planning Board.

h. At the public hearing, the Planning Board shall hear the request and accept public comment on the request. After the close of the hearing, the Planning Board shall determine whether to:

i. Recommend to the Board of Selectmen the written request as submitted;

ii. Recommend the request with amendments or conditions that would bring the proposal into conformance with the most recently adopted; Comprehensive Plan; or,

iii. Take no action.

i. If the Planning Board takes no action on the written request, the property owner may seek other alternatives outlined above. Planning Board action under this Article is not subject to appeal.

j. The Planning Board shall submit its decision to the Board of Selectmen within 30 days of the close of the public hearing.

C. Planning Board. The Planning Board may propose an amendment to this Ordinance, and the Planning Board shall conduct a public hearing on the proposed amendment. Notice of the public hearing shall be provided as set forth below.

1. The Planning Board shall give notice by U.S. Mail to property owners within 600 feet of the subject property and a notice shall be published in a newspaper of general circulation in the Town of Bridgton at least 10 days prior to the hearing. For the purpose of notification, the owners of property shall be considered to be the persons listed in the most recent version of the Town of Bridgton Assessing Office Property Owner list. Notice shall be deemed received if mailed to an owner’s last known address according to the Town tax records. Failure of any property owner to actually receive notice shall not necessitate another hearing or invalidate any actions of the Planning Board.

2. At the public hearing, the Planning Board shall accept public comment on the proposal. After the close of the public hearing, the Planning Board shall determine whether to:

a. Recommend to the Board of Selectmen the proposal as originally contemplated by the Planning Board.

b. Recommend with amendments or conditions.

c. Take no action.
D. **Board of Selectmen.** The Board of Selectmen may direct Town staff to prepare and submit a written request to the Planning Board to consider an amendment, and the Planning Board shall conduct a public hearing on this request. Notice of the public hearing shall be provided as set forth below.

1. Final public hearing. Following the conclusion of the Planning Board's public hearing, the Planning Board shall make a recommendation to the Board of Selectmen whether to include the proposed amendment in a town meeting warrant.


3. After receiving the recommendation from the Planning Board, the Board of Selectmen, by a majority vote shall determine whether the proposed amendment shall be placed on the town meeting warrant. If the proposed amendment is placed on the ballot for a referendum vote, the Board of Selectmen shall conduct a public hearing on the proposed article at least 10 days before the referendum vote. Notice of the public hearing must be posted at least 7 days in advance of the public hearing.

**ARTICLE XVII. CONSTRUCTION OF LANGUAGE**

A. In the interpretation and enforcement of this Ordinance, all words other than those specifically defined herein shall have their ordinarily accepted meaning unless a different meaning is clearly implied by the context in the Article in which they are used.

B. The word “person” includes an individual, corporation, firm, governmental agency, municipality, trust, estate, partnership, association, a joint venture, or other legal entity.

C. The words “shall” and “will” are mandatory; the word “may” is permissive.

D. All references in this Ordinance to “Town”, “The Town”, “the Town of Bridgton”, and to any board, official or officer, unless clearly defined otherwise, shall be construed to be references to the Town of Bridgton, Maine, an incorporated municipality in the County of Cumberland County, State of Maine and its municipal boards, officials and officers.

E. In case of any difference of meaning or implication between the text of this Ordinance and any map, illustration, or table, the text shall control.
ARTICLE XVIII. DEFINITIONS

Accessory — A Structure or use that is subordinate and customarily incidental to the principal Structure or use on the same lot.

Agriculture — The production, keeping or maintenance for sale or lease of plants or livestock, including, but not limited to, forages and sod crops, grains and seed crops, dairy animals and dairy products, poultry and poultry products, fruits and vegetables and ornamental and greenhouse products. “Agriculture” does not include Forest Management Activities; “Agriculture” does not include registered dispensary or caregiver operations as those terms are used in the Maine Medical Use of Marijuana Act, Chapter 558-C of Title 22 of the Maine Revised Statutes, as amended.

Agriculture, Commercial — Agricultural use whereby the principal use is any combination of Agriculture, including but not limited to agricultural composting operations, agricultural products, and agricultural support services, as those terms are defined in 7 M.R.S.A. § 152. This definition includes Accessory on-site Retail and off-site distribution.

Agriculture, Non-Commercial — Agricultural Use primarily for household use.

Alley — A public or private right of way less than 22 feet wide that is primarily designed to serve as a secondary access to the rear or side of those properties whose principal frontage is on another street.

Animal Shelter — A facility used to house or contain stray, homeless, abandoned, or unwanted animals that is owned, operated, or maintained by a public body, an established humane society, or other non-profit organization devoted to the welfare, protection, and humane treatment of animals.

Aquaculture — The hatching, raising, and breeding of fish or other aquatic plants and animals for sale.

Attic Story — The space enclosed within the roof of a Structure.

Automobile Graveyard — Pertaining to the dismantling or wrecking of used motor vehicles or trailers, or the storage sale or dumping of dismantled or wrecked vehicles or their parts.

Balcony — A projecting platform that is open and roofless and which is suspended or cantilevered from, or supported solely by, a Principal Building.

Bank — A financial institution open to the public that is engaged in deposit banking and/or that performs closely related functions such as making loans, investments, and fiduciary activities.
Bed & Breakfast Establishment – A transient lodging business in a former housing unit; meals may be provided to guests.

Block Corner – The intersection of two or more Public Lot Lines.

Buildable Area – The area of a parcel of land minus the area of all required Minimum Setback Areas.

Cemetery – Pertaining to the burial of the dead, including crematoriums, mausoleums, and related sales and maintenance facilities. This definition includes but not limited to mortuaries when operated in the boundary of a cemetery.

Common Lot Line – A lot line shared between properties other than a Public Lot Line.

Commercial Use – A use that involves the buying or selling of goods or services or the provision of facilities for a fee.

Contractor’s Storage Yard – Any land or Structure used primarily for the storage of equipment, vehicles, machinery, building materials, paints, pipes, or electrical components used by the owner or occupants in the conduct of the building trades or building craft.

Cultural Use – A use that is operated by a public or a private entity; is open to the public; and promotes art, drama, music, science, or history, including but not limited to museums, art galleries, art/music/craft studios, theaters, botanical gardens, libraries and similar uses.

Day Care Center – A Maine-licensed facility operated for the purpose of providing care, protection and guidance during part of a 24 hour day to children or adults. This definition does not include the provision of such services in a Housing Unit where the lot owner is the proprietor of the business and where the use otherwise satisfies the requirements of a Home Occupation.

Essential Services – A facility for the transmission or distribution of water, gas, electricity or communications, or for the collection of wastes including sewerage and wastewater on private properties, and, including, but not limited to, towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants, and similar accessories. Wastewater pump stations are included in this definition.

Excavating Business – A contracting business using equipment off-site for profit to move and rework earth.

Farmer’s Market – The seasonal selling or offering for sale at retail of home-grown vegetables or produce, or food products from said vegetables or produce, occurring in pre-designated area, where the vendors are generally individuals or registered farms
who have raised the vegetables or produce or have taken the same on consignment for retail sale.

**Fenestration** – The design, location, or arrangement of windows and other exterior openings of a façade.

**Forest Management Activity** – Pertaining to timber cruising and other forest resource evaluation activities, pesticide application, timber stand improvement, pruning, timber harvesting and other forest harvesting, regeneration of forest stands, and other similar associated activities, but not the construction, creation or maintenance of land management roads.

**Garage** – A Structure used for the short term parking of vehicles, but excluding automotive services or commercial storage of vehicles.

**Gross Floor Area** – The sum of the horizontal areas of the stories of a building, measured from the exterior faces of exterior walls, or in the case of a common wall separating two buildings, from the center line of such common wall. Gross Floor Area shall exclude basements and attics.

**Ground Story** – The first floor of a building, other than a basement.

**Health Institution** – A facility maintained and operated to provide medical care, including hospitals, clinics, and professional medical offices.

**Heavy Industry** – Pertaining to the basic processing and manufacturing of materials or products predominantly from extracted or raw materials. Fermentation processing and Accessory storage of materials are included in this definition.

**Height** – The vertical distance of the highest point of the roof or any rooftop deck, fence, railing, widow’s walk, or other rooftop structure or feature above the mean finished grade of the ground located within 5 feet of the building. For purposes of this definition, chimneys, heating/cooling appurtenances, ventilators, antennas, skylights, tanks, bulkheads, or solar panels shall not be considered part of the Height of a building or Structure. Domes, towers, or spires shall not be subject to this definition, provided such features are not habitable.

**Home Occupation** – A business, profession, occupation, or trade undertaken for gain or profit which is clearly incidental and secondary to the use of a Housing Unit for residential purposes, is wholly carried on within the Housing Unit or one or more Accessory Structures, is carried on by a resident of the Housing Unit, and utilizes no more than 50% of the Gross Floor Area of the Housing Unit and Accessory Structures in which the occupation is carried out.

**Horticultural Nursery** – a use on a lot for the growing, cultivation, storage and sale of plants and related items.
Housing Unit – A Structure or portion thereof containing one or more rooms or group of rooms designed, built and used for permanent or seasonal human habitation, with each such unit containing cooking, sleeping and toilet facilities; except that “Housing Unit” shall not include motel units, hotel units, boarding houses, recreational vehicles (“RVs”) or other Residential units intended primarily for transient occupancy. The seasonal rental of Housing Units is considered a usual and normal use associated with a Housing Unit.

Indoor Recreation – A use conducted primarily indoors for play, amusement, relaxation, or sports for a fee.

Institutional Use – A use that provides a public service and is operated by a federal, state, or local government, public or private utility, public or private school or college, Place of Worship, public agency, or tax exempt organization; including Municipal Use.

Junkyard – A lot used for the storage, collection, disposal, processing, or sale of scrap, waste, worn out or discarded material, or debris.

Kennel – An establishment where more than 4 dogs and/or 4 cats are housed, bred, or stored for a fee and/or sold.

Large Scale Water Extraction - The extraction of water from ground water sources, aquifers, springs, wells or similar sources in a total daily amount on any given day of no more than 50,000 gallons or no more than 1,000,000 gallons annually, as extracted by the same individual or entity, or consortium or association of individuals or entities, regardless of the number of extraction facilities utilized.

Light Assembly – The manufacturing, predominantly from previously prepared materials, of finished products or parts for a fee, including processing, fabrication, assembly, testing of goods or products, treatment and packaging of such goods or products, and incidental storage, sales, and distribution of such goods or products, but excluding Heavy Industry. This use includes but is not limited to woodworking establishments, machine shops, 3-dimensional printing, food processing and preparation (not associated with a restaurant use), automobile repair establishments, automobile body shops, and boat repair and boat building.

Major Artery – A term to describe Routes 302, 117, and 107.

Marina – A facility for the mooring, berthing, storing, or securing of watercraft, but not including municipally-owned facilities for the same. A marina may include boat sales, boat fuel sales, boat construction, boat repair, marine equipment sales, boat and Jet Ski rentals, and other Accessory uses.

Maximum Front Setback Area – The portion of a parcel that is located between the Maximum Front Setback Line and the Public Lot Line which it parallels.
Maximum Front Setback Line – A line paralleling a Public Lot Line along the full length of the Public Lot Line, which is the farthest distance a building façade can be from the Public Lot Line.

Medium Sized Tree - A woody deciduous plant, hardy for Plant Zones 4 or 5, that normally grows with one main trunk and normally achieves a height at maturity of less than 30 feet.

Mineral Extraction Activity - Any excavation or removal, handling or storage of sand, gravel, borrow, rock, clay, minerals, or topsoil, including, but not limited to, sand or gravel pits, clay pits, borrow pits, quarries, mines and topsoil mining or removal.

Minimum Setback – The horizontal distance from the nearest part of a Structure, parking area, or other regulated object or area to a lot line, street line, the normal high water mark of a water body, or the upland edge of a wetland, as the context may dictate.

Minimum Setback Area – The portion of a parcel that is located between the Minimum Setback Line and the lot line which it parallels.

Minimum Setback Line - A line paralleling a lot line which indicates the closest distance a Structure or parking area can be from any given lot line.

Mobile Home Park - A parcel of land under unified ownership used or intended to be used for the placement of 3 or more manufactured homes, as defined in 30-A M.R.S.A. § 4358.

Multi-Residential I – A lot or Structure containing 2 to 5 Housing Units.

Multi-Residential II – A lot or Structure containing 6 or more Housing Units.

Municipal Use – A governmental use located on the property of, or funded in whole or in part by, the Town of Bridgton including, without limitation, municipal buildings, public schools, public parks, public recreational facilities, fire stations, communications facilities, and facilities for the treatment and disposal of waste.

Office – A room or group of rooms used for conducting the affairs of a business, profession, service industry, or government.

Outdoor Flea Market or Open Air Market – Pertaining to the outdoor display, sale, exchange or barter of merchandise for profit. This definition does not include garage sales on the premises of a Housing Unit, except if such sales occur more than four times a year on the same residential property. This definition does not include occasional sales and promotional activities at retail buildings that place merchandise outside their building or Farmer’s Markets. This definition includes Accessory structures such as restrooms or storage of goods when not in business.
Outdoor Recreation – A use conducted primarily outdoors for play, amusement, relaxation, or sports for a fee.

Parking Setback Line – The closest the outer edge of a parking lot to a property line.

Pharmacy – Pertaining to an establishment where majority or a significant portion of retail sales are prescription or non-prescription drugs.

Place of Worship

A. A church, synagogue, temple, mosque, or other facility that is used for worship or prayer by persons of similar beliefs; or

B. A special purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis.

Principal Building – A Structure in which is conducted the principal use of the lot.

Privacy Wall – An unroofed Structure which has a foundation and vertical surface of masonry, wood, plaster, concrete, or stones to enclose, divide, or protect an area.

Private Club/Association – An organization and its premises catering to members and their guests for social, intellectual, recreational, philanthropic, or athletic purposes that are conducted either for profit or non-profit.

Private Open Area – A contiguous space for plant materials and containing no more than 50% impervious surface for courtyards and/or seating areas.

Professional Service – An establishment whose primary activity is the provision of assistance or services, as opposed to products or goods, to individuals, businesses, industry, government, and other enterprises.

Public Assembly – A meeting place at which the public or membership groups are assembled regularly or occasionally, including schools, churches, theaters, auditoriums, funeral homes, and similar uses.

Public Lot Line – Any property line that directly abuts a public road or street.

Registered Medical Marijuana Dispensary Facility - Any structure or use by a not-for-profit entity registered pursuant to State law connected with the acquisition, possession, cultivation, manufacture, delivery, transfer, transport, sale, and supply or dispensing of medical marijuana or related supplies and educational materials. For the purposes of this Ordinance, a “dispensary facility” shall be considered a retail/Wholesale use.
Research and Development – Pertaining to one or more Structures or parcels used primarily for applied and developmental research, where product testing is an integral part of the operation and goods or products may be manufactured as necessary for testing, evaluation, and test marketing. This use includes but is not limited to biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, and computer software and hardware. Warehousing, wholesale, and distribution are considered Accessory uses.

Residential – Pertaining to a Housing Unit.

Residential-Institutional – Pertaining to the provision of recreation, counseling, education, and/or other rehabilitative services where the individuals commonly reside at the facility.

Restaurant – Any establishment, however designated, at which food is sold for consumption on or off the premises. Restaurants may contain event or function spaces for rental fees. A bar whose primary service is to serve alcohol is included in this definition. A snack bar or refreshment stand at a public semi-public or private indoor or outdoor recreation establishment for the convenience of the patrons shall not be deemed a restaurant.

Retail – Pertaining to the provision of goods or services for a fee directly to the consumer for primarily personal or household use and not for resale. Included but not limited to in this definition are gas stations, grocery stores, and Horticultural Nurseries.

Senior and Special Needs – Pertaining to the care and/or housing of individuals aged 55 years and more, individuals older than 18 years of age with special needs, or individuals that are temporarily or permanently disabled. This definition includes but is not limited to assisted living, congregate care, life care, retirement housing, group homes, and respite care.

Setback Area – the area between the maximum setback and the minimum setback line

Shade Tree – A woody deciduous plant, hardy for Plant Zones 4 or 5, that normally grows with one main trunk, normally achieves a height at maturity of 30 feet or more, and has a canopy that screens and filters the sun.

Shrub – A woody plant, deciduous or evergreen, hardy for Plant Zones 4 or 5, which may have a single or multiple trunks and normally achieves a height at maturity of no more than 15 feet and no less than 3 feet.

Story – That part of a building between the surface of the floor and the ceiling immediately above.

Street Wall – A fence, wall, or strip of vegetation that maintains a continuous visual definition along a lot line.
Structure – Anything constructed, erected or placed on the ground which is permanent, temporary or mobile. Structure(s) include but are not limited to building(s), mobile homes, recreational vehicles, piers and pads, and storage and processing facilities. Boundary walls, fences, walkways, patios, flagpoles light poles, and signs are not considered Structures.

Telecommunications Facility – any structure, antenna, tower or other device which provides radio/television transmission, commercial mobile wireless services, unlicensed wireless services, cellular phone services, specialized mobile communication (SMR)), common carrier wireless exchange access services, and personal communications services (PCS) for pager services. Telecommunications Facilities shall be considered a principal use except the setback requirements from the telecommunications ordinance control location of facilities on a site.

Tower – any structure, whether free-standing or in association with a building or other permanent structure, that is designed and constructed primarily for the purposes of supporting one or more antennas including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular phone towers, alternative tower structures, and similar structures.

Transient Accommodation – An establishment providing, for a fee, sleeping accommodations and lodging services for a period of less than 30 days. Ancillary services may include, but not be limited to, meeting rooms, convention centers, Restaurants, Retail, and recreational facilities. This definition includes bed & breakfast establishments.

Warehousing – A use primarily involving the storage and distribution of manufactured products, supplies, and equipment. This definition includes the wholesaling of goods not manufactured on the premises.

Veterinarian/Animal Hospital – Pertaining to an establishment where animals and pets are given medical or surgical treatment and are cared for during the time of such treatment. This definition includes the incidental, short-term use of such an establishment as a Kennel.

Wind Energy System – equipment that converts and then stores and transfers energy from the wind into usable forms of energy and includes any base, blade, foundations, generator, nacelle, rotor, tower, transformer, turbine, vane, wire, or other component used in the system.