

3.1. COMMITMENT TO GROWTH MANAGEMENT

3.1.1. Statement Of Commitment To Growth Management:

Recognizing that growth and development can affect the financial well-being of individual landowners and the financial stability of town government, the Town of Clifton chooses, at this time, to commit to certain policies and regulations that will enable the Town to achieve reasonable management of growth and development to the minimum extent necessary so individual landowners can invest in and enjoy property without undue concern about negative impacts to health and safety from neighboring development and to ensure that the Town's municipal budget is secure from unreasonable escalation due to unplanned and unanticipated demand for municipal services.

3.1.2. Statement Of Commitment To Growth Management Areas:

Recognizing that growth and development are more easily and economically achieved and accommodated in certain areas of the Town than in others, that the Town of Clifton chooses, at this time, to designate areas of the Town to one of three primary growth management areas and overlaying those three areas to designate specific areas as non-residential development areas and still other specific overlaying areas as special protection areas, and to develop policies and regulations for each of these primary and overlaying areas that will give the Town the minimum extent of control necessary to reasonably manage growth and development in the Town.

3.1.3. Statement Of Commitment To Sustainable Use Of Natural Resources And Open Space:

The Town of Clifton values its natural resources and its open spaces. The Town is rich with great ponds, streams, wildlife and waterfowl habitats, large tracts of harvestable timber, blueberry barrens, drinking water watersheds, significant groundwater aquifers, bluff areas and open space for recreation, privacy and scenic value.

The Town recognizes that growth and development is the result of many individual decisions by many individual landowners exercising their rights to own and develop property, and that growth and development can impact natural resources and open spaces. Accordingly, the Town chooses, at this time, to commit to certain policies and regulations that will enable the Town to promote sustainable use of these natural resources and open space both on a small scale within more densely developed areas and on a larger scale in the more sparsely developed areas of the Town.

3.2. ESTABLISHMENT OF GROWTH MANAGEMENT AREAS

The Town of Clifton hereby establishes three primary growth management areas: an area for general mixed development, an area primarily for rural residential and resource-based uses, and a rural preservation area, primarily for recreational and resource-based uses. In addition, the Town hereby establishes several overlay growth management areas which modify allowed uses and other requirements on the underlying primary growth management area.

3.2.1. Establishment Of Growth Management Area One (GMA 1):

This growth management area includes the areas of Town already most densely developed with residences, the areas served by town-maintained roads, the areas where town services

are most economically delivered, the areas where public utilities exist or are within reach, the areas where commercial, industrial and institutional development already exist, and where there is enough developable land to absorb most of the new residential, institutional, commercial and industrial development likely to occur in the next ten years; and that are so designated on the official Growth Management Area Map of Clifton, Maine.

3.2.1.1. Establishment Of Growth Management Area 1A (GMA 1A):

This overlay area, as so designated on the official Growth Management Area Map of Clifton, Maine, relates to the 'moderate density district' envisioned in the Comprehensive Plan. Its primary intent is to encourage a compact village of single and multifamily homes, mobile home parks, offices, schools, public facilities and small businesses and municipal offices. This area is the traditional core of the community with the historically oldest settlement and the most diverse existing development pattern.

3.2.1.2. Establishment Of Growth Management Area 1B (GMA 1B):

This overlay area, as so designated on the official Growth Management Area Map of Clifton, Maine, relates to the 'industrial/commercial growth district' in the Comprehensive Plan. Its primary intent is to provide a compact enterprise area near utilities for industrial operations and commercial applications. As the site of a lumber mill, this area has an established industrial/commercial use designation and is well situated to receive additional commercial or industrial development.

The remainder of Growth Management Area One outside these two overlays is the geographical center of Town. In this area the primary intent is to encourage clustered neighborhoods of single and multi-family homes, in a compatible and supportive coexistence with recreational and resource-based activities.

3.2.2. Establishment Of Growth Management Area Two (GMA 2):

This growth management area includes the areas of Town less densely developed with year-round residences, areas without town-maintained roads, areas where town services cost more to be delivered, areas where public utilities either don't exist or only exist where private parties have had lines put in, areas with little or no commercial, industrial and institutional development and where little or none is likely to occur in the next ten years, and areas where developable land is more remote and inaccessible without major expenditure for roads and services; and that are so designated on the official Growth Management Area Map of Clifton, Maine.

3.2.3. Establishment Of Growth Management Area Three (GMA 3):

This growth management area includes areas of Town without year-round residences, areas without town-maintained roads, areas currently beyond the reach of town services, areas without public utilities, areas where landowners and the general public engage in resource-based and recreational activities to the exclusion of other types of land use activities, areas with unique natural resource and scenic value to the community and region, and areas where developable land is more suitably used for resource-based and recreational activities than for residential development; and that are so designated on the official Growth Management Area Map of Clifton, Maine.

3.2.4. Establishment Of The Shoreland Management Area (SMA):

The purpose of the overlay Shoreland Management Area is to further the maintenance of safe and healthful conditions; to prevent and control water pollution; to protect fish spawning grounds, aquatic life, bird and other wildlife habitat; to protect buildings and lands from flooding and accelerated erosion; to protect archaeological and historic resources; to protect freshwater wetlands; to control building sites, placement of structures and land uses; to conserve shore cover, and visual as well as actual points of access to inland waters; to conserve natural beauty and open space; and to anticipate and respond to the impacts of development in shoreland areas.

The Shoreland Management Area applies to all land areas within 250 feet, horizontal distance, of the normal high-water line of all great ponds; all land areas within 250 feet, horizontal distance, of the upland edge of all freshwater wetlands; and all land areas within 75 feet, horizontal distance, of the normal high-water line of a stream or tributary stream; and that are so designated on the official Shoreland Management Area Map of Clifton, Maine. This Ordinance also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending or located below the normal high-water line of a water body or within a wetland.

All land uses within the Shoreland Management Area must comply with the Shoreland Standards contained in **Article 9**, in addition to all other applicable standards in this Ordinance. Within the Shoreland Management Area, land areas are designated into one of two Districts, either Limited Residential or Resource Protection. The overall boundaries of the Shoreland Management Area and the designated boundaries of the two Districts shall be as shown on the Official Shoreland Management Area Map of Clifton, initially enacted on June 8, 2010, and as depicted on the subsequently adopted amended map, dated March 19, 2011.

3.2.4.1. Establishment Of The Resource Protection District (RP)

3.2.4.1.1. Purpose. The Resource Protection District is established to prevent development and land use activities that would adversely affect water quality, productive habitat, biological ecosystems, and scenic and natural values, while allowing recreational and resource-based uses subject to compliance with the Shoreland Standards of **Article 9**.

3.2.4.1.2. Three Mapped Areas. The Resource Protection District applies to three mapped areas based on location.

(i) The Great Pond Resource Protection Area. The land area within two hundred and fifty feet (250'), horizontal distance of the normal high-water line of a great pond that is so designated on the Official Shoreland Management Map of Clifton.

(ii) The Stream Resource Protection Area. All land area within seventy-five feet (75'), horizontal distance of the normal high-water line of a stream or tributary stream, exclusive of those areas within two-hundred and fifty (250) feet, horizontal distance, of the normal high-water line of a great pond, or within two hundred and fifty (250) feet, horizontal distance, of the upland edge of a wetland; and that are so designated on the Official Shoreland Management Map of Clifton; where a stream or tributary stream and its associated shoreland area are located within two-hundred and fifty (250) feet, horizontal distance, of the above water bodies or wetlands, that land area shall be regulated under the terms of the shoreland district associated with that water body or wetland.

(iii) **The Freshwater Wetland Resource Protection Area.** Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands and wetlands associated with great ponds, which are rated "moderate" or "high" value waterfowl and wading bird habitat, including nesting and feeding areas, by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the Department as of December 31, 2008, and that are so designated on the Official Shoreland Management Map of Clifton. For the purposes of this paragraph "wetlands associated with great ponds" shall mean areas characterized by non-forested wetland vegetation and hydric soils that are contiguous with a great pond, and have a surface elevation at or below the water level of the great pond during the period of normal high water; wetlands associated with great ponds" are considered to be part of that great pond.

Additionally, other areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands and wetlands associated with great ponds, which are not rated moderate or high value habitat by MDIF&W, but which are located in areas of Town which are undeveloped or sparsely developed, are included within the Freshwater Wetland Resource Protection Area.

3.2.4.1.3. Two Unmapped Areas. The Resource Protection District applies to two unmapped areas based on natural constraints.

(i) **Hydric Soils Resource Protection Area.** Areas within the Shoreland Management Area of one contiguous acre or more supporting wetland vegetation and hydric soils, which are not part of a freshwater wetland as defined, and which are not surificially connected to a water body during the period of normal high water; these areas are not mapped on the Official Shoreland Management Map of Clifton and must be determined on-site; and,

(ii) **Steep Slopes Resource Protection Area.** Area within the Shoreland Management Area that has one contiguous acre or more with sustained slopes of twenty percent (20%) or greater and that is undeveloped as of the date of adoption of this Ordinance. These areas are not mapped on the Official Shoreland Management Map of Clifton and must be determined on-site.

3.2.4.2. Establishment Of The Limited Residential District (LR):

3.2.4.2.1. Purpose. The Limited Residential District is established to provide locations for residential and recreational uses in the Shoreland Management Area where such uses are compatible with maintaining the Town's great pond and wetlands resources.

3.2.4.2.2. Two Designated Areas. The Limited Residential District applies to the two following designated areas, based on location:

(i) **The Great Pond Limited Residential Area.** The existing developed land area within two hundred and fifty feet (250'), horizontal distance of the normal high-water line of a great pond as of the date of adoption of this Ordinance and land area suitable for future residential and recreational development, and that is so designated on the official Shoreland Management Area Map of Clifton.

(ii) **The Freshwater Wetland Limited Residential Area.** Areas that are within two hundred and fifty feet (250'), horizontal distance, of the upland edge of freshwater

wetlands, and that are not rated moderate or high value waterfowl and wading bird habitat by the Maine Department of Inland Fisheries and Wildlife, and that are so designated on the official Shoreland Management Area Map of Clifton.

Additionally, areas within two hundred and fifty feet of the upland edge of freshwater wetlands that are rated moderate or high value habitat by the MDIF&W as of December 31, 2008, but that contain existing dense development as of June 8, 2010, are included within the Freshwater Wetland Limited Residential Area and are so mapped on the official Shoreland Management Area Map.

3.2.4.2.3. Unmapped Areas. The Limited Residential District is modified by the following provisions:

(i) Steep Slopes within the Limited Residential District. Undeveloped area within the designated Limited Residential District that has a sustained slope of 20% or more over at least one-quarter of an acre shall not be developed and shall not be considered developable acreage. These areas are not mapped and must be determined on-site.

(ii) Steep Slopes Adjacent to the Limited Residential District. The Planning Board may consider the potential for environmental harm to the great pond or wetland where undeveloped land area within the Limited Residential District has sustained slopes less than 20%, but where that undeveloped area abuts areas of sustained slopes of more than 20% over an area of more than one contiguous acre within 100 feet of the Shoreland Management Area. The Planning Board may require an environmental impact analysis, as set out in **Article 6.3.7** at the developer's expense, to determine the potential for harm and may require the developer to provide a suitable development plan signed by a professional with appropriate certification that takes into account the potential for environmental harm. These areas are not mapped and must be determined on-site.

3.2.5. Flood Hazard Management Area (FHMA)

The Flood Hazard Management Area applies to the 100 year floodplain as designated on the Federal Emergency Management Agency's Flood Insurance Rate Maps. Land uses and activities in the Flood Hazard Management Area must comply with any and all Floodplain Management provisions of this Ordinance in addition to all applicable Shoreland Standards of this Ordinance and all applicable standards of the primary Growth Management Area which is overlaid. The most restrictive standard shall apply.

Certain areas of the Town of Clifton, Maine are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968.

Therefore, the Town of Clifton, Maine has chosen to become a participating community in the National Flood Insurance Program, and agrees to comply with the requirements of the **National Flood Insurance Act of 1968 (P.L. 90-448, as amended)** as delineated in this Ordinance.

It is the intent of the Town of Clifton, Maine to require the recognition and evaluation of flood hazards in all official actions relating to land use in the floodplain areas having special flood hazards.

The Town of Clifton has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to **Title 30-A MRSA, Sections 3001-3007, 4352, 4401-4407, and Title 38 MRSA, §440.**

The National Flood Insurance Program, established in the aforesaid Act, provides that areas of the Town of Clifton having a special flood hazard be identified by the Federal Emergency Management Agency and that floodplain management measures be applied in such flood hazard areas.

The areas of special flood hazard, Zones A, and AE, are identified by the Federal Emergency Management Agency in a report entitled "**Flood Insurance Study - Town of Clifton, Maine, Penobscot County,**" dated May 2, 1994 with accompanying "**Flood Insurance Rate Map**" dated May 2, 1994, which are hereby adopted by reference and declared to be a part of this Land Use Ordinance. See Article 10 - Flood Hazard Development for permitting requirements.

3.2.6. Establishment Of Special Protection Management Areas

Recognizing that certain areas of the Town present unique natural constraints or landowner self-imposed constraints on development, the Town chooses, at this time, to designate certain overlay areas as Special Protection Management Areas and designate the boundaries of each.

3.2.6.1. Significant Aquifer Protection Area (SAPA)

The Significant Aquifer Protection Area applies to the land areas within the boundaries of the Town's identified sand and gravel aquifers, plus the land within 500 feet of those aquifers. In addition to uses prohibited in the underlying Growth Management Area, specific additional uses that could adversely impact the aquifer are prohibited, and there are additional standards for other uses that require Site Plan Review.

3.2.6.2. Bangor Water District Protection Area (BWDPA)

The Bangor Water District Protection Area applies to all the lands owned and managed by the Bangor Water District. The only development allowed in this protection area would be that deemed necessary by the Bangor Water District to manage the watershed.

3.2.6.3. Shipley Conservation Easement Protection Area (SCEPA)

The Shipley Conservation Easement Protection Area applies to all the lands owned by Thomas J. and Elizabeth Shipley and which are under management of the Forest Society of Maine through a private conservation easement. It is the purpose of the Shipley Conservation Protection Area to conserve the scenic, natural, and wildlife habitat values of the protected property, while allowing continued operation and management as commercial timberland with limited development as described in the easement with the Forest Society of Maine.

3.3 CRITERIA FOR THE ADOPTION BY AMENDMENT OF DEVELOPMENT OVERLAY AREAS

3.3.1. Defining Development Overlay Areas

A 'Development Overlay Area', (DOA), is an area of Town so designated either because of the particular nature and extent of existing non-residential development there or because of the

potential for that designated area to accept future development of commercial, industrial, institutional, or recreational uses and activities. Due to the relative lack of non-residential development in Clifton, it is not deemed advisable, at this time, to set aside extensive areas of Town exclusively for those uses. Neither does it appear advisable to severely limit non-residential uses throughout the designated Growth Management Areas One and Two. It does seem reasonable to restrict non-residential development in Growth Management Area Three to resource-based and recreational categories of land use activities.

In order to achieve reasonable management of the impact of commercial and industrial development on neighborhoods, the proximate environment and on the Town as a whole; and at the same time to not create insurmountable obstacles to beneficial development, the Town hereby provides for the adoption of Development Overlay Areas by amendment to this Ordinance.

3.3.2. Provision FOR TWO DEVELOPMENT OVERLAY AREAS WITHIN THIS ORDINANCE

Two development overlay areas, GMA 1A ('the village overlay') and GMA 1B ('the enterprise overlay') are made part of this Ordinance, at the time of adoption, and are not subject to the provisions of **Article 3, Section 3.3.4** below.

3.3.3. Provision For Development Overlay Areas To Be Adopted By Amendment

Areas of Town may, at a future time, become suitable for designation as Development Overlay Areas. Provision is hereby made for such areas to be adopted by amendment as set out in **Article 1.7 Amendments to Ordinance And Maps**. A Development Overlay Area adopted by amendment must conform to the 'General Provisions' in **Article 3, Section 3.3.4** below. It is the intent of this Ordinance that such additional areas shall conform with the guidelines stated in this Article. During such amendment process, the Town voters shall be presented with factual material and persuasive argument and then may vote on the designation of the certain proposed area of Town as a Development Overlay Area and on any proposed limitations, restrictions or other regulations as recommended by the Planning Board or the Select Board.

3.3.4. General Provisions For The Development Overlay Areas

3.3.4.1. No Development Overlay Area established by amendment may be smaller than ten acres.

3.3.4.2. A Development Overlay Area established by amendment may be designated for commercial use only, for industrial use only, for institutional use only, for recreational use, or for mixing of categories of non-residential use.

3.3.4.3. Development Overlay Areas established by amendment must be restricted to non-residential use only, with no residential uses permitted, unless the entire development overlay area is a planned development.

3.3.4.4. The boundaries of a Development Overlay Area established by amendment must not enclose any areas of Town where residential uses already exist or where residential use will continue to be allowed, unless the entire development overlay area is a planned development.

3.3.4.5. Development Overlay Areas adopted by vote of the Town will require a vote of the Town to be dissolved. Dissolution may not occur unless the Development Overlay Area was never developed or unless the developed portion of the Development Overlay Area can be

split off into a Development Overlay Area of a lower level, meeting all the requirements of that lower level; and any developable land remaining will revert to the general requirements of land in the underlying growth management area. A Town vote to allow dissolution of a Development Overlay Area will not take effect until all development in the Area to be dissolved has ceased to operate as a commercial or industrial use and all commercial and / or industrial structures have been removed or will be converted to other use. Such other use must be a conforming use in the underlying growth management area. Such conversion to be verified by the Code Enforcement Officer before a Certificate of Use is issued.

3.3.4.6. Within a Development Overlay Area established by amendment, as many separate uses may be allowed as meet all the requirements and standards of this Ordinance.

3.3.4.7. No land that is designated in the Shoreland Management Area, the Flood Hazard Management Area, or the Significant Aquifer Protection Area may be included in a Development Overlay Area established by amendment.

3.3.4.8. No Development Overlay Area may be established which results in the creation of a non-conformity of lot, structure or use, either within the boundaries of the Development Overlay Area or without.

3.3.4.9. When a developer chooses to locate a small, low-impact commercial or industrial use within the boundaries of an adopted Development Overlay Area, that development shall be required to comply with all applicable standards and requirements of that particular Development Overlay Area, as though it were a larger, higher impact use.

3.3.4.10. Two or more Development Overlay Areas may be established with a common boundary, but each Overlay Area must be administered separately and no permitted use may cross the boundary.

3.3.4.11. A Development Overlay Area may apply to only a segment of a parcel. When a Development Overlay Area does not encompass an entire parcel, the overlay boundary will be described in geographic coordinates (latitude and longitude) points accurate to within one (1) meter and referenced to at least two property corners or angle points mapped to an accuracy of less than one (1) meter.

3.4. INCENTIVES FOR THE SUSTAINABLE USE OF NATURAL RESOURCES AND OPEN SPACE

3.4.1. Residential Cluster Development Incentive Provision

The Town hereby establishes a Residential Cluster Development Incentive Provision. The purpose of this Incentive Provision is to encourage flexibility in the design of residential subdivisions throughout the Town. This flexibility is intended to allow for the creation of open space which will provide for recreational opportunities or public use and access and/or will protect important natural features from the adverse impacts of development.

Within the Cluster Development the net residential density (as defined herein) shall be no greater than would be allowed by a conventional subdivision of that property. Notwithstanding provisions of this Ordinance relating to dimensional requirements, the Planning Board, in reviewing and approving proposed residential subdivisions, may modify the provisions related to dimensional requirements to permit flexibility in approaches to site layout of structures and environmental design in accordance with the Cluster Development Standards of this Ordinance

The modification(s) approved shall not be construed as granting variances to relieve hardship, and action of the Board of Appeals shall not be required.

3.4.2. Establishment Of A Conservation Subdivision Incentive Provision

The Town hereby establishes a Conservation Subdivision Incentive Provision. The purpose of this incentive provision is to encourage conservation of land in Growth Management Areas Two and Three. The conservation of otherwise developable land will preserve for future residents of the Town permanent open space, prime forest lands, and significant natural and irreplaceable features.

Within the Conservation Subdivision, the net residential density (as defined herein) shall be no greater than would be allowed by a conventional subdivision of that property. Notwithstanding provisions of this Ordinance relating to dimensional requirements, the Planning Board, in reviewing and approving proposed residential subdivisions, may modify the provisions related to dimensional requirements to permit flexibility in approaches to site layout of structures and environmental design in accordance with the Conservation Subdivision Standards of this Ordinance. The modification(s) approved shall not be construed as granting variances to relieve hardship, and action of the Board of Appeals shall not be required.

3.4.3. Establishment Of A Non-Residential Cluster (Planned) Development Option

The Town hereby establishes a Non-residential Cluster (or Planned) Development Incentive Provision. The purpose of this incentive provision is to encourage flexibility in the siting of non-residential development that will allow for a reduction in dimensional requirements in return for the conservation of land and preservation of designated open space by the clustering of non-residential development, and for the adequate provision of access management to the planned development that minimizes the impact of the development on public roads and for the preservation of the landscape by creative use of the natural features of the property.

Within the Non-residential Cluster Development, the net non-residential density (as defined herein) shall be no greater than would be allowed by a conventional subdivision of that property. Notwithstanding provisions of this Ordinance relating to dimensional requirements, the Planning Board, in reviewing and approving proposed commercial developments, may modify the provisions related to dimensional requirements to permit flexibility in approaches to site layout of structures and environmental design in accordance with the Non-residential Cluster Development Standards of this Ordinance. The modification(s) approved shall not be construed as granting variances to relieve hardship, and action of the Board of Appeals shall not be required.

3.5. ESTABLISHMENT OF OFFICIAL LAND USE ORDINANCE MAPS

The three primary Growth Management Areas and overlay management areas and districts established by this Ordinance are defined and bounded as shown on all maps officially designated "Land Use Ordinance Map of Clifton, Maine" which, together with their notations and amendments from time to time, are hereby made a part of this Ordinance.

3.5.1. Official Land Use Ordinance Maps

The following maps are adopted with this Ordinance: 1) Primary Growth Management Areas Map of Clifton, Maine, 2) Shoreland Management Overlay Area Map of Clifton, Map, 3) Flood Hazard Management and Special Protection Overlay Areas Map of Clifton, Maine, and 4) Flood Insurance Rate Map, dated May 2, 1994. The official copy of any such designated 'Growth

Management Map of Clifton, Maine' shall be that map which bears the certification that it is true and correct, that is signed by the Chair of the Planning Board and attested by the Town Clerk, and is on file in the office of the Town Clerk. The Official Land Use Ordinance Maps shall be drawn at a scale of not less than: 1 inch = 2000 feet. Area and District boundaries shall be clearly delineated and a legend indicating the symbols for each Area and District shall be placed on the map.

3.5.2. Interpretation Of Management Area Boundaries

Where uncertainty exists as to boundary lines of Areas and Districts as shown on any official "Land Use Ordinance Map of Clifton, Maine," the following rules of interpretation shall apply:

3.5.2.1. Boundaries indicated as approximately following the center lines of streets, highways, public utilities or right-of-ways shall be construed as following such center lines;

3.5.2.2. Boundaries indicated as approximately following property lines shall be construed as following property lines;

3.5.2.3. Boundaries indicated as approximately following shorelines of any great pond or wetland shall be construed as following the shoreline;

3.5.2.4. Boundaries indicated as being the extension of centerlines of streets shall be construed to be the extension of such centerlines;

3.5.2.5. Boundaries indicated as being the extension of property lines shall be construed to be extensions of such property lines;

3.5.2.6. Boundaries indicated as approximately being parallel to the centerlines of streams, rivers, or other continuously flowing watercourses shall be construed as following parallel to the channel center line of such watercourses;

3.5.2.7. Boundaries indicated as being parallel to or extension of features listed above shall be so construed. Distances not specifically indicated on the official map shall be determined by the scale of the map;

3.5.2.8. Where physical or cultural features existing on the ground are at variance with those shown on the official map, or in other circumstances where uncertainty exists with respect to the location of a boundary, the Code Enforcement Officer shall interpret the Area and District boundaries;

3.5.2.9. The boundary line for Growth Management Area Two along the westerly side of the Springy Pond Road shall be at a parallel distance of one thousand feet (1000') from the centerline of the Springy Pond Road.

3.5.3. Resolution Of Management Area Boundary Disputes

Where a dispute exists as to the Code Enforcement Officer's interpretation of an Area or District boundary, the following procedures shall be followed to resolve the dispute:

3.5.3.1. The property owner so affected by the disputed boundary requests a formal, written determination by the Code Enforcement Officer of the location of the Area or District boundary.

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3.5.3.2. Within fourteen (14) calendar days of receiving the property owner's request, the Code Enforcement Officer shall make a formal, written determination of the Area or District boundary location.

3.5.3.3. If the property owner does not agree with the Code Enforcement Officer's determination, the property owner may appeal this decision to the Board of Appeals as an administrative appeal in accordance with **Article 17, Section 17.2.1, Administrative Appeals.**

**** Please refer to the Official Clifton Land Use Ordinance Maps for a graphic of the Growth Management Areas.**