

ARTICLE 7 – GENERAL PERFORMANCE STANDARDS

The following General Performance Standards, when applicable, shall govern all permits and approvals issued by the Code Enforcement Officer and the Planning Board. In all instances the burden of proof shall be upon the applicant.

GPS 1.0 ACCESS AND DRIVEWAYS

GPS 1.1. Access to the Property. Each property shall be provided with vehicular access to the property by abutting private or public ways or roads. Private rights-of-way shall be protected by permanent easements.

GPS 1.2. Access to the Road. All lots of record legally existing at the time of the adoption of this Ordinance shall be allowed at least one (1) direct access to the road, provided that the access meets the minimum sight distance as specified below. Access to the road shall be controlled in the interest of public safety.

GPS 1.3. Sight Distances. Any exit driveway or driveway lane shall be so designed in profile and grading and so located as to provide the following minimum sight distance measured in each direction. The measurements shall be from the driver's seat of a vehicle standing on that portion of the exit driveway with the front of the vehicle a minimum of ten feet (10') behind the curb line or edge of shoulder.

Allowable speed (Miles per hour)	Required Sight Distance (feet)
25	250
35	350
40	400
45	450
50	500
55	550

GPS 1.4. Driveways for Single and Two-Family Dwellings. Driveways, roads, rights-of-way or other means of access from single and two-family dwellings to public or private ways or roads shall not have an average slope in excess of eight percent (8%) within fifty (50) feet of the point of intersection. The angle of intersection between the access road and the way shall not be less than sixty degrees (60), nor exceed one hundred twenty degrees (120).

GPS 1.5. Driveways For Uses Other Than Single and Two-Family Dwellings. The following criteria shall be followed for entrances and/or driveways to any use other than single and two-family dwellings:

GPS 1.5.1. All entrance and exit driveways shall be located and designed in profile and grading to afford safety to traffic, provide for safe and convenient ingress and egress, to and from the site, and to minimize conflict with the flow of traffic.

GPS 1.5.2. The dimensions of driveways shall be designed to adequately accommodate the volume and character of vehicles anticipated to be attracted daily.

GPS 1.5.3. Provision shall be made for convenient and safe emergency vehicle access to all buildings and structures at all times.

GPS 1.5.4. For a distance of twenty feet (20') from the intersection of any two (2) streets along street lines no wall, fence, sign, or other structure and no hedges, trees, or other growth shall be planted or erected in such a manner as to materially impede vision between a height of two and one-half (2 1/2) and ten feet (10') above street level.

GPS 1.5.5. Where a site occupies a corner of two (2) intersecting roads, no driveway entrance or exit shall be located with fifty feet (50') of the point of tangency of the existing or proposed curb radius of that site. Access to the lot shall be provided across the frontage and to the street where there is less potential for traffic congestion and for hazards to traffic and pedestrians.

GPS 1.5.6. Where two (2) or more driveways connect on a single site to any one (1) road, a minimum clear distance of one hundred feet (100') measured along the right-of-way shall separate the closest edges of any two (2) such driveways, unless the driveways are one way only, then the minimum clear distance shall be no less than fifty feet (50').

GPS 1.5.7. Driveways used for two-way operation shall intersect the road at an angle of or as near to ninety (90) degrees as site conditions will permit and in no case less than sixty (60) degrees. Driveways used by vehicles in one (1) direction of travel (right-turn only) shall not form an angle smaller than forty-five (45) degrees with the road, unless acceleration and deceleration lanes are provided.

GPS 1.5.8. Driveways shall not have a grade in excess of ten percent (10%) over the entire length. For all driveways, the grade shall not be more than three percent (3%) for the first one hundred feet (100') from the road. Driveways shall not be located where visibility is limited because of curves or topography.

GPS 1.5.9. Stacking or queuing spaces for drive-through businesses shall be located on-site and shall not be located within the required setbacks.

GPS 1.5.10. Additional driveway entrances or exits for developments of two (2) or more permitted uses may be permitted provided that the two (2) access points are not closer than four hundred feet (400') and they both can meet the minimum sight distances specified in **GPS 1.3** above.

GPS 1.5.11. Shared driveways shall be encouraged for adjacent sites with frontage on Routes 9 and 180 in order to minimize the number of driveways along those Routes. Within a conventional subdivision, the lot size and frontage requirement may be reduced by a total of 10 percent when the developer agrees to provide a common driveway to the site.

GPS 1.5.12. Where the applicant owns the land in back of the parcel to be developed or for which development approval is sought, the applicant shall retain a fifty-foot (50') right-of-way to the land in back of the parcel unless the applicant can determine that another legal access point exists. The applicant shall not be required to provide an additional fifty feet (50') of frontage to meet this requirement, but may deduct the fifty (50') feet from the frontage requirement of the growth management area in which the land is located.

GPS 2.0 ARCHAEOLOGICAL SITES

Compliance with this performance standard satisfies compliance with development in the Shoreland Management Area.

Any proposed land use activity involving structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on the National Register of Historic Places, as determined by the Planning Board shall be submitted by the applicant to the Maine Historic Preservation Commission for review and comment, at least twenty (20) days prior to action being taken by the Planning Board. The Planning Board shall consider comments received from the Commission prior to rendering a decision on the application.

GPS 3.0 BUFFERING AND SCREENING (NON-RESIDENTIAL)

A non-residential project may be required to provide buffer strips and / or screening.

The purpose of buffer strips and screening is to separate and partially obstruct the view of one or more land uses or properties from another. In addition, buffer strips can be used to minimize the noise level of land uses. A required buffer strip shall be of sufficient width to provide the degree of spatial separation indicated to accomplish its purpose. Screening shall be of sufficient type or density to exclude visual contact to the degree deemed desirable and necessary.

Natural features in buffer strips shall be maintained wherever possible. When natural features such as topography, gullies, stands of trees, shrubbery, rock outcrops do not exist or are insufficient to provide the required screening; other kinds of screening shall be considered. Screening may be in the form of natural or man-made barriers, existing vegetation or new plantings, if suitable existing vegetation and natural features do not exist

Buffer strips and screening may be required for the following areas and / or purposes:

GPS 3.1. Along any water body within or adjacent to the project to protect such water bodies from sedimentation and surface runoff.

GPS 3.2. Along any property line where a non-residential use abuts a lot with a residential use. If there is a buffer strip on the adjacent lot and the applicant for Site Plan Approval provides the Board with some form of guarantee that the adjoining buffer strip will remain undeveloped, the Board may reduce the required buffer strip by the width of the encumbered adjoining buffer strip.

GPS 3.3. Along on-site roads running parallel to an off-site road to prevent driver confusion, particularly at night.

GPS 3.4. Along any property line to protect and enhance scenic character and provide visual separation between the highway and adjacent uses.

GPS 3.5. Along any property line to shield incompatible uses from one another.

GPS 3.6. Along any property line to block prevailing winds to stop wind-borne debris from leaving the site.

GPS 3.7. Along any property line, where the Board determines it desirable and necessary, to prevent any proposed lighting from interfering with residential properties or with safe driving.

GPS 3.8. Along property lines of exposed storage and service areas, sand and gravel extraction operations, utility buildings and structures, automobile salvage and junk yards, parking areas, garbage collection areas, and loading and unloading areas, to minimize their visual impact on adjoining traveled ways and properties.

GPS 3.9. Along any property line where a potential safety hazard to children would be likely to arise, buffering and physical screening sufficient to deter small children from entering the premises.

GPS 3.10. In areas between important wildlife habitats to provide adequate space for the movement of wildlife from one area to another as recommended by the Maine Department of Inland Fisheries and Wildlife.

GPS 4.0 CULVERTS WITHIN THE RIGHT-OF-WAY OF TOWN- MAINTAINED ROADS

Culverts installed in the Town of Clifton shall conform to the following requirements:

GPS 4.1. First Culvert Cost. The installation costs associated with the initial culvert, or 'first culvert', will be the responsibility of the property owner.

GPS 4.2. Replacement Culvert Cost. The costs of replacing a culvert and, or resetting a culvert, will be the responsibility of the Town of Clifton, provided that the first culvert was installed in accordance with the Town specifications in force at the time of the original installation. Replacement of pavement on a paved driveway will be the responsibility of the property owner and not the Town of Clifton.

GPS 4.3. Installation Agent. The property owner may install or reset a culvert or may employ an individual or contractor to install or reset a culvert according to the Town's specifications.

GPS 4.4. Determination of Necessity. The Selectboard or its appointee shall determine the necessity of installing or resetting a culvert when it is deemed necessary for the protection of the Town Way.

GPS 4.5. Permit Required. A permit must be obtained from the Code Enforcement Officer to install or replace a culvert and the CEO shall inspect and approve the installation.

GPS 4.6. Permit Fee. A permit fee will be charged by the Code Enforcement Officer in accordance with the fee schedule adopted by the Select Board.

GPS 4.7. Specification of Size. All culverts shall be fifteen (15) inches in diameter unless the Select Board or its appointee decides a larger culvert should be installed.

GPS 4.8. Specifications for Installation. The applicant shall receive a specification diagram from the Code Enforcement Officer illustrating the following requirements:

GPS 4.8.1. Trench Installations crossing town-maintained roads:

GPS 4.8.1.1. The trench bottom shall be shaped by the template to a depth of 0.1 times the diameter of the pipe. When the trench bottom can not be suitably shaped, a minimum of three (3") inches of bedding shall be used.

GPS 4.8.1.2. Backfill material shall be placed by hand filling selected material from the excavation to a depth of 0.9 times the pipe diameter plus twelve (12") inches minimum in accordance with **MDOT 603.04**.

GPS 4.8.1.3. The trench excavation width shall be a minimum of the pipe diameter plus twenty-four (24") inches.

GPS 4.8.1.4. Backfill shall be with gravel or shall match the existing gravel base. The finished trench surface shall be paved or match the existing road surface.

GPS 4.8.2. Driveway Installations:

GPS 4.8.2.1. The ditch excavation shall be shaped to fit the pipe bottom.

GPS 4.8.2.2. There shall be compacted backfill to the top of the pipe.

GPS 4.8.2.3. Roadway gravel to **MDOT** specifications shall be used to backfill a minimum of eighteen (18") inches, or the equivalent of one pipe diameter, to the finish grade of the roadway.

GPS 5.0 DAMAGE TO TOWN PROPERTY

Any, and all, damage caused by a landowner, homeowner or contractor to any town property or town-maintained road will be the responsibility of the landowner, homeowner or contractor to repair.

GPS 6.0 DUST, FUMES, VAPORS, GASES, ODORS, GLARE, AND EXPLOSIVE MATERIALS

GPS 6.1. Emission of dust, dirt, fly ash, fumes, vapors or gases which pose an unreasonable risk of harm to human health or the environment shall be prohibited.

GPS 6.2. No land use or establishment shall be permitted to produce sustained unreasonable offensive or harmful odors perceptible beyond their lot lines, measured either at ground or habitable elevations as determined by the Code Enforcement Officer or other person assigned by the municipal officers.

GPS 6.3. No land use or establishment shall be permitted to produce unreasonable glare or brightness beyond its lot lines.

GPS 6.4. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the rules and Regulations adopted by the State of Maine.

GPS 7.0 EROSION AND SEDIMENTATION CONTROL

(Applications in the Shoreland Management Area, need to also conform with **Article 9** requirements.)

The following measures relating to conservation, erosion and sediment control shall be included where applicable as part of all projects submitted for review and approval under this Ordinance:

GPS 7.1. The procedures outlined in the erosion and sedimentation control plan, prepared and submitted by the applicant, shall be implemented during the site preparation, construction, and clean-up stages. The applicant is encouraged to use the siting, design and maintenance guidelines in the “**Maine Erosion Sediment Control BMPs**” by the Maine DEP for meeting the requirements of this standard.

GPS 7.2. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices:

GPS 7.2.1. Stripping of vegetation, soil removal and re-grading or other development shall be done in such a way as to minimize erosion;

GPS 7.2.2. Development shall preserve outstanding natural features, keep cut-fill operations to a minimum and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff;

GPS 7.2.3. The development shall not unreasonably increase the rate or volume of surface water runoff from the proposed site;

GPS 7.2.4. Whenever feasible, natural vegetation shall be retained, protected and supplemented;

GPS 7.2.5. The disturbed area and the duration of exposure shall be kept to a practical minimum;

GPS 7.2.6. Disturbed soils shall be stabilized as quickly as practicable;

GPS 7.2.7. Temporary vegetation or mulching shall be used to protect disturbed areas during development;

GPS 7.2.8. Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends;

GPS 7.2.9. Until the disturbed area is stabilized, sediment in the runoff water shall be trapped by the use of debris basins, sediment basins, silt traps or other acceptable methods;

GPS 7.2.10. The top of a cut or the bottom of a fill section shall not be closer than ten feet (10') to an adjoining property, unless otherwise specified by the Planning Board. Extraction

operations (gravel pits, etc.) shall not be permitted within one hundred feet (100') of any property line in absence of the prior written agreement of the owner of such adjoining property;

GPS 7.2.11. During grading operations, methods of dust control shall be employed wherever practicable;

GPS 7.2.12. Whenever sedimentation is caused by stripping vegetation, re-grading or other development, it shall be the responsibility of the developer causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his/her expense as quickly as possible;

GPS 7.2.13. Any activity on a stream, watercourse or swale or upon floodway or right-of-way shall comply with the **Natural Resource Protection Act, Title 38, MRSA, §480-A and 480-S**. Any such activity shall also be conducted in such a manner so as to maintain as nearly as possible the present state of the stream, watercourse, swale, floodway, or right-of-way for the duration of the activity and shall be returned to its original or equal condition after such activity is completed.

GPS 7.2.14. Maintenance of drainage facilities or watercourses originating and completely on private property is the responsibility of the owner to the point of open discharge at the property line or at a communal watercourse within the property.

GPS 8.0 GROUNDWATER PROTECTION

The proposed site development and use shall not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems. Projects involving common on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater have demonstrated that the groundwater at the property line shall comply, following development, with the standards for safe drinking water as established by the State of Maine.

GPS 9.0 INDIVIDUAL PRIVATE CAMPSITES

Individual private campsites not associated with campgrounds and, as defined herein, are allowed as shown in the **Resource Based Uses Table 13 E** in **Article 13**. Campsites in the Shoreland Management Area must comply with Shoreland Standards in **Article 9 SS 10.0**.

Campsites outside the Shoreland Area must comply with the following:

When a campsite is utilized for more than one hundred and twenty (120) days per year, a written sewage disposal plan describing the proposed method and location of sewage disposal shall be required for each campsite and shall be approved by the Local Plumbing Inspector. All private campsites shall be in compliance with any and all applicable State of Maine Subsurface Wastewater Disposal Rules unless served by public sewage facilities.

GPS 10.0 LIGHTING (NON-RESIDENTIAL AND MULTI-FAMILY)

All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties. Lighting shall be arranged to minimize glare and reflection on adjacent properties and the traveling public. Lighting levels for a proposed development shall consider the light levels of adjacent properties when establishing the light level for the proposed development so that the proposed light level is compatible with these adjacent light levels.

GPS 11.0 MINERAL EXPLORATION

All excavations, including test pits and holes, shall be promptly capped, refilled, or secured by other equally effective measures so as to reasonably restore disturbed areas and to protect the public health and safety.

GPS 12.0 MULTIPLE PRINCIPAL STRUCTURES ON A SINGLE LOT

GPS 12.1. Multiple Principal Residential Structures. If more than one (1) principal residential structure is located on a lot, the lot size and the location of each principal residential structure shall be such that a separate lot conforming to the provisions of this Ordinance could be created for each principal structure. The potential creation of a separate lot shall be demonstrated by submitting a plan to the Code Enforcement Officer showing how the land could be divided to create conforming lots. Such plan shall be recorded with the Registry of Deeds.

GPS 12.2. Exemption for Cluster and Cluster Conservation Development. Notwithstanding **12.1**, above, the Planning Board may approve a Cluster Residential Development or a Cluster Conservation Development that conforms to the provisions of this Ordinance.

GPS 12.3. Multiple Principal Non-residential Structures. If more than one (1) principal non-residential structure is located on a lot, the lot size and the location of each principal non-residential structure shall be such that a separate lot conforming to the provisions of this Ordinance could be created for each principal structure. The potential creation of a separate lot shall be demonstrated by submitting a plan to the Code Enforcement Officer showing how the land could be divided to create conforming lots. Such plan shall be recorded with the Registry of Deeds.

GPS 12.4. Exemption for Cluster Non-Residential Development. Notwithstanding **GPS 12.1**, above, the Planning Board may approve a Cluster Non-Residential Development that conforms to the provisions of this Ordinance.

GPS 13.0 MULTIPLE USES ON A SINGLE LOT

GPS 13.1. No structure shall hereinafter be erected, altered, or utilized if the effect of such erection, alteration or utilization is to create more than one (1) use on a single lot, except a Home Occupation Level 1 which meets the requirements in **Article 8**, a Home Occupation Level 2 which meets the requirements of residential back lot developments which meet the requirements of accessory residential units which meet the requirements or uses in growth management areas wherein multiple uses are allowed.

GPS 13.2. More than one use may be permitted in the same structure in GMA 1A and GMA 1B; however, no structure shall hereinafter be erected, altered, or utilized if the effect of erection, alterations, or utilization is to create more than one (1) use on the lot unless the following conditions are met:

GPS 13.2.1 The lot has the minimum continuous frontage on a public way, as required by this Ordinance, for the first use and one hundred additional feet (100') of continuous frontage on a public way for the second use and fifty additional feet (50') of continuous frontage for each additional use.

GPS 13.2.2. All of the other requirements of the growth management area in which the uses are located are met, with the exception that uses may be in the same building.

GPS 13.2.3. All traveled ways to be used for the means of ingress and egress shall have a usable width of twenty-four feet (24').

GPS 13.2.4. Continuous frontage on a private way shall be permitted for any third or additional use, provided the lot has the minimum plus fifty feet (50') of continuous frontage on a public way, two hundred feet (200') on continuous frontage on a private way for the third use, and one hundred (100) additional feet of continuous frontage for each additional use.

GPS 14.0 MUNICIPAL SERVICES

The Planning Board may request a review of potential adverse impact on the municipal services including municipal road systems, public safety services, solid waste program, schools, open spaces, recreational programs and facilities, and other municipal services and facilities. Based upon the outcome of the review, the Planning Board may request mitigation of the impacts.

GPS 15.0 NET DEVELOPABLE ACREAGE

The following lands shall not be included in the calculations of lot area for the purpose of meeting the minimum lot size requirements of this Ordinance.

GPS 15.1. Land below the normal high-water line of a water body or upland edge of a wetland and land beneath roads serving more than two (2) lots shall not be included toward calculating minimum lot area.

GPS 15.2. Land which is located within the one hundred (100) year frequency flood plain as identified by the **Federal Emergency Management Agency** or the **Department of Housing and Urban Development, Flood Insurance Administration**, unless the developer shows proof through the submittal of materials prepared by a Registered Land Surveyor which shows that the property in question lies at least one foot (1) above the one hundred (100) year flood level. The elevation of filled or made land shall not be considered;

GPS 15.3. Land which is part of a right-of-way, or easement, including utility easements;

GPS 15.4. Land that has to be created by filling or draining a pond or wetland;

GPS 15.5. Land that has been determined to be a freshwater wetland, as defined in **Title 38, MRSA, §480-B**, regardless of size.

GPS 15.6. Land which has a sustained slope of 20% or more over an area of two or more acres.

GPS 15.7. Land which is defined herein as a freshwater wetland.

GPS 15.8. Land which is within the Shoreland Resource Protection District.

GPS 15.9. This Section does not apply to single lots of record existing as of the date of adoption of this Ordinance and proposed to be utilized for single family residences only.

GPS 16.0 NET RESIDENTIAL DENSITY

In order to determine the maximum number of dwelling units permitted on a tract of land, the net residential acreage shall be divided by the minimum lot size for residential uses in that growth management area, as required by this Ordinance.

The net residential acreage shall be calculated by taking the total area of the lot and subtracting, in order, the following:

GPS 16.1. 15% of the area of the lot to account for roads and parking.

GPS 16.2. Portions of the lot in the Flood Hazard Management Area.

GPS 16.3. Portions of the lot which are unsuitable for development in their natural state due to topographical, drainage or subsoil conditions such as, but not limited to:

GPS 16.3.1. slopes greater than 20%.

GPS 16.3.2. wetland soils.

GPS 16.3.3. Portions of the lot subject to rights of way.

GPS 16.3.4. Portions of the lot located in the Resource Protection District.

GPS 16.3.5. Portions of the lot covered by surface waters.

GPS 16.3.6. Portions of the lot utilized for storm water management facilities.

GPS 17.0 NOISE (NON-RESIDENTIAL)

The non-residential development or project must control noise levels during and after construction and during occupation and/or operation such that it will not create a nuisance for neighboring properties. Development in compliance with other portions of this ordinance will not be considered as a nuisance.

Development that is subject to the Maine 'No adverse effect' noise standards shall provide the **DEP** certification that the project meets the state standards. However, where any standard of this Ordinance, or other Town Ordinance, is the more stringent standard, compliance with the more stringent standard shall be required.

GPS 18.0 OFF-STREET LOADING / UNLOADING REQUIREMENTS (NON RESIDENTIAL)

On every lot on which a non-residential use is hereafter established, sufficient off-street space with access to a public right-of-way shall be provided for the loading and unloading of vehicles, and shall not obstruct traffic flow.

GPS 19.0 OFF-STREET PARKING (NON-RESIDENTIAL)

The following standards shall apply to all commercial uses:

GPS 19.1 PARKING SPACE SHALL BE PROVIDED

No structure shall be erected nor shall any of the following uses be established unless at least the minimum number of off-street parking spaces as specified below is provided. Where a fractional number of spaces would be called for, at least the next higher whole number of spaces shall be required. Each parking space shall measure at least nine feet (9') in width by eighteen feet (18') in length and shall have access for vehicles to a public street. Parking lots for more than five (5) vehicles shall be so arranged that vehicles can be turned around within such lots without entering the street. Private roads, separated from public right-of-ways, but not allowing for turn-around space are deemed adequate for these requirements.

GPS 19.1.1. Automobile Repair and Filling Stations: one (1) space for each regular employee, plus one (1) space for each fifty (50) square feet of floor area used for service work.

GPS 19.1.2. Boarding and Rooming House: one (1) space for each guest room.

GPS 19.1.3. Drive-in Restaurants and Dairy Stands: ten (10) spaces plus one (1) additional space for each person serving or preparing food on the largest shift employed at least once a week on a regularly scheduled basis during the peak season of operations.

GPS 19.1.4. Funeral Parlors: twenty (20) spaces.

GPS 19.1.5. Hospitals and Nursing Homes: one (1) space for each five (5) beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each four (4) employees.

GPS 19.1.6. Hotels: one (1) space for each guest bedroom, plus one (1) space for each four (4) employees.

GPS 19.1.7. Industrial Establishments: two (2) spaces for every three (3) employees, at the maximum employment level, on the two (2) shifts of highest employment combined, plus one (1) space for each company vehicle operating from the premises.

GPS 19.1.8. Fraternal Organizations and Clubs: one (1) space for each five (5) members.

GPS 19.1.9. Business and Professional Offices: one (1) space for each two hundred (200) square feet of working space.

GPS 19.1.10. Places of Amusement or Public Assembly: one (1) space for each fifty (50) square feet of floor area devoted to patron use.

GPS 19.1.11. Multi-Family Residential: Two (2) spaces for each dwelling unit.

GPS 19.1.12. Restaurants, Cocktail Lounges, and Bottle Clubs: one (1) space for each four (4) customer seats, plus one (1) space for each two (2) employees.

GPS 19.1.13. Retail Business: four (4) spaces for each one thousand (1,000) square feet of sales area.

GPS 19.1.14. Roadside Farm Stands: four (4) spaces.

GPS 19.1.15. Elementary Schools: two (2) spaces per classroom plus one (1) space for every four (4) seats of public assembly or ten (10) spaces for every one thousand (1,000) square feet of assembly space if no fixed seats.

GPS 19.1.16. High Schools: five (5) spaces per classroom plus one (1) space for every four (4) seats of public assembly or ten (10) spaces for every one thousand (1,000) square feet of assembly space if no fixed seats.

GPS 19.1.17. Banks: one (1) space per one hundred fifty (150) square feet of floor area.

GPS 19.1.18. Tourist Courts and Motels: one (1) space for each accommodation.

GPS 19.1.19. Wholesale Business: one (1) space for each three hundred (300) square feet of floor space.

GPS 19.1.20. Churches: one (1) space for each five (5) persons seating capacity.

GPS 19.1.21. For uses not specifically listed in this section, the Code Enforcement Officer shall prescribe the number which in no case will be less than an adequate number to provide for employees and customers and visitors anticipated on the site.

GPS 19.2. Location On Other Property. If the required automobile parking spaces cannot be provided on the same lot where the principal use is conducted, the Planning Board can permit that

such spaces may be provided on other off-street property provided that such property lies within four hundred feet (400') of the main entrance to such principal use and is in the same district. Such automobile parking space shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner, provided however, that it may serve different principal uses at different times of day.

GPS 19.3. Parking Area Setbacks. No off-street parking area along Route 9 or Route 180 shall be located within the minimum front setback.

GPS 20.0 OIL AND CHEMICAL STORAGE

GPS 20.1. All storage of petroleum or liquid petroleum products shall be in conformance with the provisions of **Title 38, MRSA §541 et seq.** which, among other things, establishes a ten-year compliance schedule for the discontinuance and removal of nonconforming underground oil storage facilities and requires qualified personnel to oversee the removal of certain underground facilities;

GPS 20.2. Such storage shall be in conformance with Rules and Regulations adopted by the **State of Maine** applicable to the stored substance; and

GPS 20.3. When applicable, the applicant shall have the burden of proof to assure the Planning Board or Code Enforcement Officer that all provisions of the above statutes have been met before the issuance of any permits may take place.

GPS 21.0 ON-SITE CIRCULATION (NON-RESIDENTIAL)

GPS 21.1. Vehicular Circulation. The layout of the site shall provide for the safe movement of passenger, service, and emergency vehicles through the site.

GPS 21.1.1. Non-residential projects shall provide a clear route for delivery vehicles with appropriate geometric design to allow turning and backing for all vehicles, including tractor trailers.

GPS 21.1.2. Clear routes of access shall be provided and maintained for emergency vehicles to all portions of the site and shall be posted with appropriate language.

GPS 21.1.3. The layout and design of parking areas shall provide for safe and convenient circulation of vehicles and prevent their backing out onto a street.

GPS 21.1.4. All streets and access ways shall be designed to harmonize with the topographic and natural features of the site. The road network shall provide for vehicular and pedestrian safety, all season emergency access, snow storage, and delivery and collection services.

GPS 21.2. Pedestrian Circulation. The development plan shall provide for a system of pedestrian circulation within the development. This system shall connect with existing sidewalks if they exist in the vicinity of the project. The pedestrian network may be located within the street right-of-way or outside of the right-of-way in open space or recreation areas. The system shall be designed to link residential units with recreational and commercial facilities, other common facilities, school bus stops, and existing sidewalks in the neighborhood.

GPS 22.0 OUTDOOR STORAGE AND DISPLAY OF GOODS (NON-RESIDENTIAL)

As an accessory use with permitted commercial activities, the storage and display of goods, outside a fully enclosed building, may be permitted provided that:

GPS 22.1. The area occupied by such outdoor storage and display:

GPS 22.1.1. does not exceed ten (10) percent of the enclosed floor area of such commercial activity or two hundred and fifty (250) square feet, whichever is less, for a Tier 2 use;

GPS 22.1.2. does not exceed twenty-five (25) percent of the enclosed floor area of such commercial activity or one thousand (1000) square feet, whichever is less, for a Tier 3 use; and

GPS 22.2. No storage or display shall be placed in areas required for vehicular ingress or egress, internal traffic flow or any required off-street parking and loading;

GPS 22.3. All signs, banners and other decorations shall conform with the requirements of **GPS 27.0** and with the site plan review requirements in this Ordinance; and

GPS 22.4. Such storage and display activities shall meet the dimensional requirements of the district in which it is located except for side and rear setbacks in GMA 1-B when approved by the Planning Board as part of Site Plan Review.

GPS 23.0 POLLUTION LEVELS

Any pollutant introduced into soil on the site shall not exceed a concentration in the ground water that is greater than the guideline established for it in the Safe Drinking Water Standard, EPA Health Advisory, or NAS Health Advisory. Any violation of this standard shall be cause to order the immediate cessation of the use or activity responsible for the contamination. The land owner, contractor, occupant, or any other person with authority over the land, structure, or activity responsible for the contamination, shall be jointly responsible for the cost of all resulting remedial actions and damages.

GPS 24.0 PRESERVATION OF THE LANDSCAPE

Environmentally sensitive areas such as wetlands, steep slopes, flood plains, and unique natural features shall be maintained and preserved to the maximum extent possible. Natural drainage areas shall be preserved to the maximum extent possible.

GPS 25.0 PRIVATE RIGHTS-OF-WAY

Any new private right-of-way shall be at least fifty feet (50') in width or greater, as required by the Planning Board for Site Plan or Subdivision approval. No such right-of-way shall be created over any existing lot or lots so that the balance of any such existing lot, exclusive of the area occupied by the right-of-way would fail to meet any of the requirements of this Ordinance for lot size, frontage, lot coverage, or setbacks.

GPS 26.0 SEPTIC WASTE DISPOSAL

Compliance with **GPS 26.0** shall satisfy compliance with **Article 9.0 SS 17.0** or applications in the Shoreland Management Area.

All subsurface sewage disposal systems shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules and the following:

GPS 26.1. Clearing or removal of woody vegetation necessary to site a new system and any associated fill extensions, shall not extend closer than seventy-five (75) feet, horizontal distance, from the normal high-water line of a water body or the upland edge of a wetland; and

GPS 26.2. A holding tank is not allowed for a first-time residential use in the Shoreland Management Area.

GPS 27.0 SIGNS

Except for legally existing signs at the date of enactment of this Ordinance, no sign shall be permitted except as specified in this Ordinance.

GPS 27.1. Illuminated Signs. No illuminated signs shall be of the intensity or brilliance to cause a glare or impair the vision of the operator of any motor vehicle or otherwise constitute a hazard to pedestrian or vehicular traffic.

GPS 27.2. Outdoor Advertising Off-Premises. No outdoor advertising sign shall hereafter be erected off premises, except that a business operating in conformance with the Land Use Ordinance of the Town of Clifton is permitted to place Official Business Directional Signs (OBDS) as defined by and in compliance with **Title 23, MRSA §1901-1925, Maine Traveler Information Service Act**, under the following conditions:

GPS 27.2.1. Size: 12"x48";

GPS 27.2.2. Color: Non-reflectorized white lettering on a blue background;

GPS 27.2.3. Maximum of three off premises signs permitted;

GPS 27.2.4. The location of all such signs shall be approved on an individual basis by the Code Enforcement Officer using the OBDS Application submitted to the Department of Transportation.

GPS 27.3. Traffic Regulatory Signs. i.e., stop, yield, curve, speed limit, etc., shall be permitted without restrictions.

GPS 27.4. Allowed Signs. The following signs shall be allowed in all growth management areas without a permit:

GPS 27.4.1. Real Estate Signs. Signs relating to the sale, rental or lease of the premises may be displayed on the premises which are available for sale, rent, or lease.

GPS 27.4.1.1. Size of Real Estate Signs in all growth management areas, except GMA 1B, are not to exceed eight (8) square feet.

GPS 27.4.1.2. Real Estate Signs in GMA 1B are not to exceed thirty-two (32) square feet.

GPS 27.4.2. Signs Relating To Trespassing And Hunting. shall be allowed without restriction as to number provided that no such sign shall exceed one (1) square feet in area. No more than one (1) sign every 50 lineal feet of lot perimeter and at all vehicular access entries from a public road.

GPS 27.4.3. A Single Work In Progress Sign. placed on the premises where construction, repair, or renovations are in progress, which denotes the architect, engineer, contractor, and/or funding source for the work in progress. Such sign shall not exceed 16 sq. ft. in area and shall be removed when work is completed. Federal and State government mandated signs are exempt.

GPS 27.4.4. Temporary Signs. announcing public and semi-public occasional events, political campaigns, candidates, etc. Such signs shall be removed within one week after the event.

GPS 27.5. Setbacks For Signs In All Growth Management Areas. (OBDS signs are exempt per MDOT placement): Setbacks for signs in all growth management areas shall be at least twenty (20) feet from side property lines.

GPS 27.6. Accessory Use Signs. Signs over 32 square feet shall be subject to Planning Board approval throughout the entire town.

GPS 27.7. Signs in the Shoreland Management Area. All signs in the Shoreland Management Area shall conform to the following provisions:

GPS 27.7.1. Signs relating to goods and services sold on the premises shall be allowed, provided that such signs shall not exceed six (6) square feet in area and shall not exceed two (2) signs per premises. Signs relating to goods and services not sold or rendered on the premises shall be prohibited.

GPS 27.7.2. Name signs are allowed, provided such signs shall not exceed two (2) signs per premises, and shall not exceed twelve (12) square feet in the aggregate.

GPS 27.7.3. Residential users may display a single sign not over three (3) square feet in area relating to the sale, rental, or lease of the premises.

GPS 27.7.4. Signs relating to trespassing and hunting shall be allowed without restriction as to number provided that no such sign shall exceed two (2) square feet in area.

GPS 27.7.5. Signs relating to public safety shall be allowed without restriction.

GPS 27.7.6. No sign shall extend higher than twenty (20) feet above the ground

GPS 28.0 SITE CONDITIONS (NON-RESIDENTIAL)

GPS 28.1. During construction, the site shall be maintained and left each day in a safe and sanitary manner, and any condition which could lead to personal injury or property damage shall be immediately corrected by the developer upon an order by the Code Enforcement Officer or other authorized personnel. The developer shall make provision for disposal of oil and grease from equipment and the site area should be regularly treated to control dust from construction activity; and

GPS 28.2. Developed areas shall be cleared of all stumps, litter, rubbish, brush, weeds, dead and dying trees, roots and debris. Excess or scrap building materials shall be removed or destroyed immediately upon the request of and to the satisfaction of the Code Enforcement Officer prior to issuing a Certificate of Occupancy.

GPS 29.0 SOILS

Compliance with **GPS 29.0** satisfies compliance with shoreland standards in **Article 9 SS 19.0**.

All land uses shall be located on soils in or upon which the proposed uses or structures can be established or maintained without causing adverse environmental impacts, including severe erosion, mass soil movement, and water pollution, whether during or after construction. Proposed uses requiring subsurface waste disposal, and commercial or industrial development and other similar intensive land uses, shall require a soils report based on an on-site investigation and be prepared by state-certified professionals. Certified persons may include Maine Certified Soil Scientists, Maine Registered Professional Engineers, Maine State Certified Geologists, Licensed Site Evaluators and other persons who have training and experience in the recognition and evaluation of soil properties. The report shall be based upon the analysis of the characteristics of the soil and surrounding land and water areas, maximum ground water elevation, and presence of ledge, drainage conditions, and other pertinent data which the evaluator deems appropriate. The soils report shall include recommendations for a proposed use to counteract soil limitations where they exist.

GPS 30.0 SPECIAL EVENTS (NON-RESIDENTIAL)

Outdoor commercial sales and tents and other temporary structures utilized for commercial sales may be permitted provided that:

GPS 30.1. Such structures and events shall be limited to three (3) times per calendar year and each time shall be limited to no more than fourteen (14) days per event;

GPS 30.2. No display shall be placed in areas required for vehicular ingress or egress, internal traffic flow or any required off-street parking and loading;

GPS 30.3 All signs, banners and other decorations shall conform with the requirements of **GPS 27.0** and the site plan review requirement in this Ordinance; and

GPS 30.4. Such structures and events shall meet the dimensional requirements of this Ordinance.

GPS 31.0 STORM WATER RUNOFF

Compliance with **GPS 31.0** satisfies compliance with shoreland standards in **Article 9 SS 21.0**.

GPS 31.1. All new construction and development shall be designed to minimize storm water runoff from the site in excess of the natural predevelopment conditions. Where possible, existing natural runoff control features, such as berms, swales, terraces, and wooded areas shall be retained in order to reduce runoff and encourage infiltration of storm waters.

GPS 31.2. Storm water runoff control systems shall be maintained as necessary to ensure proper functioning.

GPS 32.0 TEMPORARY STORAGE ENCLOSURES (NON-RESIDENTIAL)

GPS 32.1. In GMA 1A and GMA 1B, a temporary storage enclosure, as defined herein, may be present for no more than 30 days per year without a permit from the Code Enforcement Officer and not more than 120 days per year without a permit from the Planning Board. The Planning Board may grant a permit for a period of up to one year if it finds:

GPS 32.1.1. The lot coverage of the temporary storage enclosure together with the lot coverage of any other uses or structures on the same lot shall not exceed the maximum lot coverage requirements for the growth management area in which the temporary storage structure is to be located;

GPS 32.1.2. There is a valid temporary storage need which cannot be met within the principal or existing accessory structures and for which an adequate operational hardship can be shown if the request is not granted;

GPS 32.1.3. The initial approval of the permit or any renewal thereof will not in any way be detrimental to the neighboring properties, including aesthetic impact;

GPS 32.1.4. The temporary storage enclosure will be adequately screened from neighboring properties and the street;

GPS 32.1.5. The temporary storage enclosure will not be used as, or intended for, advertising for on-or-off premises purposes;

GPS 32.1.6. The temporary storage enclosure is not intended for retail sales;

GPS 32.1.7. The use of temporary storage enclosures on the premises is not intended to be permanent or long-term;

GPS 32.1.8. The above provisions do not prohibit the use of temporary storage enclosures as construction or on-site offices or equipment storage facilities during construction, provided that any other permits required pursuant to this ordinance shall have been obtained;

GPS 32.1.9. The initial permit may be renewed for an additional one year only, upon a finding by the Planning Board that the temporary storage enclosure complies with subsections 1 through 7 above; and

GPS 32.1.10. Any conforming temporary storage enclosure in use in the Village Overlay Area on the date of adoption of this ordinance shall be allowed to continue provided the unit meets the following requirements:

GPS 32.1.10.1. The unit must be skirted unless the storage box is at grade level, by removing the wheels, axles and under-carriage;

GPS 32.1.10.2. Painted or maintained a uniform color in keeping with the architecture of the project site.

GPS 32.2. In all other growth management areas, temporary storage enclosures, as defined herein, are not permitted.