

**- PUBLIC MEETING -**

**Ordinance Review Committee**

Thursday, January 22, 2015

CORRECTED DATE

8:00 a.m. @ Rockport Town Office  
Richardson Room

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**AGENDA**

1. Introductions.
2. Schedule and Scope of Work.
3. Correspondence.
4. Work Plan Item #1 – Section 801.6 Nuisances. Reconsider draft language prepared last year. This is a proposal to extend the evening hours during which amplified may be permitted under certain circumstances.
5. Work Plan Item #2 – Section 1103.4 Sign Standards. Reconsider draft language prepared last year. This proposal would increase the maximum area of signs permitted in several zoning districts (but not residential districts) and clarify whether or not signs that are not in view from a public way are to be regulated.
6. Adjourn.

# Memo

**To:** Ordinance Review Committee and Planning Board  
**From:** James P. Francomano, Planning and Development Director  
**Date:** January 15, 2015  
**Re:** 2015 Ordinance Review Committee Work Plan

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The following issues were delegated by the Select Board to the Ordinance Review Committee (“ORC”) for consideration during its 2015 season. The next step is to conduct regular ORC meetings for further review and preparation draft language for Planning Board and Select Board consideration leading up to the Annual Meeting in June.

The 2014 Work Plan and items discussed at a joint Select Board/ORC public workshop on December 9, 2014 were synthesized to create the list below. At its regular meeting of January 12, 2015 the Select Board cut one item and rearranged the priority of the Work Plan as shown below with the last item being slated for research and discussion only.

Several items are condensed into relevant topic areas to facilitate more efficient discussion and review.

- 1 Section 801.6 Nuisances. Reconsider draft language prepared last year. This is a proposal to extend the evening hours during which amplified music may be permitted under certain circumstances.
- 2 Section 1103.4 Sign Standards. Reconsider draft language prepared last year. This proposal would increase the maximum area of signs permitted in several of the zoning districts (but not residential districts) and clarify whether or not signs that are not in view from a public way are to be regulated.
- 3 Sections 1002-1004 Performance Standards. Explore possible revisions to Architecture Review provisions dealing with the appearance of exterior finish materials. Explore possible amendments to provide more options to ensure neighborhood compatibility or to mitigate impact on scenic character.
- 4 Section 1303 Site Plan review. Explore possible revisions to current threshold requirements for Site Plan review as opposed to Building Permit for some applications.
- 5 Section 900-913 More flexible setback provisions. Explore further revisions to permit greater density in the context of subdivision design or in areas historically characterized by tight groupings of small lots. Clarify potential conflicts and overlap with Section 804 Cluster Development provisions.

The Select Board was supportive of the suggestion that we also work on provisions in the Land Use Ordinance that deal with enforcement of Planning Board conditions of approval and performance guarantees. However it was decided that over the course of my first year with the Town this topic should be addressed primarily at staff level with more consistent application of relevant provisions already in the Ordinance and regular monitoring by the Planning Board.

My suggestion for the first meeting would be to focus on draft language on items 1 and 2 that was left over from the 2014 ORC season as those will be familiar to everyone and to explore in a preliminary way the appropriate scope of our work on the other items.

Meetings will be on Fridays at 8:00 a.m. starting Thursday, January 22 in the Richardson Room.

NB: Corrected date.

## **Ordinance Review Committee 2014 Work Tasks**

The following are work tasks for the 2014 Ordinance Review Committee. The planning office will provide the committee with a draft revision for each of the identified task which will include as applicable an explanation/reason for the proposal. This will create an efficient review process and allow the committee to concentrate upon refining, editing and improving the proposed ordinance revisions.

### **Tasks:**

1. Create a Use Chart/Table for all of the land use districts. ( This will also involve some revisions to the uses and definitions)
2. Create a Dimensional Chart/Table for all of the land use districts. ( Some related portions of the ordinance will also need to be reorganized/reformatted)
3. Minor revisions to the traditional village district section # 910.
4. Provide an alternative way to designate maximum building footprints in the 907 and 907M districts. ( The current zoning map contains six 907 sub-districts which is very confusing)
5. Add the stream protection areas to the zoning map. ( The stream protection areas as designated by Shoreland Zoning are not clearly indicated on the map)
6. Revise the designation of the wetland located at West Street Extension from RP to an other Shoreland District. ( The RP designation is no longer required)
7. Allow a 25-foot structure setback within the shoreland area that overlays the harbor, marina and the downtown. ( This is allowed under Shoreland Zoning and is called a General Development District)
8. Provide an alternative district or a revised dimensional standard to the land currently used by the Maine Media School as a dormitory.
9. Revise Section 1002 Area Landscaping Standards
10. Revise Section 1003 Architectural Review Standards
11. Correct setbacks as necessary in Sections 1415.3 and 1415.16
12. Discuss revisions for lighting, noise and signs.
13. Discuss the adoption of the Maine Building Code

## Ordinance Revisions

### Section 800 – General Standards of Performance

#### 801.6 Nuisances

The playing of amplified music that can be heard beyond the property line is prohibited after 10 P.M.

~~Events which obtain a permit from the Town may extend the playing of music to no later than 11 P.M. with the approval of both the Town Manager and the Police Chief.~~

Revised and wordsmithed by ORC and Select Board:

Events on Town owned property may extend the playing of acoustic or amplified music to no later than 11 pm if:

1. The event is primarily to benefit one or more non-profit organizations that serve Knox County; and
2. The event receives approval from the Select Board.

### Section 1100 – Signs and Advertising

#### 1103.4 Sign Standards for Districts 901, 902, 903, 904, 908, 909, and 910

1. The maximum sign area on each parcel within Districts 901, 902, 903, 904, 908, 909, and 910 is twelve (12) sq. ft. total or six (6) square ft. for double-faced signs.

~~4. The following standards are applicable to signs within District 909:~~

~~a. The maximum sign area for free standing signs shall be 60 sq. ft. and 120 sq. ft. for double-faced signs. No free standing sign shall exceed 20 feet in height.~~

~~b. The total area of building mounted signs shall be proportional to the size of the principal building as measured on its longest façade. The façade is the exterior wall of the building exposed to public view. The total area of signs shall not exceed 10% of the square foot area of the façade.~~

Revised and wordsmithed by ORC and Select Board:

4. The following standards are applicable to signs within District 902:

a. The maximum sign area for free standing signs shall be 100 square feet. No free standing sign shall exceed 20 feet in height. When the universal symbol for hospital (White "H" on a blue background) is used as part of a sign, that portion of the sign shall not be included in the calculation of the maximum sign area.

b. Only signs placed out of doors in view of any public way are subject to this ordinance.