

Town Meeting Warrant
June 3, 2015

ARTICLE ___: Shall Articles 9 (Minimum Standards) and 12 (Definitions) of the Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 3, 2014, be further amended by adding the underscored language and deleting the language in strikeover type as shown below?

The Planning Board recommend Article ___
The Selectmen recommend Article ___

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

Town of Raymond Land Use Ordinance
ARTICLE 9 MINIMUM STANDARDS

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Z. Accessory Apartments

Accessory Apartments, attached or detached, shall be allowed in a residential zone provided that the existing structure and accessory apartment shall not cover the lot by more than fifteen (15) percent. The Appeals Board may grant an additional five (5) percent. If the total number of bedrooms or potential bedrooms exceeds by more than one (1) the number of bedrooms the septic system is designed for, a replacement or expanded system shall be designed and installed before occupancy. The accessory apartment shall not comprise more than 700 s.f. of living space, excluding stairways. Not more than one (1) accessory apartment shall be permitted per parcel.

Description:

A new section, Section Z, is proposed to Article 9 of the Town of Raymond Land Use Ordinances that includes language proposed to be deleted (see Article XX above) from the definition of the term Accessory Apartment. The language is proposed to be removed and amended from the Definition Section of the ordinance and housed in Article 9 as a new Section Z.

Key Changes:

- The language is proposed to be removed from the definitions section and relocated to a new Section Z in Article 9.
- The language in Section Z outlining Accessory Apartment has also been amended to be more consistent with state regulations pertaining to septic design and installation.

ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS ORDINANCE

Words used in the present tense include the future tense; words used in the singular include the plural, and words used in the plural include the singular. The word "shall" is always mandatory. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. The word "lot" includes the word "plot" or "parcel". The words "used" or "occupied" as applied to any land or building, shall be construed to include the words, "intended, arranged, or designed to be used or occupied."

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Accessory Apartments - ~~Accessory apartments attached or detached, shall be allowed in a residential zone provided that the existing structure and accessory apartment shall not cover the lot by more than thirty (30) percent including the area of the septic system. The Appeals Board may grant an additional five (5) percent. If the total number of bedrooms or potential bedrooms exceed by more than one (1), the number of bedrooms that the existing system is designed for, a replacement or expanded system shall be installed before occupancy. If the total number of bedrooms or potential bedrooms increases by one (1), a replacement or expanded system shall be designed and recorded in the Registry of Deeds. The accessory apartment shall not comprise more than 700 s.f. of living space, excluding stairways. Not more than one (1) accessory apartment shall be permitted per parcel. [Adopted 5/20/06] a separate dwelling unit of no more than 700 square feet, excluding stairways, either attached or detached, and located on the same parcel with a single family dwelling. The apartment shall contain a kitchen and bathroom which are separate from and not used in common with the principal dwelling unit.~~

Accessory Use or Structure Building - ~~A use or structure on the same lot with and customarily which is incidental and subordinate to the principal use or building structure. Accessory uses, when aggregated, shall not subordinate the principal use of the lot.~~

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Agriculture- ~~The production, keeping or maintenance for sale or lease, of plants, trees, animals or honeybees, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green-house products. Agriculture does not include forest management and timber harvesting activities.~~

Description:

Several definitions are missing, inconsistent, or different among the town's ordinances. New or amended definitions have been proposed to resolve this issue.

Key Changes:

- Agriculture definition has been added and is consistent with the Shoreland Zoning definition.
- The definition for Accessory Apartments has been amended with some of the language from the definition migrating to Article 9 Minimum Standards (Land Use Ordinance).
- Accessory Use or Building has been amended to Accessory Use or Structure.