

SUBCHAPTER IV - RESOURCE CONSERVATION DISTRICTS

DIVISION A - RESOURCE PROTECTION DISTRICT (RP)

SECTION 9-411 PURPOSE (RP)

To further the maintenance of safe and healthful conditions; prevent and control potential water pollution sources; protect spawning grounds, fish, aquatic life, bird and other wildlife habitat; and conserve shore cover, visual as well as actual points of access to coastal waters and natural beauty; and to protect historic and archaeological sites.

[Derivation: Section 4.9(A), 1989 Zoning Ordinance]

SECTION 9-412 DESCRIPTION (RP)

The Resource Protection District (RP) includes all land areas within 100 feet of Cascade Pond, all land areas within 100 feet of Vaughan Brook extending from Water Street upstream to Cascade Pond, all land areas within 50 feet on the north side of Vaughan Brook from the Kennebec River upstream to Water Street; Tax Map 4, all areas east of the Maine Central Railroad Tracks; Tax Map 5, lots 166 and the portion of Lot 168 that is within the mapped floodway of the Kennebec River, lots 180 through 189; Tax Map 9, lots 166 and 167A, that portion of lots 168 through 186 lying east of the right-of-way, lot 187, that portion of lots 189 through 194A lying within 25 feet of the water; Tax Map 10, lots 15, 16, 20, 25, and 29, that portion of lot 21 lying within 75 feet of the water, that portion of lot 22 lying between the top of the bank and the water, that portion of lots 23 and 24 lying within 50 feet of the Vaughan Brook, that portion of lot 26 lying between the top of the bank and the water; Tax Map 15, lots 39 and 40; and Tax Map 16, all land areas between the Maine Central Railroad Tracks and the Kennebec River.

[Derivation: Section 4.9(B), 1989 Zoning Ordinance as amended; amended by Ord. 98-1, 5/21/98; Ord. No.: 08-03, eff. April 17, 2008; Ord. No. 11-02b, eff. 8/18/2011; Ord. No. 12-01, eff. 1/19/2012]

SECTION 9-413 PERMITTED USES (RP)

Permitted uses in the Resource Protection District are:

1. Conservation activities;
2. Non-intensive recreational uses not requiring structures;
3. Motorized vehicular traffic on existing roads;
4. Clearing or removal of vegetation in accordance with the performance standards of Section 9-416;
5. Wildlife management practices;
6. Soil and water conservation practices;
7. Essential services; and
8. Service drops to allowed uses.

[Derivation: Section 4.9(C), 1989 Zoning Ordinance; Ord. No. 11-02b, eff. 8/18/2011]

SECTION 9-414 CONDITIONAL USES (RP)

Conditional uses in the Resource Protection District are:

1. Agriculture/aquaculture;
2. Small non-residential facilities for educational, scientific, nature interpretation, or religious purposes;
3. Temporary piers, docks, and wharves extending over or below the normal high water line of a water body;
4. Public and private recreational facilities involving minimal structural development;
5. Boat launches;
6. Parking in accordance with the performance standards of Section 9-416; and
7. Accessory structures.

[Derivation: Section 4.9(D), 1989 Zoning Ordinance; Ord. No. 11-02b, eff. 8/18/2011]

SECTION 9-415 NON-PERMITTED USES (RP)

Any use not permitted in Sections 9-413 and 9-414 above.

[Derivation: Section 4.9(E), 1989 Zoning Ordinance; Ord. No. 12-10, eff. 10/19/2012]

SECTION 9-416 PERFORMANCE STANDARDS (RP)

Permitted and Conditional Uses allowed in this district shall be subject to the performance standards contained in Subchapter VI of this Chapter, and the performance standards of the Shoreland Overlay District, under Subchapter V of this Chapter.

[Derivation: Section 4.9(G), 1989 Zoning Ordinance; Ord. No. 11-02b, eff. 8/18/2011]

SECTION 9-417 DIMENSIONAL REQUIREMENTS (RP)

The following dimensional requirements apply to the uses permitted in this District, including the expansion of existing uses, the conversion of one use to another use, and new uses.

1. Minimum shore setbacks from normal high water mark: 250 feet except for structures, roads, parking spaces, and other objects specifically allowed in the district that shall conform to the following setback:

Piers, docks, wharves and other functionally water-dependent uses	0 feet
All other allowed uses	75 feet

[Derivation: Ord. No. 11-02b, eff. 8/18/2011]

SECTIONS 418 THROUGH 430 (Reserved)

DIVISION B - OPEN SPACE DISTRICT (OP)

SECTION 9-431 PURPOSE (OP)

To further the maintenance of safe and healthful conditions; prevent and control potential water pollution sources; protect bird and other wildlife habitat; and conserve vegetative cover, and natural beauty.

[Derivation: Section 4.11(A), 1989 Zoning Ordinance]

SECTION 9-432 DESCRIPTION (OP)

The Open Space District (OP) shall generally include the Vaughan Woods, except the land areas within 100 feet of Vaughan Brook/Cascade Stream, and an area of land along the Litchfield Road between the Turnpike and the residence on the south side of Litchfield Road opposite the intersection of Litchfield Road and Middle Street, exclusive of the 100-foot Resource Protection District on either side Vaughan Brook/Cascade Stream. The Open Space District shall also generally include the City recreation area, and the Maine Central Railroad right-of-way except for the granite shed property. Also included are all publicly-owned land within the watershed of Jamie's Pond.

The boundaries of the Open Space District (OP) are shown on the Official Zoning Map.

[Derivation: Section 4.11(B), 1989 Zoning Ordinance; amended by Ord. 98-1, 5/21/98; Ord. No. 12-01, eff. 1/19/2012; Ord. No. 12-10, eff. 10/19/2012]

SECTION 9-433 PERMITTED USES (OP)

Permitted uses in the Open Space District are:

1. Outdoor Conservation; and
2. Hiking and Skiing Trails.

[Derivation: Section 4.11(C), 1989 Zoning Ordinance]

SECTION 9-434 CONDITIONAL USES (OP)

Conditional uses in the Open Space District are:

1. Accessory Buildings and Structures;
2. Campgrounds;

3. Municipal Recreational Facilities and Related Structures;
4. Timber Harvesting; and
5. Towers.

[Derivation: Section 4.11(D), 1989 Zoning Ordinance]

SECTION 9-435 NON-PERMITTED USES (OP)

Any use not permitted in Sections 9-433 and 9-434 above.

[Derivation: Section 4.11(E), 1989 Zoning Ordinance; Ord. No. 12-10, eff. 10/19/2012]

SECTION 9-436 PERFORMANCE STANDARDS (OP)

Permitted and Conditional Uses allowed in this district shall be subject to the performance standards contained in Subchapter VI of this Chapter and the clearing and timber harvesting standards of the Shoreland Zone, Section 9-513(4).

[Derivation: Section 4.11(G), 1989 Zoning Ordinance]