

**RP Amendments
Zoning Ordinance**

**SEC. 19-6-9. RESOURCE PROTECTION DISTRICTS
(RP1-CW, RP1-CW Buffer Overlay, RP2-WP, and RP3-F)**

TABLE 19-6-9 USES PERMITTED, ALLOWED WITH A RESOURCE PROTECTION PERMIT, AND PROHIBITED IN THE RESOURCE PROTECTION DISTRICTS.

| Use, Activity, Structure | RP1-CW and RP1- CW Buffer Overlay | RP2-WP | RP3-F |
|--|--|------------------|------------------|
| 18. Fences, wildlife management shelters, observation decks and shelters | RPP | Permitted | RPP |
| 19. Minor recreational structure | RPP | Permitted | RPP |
| 20. <u>Footbridges</u> <u>1,000 sq. ft. or more in size</u> | RPP | RPP | RPP |
| <u>20a. Footbridges less than</u> <u>1,000 sq. ft. in size (over a</u> <u>5 year period)</u> | <u>Permitted</u> | <u>Permitted</u> | <u>Permitted</u> |

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SEC. 19-8-3. RESOURCE PROTECTION PERFORMANCE STANDARDS

B. Resource Protection Permit Standards

The Planning Board shall grant a Resource Protection Permit for uses, structures and activities within Resource Protection Districts if it makes a positive finding based upon the information presented that the alteration as proposed, or with specified conditions of approval:

1. Avoidance/minimization. The project design has avoided and minimized the proposed wetland alteration to a reasonable extent and included measures to prevent wetland encroachment in the future.
2. Water flows. The project will not materially obstruct the flow of water;

will not materially obstruct the flow of surface or subsurface waters across or from the alteration area;

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will not impound surface waters or reduce the absorptive capacity of the alteration area so as to cause or increase the flooding of adjacent properties;

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3. Erosion. The project will include erosion control measures [include updated best management practices handbook reference] to protect the wetland and adjacent areas;

will not increase the flow of surface waters across, or the discharge of surface waters from, the alteration area so as to threaten injury to the alteration area or to upstream and/or downstream lands by flooding, draining, erosion, sedimentation or otherwise;

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4. Wildlife habitat. The project will not unreasonably damage significant spawning grounds or habitat for aquatic life, birds or wildlife;

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will not result in significant damage to spawning grounds or habitat for aquatic life, birds or other wildlife;

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5. Structural stability. The project will not damage the stability of structures within 500' of the wetland alteration;

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will not pose problems related to the support of structures;

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6. Aquifers. The project will not be detrimental to significant aquifers;

will not be detrimental to aquifer recharge or the quantity or quality of groundwater;

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7. Dunes. The project will not disturb coastal dunes or contiguous back dune areas;

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will maintain or improve ecological and aesthetic values;

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8. Buffer. The project will include an adequate buffer between the wetland and adjacent land uses;

will maintain an adequate buffer area between the wetland and adjacent land uses;

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will be accomplished in conformance with the erosion prevention provisions of Environmental Quality Handbook Erosion and Sediment Control, published by the Maine Soil and Water Conservation Commission dated March, 1986, or subsequent revisions thereof;

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9. Sanitary waste disposal. The project will not include sanitary wastewater disposal in violation of the Sewage Ordinance, Chapter 15.

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will be accomplished without discharging wastewater from buildings or from other construction into Wastewater Treatment Facilities in violation of Section 15-1-4 of the Sewage Ordinance; and

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10. Flooding. The project will not cause flooding of the site or adjacent properties, and in the case of the Resource Protection 3 Floodplain District, also comply with Sec. 6-6-6 of the Floodplain Management Ordinance.

will, in the case of Resource Protection Permits in the Resource Protection Floodplain District, also comply with Section 6-6-6 of the Floodplain Management Ordinance.

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[Duplicates provision in Sec. 19-8-3 (A)(1)(c).

Deleted: In evaluating the proposed activity, the Planning Board may consult with expert persons or agencies.

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