
CHAPTER 280 ZONING

Article 11 section 3: Rural Mixed Use Zone (RMU) Amended: 1/16/2024 City Council Order No. 23-518-01

Article XI Zone Requirements

§ 280-11-3 Rural Mixed Use Zone (RMU).

- A. Purpose. The purpose of the Rural Mixed Use (RMU) Zone is to provide areas in the City which foster a working rural environment, including a mix of residential and traditional rural uses, while maintaining the rural character of these areas.
- B. Permitted uses. Uses shown on the Table of Land Uses as being permitted uses shall be permitted by right in the RMU Zone.
- C. Uses permitted with site plan review. Uses shown on the Table of Land Uses as being permitted with site plan review in the RMU Zone shall be allowed, but only upon the receipt of approval of a development plan in accordance with the provisions of Article **XVI**.
- D. Conditional uses. Uses shown on the Table of Land Uses as being conditional uses in the RMU Zone shall be allowed only if a conditional use permit for that use is approved by the Planning Board in accordance with the provisions of Articles **XIII** and **XVI**.
- E. Prohibited uses. Any use not listed as a permitted use, a use permitted with site plan review, or a conditional use in the RMU Zone shall be prohibited within the RMU Zone.
- F. Standards. All buildings and structures shall be erected, structurally altered, enlarged, or moved and all land within the RMU Zone shall be used in accordance with the following standards.
 - (1) Space and bulk standards.
 - (a) Maximum net residential density: one (1) dwelling unit per two (2) net acres.
 - (b) Minimum lot size: See § 280-11-3F(2)(a)[2][e].
 - (c) Minimum lot area per dwelling unit: See § 280-11-3F(2)(a)[2][e].
 - (d) Minimum street frontage.
 - [1] Arterial: two-hundred-fifty (250) feet.
 - [2] Collector: two-hundred-fifty (250) feet.
 - [3] Existing local street: two-hundred (200) feet.
 - [4] Proposed local street: one-hundred (100) feet.

- (e) Minimum front setback (principal and accessory buildings).
 - [1] Arterial: seventy-five (75) feet.
 - [2] Collector: forty (40) feet.
 - [3] Existing local street: forty (40) feet.
 - [4] Proposed local street: twenty-five (25) feet.
- (f) Minimum side and rear setbacks.
 - [1] Principal residential buildings: fifteen (15) feet.
 - [2] Combined side setbacks of residential buildings: forty (40) feet.
 - [3] Accessory buildings or structures: fifteen (15) feet, except when they directly abut an agricultural building.
 - [4] Nonresidential buildings or structures: one (1) foot for each foot of height but not less than thirty (30) feet, excluding agricultural buildings.
- (g) Minimum vegetated area, side and rear, nonresidential use: twenty (20) feet.
- (h) Maximum height.
 - [1] Residential buildings and structures: thirty-five (35) feet.
 - [2] Nonresidential buildings and structures: fifty (55) feet.
 - [3] Wind generators: none.
- (2) Development standards. In addition to the space and bulk standards set forth in § **280-11-3F(1)**, the following standards shall apply as indicated:
 - (a) Subdivisions. The division of any lot of land containing ten (10) or more acres as of the date of adoption of this subsection shall: [**Amended 9-20-2022 by Order No. 22-440-01**]
 - [1] Be a cluster subdivision meeting the requirements of § **280-15-4**; or
 - [2] Conform to the following development standards:
 - [a] Access to all new lots shall be from an existing or proposed local street as defined in this chapter unless no other reasonable alternative is feasible as determined by the Planning Board.
 - [b] A forty (40)-foot area adjacent to any existing street or road shall be maintained as a vegetated buffer.
 - [c] Where tree lines or wooded areas exist along existing streets or roads, an effort shall be made to preserve these features and suitable provisions made to protect them through deed covenants or easements.

- [d] The layout of lots and the placement of buildings on lots shall respect natural features, including wetlands, streams, and wildlife habitat, as well as existing site features, such as tree lines and stone walls. In approving plans for subdivisions, the Planning Board may require the identification of building envelopes within which all construction and development shall occur.
- [e] Individual lot sizes. The creation of any individual lot shall conform to the maximum net residential density provision of one (1) dwelling unit per two (2) net acres. Individual lots may be as small as forty-thousand (40,000) square feet provided that the cumulative net residential density of all lots created from the original lot conforms to the density standard. If a lot with a lot area of less than two (2) net acres or less than two (2) net acres per proposed dwelling unit is proposed to be created, the owner shall provide the Code Enforcement Officer with written evidence that the lot will be in conformance with the maximum net residential density requirement of one (1) dwelling unit per two (2) net acres. This evidence may include, but is not limited to, the following:
 - [i] Evidence that the lot is part of an approved subdivision that conforms to the maximum density requirement.
 - [ii] Evidence that the proposed lots, in conjunction with other lots created from the same lot, conforms to the maximum density requirement.
 - [iii] Evidence that, in addition to the proposed lots, a conservation area on the same lot, adequate to allow the combination of the lots and conservation area to conform to the maximum density requirement, has been permanently restricted from development through a conservation or similar easement.
- (b) Reuse of agricultural buildings. Agricultural buildings existing as of the date of adoption of this section may be reused for nonresidential purposes subject to the following limitations:
 - [1] There is no retail sale of goods not otherwise allowed in the zone.
 - [2] The nonresidential activity occurs completely within the agricultural building and there is no outside storage of materials, equipment, or products.
 - [3] The architectural character of the building is maintained.
 - [4] Exterior changes in the structure shall be limited to minor changes and/or additions needed to provide access or comply with code requirements.
- (c) Outdoor storage of machinery, equipment, materials, or products. Any outdoor storage permitted in conjunction with an allowed nonresidential use shall be screened from view from any public street or road or adjacent lot in residential use by fencing or sight-impervious vegetation or a combination thereof. This requirement shall not apply to the normal use and storage of farm equipment in conjunction with an agricultural use.
- (d) Access limitations to Route 4. In addition to the general access limitations set forth in § **280-14-4** and § **280-14-5**, any nonresidential use, located on a lot with frontage on Route 4 shall either: [**Amended 1-21-2020 by Order No. 19-580-01; 4-7-2020 by Order No. 19-772-01; 5-5-2020 by Order No. 19-874-01**]

- [1] Obtain its vehicular access from an existing or proposed local street, or
 - [2] Provide for the coordination of vehicular access with abutting properties where feasible through the use of shared or combined access drives, the creation of marginal access roads, or the interconnection of parking and service areas. The Planning Board or the Site Plan Review Committee may waive this requirement during site plan review under Article **XVI** if access is not feasible because of existing conditions, the layout of lots, or physical conditions of the site or adjoining lots.
- (e) Residential buffer. Any commercial or industrial use, as identified in the Table of Land Uses, that abuts a lot located in a ~~Single Family Residential Zone~~ **Residential Development Zone** shall maintain a fifty (50)-foot buffer strip along the adjoining lot line. This buffer strip shall be maintained as a vegetated area and shall not be used for parking, storage, display of materials, placement of dumpsters, or similar items. A visual barrier shall be established within the buffer strip by landscaping and/or fencing. **[Amended 1/16/2024 City Council Order #: 23-518-01]**
- (f) Child-care center or nursery school for more than thirteen (13) children. In addition to the requirements of conditional use, a child-care center or nursery school for thirteen (13) or more children shall comply with the following standards: **[Amended 8-21-2018 by Order No. 18-348-01]**
- [1] Minimum lot size shall be eight (8) acres.
 - [2] The lot shall have four-hundred-fifty (450) feet of frontage on an arterial or collector road. When a lot fronts on both an arterial and/or collector road, access shall be from the collector road unless otherwise approved by the Planning Board. **[Amended 8-20-2019 by Order No. 19-397-01; 9-20-2022 by Order No. 22-440-01]**
 - [3] All building improvements associated with the proposed use shall meet the following minimum vegetated front, side, and rear setbacks.
 - [a] Front yard setback: one-hundred (100) feet.
 - [b] Side and rear yard setback: seventy-five (75) feet.
 - [4] The use shall serve a maximum of forty-nine (49) children. An existing facility shall only be allowed to expand the number of children if the property is located on an arterial, shall demonstrate that there are adequate provisions for water supply and sanitary wastewater disposal, and shall require conditional use approval.
 - [5] The use shall occur either within a single-family detached dwelling or a separate structure. When the proposed use will be located in a separate structure, the structure shall be used exclusively for the child-care center or nursery school.
- (3) Performance standards. Uses within the RMU Zone shall conform to all applicable performance standards of this chapter, including but not limited to the following:
- (a) § **280-15-1**: Groundwater protection standards.
 - (b) § **280-15-2**: Watershed performance standards.

- (c) § **280-15-4**: Residential cluster development standards.
- (d) § **280-15-5**: Manufactured housing.
- (e) § **280-15-6**: Mineral extraction standards.
- (f) § **280-15-7**: Archaeological and historic resources.
- (g) § **280-15-10**: marijuana standards. [**Amended 5-5-2020 by Order No. 19-874-01**]

G. Overlay districts.

- (1) Areas within the RMU Zone are located within the Shoreland Overlay Zone as defined by Chapter **270**: Shoreland Zoning. All use of land within the Shoreland Overlay Zone shall comply with the standards and requirements of Chapter **270**.
- (2) Areas within the RMU Zone may be located within the Airport Protection Overlay Zone as defined in § **280-11-10**. The provisions of that section shall apply to all use of land within the Airport Protection Overlay Zone.

H. Flood management. Areas of the RMU Zone which are located within flood hazard areas as defined by Chapter 365: Floodplain Management shall additionally comply with the terms of that chapter.

Article 11 section 4: Single Family Residence (SFR) Amended: 1/16/2024 City Council Order No. 23-518-01

~~§ 280-11-4 Single Family Residential Zone (SFR). [Deleted section by Order #23-518-01 Adopted 1/16/2024]~~

- ~~A.—Purpose. The purpose of the Single Family Residential (SFR) Zone is to provide for the protection of existing single family neighborhoods within the built up areas of Sanford and Springvale while allowing for infilling and upgrading which is compatible with the existing character of these areas. [**Amended 8-20-2019 by Order No. 19-397-01**]~~
- ~~B.—Permitted uses. [**Amended 8-20-2019 by Order No. 19-397-01**]~~
 - ~~(1)—Uses shown on the Table of Land Uses as being permitted uses shall be permitted by right in the SFR Zone.~~
 - ~~(2)—Notwithstanding the provisions of the Table of Land Uses, any two (2) family dwelling legally existing within the SFR Zone as of the date of adoption of this provision may be maintained, altered, or expanded as if it were a permitted use, provided that any changes comply with all setback and height requirements of the SFR Zone.~~
- ~~C.—Uses permitted with site plan review. Uses outlined in the Table of Land Uses as being permitted with site plan review in the SFR Zone shall be allowed, but only upon the receipt of approval of a development plan in accordance with the provisions of Article XVI. [**Amended 12-3-2019 by Order No. 19-168-01; 9-20-2022 by Order No. 22-440-01**]~~
- ~~D.—Conditional uses. Uses shown on the Table of Land Uses as being conditional uses in the SFR Zone shall be allowed only if a conditional use permit for that use is approved by the Planning Board in accordance with the provisions of Articles XIII and XVI.~~
- ~~E.—Prohibited uses. Any use not listed as a permitted use, a use permitted with site plan review, or a~~

~~conditional use in the SFR Zone shall be prohibited within the SFR Zone.~~

F. ~~Standards. All buildings and structures shall be erected, structurally altered, enlarged, or moved and all land within the SFR Zone shall be used in accordance with the following standards.~~

~~(1) Space and bulk standards.~~

~~(a) Maximum net residential density.~~

~~[1] Basic: four (4) dwelling units per net acre.~~

~~[2] With development review in conformance with § **280-11-4F(2)(a)**: up to six (6) dwelling units per net acre. **[Amended 5-7-2019 by Order No. 19-258-01]**~~

~~(b) Minimum lot size.~~

~~[1] Basic: ten thousand (10,000) square feet.~~

~~[2] With development review in conformance with § **280-11-4F(2)(a)**: not less than six thousand five hundred (6,500) square feet. **[Amended 5-7-2019 by Order No. 19-258-01]**~~

~~[3] Any use that disposes of wastes by means of subsurface waste disposal shall comply with the requirements of the State Minimum Lot Size Law as set forth in 12 M.R.S. § 4807 et seq. for a single family home, the minimum lot size under the state law is twenty thousand (20,000) square feet. **[Amended 9-20-2022 by Order No. 22-440-01]**~~

~~(c) Minimum street frontage.~~

~~[1] Basic: seventy five (75) feet.~~

~~[2] With development review in conformance with § **280-11-4F(2)(a)**: sixty five (65) feet. **[Amended 5-7-2019 by Order No. 19-258-01]**~~

~~(d) Front setback (principal and accessory buildings).~~

~~[1] Where the existing buildings have a uniform setback relationship to the street, any new building shall maintain the existing relationship. The setback of an expansion and/or addition to an existing structure shall not vary from the existing setback by more than eight (8) feet, except when the expansion or addition brings the existing building into greater conformance with the uniform setback relationship for the lot. **[Amended 9-20-2022 by Order No. 22-440-01]**~~

~~[2] Where a uniform setback relationship does not exist, the minimum front setback shall be twenty five (25) feet.~~

~~(e) Minimum side and rear setbacks.~~

~~[1] Principal buildings: ten (10) feet.~~

~~[2] Accessory buildings: ten (10) feet.~~

~~(f) Maximum height.~~

~~[1]—Principal buildings: thirty five (35) feet.~~

~~[2]—Accessory buildings and structures: thirty five (35) feet.~~

~~(2)—Development standards. In addition to the space and bulk standards set forth in § **280-11-4F(1)**, the following standards shall apply as indicated:~~

~~(a)—Development review. The Code Enforcement Officer shall notify abutters of a request for a building permit that seeks to apply the residential density, minimum lot size, and minimum street frontage allowed in § **280-11-4F(1)** in compliance with § **280-4-1B**. The Code Enforcement Officer shall grant the building permit if she/he determines that the applicant has demonstrated conformance with the following standards and that there are no unresolved issues raised within ten (10) days of when notice of the application is sent. The Code Enforcement Officer may ask the Planning Board to review the request if there are unresolved issues raised by abutters or if she/he finds that the scale or complexity of the proposal warrants review by the Board or other elements of the proposal otherwise requires review by the Board. **[Amended 5-7-2019 by Order No. 19-258-01]**~~

~~[1]—If the average net residential density of abutting residential lots is greater than four (4) units per acre, the maximum net residential density of the subject lot shall be the average of the abutting properties to a maximum of six (6) units per net acre, provided that the project conforms to the following standards: **[Amended 9-20-2022 by Order No. 22-440-01]**~~

~~[a]—The size of the proposed building is comparable to the size of residential structures on abutting lots; and~~

~~[b]—The building's placement on the lot with respect to front and side lot lines is similar to the pattern of existing developed lots.~~

~~[2]—In addition, the minimum lot size may be reduced to the average of abutting residential lots but not less than six thousand five hundred (6,500) square feet, and the minimum street frontage may be reduced to not less than sixty five (65) feet.~~

~~(b)—Use of front yard. Parking of motor vehicles in the area between the front property line and the wall of the building or structure closest to the street and running the full width of the property shall be allowed only on driveways. No other parking of vehicles shall be permitted in this area.~~

~~(c)—Reduced side and rear setbacks for accessory structures. The required side and rear setback for accessory buildings and structures may be reduced to not less than two (2) feet subject to the following:~~

~~[1]—The relationship of the structure to the side and/or rear lot line shall conform to the established pattern on abutting residential lots;~~

~~[2]—The accessory structure shall be located at least ten (10) feet from any other structure on the same or an abutting lot;~~

~~[3]—The owners of the abutting lots adjacent to the encroachment approves of the reduced setback in writing; and~~

~~[4]—The Fire Department approves of the reduced setback in writing.~~

~~(d)—Commercial vehicle parking accessory to an allowed residential use. Overnight parking of not more than one (1) commercial vehicle shall be permitted in conjunction with an allowed residential use, provided that:~~

~~[1]—The vehicle is parked on the same lot as the residential use;~~

~~[2]—The vehicle is regularly driven by a resident of the premises; and~~

~~[3]—The commercial vehicle is not over one (1) ton in size.~~

~~(3)—Performance standards. Uses within the SFR Zone shall conform to all applicable performance standards of this chapter, including but not limited to the following:~~

~~(a)—§ **280-15-1**: Groundwater protection standards.~~

~~(b)—§ **280-15-2**: Watershed performance standards.~~

~~(c)—§ **280-15-4**: Residential cluster development standards.~~

~~(d)—§ **280-15-5**: Manufactured housing.~~

~~(e)—§ **280-15-7**: Archaeological and historic resources.~~

~~(f)—§ **280-15-10**: Marijuana standards. **[Amended 5-5-2020 by Order No. 19-874-01]**~~

~~G.—Overlay Districts.~~

~~(1)—Areas within the SFR Zone are located within the Shoreland Overlay Zone as defined by Chapter **270**: Shoreland Zoning. All use of land within the Shoreland Overlay Zone shall comply with the standards and requirements of Chapter **270**.~~

~~(2)—Areas within the SFR Zone may be located within the Airport Protection Overlay Zone as defined in § **280-11-10**. The provisions of that section shall apply to all use of land within the Airport Protection Overlay Zone.~~

~~H.—Flood management. Areas of the SFR Zone which are located within flood hazard areas as defined by Chapter **265**: Floodplain Management shall additionally comply with the terms of that chapter.~~