

**Proposed Amendments to the
Town of North Yarmouth Land Use Ordinance**

The Town of North Yarmouth Land Use Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck through~~):

SECTION 6.3 ADMINISTRATIVE APPEALS, VARIANCES, AND MISCELLANEOUS APPEALS [AMENDED 6/120; 6/19/21]

B. Variance Appeals: The Zoning Board of Appeals (ZBA) shall limit any variances granted as strictly as possible in order to ~~insure~~ ensure conformance with the purposes and provisions of this Ordinance to the greatest extent possible, and in doing so may impose such conditions to a variance as it deems necessary. The party receiving the variance shall comply with all conditions imposed. Variances may be granted under the following conditions.

1. **Variances may be permitted only under the following conditions:**

- a. Variances may be granted only from dimensional requirements including, but not limited to street frontage, lot_width, structure height, percent of lot coverage, and setback requirements.

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TABLE 7.2 SPACE AND DIMENSIONAL REQUIREMENTS [AMENDED 6/19/21]

District	Minimum Lot Size (Acres)	Maximum Residential Density (Acres) ¹	Maximum Lot Coverage (%)	Street Frontage (feet)	Structure Setback From Property Lines (Feet) ⁶			Maximum Structure Height (Feet)
					Front	Side	Rear	
Village Center	1 acre ⁴	N/A	70%	48'—100' <u>100' MIN</u>	0-20' <u>MAX</u> <u>10'</u> <u>MIN</u>	25' <u>MAX</u> <u>10'</u> <u>MIN</u>	5' MIN	3 stories, no higher than 50 feet

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⁴Minimum Lot Size

- a. The minimum lot size can be reduced in the VC to 20,000 square feet when the lot is served by an advanced wastewater treatment system, or the existing system is retrofitted with an advanced wastewater system that meets or exceeds the state definition providing 50 percent or more reduction in nitrates, and has demonstrated that water quality will not be degraded.

~~b. The minimum lot size can be further reduced below 20,000 sf when that lot treats its wastewater on a separate lot that complies with Maine Subsurface Wastewater Disposal criteria.~~

~~eb. GPD or gallon per day design flows may be utilized when presented and proven to not exceed the assumed 4 bedroom or 360 gpd flows of a typical residential home per lot, this type of development requires Planning Board approval.~~

~~ec. Pocket Neighborhoods allow for the use of reduced lot size below 20,000 sf, consistent with Section 7.6(D). (as described in b. above) and can use gallons per day design flow (as described in c. above, if designed to comply with the standards of Subsection D.~~

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~~⁶ In the Village Center District, Civic Buildings (institutional uses) are exempt from maximum setback requirements. The recommended maximum front yard setback for Civic Buildings (institutional uses) is 60'.~~