

TOWN OF ASHLAND  
ZONING ORDINANCE



Councilors

Melvin P. Graham  
Melvin P. Graham

Malcolm P. Ellis  
Malcolm P. Ellis

Donald L. Bragdon  
Donald L. Bragdon

Carl B. Brewer  
Carl B. Brewer

Walter O. Patchell  
Walter O. Patchell

Planning Board

Willis Gardner

Charles F. Coffin

Wallmer J. Beaulier

Douglas E. Monfette

Frank O. Sprague

John Michaud

Ivan R. Porter

Zoning Board of Appeals

Paul E. Ayer, Sr.

Allen R. Craig

James M. Harold

Carl Tibbetts

A True Copy Attest:

Nancy E. Farris  
Nancy E. Farris, Town Clerk

September 1, 1984  
Date

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## **ASHLAND ZONING ORDINANCE**

An ordinance to promote the health, safety, and general welfare of the community by regulating and restricting the use and construction of buildings and premises in the Town of Ashland, Maine.

### **ARTICLE I**

#### **PURPOSE**

In pursuance of authority conferred by Title 30 MRSA Section 1917 and Title 30 MRSA Section 4962, as amended, for the purpose of promoting the health, safety, and general welfare, as well as efficiency and economy in the process of development of the incorporated Town of Ashland, Maine, by securing safety from fire, panic, and other dangers providing adequate areas between buildings and various rights of way, by preserving the amenities now attached to our town, the promotion of good civic design and arrangements, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements, and by other means, now therefore the following ordinance is hereby enacted by the voters of the Town of Ashland, Maine.

#### **EFFECTIVE DATE**

This Ordinance shall take effect upon its passage - September 1, 1984.

## ARTICLE II

### ADMINISTRATION

#### A. Enforcement

This Ordinance shall be enforced by a Code Enforcement Officer appointed by the Municipal Officers.

#### B. Building or Use Permit

- (1) All applications for Building or Use Permits shall be submitted in writing to the Code Enforcement Officer on forms provided for the purpose.
- (2) Within seven days of filing of an application for a Building or Use Permit, the Code Enforcement Officer shall approve, deny or refer to the Planning Board for Conditional Use Permit, all such applications. His decision shall be in writing on a form designed for the purpose, and communicated directly to the applicant. One copy of the Code Enforcement Officer's decision shall be filed in the Municipal Office. In cases where the Code Enforcement Officer deems that a Conditional Use Permit is required, he shall also provided a copy of his decision to the Planning Board.
- (3) No Building Permit for a building or structure on any lot shall be issued except to the owner of record thereof, or his authorized agent, until the proposed construction or alteration of a building or structure shall comply in all respects with the provisions of this Ordinance or with a decision rendered by the Board of Appeals or the Planning Board. Any application for such a permit shall be accompanied by a plan, accurately drawn to scale, showing the actual shape and dimensions of the lot to be built upon, an on-site soils survey in accord with the USDA Soil Conservation Service National Cooperative Soil Survey, the exact location and size of all buildings or structures already on the lot, the location of new buildings to be constructed, together with the lines within which all buildings and structures are to be constructed, the existing and intended use of each building or structure and other information as may be necessary to provide for the execution and enforcement of this Ordinance.
- (4) Applications for permits with their accompanying plans and Building Permits shall be maintained as a permanent record by the Municipal Officers or the Code Enforcement.

- (5) A Building Permit secured under the provisions of this Ordinance shall expire if the work or change is not commenced within one year of the date on which the permit is granted, and if the work or change is not substantially completed within two years of the date on which the permit is granted.

C. Fee

No Building Permit shall be issued without payment of a fee according to the following schedule:

\$2500. - \$5000. - \$10.00 fee

Any permit for a building valued over \$5000. will be computed based on the following formula:

.002 x completed value = \$ fee; (for example) \$10,000. Value

$$\begin{array}{r} \text{\$10,000. Value} \\ \times .002 \\ \hline \text{\$ 20.00 Fee} \end{array}$$

D. Plumbing Permit Required

No Building Permit shall be issued for any structure or use involving the construction, installation or alteration of plumbing facilities unless a valid Plumbing Permit has been secured by the applicant or his authorized agent in conformance with the sanitary provisions of this Ordinance.

E. Enforcement Officer

It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance. If the Code Enforcement Officer shall find that any provision of this Ordinance is being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures, removal of illegal buildings, structures, additions, or work being done, or shall take any other action authorized by this Ordinance to insure compliance with or to prevent violation of its' provisions.

F. Legal Action and Violations

When any violation of any provision of this Ordinance shall be found to exist, the Municipal Attorney, as designated by the Municipal Officers, either on his own initiative, or upon notice from the Code Enforcement Officer, is hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the Municipality.

G. Fines/Penalty

Any person, firm, or corporation being the owner or having control or use of any building or premises who violates any of the provisions of this Ordinance, shall be guilty of a misdemeanor and on conviction shall be fined \$100.00 for each day such a violation is permitted to exist.

H. Appeals and Conditional Use Permits

Procedure

- a. All appeals or applications for Conditional Use Permits shall be based upon a written decision of the Code Enforcement Officer.
- b. Administrative appeals and variance appeals shall be heard and decided upon by the Board of Appeals in accordance with the provisions of this Ordinance.
- c. Applications for Conditional Use Permits shall be heard and decided upon by the Planning Board in accordance with the provisions of this Ordinance.
- d. Appeals shall lie from the decision of the Code Enforcement Officer to the Board of Appeals and from the Board of Appeals to the Superior Court according to State law.
- e. Conditional Uses shall lie from the decision of the Code Enforcement Officer to the Planning Board and from the Planning Board to the Superior Court according to State law.

## ARTICLE III

### ESTABLISHMENT OF ZONES

For the purpose of this ordinance, the Town of Ashland, Maine, is divided into districts as shown on the zoning map filed with the Town Clerk and dated September 1, 1984, and including the following:

1. Residential Zone  
Beginning at the northeast corner of the Industrial Zone running easterly along said Paul Ayer line to the southeast corner of Paul Ayer property line; thence southerly to the southeast corner of the Clyde Leach south line; thence westerly along the Clyde Leach south line to its' junction with the Masardis Road (Rt. 11); continuing westerly along the George Weaver north line to the southeast corner of the Industrial Zone; thence northerly along the east line of the Industrial Zone; thence westerly 600 feet; thence northerly along the east side of the Industrial Zone to the point of the beginning.
2. Forestry – Agriculture Zone  
All remaining land area not included in the Shoreland Zoning Ordinance or in the other mentioned zones shall be zone as Forestry – Agriculture.
3. Commercial Zone  
Three hundred feet from the centerline of the Presque Isle Road northerly on Hayward Street; thence 90 degrees westerly 1400 feet; thence 90 degrees northerly 1800 feet; thence 90 degrees westerly 1300 feet; thence 90 degrees southerly 2900 feet; thence 90 degrees easterly 2700 feet; thence 90 degrees northerly 1000 feet to the point of the beginning.
4. Industrial Zone  
Beginning at the SW corner of the George Weaver property, westerly to the border of the 250 foot Shoreland Zone, northerly along said line to the south line of the Paul Ayer Farm, so-called; thence easterly along said line 1100 feet; thence southerly for a distance of 2600 feet; thence easterly 600 feet; thence southerly to the George Weaver north line; thence westerly to the point of beginning.
5. Shoreland Zone  
All under Article III (1-4) will be considered outside the 250' shoreland zone designation.

## ARTICLE IV

### DEFINITIONS

For the purpose of this ordinance, certain terms are defined as provided in this section:

- A. CONDITIONAL USE: A use permitted only after review and approval by the Planning Board. A conditional use is a use that would not be appropriated without restriction, but which, if controlled under the provisions of the Ordinance, would promote the purpose of this Ordinance. Such uses may be permitted if specific provision of such Conditional Use is made in this Ordinance.
- B. DWELLING: A fixed structure containing one or more dwelling units.
- C. DWELLING UNIT: A room or group of rooms designed and equipped exclusively for use as living quarters for one family, including provisions for living, sleeping, cooking, bathing and eating. The term shall include mobile homes but shall not include trailers or recreational vehicles.
- D. FRONTAGE shall mean the length of the lot bordering on the public right-of-way or in case of land fronting on public waters, shall mean the length in a straight measured along the extreme boundaries adjacent to such public water at mean high water level.
- E. FRONT YARDS: A space extending for the full width of a lot between the extreme front line of a building and the nearest side of the right-of-way.
- F. HOME PRODUCE AND PRODUCTS means and includes everything of an agricultural nature grown, produced, conditioned or otherwise carried on the property of the resident, also such articles as are manufactured or altered by members of the household of the bona fide resident of any property.
- G. HOUSING FOR THE ELDERLY: Housing constructed or adapted specifically for occupancy by elderly persons.
- H. JUNK means any old metals, old bottles, cotton or woolen mill waste, unfinished cloth, unfinished cotton or woolen mill yarns, old paper products, old rubber products, two or more unregistered motor vehicles, and other second hand articles the accumulation of which is detrimental or injurious to the neighborhood.
- I. MULTI-FAMILY RESIDENTIAL BUILDING: A building or portion thereof principally designed, adapted, or used for occupancy by four (4) or more families, each living in its own separate quarters. Each individual unit which functions as separate living quarters shall be deemed to be a dwelling unit.



- J. NONCONFORMING USE means a building, structure or use of land existing at the time of enactment of this ordinance which does not conform to the regulations of the district in which it is situated.
- K. RIGHT OF WAY means and includes all town, state and federal highways and the land on either side of same as covered by statutes to determine the width of rights of way, and rights of way and public land reservations as designated on the official map of the town.
- L. TOURIST HOME shall mean any place consisting of a room or groups of rooms located on one premise where transient accommodations for sleeping or living purposes for not more than six persons are provided for a price.
- M. TRAILER CAMP means a land area occupied or designed for occupancy by two or more trailers, mobile homes or camp cars in use for living purposes.

## ARTICLE V

### GENERAL PROVISIONS

#### AIR & NOISE POLLUTION

- A. Any uses that may be obnoxious or injurious by reason of the production or emission of odor, dust, smoke, refuse matter, fumes, noise vibrations, or similar conditions, or that are dangerous to the comfort, peace, enjoyment, health or safety of the community or lending to its disturbance or annoyance are prohibited. Based on State and Federal Regulations.

#### FIRE RUINS & OTHER DEBRIS

- B. No owner or occupant of land in any District shall permit fire or other ruins to be left but shall remove the same within one year.

#### JUNK YARDS

- C. No junk yard or place for the storage of discarded machinery, vehicles, or other scrap materials shall be maintained in any District, except by special permit issued by the Board of Appeals under such conditions as the Board shall prescribe.

#### STORAGE AREAS

- D. Nothing in this ordinance shall be construed to prevent the storage of agricultural equipment in any zone or for the shelter of riding horses for non-commercial recreational uses, provided that at least one acre of open space is available adjacent to the buildings.

#### SUBDIVISIONS

- E. See Subdivision ordinance.

#### SIGNS

- F. Signs within the Town of Ashland shall be governed by the following provisions:
  - 1. Signs and billboards relating to goods and services sold on the premises shall be permitted, provided such signs shall not exceed 32 square feet in area, and shall not exceed two signs per premises. Billboards and signs relating to goods and services not rendered on premises shall be prohibited.

2. Name signs shall be permitted, provided such signs shall not exceed two signs per premises.
3. Residential users may display signs not more than four square feet in area relating to the sale, rental or lease of the premises.
4. Signs relating to trespassing and hunting shall be permitted without restriction as to number, provided that no such sign shall exceed two square feet in area.
5. No free standing sign shall extend higher than 20 feet above the ground.
6. Signs shall be positioned and/or shielded in order to deflect bright light or glare away from streets or neighboring properties.
7. Variances from these provisions may be granted by the Board of Appeals only in cases where the sign or signs in question have cultural or historic significance, and aesthetically enhance the appearance of the town.

## ARTICLE VI

### RESIDENTIAL DISTRICT

In a Residential District, the following regulations shall apply:

#### GENERAL

1. It shall be a district for residences and uses incidental and part of residential structures.

#### PERMITTED

1. Home produce and products and other articles may be bought and sold and exposed for sale in this district.
2. Tourist homes may be maintained and operated in this district.
3. Residences may be used to house such uses by the owner or tenant as offices for doctor, engineer, architect, lawyer, real estate and insurance, or other recognized profession and such home occupations as hairdressing, dressmaking, manufacture of craft products, and manufacture of food products.
4. Churches, schools and sanitariums are permitted in this district.

#### CONDITIONAL

1. Conditional Uses shall be authorized when the performance standards of this ordinance are met. Conditional Uses shall be reviewed by the Planning Board, except that where the ordinance requires plans to be submitted to the Building Inspector, he shall review them. Decisions on proposed conditional uses shall be rendered within thirty days of a complete application being filed, except that the review period may be extended by twenty days if a public hearing is to be scheduled and held.

#### PROHIBITED USES

1. No privy, cesspool, septic tank, or sewage disposal area, shall be constructed or maintained less than 100 feet from the edge of a public water body; from a well; or from a dwelling other than that to which it is appurtenant and shall conform to the regulations imposed by the State Plumbing Code.

## RESIDENTIAL DISTRICT, (CONT'D)

### DIMENSIONAL & OTHER

1. No building shall house more than two families as permanent residents.
2. There shall be between the nearest right-of-way and the extreme front of any building a yard having a minimum depth of fifty feet. No building shall be located within 15 feet of any side property line, nor within 20 feet of any rear lot line.
3. Frontage: Each lot shall have a frontage of at least 150 feet except where the lot is served by a public water supply and public sewage disposal system in which case a frontage of at least 100 feet shall be required.
4. Minimum Land Area: No lot shall be less than 1 acre or 43,560 square feet except where the lot is served by a public water supply and public sewage disposal system in which case a frontage of at least 100 feet shall be required, and no lot less than 22,500 square feet.

#### a. Multi-family Dwellings

##### (1) Standards for New Construction

- (a.) The following standards shall apply to all new construction of multi-family residential buildings, including additions to existing structures.
- (b.) Any lot to be used for multi-family residential purposes shall contain at least 85,000 square feet of land, and shall contain no less than 6,000 sq. ft. of land for each bedroom in each dwelling unit that is proposed to be created, except where land is serviced by public water supply and public sewage disposal system.
- (c.) No multi-family residential building shall exceed 35 feet in height, from the average ground grade to the eaves.
- (d.) All multi-family residential buildings shall be set back at least fifty feet from all lot lines.
- (e.) Buildings containing multi-family dwelling units shall be located at least fifty feet apart from each other.

## RESIDENTIAL DISTRICT (CONT'D)

- (f.) All applicants shall submit a site development plan to the Planning Board at a scale of not more than 1" – 20' showing locations of principal and accessory structures, location and layout of parking, driveways, all turn radii, road intersection radii, provisions for snow and rubbish removal, buffer and screening, surface drainage, and provisions for playground, recreation or open space. If the complete site cannot be shown on one plan at this scale, then an additional plan at scale 1" – 50' shall be submitted. A site location map at a scale of not more than 1" – 500' shall also be submitted.
- (g.) The standards and provisions in Section (3) below shall also pertain to new construction of multi-family residential buildings.

### Parking for Multi-family Dwellings

- (h.) Multi-family residential buildings shall not be constructed or enlarged (in terms of adding dwelling units) unless one off street car parking space is provided for each bedroom. One car parking space shall be required for each designated elderly dwelling unit. An area of 200 square feet (including a bay measuring 10' x 20') shall be considered sufficient for each automobile parking space. Parking areas with more than two parking spaces shall be arranged that it will be unnecessary for vehicles to back into the street. Each parking space shall be accessible when all other spaces are filled.
- (2) Standards for Existing Structures
- (a.) The following standards shall apply to proposed uses of existing structures as multi-family residential buildings. This shall include all interior re-modeling and adaptation, and external site work, but shall not include construction of additional floor space.
  - (b.) Any lot to be used for multi-family residential purposes shall contain at least 22,500 square feet, and shall contain an additional 5,000 square feet for each dwelling unit that is proposed to be created above 2 units.
  - (c.) No multi-family residential building shall exceed 35 feet in height, from the average ground grade to the eaves.
  - (d.) The maximum number of dwelling units to be permitted within a multi-family residential building shall be determined by the available land area for open space and parking.

## RESIDENTIAL DISTRICT (CONT'D)

- (e.) All applicants shall submit a site development plan to the Building Inspector at a scale of not more than 1" – 20' showing locations of principal and accessory structures, location and layout of parking, driveways, all turn radii, road intersection radii, provisions for snow and rubbish removal, buffer and screening, surface drainage, and provisions for playground, recreation or open space. If the complete site cannot be shown on one plan at this scale, then an additional plan at scale 1" – 50' shall be submitted. A site location map at a scale of not more than 1" – 500' shall also be required.
  - (f.) The standards and provisions of Section (3) below shall also pertain to proposed multi-family usage of an existing structure.
- (3) Standards for Both New Construction and Existing Structures
- (a.) Wet or dry fire hydrants shall be located so that they are not more than 500 feet from any multi-family residential building, as hose is laid on the street.
  - (b.) Surface water runoff shall be minimized and detained on-site if possible or practicable. If it is not possible to detain water on-site, downstream improvements to the channel may be required of the developer to prevent flooding caused by his project. The natural state of watercourses, swales, floodways, or rights-of-way shall be maintained, as much as possible.
  - (c.) New multi-family residential buildings shall be orientated with respect to scenic vistas, natural landscape features, topography, and natural drainage areas, in accordance with an overall plan for site development and landscaping.
  - (d.) Outdoor lighting shall be positioned and/or shielded in order to deflect bright light or glare away from neighboring residential properties.
  - (e.) Erosion Control: Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following "best management" practices:
    - (1.) Stripping of vegetation, soil removal, and re-grading or other development shall be minimized as far as is practicable, and shall be done in such a way as to minimize erosion.

## RESIDENTIAL DISTRICT (CONT'D)

- (2.) The duration of exposure of the disturbed area shall be kept to a practical minimum.
- (3.) Adequate vegetation and/or mulching shall be used to protect exposed critical areas during prolonged development.
- (4.) Until a disturbed area is stabilized, sediment in run-off water shall be trapped by the use of debris basins, sediment basins, silt traps, or other acceptable methods as determined by the Planning Board.
- (5.) During grading operations, methods of dust control shall be employed.

### ACCESSORY BUILDINGS

Garages or other accessory buildings shall not be located between the multi-family residential buildings and the front lot line. Accessory buildings shall be located so as not to inhibit the access of emergency vehicles and fire apparatus to any side of a residential building.

### TRAFFIC FLOW

The proposed development shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number and location of access points, with respect to sight-distance, intersections, schools and other traffic generators. No off-street parking area shall have more than 2 openings onto the same street, each opening not to exceed 24 feet in width.

The proposed development shall not have an unreasonable adverse impact on the town road system, and shall assure interior circulation within its site, by separating pedestrian and vehicular traffic and by providing adequate parking and turn-around areas.

### CORNER LOTS

All corner lots shall be kept clear from visual obstructions higher than three feet above ground level, for a distance of 25 feet measured along the intersecting street lines.

### PARKING

#### Off Street Parking

Required off-street parking for all land uses shall be located on the same lot as the principal building or facility or within 100 feet



## RESIDENTIAL DISTRICT (CONT'D)

measured along lines of access. Where residential off-street parking cannot reasonably be provided on the same lot, the Planning Board may authorize its provision on another lot within 300 feet of the residential uses. Such parking areas shall be held under the same ownership or lease, as the residential uses served, and evidence of such control or lease shall be required.

### Parking Spaces

Parking spaces shall be provided as required and made available for use before the final inspection is completed by the Building Inspector. An extension of 1 year's time may be granted by the Building Inspector providing a performance bond, or its equivalent is posted equaling the cost to complete the improvements as estimated by the Building Inspector, provided the parking space is not required for immediate use. In the event the improvements are not completed within the specified time, the bond or its equivalent shall be forfeited and the improvements thenceforth constructed under the direction of the town.

### NATURAL FEATURES

Natural features shall be maintained wherever possible to provide a break between the proposed development and abutting properties.

### BUFFER AREAS

All buffer areas shall be maintained in a tidy and sanitary condition by the property owner.

## ARTICLE VII

### FORESTRY-AGRICULTURE ZONE

#### PERMITTED

##### General

1. Any use permitted in the General Residence District.
2. All general farming or forestry activities shall be permitted.

#### CONDITIONAL

##### Overnight Accommodations

1. Upon permission and consent of the Planning Board only over-night accommodations such as motels and cabins, and such commercial uses as the Town requires for services, but excluding specifically junk yards and used car lots, may be permitted. The general welfare, safety and appearance shall be a guide and determining factor in granting such permits.

##### Farm Dumps

Farms operated for the disposal of garbage, sewage, rubbish, or rendering plant shall be permitted only by special permit issued by the Board of Appeals. The Board of Appeals shall prescribe the length of permit, renewal of permit and the conditions under which the permit is granted.

##### Mining, etc.

Mining, quarrying, forestry and lumbering shall be permitted as State standards apply.

##### Mobile Home Parks & Campsites

Mobile home parks and campsites upon permission from the Planning Board, provided that such park or campsite is not contrary to the public welfare and interest.

#### PROHIBITED

Junkyards or automobile graveyards will be prohibited in this District. See General Provisions.

#### DIMENSIONAL REQUIREMENTS

A minimum lot size of 43,560 sq. ft. or 1 acre with a minimum frontage of 150 feet will prevail in the Forestry-Agriculture Zone.

## ARTICLE VIII

### COMMERCIAL DISTRICT ZONE

#### PERMITTED

##### General

1. Any use permitted in the Residential Zone District under the same provisions as apply to uses in that district.
2. Any permit issued in this zone will be issued only on the approval of the Planning Board.
3. Lodging houses, apartment houses, hotels, motels, tourist courts or cabins, including such retail businesses within these permitted buildings as are conducted for the convenience of the residents or guests.
4. Shops, restaurants and other retail and wholesale businesses.
5. Business offices and banks.
6. Theaters, halls, and clubs.
7. Garages, parking lots and filling stations.

#### CONDITIONAL

Any application for Conditional Use Permit must be submitted to the Planning Board for approval.

#### PROHIBITED

Uses which are obnoxious or offensive by reason of the emission of smoke, dust, gas, noise, or odor.

#### DIMENSIONS

1. No building in this district shall be located within 15 feet of any right-of-way.
2. No building shall be located within ten feet of the side property lines.
3. If any proposed use is such to attract vehicles, ample space shall be provided on the property to accommodate all such vehicles attracted by the business, but in no case shall there be less than one parking space for each 200 square feet of building floor area used for business.

## ARTICLE IX

### INDUSTRIAL ZONE

#### A. PURPOSE

To provide areas within the Town of Ashland for manufacturing, processing, treatment, and research, and to which end all the performance standards set forth in this Ordinance shall apply. Any permit issued in this zone will be issued only on the approval of the Planning Board.

#### B. PERMITTED USES

1. Wholesale, retail and storage business uses
2. Manufacturing, processing, and treatment
3. Research facilities
4. Accessory uses and buildings
5. Public utility facilities including substations, pumping stations and sewage treatment facilities
6. All uses permitted in any of the other districts except the Residential District

#### C. CONDITIONAL USES

Any application for a Conditional Use Permit must be submitted to the Planning Board for approval.

#### D. DIMENSIONS

No building in this district shall be located within 50 feet of any road.

## **ARTICLE X**

### **MOBILE HOMES**

General: Mobile homes will be defined and regulated in accordance with this ordinance as follows:

1. **DEFINITION:** Housing commonly called trailer or mobile homes will be defined as a structural unit or units designed for single family occupancy and have the means of being transported, by the use of its own chassis, to a building site.
2. Older mobile home housing (those built prior to June 15, 1976) shall be located in mobile home parks, maintained for this purpose, unless otherwise granted a variance by the Zoning Board of Appeals.
3. Those units constructed after June 15, 1976, commonly called "newer mobile homes" which certified by the manufacturer, comply with the U.S. Department of Housing and Urban Development standards and are 14 body feet or more in width and are 750 or more square feet and built on a permanent chassis, designed to be used as dwellings, with or without permanent foundations, as defined in Title 30, Section 4965 of the Maine Revised Statutes, will be allowed to locate in the Town of Ashland, on individual lots other than mobile parks and in accordance with this ordinance.

## **ARTICLE XI**

### **MOBILE HOME PARKS**

1. Means a parcel of land under unified ownership approved by the municipality for the placement of mobile homes.
2. Mobile home parks shall meet State requirements for mobile home parks and all of the following criteria:
  - a. Mobile home parks shall meet all requirements for a residential sub-division, and shall conform to all applicable State laws and local ordinances.
  - b. The minimum area of land within the park shall be 10 acres.
  - c. Lots in mobile home parks shall be 50' by 100'.
  - d. No mobile home shall be placed with 10 feet of any lot line within the park.
  - e. All mobile homes in a mobile home park shall be connected to a common water supply and distribution system, either public or private, at no expense to the Municipality or Utility District.

- f. All mobile homes in a mobile home park shall be connected to a sanitary sewer system, if available, or to a central collection and treatment system, in accordance with the sanitary provisions of this Ordinance.
- g. For each 8 lots there will be provided an open recreation area of 100' x 100'.
- h. The owner of the mobile home park will be required to provide regular weekly rubbish collection service to the tenants.

## ARTICLE XII

### NON-CONFORMING USES

#### General

- A. Any non-conforming use other than uses specified in B and C below may continue in their present use except that any non-conforming use or building may not be:
1. Changed to another non-conforming use.
  2. Re-established after discontinuance for one year except to a use conforming to the District in which it is located.
  3. Extended or expanded uses.
  4. Rebuilt after damage exceeding 50 percent of its value.

#### Junkyard

- B. No junk yard may continue as a non-conforming use for more than one year after the effective date of this Ordinance, except that a junk yard may continue as a non-conforming use in a Commercial, Forestry-Agriculture, or Industrial District if within that period it is completely enclosed with a continuous solid fence of such height, not less than eight feet high in any case, as to screen completely the operations of the junk yard. Plans of such building or fence shall be approved by the Planning Board before it is erected.

#### Outdoor Advertising – Signs, etc.

- C. No outdoor advertising structure may continue as a non-conforming use for more than two years after the effective date of this Ordinance unless it is designed to direct attention to a business or profession conducted on the premises.

#### Non-Conforming Lots of Record

- D. A single lot of record which, at the effective date of adoption or amendment of this Ordinance, does not meet the area or width requirements, or both, of the District in which it is located, may be built upon provided that such lot shall be in separate ownership and not contiguous with any other lot in the same ownership, and that all other provisions of this Ordinance shall be met. Variance of yard or other requirements not involving area or width shall be obtained only by action of the Board of Appeals.

#### Transfer of Ownership

- E. Ownership of land and structures which remain lawful but become non-conforming by the adoption or amendment of this Ordinance may be transferred and the new owner may continue the non-conforming uses subject to the provisions of this Ordinance.