

Land Use Ordinance of the Town of Corinna, Maine

SECTION I: GENERAL PROVISIONS

A. TITLE

This Ordinance shall be known as and may be cited as the “Land Use Ordinance of the Town of Corinna, Maine”, and will be referred to herein as the ‘Ordinance’.

B. AUTHORITY

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII of the Maine Constitution and Title 30-A, Section 4352 and Title 38, Section 435 et.seq., of the Maine Revised Statues.

C. PURPOSES: The purposes of this Ordinance are as follows:

1. **COMPREHENSIVE PLAN IMPLEMENTATION:** To implement the policies and recommendations of the Corinna Comprehensive Plan;
2. **PROTECTION OF THE GENERAL WELFARE:** To assure the comfort, convenience, safety, health and welfare of the present and future inhabitants of the Town of Corinna;
3. **PRESERVATION OF THE TOWN CHARACTER:** To preserve and protect the character of Corinna by dividing the Town into districts according to use of land and buildings and the intensity of such uses;
4. **PROTECTION OF THE ENVIRONMENT:** To protect and enhance the natural cultural, and historic resources of the Town from unacceptable adverse impacts and to integrate development harmoniously into the Town's natural environment;
5. **PROMOTION OF COMMUNITY DEVELOPMENT:** To promote the development of an economically sound and stable community;
6. **REDUCTION OF TRAFFIC CONGESTION:** To lessen the danger and congestion of traffic on the roads and highways, limit excessive numbers of intersections, driveways, and other friction points, minimize hazards, and insure the continued usefulness of all elements of the existing transportation systems for their planned function;

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7. **BALANCING OF PROPERTY RIGHTS;** To protect property rights and values by balancing the rights of landowners to use their land with the corresponding rights of abutting and neighboring landowners to enjoy their property without undue disturbance from abutting or neighboring uses.

8. **REDUCTION OF FISCAL IMPACT:** To provide a means of evaluating development proposals to determine their fiscal impacts on the municipality's ability to provide and improve necessary public facilities and services, and

9. **ESTABLISHMENT OF PROCEDURES/STANDARDS:** To establish procedures whereby the Town Officials may review the developments regulated by this Ordinance by providing fair and reasonable standards for evaluating such developments; to provide a public hearing process through which interested persons may raise questions and receive answers regarding how such developments may affect them; and to provide procedures whereby aggrieved parties may appeal decisions made under this Ordinance.

D. APPLICABILITY

This Ordinance shall apply to all land areas within the Town of Corinna. All buildings or structures hereinafter constructed, reconstructed, altered enlarged, or moved, and the uses of building and land, including the division of land, shall be in conformity with the provisions of this Ordinance.

E. CONFLICT WITH OTHER ORDINANCES

Whenever the requirements of this Ordinance are in conflict with the requirements of any other lawfully adopted rule, regulation, ordinance, deed restriction, or covenant, that imposing the most restrictive or higher standards shall govern.

F. SEVERABILITY

In the event that any section, subsection, or any provision of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section; subsection or other portion of this Ordinance; to this end, the provisions of this Ordinance are hereby declared to be severable.

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G. AMENDMENTS

1. INITIATION

An amendment to this Ordinance may be initiated by one of the following:

- a. The Planning Board, provided a majority of the board has voted so.
- b. Request of Board of Selectmen to the Planning Board.
- c. A written petition signed by registered voters consisting of 10% of the voter count in the most recent gubernatorial election.

2. PUBLIC HEARINGS

All proposed amendments shall be referred to the Planning Board for their recommendation. The Planning Board may hold a Public Hearing for any proposed amendment. Within 30 days of holding a Public Hearing for any proposed amendment the Planning Board shall make a written recommendation to the Board of Selectmen.

3. MAJORITY VOTE

After receiving the recommendations of the Planning Board, by a majority of the Planning Board members, the amendment may be adopted or rejected by the majority vote of the voters at a Town Meeting.

4. SHORELAND ZONING

The appropriate State Agency shall be notified of applicable amendments to this Ordinance within 30 days after the effective date of such amendments.

H. ANNUAL ADMINISTRATIVE REVIEW

The Code Enforcement Officer, Planning Board and Board of Appeals each shall report annually to the Town Manager and the Board of Selectmen on their respective experience with the administration of this Ordinance during the previous year. Their reports to the Manager and Board of Selectpersons shall include and recommended amendments they may have that would:

1. Enhance their ability to more effectively meet their respective administrative responsibilities under this Ordinance; and
2. Enhance the implementation of the purpose of this Ordinance contained in subsection C, paragraphs 1-9, above.

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I. EFFECTIVE DATE

The effective date of this Ordinance, when adopted, and any amendments thereto, shall be effective immediately following its/their adoption or approval at Town Meeting or Special Town Meeting. A copy of this Ordinance certified by the Town Clerk shall be filed with the Town Clerk and the Penobscot County Registry of Deeds.

J. REPEAL OF PRIOR ORDINANCE

The existing Site Plan Review Ordinance, Building Notification Ordinance, Minimum Lot Size Ordinance, Junkyard/Graveyard/Auto Recycling Ordinance and the Garage/Yard Sale Ordinance, as amended, are repealed as of the effective date of this Ordinance. The adoption of this Ordinance, however, shall not affect nor prevent any pending or future prosecution of, or action to abate, any violation of these Ordinances repealed by this Section. It is further the intention and direction of this Section that if this Ordinance is, held to be invalid or void in its entirety, then the Ordinances repealed by this Section shall be automatically revived.