

SHORELAND ZONING ORDINANCES

XIV Attachment 1

City of Biddeford

Table 1
Land Uses in the Shoreland Zone
[Amended 2-2-2010 by Ord. No. 2009.98; amended 12-20-2022 by Ord. No. 2022.99]

Key to Table 1:

Yes— Allowed (no permit required but the use must comply with all applicable land use standards.)

No—Prohibited.

PB—Requires permit issued by the Planning Board.

CEO—Requires permit issued by the Code Enforcement Officer.

LPI—Requires permit issued by the Local Plumbing Inspector.

Abbreviations:

RP – Resource Protection

RP-1 – Resource Protection-1

LR – Limited Residential

LC – Limited Commercial

GD-1 – General Development 1

GD-2 – General Development 2

CFMA – Commercial Fisheries/Maritime Activities

SP – Stream Protection

WR – Waterfront Renaissance

Land Uses	Overlay District								
	SP	RP	GD-1	GD-2	RP-1	LR	LC	CFMA	WR
1. Nonintensive recreational uses not requiring structures, such as hunting, fishing and hiking	yes	yes	yes	yes	yes	yes	yes	yes	yes
2. Motorized vehicular traffic on existing roads and trails	yes	yes	yes	yes	yes	yes	yes	yes	yes
3. Forest management activities except for timber harvesting and land management roads	yes	yes	yes	yes	yes	yes	yes	yes	yes
4. Timber harvesting	yes	CEO ¹	yes	yes	CEO ¹	yes	yes	yes	yes
5. Clearing or removal of vegetation for activities other than timber harvesting	CEO	CEO ¹	yes	yes	CEO ¹	yes	yes	yes	yes
6. Fire prevention activities	yes	yes	yes	yes	yes	yes	yes	yes	yes

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Land Uses	Overlay District								
	SP	RP	GD-1	GD-2	RP-1	LR	LC	CFMA	WR
7. Wildlife management practices	yes	yes	yes	yes	yes	yes	yes	yes	yes
8. Soil and water conservation practices	yes	yes	yes	yes	yes	yes	yes	yes	yes
9. Mineral exploration	no	yes ²	yes ²	yes ²	yes ²	yes ²	yes ²	yes ²	yes ²
10. Mineral extraction including sand and gravel extraction	no	PB ³	PB	PB	PB ³	PB	PB	PB	PB
11. Surveying and resource analysis	yes	yes	yes	yes	yes	yes	yes	yes	yes
12. Emergency operations	yes	yes	yes	yes	yes	yes	yes	yes	yes
13. Agriculture	yes	PB	yes	yes	yes	yes	yes	yes	yes
14. Aquaculture	PB	PB	yes	yes	PB ¹³	PB	yes	yes	yes
15. Principal structures and uses									yes
A. One- and two-family residential, including driveways	PB ⁴	no	CEO	CEO	no	CEO	CEO	no	CEO
B. Multi-unit residential	no	no	PB	PB	no	PB	PB	no	PB
C. Commercial	no	no ¹⁰	PB	PB	no	no ¹⁰	PB	PB ⁵	PB
D. Industrial	no	no	PB	PB	no	no	no	PB ⁵	PB
E. Governmental and institutional	no	no	PB	PB	no	PB	PB	PB ⁵	PB
F. Small nonresidential facilities for educational, scientific, or nature interpretation purposes	PB ⁴	PB	PB	PB	PB	CEO	CEO	PB ⁵	PB
16. Structures accessory to allowed uses	PB ⁴	PB	yes	yes	PB	CEO	CEO	yes	yes
17. Pier docks, wharfs, bridges and other structures and uses extending over or below the normal high-water line or within a wetland									
A. Temporary	CEO ¹¹	CEO ¹¹	CEO ¹¹	CEO ¹¹	CEO ¹¹	CEO ¹¹	CEO ¹¹	CEO ¹¹	CEO ¹¹

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	SP	RP	GD-1	GD-2	RP-1	LR	LC	CFMA	WR
B. Permanent	PB	PB	PB ⁵	PB ⁵	PB	PB	PB	PB ⁵	PB ⁵
18. Conversions of seasonal residences to year-round residences	LPI	LPI	no	no	no	LPI	LPI	no	no
19. Home occupations	PB	PB	yes	yes	no	PB	CEO	yes	yes
20. Private sewage disposal systems for allowed uses	LPI	LPI	LPI	LPI	LPI	LPI	LPI	LPI	LPI
21. Essential services									
A. Roadside distribution lines (34.5 kV and lower)	CEO ⁶	CEO ⁶	yes ¹²	yes ¹²	CEO ⁶	yes ¹²	yes ¹²	yes ¹²	yes ¹²
B. Non-roadside or cross-country distribution lines involving 10 poles or less in the Shoreland Zone	PB ⁶	PB ⁶	CEO	CEO	PB ⁶	CEO	CEO	CEO	CEO
C. Non-roadside or cross-country distribution lines involving 11 or more poles in the Shoreland Zone	PB ⁶	PB ⁶	PB	PB	PB ⁶	PB	PB	PB	PB
D. Other essential services	PB ⁶	PB ⁶	PB	PB	PB ⁶	PB	PB	PB	PB
22. Service drops, as defined, to allowed uses	yes	yes	yes	yes	yes	yes	yes	yes	yes
23. Public and private recreational areas involving minimal structural development	PB	PB	CEO ⁵	CEO	PB	PB	CEO	CEO ⁵	CEO
24. Individual, private campsites	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO
25. Campgrounds	no	no ⁷	no	no	no	PB	PB	no	no
26. Road and driveway construction	PB	no ⁸	PB	PB	no ⁸	PB	PB	PB ⁵	PB
27. Land management roads	yes	PB	yes	yes	PB	yes	yes	yes	yes
28. Parking facilities	no	no ⁷	PB	PB	no	PB	PB	PB ⁵	PB
29. Marinas	PB	no	PB	PB	no	PB	PB	PB	PB

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Land Uses	Overlay District								
	SP	RP	GD-1	GD-2	RP-1	LR	LC	CFMA	WR
30. Filling and earthmoving of less than 10 cubic yards	CEO	CEO	yes	yes	CEO	yes	yes	yes	yes
31. Filling and earthmoving of greater than 10 cubic yards	PB	PB	CEO	CEO	PB	CEO	CEO	CEO	CEO
32. Signs	yes	yes	yes	yes	yes	yes	yes	yes	yes
33. Uses similar to allowed uses	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO
34. Uses similar to uses requiring a CEO permit	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO
35. Uses similar to uses requiring a PB permit	PB	PB	PB	PB	PB	PB	PB	PB	PB
36. Recreational trails									
A. Primitive trails	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO
B. Category 2 multiple-use nonmotorized trails	CEO ¹⁴	CEO ¹⁴	CEO ¹⁴	CEO ¹⁴	CEO ¹⁴	CEO ¹⁴	CEO ¹⁴	CEO ¹⁴	CEO ¹⁴
C. Category 1 multiple-use nonmotorized trails	PB	PB	PB	PB	PB	PB	PB	PB	PB
D. Category 2 multiple-use trails, including motorized uses	PB	PB	PB	PB	PB	PB	PB	PB	PB
E. Category 1 multiple-use trails, including motorized uses	PB	PB	PB	PB	PB	PB	PB	PB	PB

NOTES:

- ¹ In RP not allowed within 75 feet horizontal distance of the normal high-water line of great ponds, except to remove safety hazards.
- ² Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.
- ³ In RP not allowed in areas so designated because of wildlife value.
- ⁴ Provided that a variance from the setback requirement is obtained from the Zoning Board of Appeals.
- ⁵ Functionally water-dependent uses and uses accessory to such water-dependent uses only. (See note on previous page.)
- ⁶ See further restrictions in Section 15L2.
- ⁷ Except when area is zoned for resource protection due to floodplain criteria in which case a permit is required from the PB.

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⁸ Except as provided in Section 15H4.

⁹ (Reserved)

¹⁰ Except for commercial uses otherwise listed in this table, such as marinas and campgrounds, that are allowed in the respective district.

¹¹ Excluding bridges and other crossings not involving earthwork, in which case no permit is required.

¹² Permit not required but must file a written notice of intent to construct with the CEO.

¹³ Allowed only if no development, as defined in Article II of this ordinance, is required to pursue this use.

¹⁴ Planning Board review required if a setback waiver is necessary.

NOTE: A person performing any of the following activities shall require a permit from the Department of Environmental Protection, pursuant to 38 M.R.S.A. § 480-C, if the activity occurs in, on, over or adjacent to any freshwater or coastal wetland, great pond, river, stream or brook and operates it such a manner that material or soil may be washed into them:

- A. Dredging, bulldozing, removing or displacing soil, sand, vegetation or other materials;
- B. Draining or otherwise dewatering;
- C. Filling, including adding sand or other material to a sand dune; or
- D. Any construction or alteration of any permanent structure.