

**AMENDMENTS TO THE LAND USE ORDINANCE
RE: KENNELS, DOG DAYCARES, AND OVERNIGHT BOARDING**

Definitions (§120-301).

In this chapter, the following terms shall have the following meaning unless a contrary meaning is required by the text or is specifically prescribed. In addition to the following definitions, performance standards regulating specified land uses should be reviewed in the district standards for each zoning district (Article 4) and the performance standards (Article 5) that apply to all zoning districts in the Town.

KENNEL, MAJOR — An establishment in which five or more dogs, cats, or domesticated animals are boarded for a fee or compensation. (See Article 5, Performance Standards.)

KENNEL, MINOR — An establishment in which four or fewer dogs, cats, or domesticated animals are boarded for a fee or compensation. (See Article 5, Performance Standards.)

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§ 120-410. Commercial District I (C-1). [Amended 9-14-2010 by Order 10-164; 12-14-2010 by Order 10-230; 5-14-2013 by Order 13-072; 6-28-2016 by Order 16-111; 6-12-2018 by Order 18-099; 7-9-2019 by Order 19-121; 5-26-2020 by Order 20-048; 4-12-2022 by Order No. 22-062; 7-12-2022 by Order No. 22-126; 11-10-2022 by Order No. 22-205; 4-25-2023 by Order No. 23-060; 8-15-2023 by Order No. 23-150; 8-15-2023 by Order No. 23-151; 8-15-2023 by Order No. 23-149; 3-12-2024 by Order No. 24-033; 1-14-2025 by Order No. 25-002; 2-25-2025 by Order No. 25-033]

- B. Permitted uses. The following uses, as they are defined in Article 3, shall be permitted in the Commercial District I as a matter of right. Refer to Article 5, Performance Standards, or Subsection F, District standards, for additional use information.

...

Forestry

Funeral home Home occupation 1

Home occupation 2

...

- F. District standards. In addition to Article 5, Performance Standards, these standards shall apply to the following uses in the Commercial District I:

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§ 120-410.1. Commercial District I North (C-1N). [Added 7-12-2022 by Order No. 22-126; 4-25-2023 by Order No. 23-067; 4-25-2023 by Order No. 23-060; 8-15-2023 by Order No. 23-150]

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- F. District standards. In addition to Article 5, Performance Standards, these standards shall apply to the following uses in the Commercial District I:

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§ 120-411. Commercial District II (C-2). [Amended 9-14-2010 by Order 10-164; 6-12-2018 by Order 18-099; 7-9-2019 by Order 19-121; 5-26-2020 by Order 20-048; 4-25-2023 by Order No. 23-060; 8-15-2023 by Order No. 23-149; 8-15-2023 by Order No. 23-150; 8-15-2023 by Order No. 23-151; 2-25-2025 by Order No. 25-033]

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§ 120-531. Kennel, major.

A. A minimum of 200 feet from an abutting residential structure; or

B. A minimum of 100 feet from the lot line where there is no abutting residential structure.

§ 120-532. Kennel, minor.

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Commented [SP1]: Added "dogs and cats" per Councilor Cooke's comments.

KENNEL, MINOR — An establishment in which four or fewer dogs, cats, or domesticated animals are sheltered, housed, bred, boarded, trained or sold and are boarded for a fee or compensation. Included in this definition and without limitations, are pet care service establishments for dogs and cats, that provide daytime care (short-term care during normal business hours without overnight boarding) and /or overnight care. Veterinary clinics are excluded from this definition when boarding is incidental to medical treatment. (See Article 5, Performance Standards.)

Commented [SP2]: Added "dogs and cats" per Councilor Cooke's comments.

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(19) Kennel, major and minor. The facility's operations shall meet the standards of Article 5. (See Article 5, Performance Standards.)

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§ 120-531. Kennel, major.

A. Commercial Zoning Districts:

(1) Commercial I (C-1)

(2) Commercial I (C-1N)

(3) Commercial II (C-2)

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B. Standards:

(1) Outdoor Space: If provided, it shall be sized appropriate for the number pet being care for, fenced and buffered with solid fence and plantings. The outdoor space shall have artificial turf or similar surface, sub-base shall be pea stone or gravel.

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(2) Noise Control:

(a) Outdoor activity areas shall be screened and buffered; operations must comply with Chapter §120-812S Noise.

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(b) Soundproofing required for indoor animal areas adjacent to residential zones or uses.

(c) Overnight boarding: Shall completing the structure with appropriate sound damping measures.

(3) Odor Management: Waste shall be managed to prevent odors detectable beyond the interior space and/or property lines.

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(4) Hours of Operation: Daytime care [6:30 AM to 6:00 PM]; Overnight boarding quiet hours [6:00 PM to 6:30 AM].

(5) Capacity: Maximum number of animals determined during site plan review and /or occupancy permit and shall meet the Maine Department of Agriculture, Conservation, and Forestry Chapter 701: Rule Governing Animal Welfare

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(6) Licensing: Must maintain and display current State of Maine license for each kennel and boarding kennel, pet shop, and shelter.

Commented [SP3]: Added a provision requiring all licensed kennels and similar facilities to comply with the spacing and facility standards established in state statute.

Commented [SP4]: Added language regarding requiring state licensing for Kennels etc.

C. Residential Zoning Districts.

(1) Farm District (F).

(2) Farm-Residential District (FR).

(3) Village Residential (VR)

D. The kennel, including all uses accessory to the kennel shall be setback:

A-(1) A minimum of 200 feet from an abutting residential structure; or

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B-(2) A minimum of 100 feet from the lot line where there is no abutting residential structure.

§ 120-532. Kennel, minor.

Commented [SP5]: Removed all minor kennel proposed amendments and only changed the definitions of a major and minor kennel to included pet care service establishments.

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