

ORDINANCE COMMITTEE MEMO

DATE: May 14, 2026

TO: Windham Ordinance Committee

THROUGH: Bob Burns, Town Manager

FROM: Steve Puleo, Director of Planning

CC: Amanda Lessard, Assistant Town Manager

RE: #26-xx Land Use Ordinance (LUO) Amendments, Chapter 120 – Prioritization Discussion.

Ordinance Meeting of May 20, 2026

Overview

The Planning Department recommends the Ordinance Committee consider and prioritize proposed amendments to the Land Use Ordinance (LUO), Chapter 120, for the May 20, 2026 meeting. These items are intended to improve clarity and consistency in development review, strengthen emergency access and connectivity standards, address buffer yard application issues, and support coordinated development along the Connector Roads.

Background

Staff has compiled the proposed amendments listed in the table below from ongoing LUO work items, Planning Board recommendations, and departmental review comments. The package includes updates to street connection and access-drive standards, Fire Department and Rescue review considerations, buffer yard refinements (including a Farm District private-road exemption item raised by Councilor Fortier), connector-road focused standards within the Commercial “V (C-5)” district, definition updates, permitted-use table refinements, and a proposed residential blasting performance standard framework for DRA.

Additional work items for consideration include:

- (1) Shoreland Zoning amendments to require Planning Board conditional use approval for shoreland zoning review, with exemptions for hazardous tree removal, private road extensions, and interior renovations that do not expand the principal structure footprint.
- (2) A sign ordinance amendment for building-mounted signs on public buildings; and
- (3) Development of a Short Term Rental (STR) ordinance similar to the recently adopted in Raymond .

Summary of Key Benefits

- Improves public safety and emergency access by clarifying connectivity expectations and incorporating Fire Rescue review considerations.
- Enhances ordinance clarity and consistency across site plan and subdivision review, particularly for access drives, private roads, and street connections.
- Reduces unintended buffering impacts by clarifying front/street buffer applications and addressing Farm District conditions on private roads.
- Supports coordinated economic development and access management along the Connector Roads through Commercial V (C-5) district standards.
- Modernizes definitions and permitted-use tables to better align with desired development patterns and ongoing planning initiatives.
- Improves shoreland permitting consistency by consolidating shoreland reviews into Planning Board conditional use approvals while maintaining streamlined exemptions for low-impact activities.
- Clarifies sign standards for public buildings by establishing a proportional front-facade-based size cap for large signs.

- Creates a clear Short Term Rental regulatory framework to support neighborhood compatibility, life-safety expectations, and compliance/enforcement.

Request for Prioritization

Staff requests that the Ordinance Committee review the proposed LUO amendments in the table below, identify those to advance first, and provide directions on:

- (1) Drafting priorities.
- (2) Coordination needs with Fire Department and Rescue, Department reviews and comments,
- (3) Town Attorney language review. And,
- (4) An anticipated schedule for public hearings and Council action.

Proposed Land Use Ordinance Amendments (May 20, 2026)

The following proposed ordinance amendments are provided for discussion and prioritization by the Ordinance Committee.

Staff Priority#	Council Priority	Amendment / Topic	Ordinance / LUO Section(s)	What the Amendment Does	May 20 Committee Action	Status
1		Access Drives — Site Plan Standards	LUO §120-814B(6) (site plan access standards)	Clarifies that multifamily/common-ownership developments: <ul style="list-style-type: none"> • They are served by private access drives. • Ties design to applicable street standards. <ul style="list-style-type: none"> ○ 10 or fewer dwelling units: 18-foot paved minimum width ○ 11 or more dwelling units: 24-foot paved minimum width 	<ul style="list-style-type: none"> • Staff comments; High importance. • Town Attorney reviewed and PB LU recommendation • Council public hearing and adoption. 	In process was included in Street Connection, Fire Department support
2		Conservation Subdivision Amendments Definitions: Open Space	LUO §120-911K LUO §120-301	<ul style="list-style-type: none"> • Clarifies the process of including priority and secondary conservation areas in the proposed open space. • Allows for alternation of natural resources for the construction. • Changes the minimum amount of open space required by eliminating road rights-of-way from the calculation and basing the amount in part on the zoning district. • Clarifies the size and function of wetlands identified as primary and secondary conservation areas • Updates/clarifies what qualifies as protected open space within conservation subdivisions and allowable open space uses. • Finalize wording; confirm permanence/protection mechanism and consistency with subdivision standards. 	<ul style="list-style-type: none"> • Staff comments; High importance. • Town Attorney review for Planning Board LU recommendation • Then Council public hearing and adoption. 	In process: Presented to Ordinance Committee heard the proposal April 2024.

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3		For Delegated Review Authority Residential Blasting Performance Standard	Article 8 and 9: LUO performance standard (TBD)	Establishes a notification framework for blasting associated with residential development. Decide placement (standalone vs. LUO); assign drafting tasks to integrate with Windham structure; set timeline for legal review and hearing schedule.	<ul style="list-style-type: none"> Staff High importance. Town Attorney review and staff review prior to Planning Board LU recommendation Then Council public hearing and adoption. legal review and hearing schedule. 	In process (concept draft)
4		Fire Department Plan Review / Street Connection Determination	New performance standard in Articles 8 and 9.	Proposes removing the ambiguous street-connection matrix section and relying on Fire Rescue case-by-case review criteria (water supply, access, dead-end lengths, turning, evacuation, etc.). <ul style="list-style-type: none"> Site Plan Review projects (minor/major) and Subdivision projects (minor/major) 	<ul style="list-style-type: none"> Staff comments; High importance. Town Attorney review and staff review prior to Planning Board LU recommendation Then Council public hearing and adoption. 	In process, Planning staff met with Chief Libby and Deputy Wescott. Policy draft will be sent to FW and Code for comments
5		Farm District (F) — An Exemption from Front/Street Buffer Yards on Private Roads	LUO §120-511 and Farm District (F) standards (specific subsection TBD)	(Councilor’s Fortier Concern) Creating a full exemption so Farm District lots on private roads are not subject to front/street buffer yard requirements triggered by street frontage. exemption is F only or F + FR; assign staff to draft exact amendment language and cross-references.	<ul style="list-style-type: none"> Needs committee prioritization recommendation 	New item (needs draft language)

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6		North Windham Connector Zone	LUO Article 4 — Commercial District V (C-5)	Establishes/clarifies C-5 intent tied to connector roads; includes permitted/conditional uses; dimensional standards; and district standards emphasizing access management (curb cut spacing), interparcel connectivity, building orientation, pedestrian access, and parking location limits within the front setback area.	<ul style="list-style-type: none"> Staff comments; High importance. Town Attorney review and staff review prior to Planning Board LU recommendation Council public hearing and adoption. 	In process (redline draft)
7		Add Heavy Construction Service and Access Standards	LUO C-3 District (use list)	Adds heavy construction service as a permitted use, with expectations for screening and dust/noise mitigation and compliance requirements. Confirm definition; decide permitted vs. conditional; confirm cross-references to buffering, noise, outdoor storage, and operational standards.	<ul style="list-style-type: none"> Needs committee prioritization recommendation 	For consideration
8		LD 1829 (as amended/clarified by LD 2173) — State Housing Opportunity Changes	LUO Articles 1, 3, 4, 5, 8, & 9 (state housing compliance)	Continued to draft ordinance amendments to implement state housing law changes, including ADU allowances, state minimum density and minimum lot size standards, limits on certain dimensional standards for multi-unit housing, exemptions from Planning Board review when review would otherwise be based solely on unit count (four or fewer units and ADUs), affordable housing incentives, parking maximums/off-site parking provisions, subdivision definition updates, and allowing residential use in applicable commercial	<ul style="list-style-type: none"> Confirm implementation schedule and drafting framework. Identify affected LUO sections and cross-references. Coordinate Town Attorney review; and Set Planning Board 	In process (state-driven amendments)

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				districts within the Designated Growth Area (DGA).	<ul style="list-style-type: none"> Council hearing schedule adoption July 1, 2027. 	
9		MS4 LID Adoption — Low Impact Development (LID) Ordinance	(MS4) / Stormwater compliance (potential LUO cross-references)	Adopt an LID ordinance to support MS4 stormwater permit compliance by requiring LID measures for qualifying development/redevelopment, establishing submittal requirements, performance thresholds for impervious area treatment, inspection/enforcement, and waiver criteria.	<ul style="list-style-type: none"> Implementation 1 year after appeal by Lewiston Identify affected LUO section Work Town Attorney and Set Planning Board Council adoption 	Development performance standards and cross reference.
10		Shoreland Zoning — Planning Board Conditional Use Required (with Limited Exemptions)	Chapter 185 §185-14, §185-16, §185-17 (Definitions), and related §185-15 standards	Requires shoreland zoning permits/review to be processed as Planning Board for approvals.	<ul style="list-style-type: none"> Needs committee prioritization recommendation 	New item (needs draft language)
11		Sign Ordinance — Public Buildings Building mounted Signs	LUO Chapter 120, Article 7 (Signs)	Establishes standards for building-mounted signs on public buildings for building-mounted; including shoreland applicability where Chapter 185 references LUO sign standards	<ul style="list-style-type: none"> Needs committee prioritization recommendation 	New item (needs draft language)
12		Short Term Rental Ordinance	Standalone ordinance or LUO Article 5 +	Creates a Short-Term Rental ordinance framework (definitions, registration/permit requirements, operational standards such as occupancy/parking/life-safety, local contact, complaint response, and enforcement).	<ul style="list-style-type: none"> Needs committee prioritization recommendation 	New item (needs policy direction) Similar to

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			LUO §120-301 (TBD)	Decide adoption path (standalone vs. LUO integration) and review authority (CEO vs. Planning Board); assign drafting tasks for definitions, standards, fees/registration, and enforcement procedures; coordinate legal review.		Raymond's STR ordinance
13		Farm District (F) — Amendment for Front/Street Buffer Yards on Private Roads	LUO §120-511 and Farm District (F) standards (specific subsection TBD)	(Councilor's Fortier Concern) Creating a full exemption so Farm District lots on private roads are not subject to front/street buffer yard requirements triggered by street frontage. exemption is F only or F and cross-references.	<ul style="list-style-type: none"> Needs committee prioritization recommendation 	New item (needs draft language)