

# Windham Economic Development Corporation

*Promoting Sound Economic Investment in Windham*

To: Windham Town Council  
From: Tom Bartell, Executive Director, WEDC  
Date: March 14, 2019  
Re: Construction/Contractor Services in C3

## Issue

The Town Council has been asked by the public and the WEDC to consider allowing Construction Services in the C-3 district. Two proposals were presented at the Town Council meeting of January 15, 2019. After Town Council discussion, staff was charged with presenting changes to the C3 Zone that would allow many of the uses currently defined as Construction Services and limit the “heavy construction” businesses to current zones.

The Definitions and Use Charts below describe the current definitions and current zoning, new definitions and current zoning, and new definitions and addition of uses to the C3 Zone.

Standards for these new uses are further described in the draft ordinance changes prepared by the Planning Department.

## Current Definitions

**Construction Services.** The performance of work or the furnishing of supplies to members of the building trades which requires the storage of materials and/or the location of commercial vehicles on the property of the construction services business. This includes, but is not limited to, plumbing, painting, building, well drilling, carpentry, masonry, or electrical installation.

**Service Business, Landscaping.** The business location of a person engaged in the commercial practice of landscaping and who performs or furnishes the labor, and/or materials necessary to maintain or beautify land by contract or consent of the landowner, including, but not limited to; lawn care, planting, care of trees and shrubs, and winter maintenance services such as snow plowing.

In this table, P = permitted use, C = conditional use, and X = use not permitted

Current Uses										
	F	FR	RL	RM	C-1	C-2	C-3	I	ED	VC
Construction Services	X	X	X	X	P	X	X	X	P	P
Service Business, Landscaping	P*	X	X	X	P	X	P	X	X	X

\*permitted only as an accessory use to the Nursery use

# Windham Economic Development Corporation

## *Promoting Sound Economic Investment in Windham*

### **Proposed Definitions** (to replace Construction Services and Service Business, Landscaping)

**Contractor Services.** A business engaged in the construction, renovation, maintenance or repair of residential or commercial buildings and structures, including building systems exterior to those buildings or structures. Such businesses include, but are not limited to plumbing, painting, building, well drilling, carpentry, masonry, electrical, roofing, heating, cooling and ventilation systems, and siding. This use includes indoor repair, maintenance, or storage of contractor's vehicles, machinery, equipment or materials and space for the contractor's business office.

**Contractor Services, Landscaping.** A business engaged in the decorative and functional alteration, planting and maintenance of residential and commercial grounds, including winter maintenance, like snow plowing and shoveling services. Such a business may engage in the installation and construction of underground improvements but only to the extent that such improvements (e.g., drainage or irrigation) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the ground.

**Contractor Storage Yard.** A portion of a lot or parcel used for the outdoor storage of equipment, vehicles, machinery, or materials used by and accessory to onsite Contractor Services or Contractor Services, Landscaping, or Heavy Construction Services.

**Heavy Construction Services.** A business engaged in the construction and maintenance of infrastructure, including road and utility construction or paving. This use is characterized by specialized heavy equipment, including graders, loaders, backhoes, dump trucks, cement mixers, etc. This use includes indoor repair, maintenance, or storage of contractor's vehicles, machinery, equipment or materials and space for the contractor's business office.

New Definitions Current Uses										
	F	FR	RL	RM	C-1	C-2	C-3	I	ED	VC
Contractor Services	X	X	X	X	P	X	X	X	P	P
Contractor Services, Landscaping	P*	X	X	X	P	X	P	X	X	X
Contractor Storage Yard	P*	X	X	X	P	X	P	X	P	P
Heavy Construction Services	X	X	X	X	P	X	X	X	P	P

\*permitted only as an accessory use to the Nursery use

New Definitions Current Uses plus C3 (as suggested by Town Council)										
	F	FR	RL	RM	C-1	C-2	C-3	I	ED	VC
Contractor Services	X	X	X	X	P	X	P	X	P	P
Contractor Services, Landscaping	P*	X	X	X	P	X	P	X	X	X
Contractor Storage Yard	P*	X	X	X	P	X	P	X	P	P
Heavy Construction Services	X	X	X	X	P	X	X	X	P	P

Central Sewage System. A wastewater disposal system that receives wastewater from two (2) or more structures. (*See Sec. 500 Performance Standards*)

Child Care, Facility. A building in which a person maintains or otherwise carries out a regular program, for consideration, for any part of a day providing care and protection for children under thirteen (13) years of age. (*See Sec. 500 Performance Standards*)

Child Care, Family Home. A home used to provide child care in the resident's home on a regular basis, for consideration, for three (3) to twelve (12) children under thirteen (13) years of age who are not the children of the provider. (*See Sec. 500 Performance Standards*)

Clear Zone. The area adjacent to a street (measured from the edge of the travel lane) in which fixed objects or obstructions are not permitted. Fixed objects include, but are not limited to, trees, signs, utility poles, walls, boulders, and mailboxes. (*See Sec. 900 Subdivision Review*)

Club. A group organized for a common purpose, goal, interest, or activity, usually social, religious, cultural or educational in nature, usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, a constitution, and by-laws.

Cluster Subdivision. A form of development that permits a reduction in lot area and bulk requirements, and the remaining land area is devoted to Open Space, active recreation, preservation of environmentally sensitive areas, or agriculture. (*See Sec. 400 Zoning Districts*) (*See Sec. 900 Subdivision Review*)

Collector Street. See definition of, "Street Classification: Collector Street"

Comprehensive Plan. A document or interrelated documents adopted by the Municipal Officers, containing the elements established under 30-A M.R.S.A. § 4326 sub-1 to 4, including the strategies for an implementation program which are consistent with the State goals and guidelines established under 30-A M.R.S.A. §4311 through § 4350.

Complete Substantial Construction. The completion of a portion of the improvements which represents no less than thirty (30) percent of the costs of the proposed improvements within a subdivision. If the subdivision is to consist of individual lots to be sold or leased by the subdivider, the cost of construction of buildings on those lots shall not be included. If the subdivision is a multifamily development, or if the applicant proposes to construct the buildings within the subdivision, the cost of building construction shall be included in the total costs of proposed improvements.

Conditional Use. A use which shall be authorized when all of the conditions of Section 516 and other applicable provisions of this Ordinance have been met. (*See "Conditional Use" in Sec. 500 Performance Standards*)

~~Construction Services. The performance of work or the furnishing of supplies to members of the building trades which requires the storage of materials and/or the location of commercial vehicles on the property of the construction services business. This includes, but is not~~

~~limited to, plumbing, painting, building, well drilling, carpentry, masonry, or electrical installation.~~

Contractor Services. A business engaged in the construction, renovation, maintenance or repair of residential or commercial buildings and structures, including building systems exterior to those buildings or structures. Such businesses include, but are not limited to plumbing, painting, building, well drilling, carpentry, masonry, electrical, roofing, heating, cooling and ventilation systems, and siding. This use includes indoor repair, maintenance, or storage of contractor's vehicles, machinery, equipment or materials and space for the contractor's business office.

Contractor Services, Landscaping. A business engaged in the decorative and functional alteration, planting and maintenance of residential and commercial grounds, including winter maintenance, like snow plowing and shoveling services. Such a business may engage in the installation and construction of underground improvements but only to the extent that such improvements (e.g., drainage or irrigation) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the ground.

Contractor Storage Yard. A portion of a lot or parcel used for the outdoor storage of equipment, vehicles, machinery, or materials used by and accessory to onsite Contractor Services or Contractor Services, Landscaping, or Heavy Construction Services.

Construction Services, Heavy. A business engaged in the construction and maintenance of infrastructure, including road and utility construction or paving. This use is characterized by specialized heavy equipment, including graders, loaders, backhoes, dump trucks, cement mixers, etc. This use includes indoor repair, maintenance, or storage of contractor's vehicles, machinery, equipment or materials and space for the contractor's business office.

Controlled Access Street. See definition of, "Street Classification: Controlled Access Street"

Convention Center. A building, or portion thereof, designed to accommodate 300 or more people in assembly. For the purposes of this Chapter, this definition does not include "Places of Worship."

Corner Lot. See definition of, "Lot, Corner."

Correctional Facility, Public. A publicly operated facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

Curb Cut. The connection to a street, or opening along the curb line, at which point vehicles may enter or leave the roadway. (*See Sec. 500 Performance Standards*)

Daytime Hours. Those hours between 7:00 a.m. and 7:00 p.m.

Dead-End Street. See definition of, "Street Classification: Dead-End Street"

**Riding Stable.** Any land or structure designed, intended or used for the keeping of horses or ponies for hire, either with or without instruction in riding.

**Roadside Stand.** A structure for the display and sale of agricultural products. (*See definition of, "Agriculture"; and standards for, "Agriculture" in Sec. 500 Performance Standards*)

**Rockery (or "rockeries").** Rough rocks stacked in an "interlocking" pattern without concrete, mortar, or steel reinforcement. Neither mechanical nor physical connections are made between the individual rocks; "interlocking" is accomplished through proper rock layout, rock weight, and frictional interaction.

**Rooming House.** A building used for temporary occupancy of individuals who are lodged with or without meals and in which bathroom and kitchen facilities may be shared. (*See Sec. 500 Performance Standards*)

**Sawmill, Permanent.** A facility where logs are cut into boards or timbers; a mill or machine for sawing logs or producing firewood that is in operation on a permanent basis. (*See Sec. 500 Performance Standards*)

**Sawmill, Temporary.** A facility where logs are cut into boards or timbers, a mill or machine for sawing logs or producing firewood that is in operation for a cumulative duration of two (2) months or fewer in any twelve month period. This definition does not include the use of handheld chainsaws. (*See Sec. 500 Performance Standards*)

**Self-Storage Facility.** A building or group of buildings containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time. (*See definition of, "Warehousing, Public"*)

**Service Business.** Establishments primarily engaged in providing assistance, as opposed to products, to individuals, business, industry, government, and other enterprises.

**Service Business, Commercial.** Establishments primarily engaged in providing services to business establishments on a fee or contract basis. This includes, but is not limited to, advertising and mailing, building maintenance, employment services, management and consulting services, protective services, equipment rental and leasing.

~~**Service Business, Landscaping.** The business location of a person engaged in the commercial practice of landscaping and who performs or furnishes the labor, and/or materials necessary to maintain or beautify land by contact or consent of the landowner, including, but not limited to; lawn care, planting, care of trees and shrubs, and winter maintenance services such as snow plowing.~~

**Service Business, Personal.** Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. This includes, but is not limited to, laundry or dry cleaning services, beauty shops, barbershops, shoe repair, and clothing rental.

**406 Zoning Districts****A. Farm District (F)****1. Intent**

The Farm district is intended primarily for rural and residential land uses. Development is restricted in order to protect farmlands, woodlands, open space, wildlife habitat and scenic areas.

**2. Permitted Uses**

The following uses, as they are defined in Section 300, shall be permitted in the Farm District as a matter of right. Refer to Section 500, Performance Standards or Subsection 6. District Standards for additional use information:

- Agriculture
- Agriculture, Piggery
- Agriculture, Poultry Facility
- Building, Accessory
- Campground, Commercial
- Campground, Personal
- Cemetery
- Child Care, Family Home
- Contractor Services, Landscaping
- Contractor Storage Yard
- Dwelling, Single-Family Detached
- Dwelling, Two-Family
- Dwelling, Multifamily
- Forestry
- Golf Course
- Home Occupation 1
- Home Occupation 2
- Kennel, Minor
- Mineral Extraction
- Place of Worship
- Public Building
- Research Laboratory
- Retail Sales, Nursery
- Riding Stable
- Sawmill, Permanent
- Sawmill, Temporary
- ~~Service Business, Landscaping~~
- Shipping Container
- Use, Accessory
- Wireless Telecommunications Tower and Facility

**3. Conditional Uses**

The following uses, as defined in Section 300, shall be allowed as a Conditional Use in accordance with Section 516. Refer to Section 500, Performance Standards or Subsection 6. District Standards for additional use information:

- Assisted Living Facility
- Bed and Breakfast Inn
- Boarding Home for Sheltered Care
- Kennel, Major

- Medical Office
- Nursing Home
- Public Utility Facility
- Recreation Facility, Indoor
- Recreation Facility, Outdoor
- Retail Sales, Convenience
- Rooming House

#### 4. Prohibited Uses

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

#### 5. Dimensional Standards

The following dimensional standards shall apply in the Farm District:

- |   |             |
|---|-------------|
| (a) Minimum Lot Size:   |             |
| (1) Standard (Non-Cluster)  | 80,000 s.f. |
| (2) Cluster Subdivision:  |             |
| (a) All Subdivision lots connected to public water  | 30,000 s.f. |
| (b) Subdivision served by wells or a private system   | 30,000 s.f. |
| (3) Rooming House   | 4 acres     |
| (b) Maximum Lot Size:   |             |
| (1) Cluster Subdivision   | 50,000 s.f. |
| (2) Cluster Subdivision: one (1) lot within subdivision   | 60,000 s.f. |
| (c) Net Residential Density:  | 60,000 s.f. |
| (d) Minimum Frontage:   |             |
| (1) Standard (Non cluster)  | 200 ft.     |
| (2) Cluster Subdivision   | 100 ft.     |
| (3) Cluster Subdivision, where frontage is entirely on cul-de-sac   | 50 ft.      |
| (e) Minimum Front Setback:  |             |
| (1) Standard (Non cluster)  | 40 ft.      |
| (i) The minimum front Setback of a lot may be reduced to the average setback distance of the existing buildings located on the lots to either side of said lot. |             |
| (2) Cluster subdivision   | 25 ft.      |
| (3) Non-Residential Use: Minimum Landscaped Buffer Strip  | 15 ft.      |
| (f) Minimum Side Setback:   |             |
| (1) Standard (Non cluster)  | 10 ft.      |
| (2) Cluster Subdivision:  | 10 ft.      |
| (g) Minimum Rear Setback:   |             |

- |  |          |
|--|----------|
| (1) Standard (Non cluster):                        | 10 ft.   |
| (2) Cluster Subdivision:                           | 10 ft.   |
| (h) Maximum Building Height:                       | 35 ft.   |
| (1) Agriculture, Public Buildings, Church Steeples | No Limit |
| (i) Maximum Building Coverage:                     | 25%      |

## 6. District Standards

In addition to Section 500, Performance Standards, these standards shall apply to the following uses in the Farm District:

- (a) Automobile Repair Services in existence prior to August 7, 2014.
  - (1) All repair operations shall be conducted inside an enclosed building.
  - (2) No more than three vehicles shall be serviced or stored on the property at any one time.
  - (3) Hours of operation shall be Monday through Saturday from 8:00 A.M. to 5:00 P.M.
- (b) Cluster Subdivision. (*See Sec. 900 Subdivision Review*)
  - (1) Cluster subdivisions shall only be permitted on lots with a minimum of 5 acres of gross land area.
- (c) Curb Cuts. See “Curb Cuts and Driveway Openings” in Section 500 Performance Standards for standards applicable to the Farm District
- (d) Dwelling, Two-Family and Dwelling, Multifamily. These uses shall only be allowed for the conversion of an existing dwelling or accessory building that was in existence prior to May 13, 1986. The following standards shall apply:
  - (1) No more than three (3) dwelling units may be created per lot.
  - (2) All dwelling units shall have a minimum area of 500 s.f.
- (e) Medical Office. See “Medical Office” in Section 500 Performance Standards for size limitations.
- (f) Research Laboratory. This use in the Farm District must conduct investigative research that is primarily related to the items defined in the definition of, “Agriculture.” Refer to Section 300 Definitions.
- (g) ~~Contractor Services, Landscaping, Service Business, Landscaping~~. This use is shall be an accessory use to a Retail Sales, Nursery use under the following conditions:

- (1) The ~~Contractor Services, Landscaping and Contractor Storage Yard Service Business, Landscaping~~ uses shall not exceed fifty (50) percent of the gross area (both interior and exterior areas) occupied by the principle Retail Sales, Nursery use.
- (h) Buffer Requirements for Specific Non-residential Uses. The following uses shall provide a buffer strip, as defined, from all abutting properties that are solely occupied by a residential dwelling(s):
  - (1) Boarding Home for Sheltered Care
  - (2) Medical Office
  - (3) Nursing Home
  - (4) Retail Sales, Convenience
  - (5) Retail Sales, Nursery
  - (5) Service Business, Landscaping

## E. Commercial District I (C1)

### 1. Intent

To provide general retail sales, services and business space within the Town of Windham in locations capable of conveniently servicing community-wide and/or regional trade areas, with safe, well-regulated automobile access and pedestrian access where appropriate.

### 2. Permitted Uses

The following uses, as they are defined in Section 300, shall be permitted in the Commercial District I as a matter of right. Refer to Section 500, Performance Standards or Subsection 6. District Standards for additional use information:

- Agriculture
- Assisted Living Facility
- Adult Business Establishment
- Automobile Gas Station
- Automobile Repair Services
- Bank
- Building, Accessory
- Business and Professional Office
- Child Care, Facility
- Child Care, Family Home
- Club
- ~~Construction Services~~
- Contractor Services
- Contractor Services, Landscaping
- Contractor Storage Yard
- Construction Services, Heavy
- Convention Center
- Distribution Center
- Drive-through Facility
- Dwelling, Two-Family
- Dwelling, Multifamily
- Dwelling, Mixed Use
- Fitness Center
- Forestry
- Funeral Home
- Home Occupation 1
- Home Occupation 2
- Hospital
- Hotel
- Housing for Older Persons
- Industry, Light
- Industry, Heavy
- Medical Marijuana Dispensary
- Medical Office
- Mineral Extraction
- Motel
- Nursing Home
- Place of Worship
- Public Building
- Public Utility Facility
- Recreation Facility, Outdoor
- Recreation Facility, Indoor
- Research Laboratory
- Restaurant
- Retail Sales
- Retail Sales, Automobile Sales
- Retail Sales, Convenience
- Retail Sales, Minimart
- Retail Sales, Nursery
- Retail Sales, Outdoor
- Sawmill, Temporary
- Service Business, Commercial
- Service Business, Landscaping
- Service Business, Personal
- Small Engine Repair
- Theater
- Use, Accessory
- Warehousing, Private

## G. Commercial District III (C3)

### 1. Intent

The intent of the Commercial District III is to provide areas for a mixture of light, low-traffic generating commercial uses and single-family housing.

### 2. Permitted Uses

The following uses, as they are defined in Section 300, shall be permitted in the Commercial District III as a matter of right. Refer to Section 500, Performance Standards or Subsection 6. District Standards for additional use information:

- Agriculture
- Adult Business Establishment
- Building, Accessory
- Business and Professional Office
- Child Care, Facility
- Child Care, Family Home
- Contractor Services
- Contractor Services, Landscaping
- Contractor Storage Yard
- Dwelling, Single-Family
- Dwelling, Two-Family
- Dwelling, Multifamily
- Dwelling, Mixed Use
- Forestry
- Home Occupation 1
- Home Occupation 2
- Medical Office
- Place of Worship
- Public Building
- Recreation Facility, Indoor
- Retail Sales
- Retail Sales, Convenience
- Retail Sales, Nursery
- Retail Sales, Outdoor
- ~~Service Business, Landscaping~~
- Service Business, Personal
- Theater
- Use, Accessory
- Warehousing, Private
- Warehousing, Public
- Wireless Telecommunications Tower and Facility

### 3. Conditional Uses

The following uses, as defined in Section 300, shall be allowed as a Conditional Use in accordance with Section 516. Refer to Section 500, Performance Standards or Subsection 6. District Standards for additional use information:

- Assisted Living Facility
- Automobile Repair Services
- Bed and Breakfast Inn
- Campground, Commercial
- Campground, Personal
- Club
- Hotel
- Industry, Light
- Motel
- Nursing Home
- Public Utility Facility
- Restaurant

## **I. Enterprise Development District (ED)**

### **1. Intent**

The intent of this district is to provide a unique area within the Town of Windham to allow manufacturing, processing, treatment, warehousing, storage, research and distribution with safe, well regulated vehicle access located off a major street which can conform to the performance standards set forth in this section and in all other applicable ordinances of the Town of Windham.

### **2. Permitted Uses**

The following uses, as they are defined in Section 300, shall be permitted in the Enterprise Development District as a matter of right. Refer to Section 500, Performance Standards or Subsection 6. District Standards for additional use information:

- Auction House
- Automobile Auction Facility
- Automobile Repair Services
- Building, Accessory
- Business and Professional Office
- ~~Construction Services~~
- Contractor Services
- Contractor Storage Yard
- Construction Services, Heavy
- Convention Center
- Distribution Facility
- Forestry
- Hotel
- Industry, Heavy
- Industry, Light
- Mineral Extraction
- Motel
- Public Utility Facility
- Retail Sales, Accessory
- Small Engine Repair
- Use, Accessory
- Warehousing, Private
- Warehousing, Public
- Wireless Telecommunications Tower and Facility

### **3. Conditional Uses**

The following uses, as defined in Section 300, shall be allowed as a Conditional Use in accordance with Section 516. Refer to Section 500, Performance Standards or Subsection 6. District Standards for additional use information:

- Automobile Storage Lot
- Shipping Container

### **4. Prohibited Uses**

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

## **J. Village Commercial District (VC)**

### **1. Intent**

The intent of the Village Commercial District is to serve as a primarily residential area with a mix of stores, services and commercial enterprises. Growth, at a village scale, is to be well planned in this area of town served by public water and sewer.

### **2. Permitted Uses**

- Agriculture
- Artist Studio
- Assisted Living Facility
- Bank
- Bed & Breakfast Inn
- Boarding Home for Sheltered Care
- Building, Accessory
- Business & Professional Office
- Child Care Facility
- Child Care, Family Home
- ~~Construction Services~~
- Contractor Services
- Contractor Storage Yard
- Construction Services, Heavy
- Convention Center
- Dwelling, Mixed Use
- Dwelling, Single-Family Detached
- Dwelling, Two-Family
- Dwelling, Multifamily
- Fitness Center
- Funeral Home
- Home Occupation 1
- Home Occupation 2
- Hotel
- Housing for Older Persons
- Industry, Light
- Medical Office
- Nursing Home
- Park, Public
- Place of Worship
- Public Building
- Public Utility Facility
- Recreation Facility, Indoor
- Recreation Facility, Outdoor
- Research Laboratory
- Restaurant
- Retail Sales
- Retail Sales, Convenience
- Retail Sales, Nursery
- Senior Citizen Housing
- Service Business, Commercial
- Service Business, Personal
- Theater
- Use, Accessory
- Wireless Telecommunications Facility

### **3. Conditional Uses**




































- Auto Repair Services
- Drive-through Facility
- Small Engine Repair

### **4. Prohibited Uses**

1. The applicant shall be responsible for all third party inspections,
2. An escrow account for the provision of third party inspections shall be established prior to the issuance of a building permit, or installation of the proposed use.
  - (a) All unexpended funds from the escrow account shall be returned to the applicant.

### 517 Contractor Services.

A. Type of Contractor Vehicles. Contractor Services uses are limited to single unit, dual axle vehicles only. These vehicles types are classified by the Federal Highway Administration as Class 1-5 vehicles. See table below.

<b>Class 1</b> Motorcycles		<b>Class 7</b> Four or more axle, single unit	
<b>Class 2</b> Passenger cars	   		 
<b>Class 3</b> Four tire, single unit	  	<b>Class 8</b> Four or less axle, single trailer	 
<b>Class 4</b> Buses	  	<b>Class 9</b> 5-Axle tractor semitrailer	 
<b>Class 5</b> Two axle, six tire, single unit	  	<b>Class 10</b> Six or more axle, single trailer	 
<b>Class 6</b> Three axle, single unit	  	<b>Class 11</b> Five or less axle, multi trailer	 
		<b>Class 12</b> Six axle, multi-trailer	 
		<b>Class 13</b> Seven or more axle, multi-trailer	    

Federal Highway Administration Vehicle Classification Table





































B. Storage of Materials. Machinery, trailers, equipment and materials must be stored indoors (see 5XX. Contractor Storage Yard for standards related to outdoor storage).

C. Lighting. Lighting may be used which serves security, safety and operational needs.

- a. All lighting shall be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings.
- b. All lighting shall be designed and directed to minimize light levels at the property line.
- c. The Code Enforcement Officer may require a lighting plan or lighting details when areas to be illuminated are near property lines. Such information may become a condition on a building permit or certificate of occupancy.

## **518 Contractor Services, Landscaping.**

A. Type of Contractor Vehicles. Contractor Services uses are limited to single unit, dual axle vehicles only. These vehicles types are classified by the Federal Highway Administration as Class 1-5 vehicles. See table below.

<b>Class 1</b> Motorcycles		<b>Class 7</b> Four or more axle, single unit	
<b>Class 2</b> Passenger cars		<b>Class 8</b> Four or less axle, single trailer	
			
			
			
<b>Class 3</b> Four tire, single unit		<b>Class 9</b> 5-Axle tractor semitrailer	
			
			
<b>Class 4</b> Buses		<b>Class 10</b> Six or more axle, single trailer	
			
		<b>Class 11</b> Five or less axle, multi-trailer	
<b>Class 5</b> Two axle, six tire, single unit		<b>Class 12</b> Six axle, multi-trailer	
			
		<b>Class 13</b> Seven or more axle, multi-trailer	
<b>Class 6</b> Three axle, single unit			
			
			
			

Federal Highway Administration Vehicle Classification Table

B. Storage of Materials. Machinery, trailers, equipment and materials must be stored indoors (see 519. Contractor Storage Yard for standards related to outdoor storage).

C. Lighting. Lighting may be used which serves security, safety and operational needs.



































- a. All lighting shall be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings.
- b. All lighting shall be designed and directed to minimize light levels at the property line.
- c. The Code Enforcement Officer may require a lighting plan or lighting details when areas to be illuminated are near property lines. Such information may become a condition on a building permit or certificate of occupancy.

**519 Contractor Storage Yard**

- A. Visual Screening. All stockpiled materials, including sand, gravel, crushed rock, topsoil, mulch and other similar materials, as well as outdoor storage areas for equipment and Heavy Construction Service vehicles must be screened from abutting properties and public rights-of-way with 6-foot opaque fencing or screened with well-maintained evergreen vegetation a minimum of 6-feet high at the time of planting.
- a. Fencing or landscaping requirements may be reduced by the review authority where the Contractor Storage Yard is adequately screened through existing vegetated areas, the position of buildings on-site, or by using a site's topography to minimize view of the Contractor Storage Yard from abutting properties and public rights-of-way.
- B. Solid Waste and Recycling. All dumpsters or similar large collection receptacles for waste materials and recyclables must be located on level compacted gravel or pavement. These receptacles shall be screened from view with opaque fencing or landscaping.
- C. Lighting. Lighting may be used which serves security, safety and operational needs.
- d. All lighting shall be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings.

**520 Construction Services, Heavy**

- A. Type of Vehicles. Heavy Construction Services uses may include multi-axle vehicles, such as three and four axle dump trucks, cement mixers, multi-unit vehicles and other heavy vehicles. These vehicles types are classified by the Federal Highway Administration as Class 6-13 vehicles. See table below.

<b>Class 1</b> Motorcycles		<b>Class 7</b> Four or more axle, single unit	
<b>Class 2</b> Passenger cars		<b>Class 8</b> Four or less axle, single trailer	
			
			
			
<b>Class 3</b> Four tire, single unit		<b>Class 9</b> 5-Axle tractor semitrailer	
			
			
<b>Class 4</b> Buses		<b>Class 10</b> Six or more axle, single trailer	
			
		<b>Class 11</b> Five or less axle, multi trailer	
<b>Class 5</b> Two axle, six tire, single unit		<b>Class 12</b> Six axle, multi-trailer	
			
		<b>Class 13</b> Seven or more axle, multi-trailer	
<b>Class 6</b> Three axle, single unit			
			
			

Federal Highway Administration Vehicle Classification Table

B. Storage of materials and vehicles. All Heavy Construction Services vehicles, trailers, machinery, equipment and materials must be stored indoors (see 519. Contractor Storage Yard for standards related to outdoor storage).

C. Lighting. Lighting may be used which serves security, safety and operational needs.

- a. All lighting shall be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings.
- b. All lighting shall be designed and directed to minimize light levels at the property line.
- c. The Code Enforcement Officer may require a lighting plan or lighting details when areas to be illuminated are near property lines. Such information may become a condition on a building permit or certificate of occupancy.

### **517521 Controlled Access Street**

- A. For the purposes of this Ordinance, only the following streets shall be classified as controlled access streets: Manchester Drive.
- B. All curb cuts on a controlled access street must be spaced at least three-hundred (300) linear feet from the nearest curb cut on said controlled access street.