

2009

# York Zoning Ordinance: Shoreland Overlay District Map Prepared May 29, 2009 Southern Section

York (Me.). Planning Department

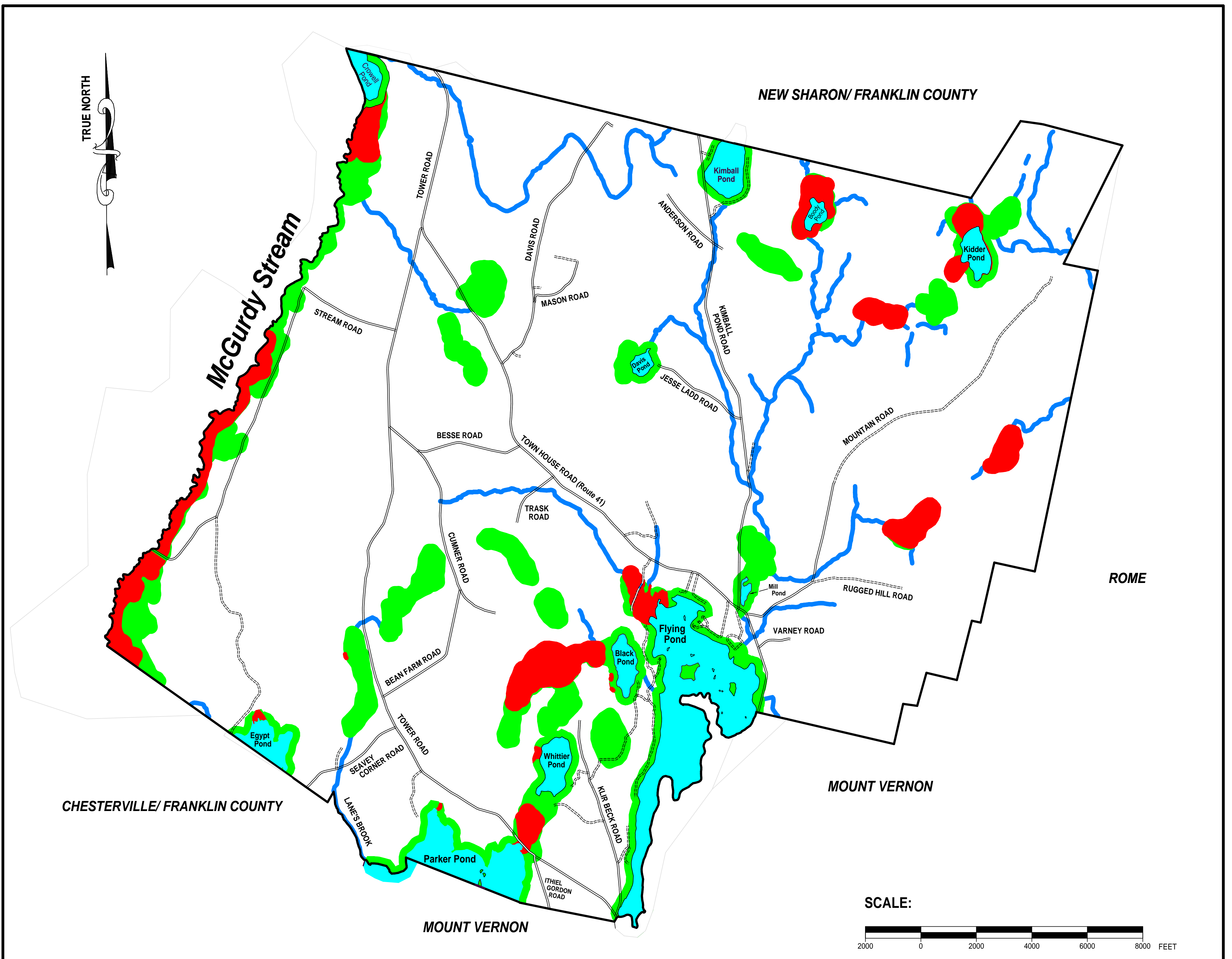
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## SHORELAND ZONING MAP FOR THE TOWN OF VIENNA

Vienna's Shoreland Zoning Ordinance applies to all land areas within 250 feet, horizontal distance, of 1) the normal high-water line of any great pond; 2) the upland edge of a freshwater wetland (as defined by the Ordinance); or 3) McGurdy Stream; and to all land areas within 75 feet, horizontal distance, of the normal high-water line of other streams (as defined by the Ordinance).

The Shoreland Zone is divided into the following districts:



**Limited Residential District:** Areas within 250 feet of the normal high-water line of any great pond, McGurdy Stream, or the upland edge of a freshwater wetland (as defined by the Ordinance), excepting Resource Protection Districts and Stream Protection Districts as indicated hereon.



**Resource Protection District:** The Resource Protection District includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas when they occur within the limits of the shoreland zone, exclusive of the Stream Protection District, except that areas which are currently developed need not be included within the Resource Protection District.

- (1) Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands, and wetlands associated with great ponds and rivers, which are rated "moderate" or "high" value waterfowl and wading bird habitat, including nesting and feeding areas, by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the Department as of December 31, 2008. For the purposes of this paragraph "wetlands associated with great ponds and rivers" shall mean areas characterized by non-forested wetland vegetation and hydric soils that are contiguous with a great pond or river, and have a surface elevation at or below the water level of the great pond or river during the period of normal high water. "Wetlands associated with great ponds or rivers" are considered to be part of that great pond or river.
- (2) Floodplains along rivers and floodplains along artificially formed great ponds along rivers, defined by the 100 year floodplain as designated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or the flood of record, or in the absence of these, by soil types identified as recent floodplain soils.
- (3) Areas of two or more contiguous acres with sustained slopes of 20% or greater.
- (4) Areas of two (2) or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater wetland as defined, and which are not surficially connected to a water body during the period of normal high water.
- (5) Land areas along rivers subject to severe bank erosion, undercutting, or river bed movement



**Stream Protection District:** The Stream Protection District includes all land areas within seventy-five (75) feet, horizontal distance, of the normal high-water line of a stream (as defined by the Ordinance), exclusive of those areas within two-hundred and fifty (250) feet, horizontal distance, of the normal high-water line of a great pond, or river, or within two hundred and fifty (250) feet, horizontal distance, of the upland edge of a freshwater wetland (as defined by the Ordinance). Where a stream and its associated shoreland area are located within two-hundred and fifty (250) feet, horizontal distance, of the above water bodies or wetlands, that land area shall be regulated under the terms of the shoreland district associated with that water body or wetland.

Resource Protection District data was derived from the following GIS layers, both found online at <http://megis.maine.gov/catalog/>: "wetchar" (National Wetland Inventory polygons) dated Dec 31, 2004; and "iwwh" (Inland Waterfowl / Wading Bird Habitat), dated Dec 31, 2008. Data was edited to exclude developed areas as defined in the Shoreland Zoning Ordinance.

ADOPTED: June 24, 2009

ADOPTED: \_\_\_\_\_

Town Clerk