

# Subdivision Ordinance for the Town of Starks

---

Adopted March 8, 2019  
DRAFT  
To be amended March 2026

ENACTED: \_\_\_\_\_  
Date

EFFECTIVE: \_\_\_\_\_  
Date

CERTIFIED BY: \_\_\_\_\_  
Name

\_\_\_\_\_  
Title

**Note: The following amendments will bring Starks' Subdivision Ordinance into compliance with State of Maine Subdivision Law.**

Text with ~~strike through (red)~~ is to be eliminated.

The text underlined (blue) is new text to be added with the amendment.

## Table of Contents

<del>7.21 Multifamily Developments</del>	<del>29</del>
--	---------------

### 3.2 Definition of Terms

In this Ordinance the following terms shall have the following meanings:

**Complete Substantial Construction** means the completion of a portion of the improvements which represents no less than 30% 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~~ If the applicant proposes to construct ~~the residential~~ buildings within the subdivision, the cost of building construction shall be included in the total costs of proposed improvements.

~~**Multifamily Development** means a subdivision that contains 3 or more dwelling units on land in common ownership, such as apartment buildings, condominiums or mobile home parks.~~

**Subdivision** means the term shall be defined as in 30-A, M.R.S. § 4401, sub-§4, as amended, with the modifications as described in Section 1.2 Applicability of this Ordinance.

**Subdivision, Major** means any subdivision containing more than 4 lots or dwelling units, or any subdivision containing a proposed road.

**Subdivision, Minor** means any subdivision containing 4 lots ~~or dwelling units~~ or fewer, and in which no road is proposed to be constructed.

### ~~7.21 Multifamily Developments~~

~~7.21.1 Criterion: All multifamily developments shall comply with the applicable provisions of the Site Plan Review Ordinance for the Town of Starks.~~

~~7.21.2 Standards: All multifamily developments shall comply with the following subsections of the Site Plan Review Ordinance for the Town of Starks: Section 7.8 Storage of Materials, Section 7.10 Traffic Access, Internal Traffic Circulation and Parking, Section 7.12 Nuisances and Aesthetics, Section 7.13 Signs, Section 7.14 Landscaping, Section 7.15 Recreation Areas, and Section 7.19 Multifamily Developments.~~

- 11.7 No lot or residential unit in a subdivision may be sold, leased, or otherwise conveyed before the road upon which the lot fronts is completed in accordance with final plan approval and this Ordinance, up to and including the entire frontage of the lot. No lot or unit in a multifamily development shall be occupied before the road upon which the lot or unit is accessed is completed in accordance with final plan approval and this Ordinance.

## **7.4 Traffic Conditions**

### **7.4.2 Standards:**

B. Access and circulation shall also conform to the following:

1. Entrance/ Driveway Permits Required

- a. State Permit. If the proposed subdivision requires driveways or road entrances onto a state or state aid highway, the applicant shall provide documentation indicating that the driveways or entrances conform to Maine Department of Transportation (MDOT) Chapter 299, Highway Driveway and Entrance Rules as amended.
- b. Local Permits. The applicant must provide documentation that the proposed subdivision meets the requirements of the Road and Utility Structures Ordinance for the Town of Starks, and the Building Ordinance for the Town of Starks.