



Date April 15, 2026

To: Residents of Naples
Cc: Michelle Thibodeau, Town Clerk
Re: Land Use Warrant Articles for March 23, 2026 meeting.
From: Kathy Tombarelli, Municipal Planner

Please see the below warrant articles for the May 19, 2026 Secret Ballot vote. Question 1 asks if the citizens will adopt the 2026 Comprehensive Plan; both the Select Board and the Planning Board unanimously recommend approval. The Comprehensive Plan Committee worked over sixteen months with input from community members, non-profits organizations, and business owners on the updated plan.

The proposed ordinance amendments, Questions 2 through 11, are revisions to the following existing ordinances: Naples Land Use Ordinance, Mooring and Waterfront Management Ordinance, and Food Sovereignty Ordinance. Many of these ordinance revisions are intended to clarify existing ordinances or to provide more flexibility.

Question 1: To see if the Town will vote to adopt the 2026 Naples Comprehensive Plan, which updates and replaces the Comprehensive Plan previously adopted in 2006, to serve as the blueprint for future land use, housing, transportation, and economic development in accordance with Maine's Growth Management Act. (Copies of the full text of the proposed amendments are available from the Town Clerk)

- *Select Board Recommends Approval (5-0)*
- *Planning Board Recommends Approval (4-0)*

Question 2: To see if the Town will vote to amend the Naples Mooring and Waterfront Management Ordinance, specifically by adding new definitions to Section 5 and a new Section 11, Activities in Areas with Known Invasive Plants. To reduce the fragmentation and dispersal of invasives, the proposed new language prohibits locating water-skiing slalom courses in or within 200 feet of known infestation areas, adds related standards, and adds inspection and permit requirements.

Question 3: To see if the Town will vote to amend the Naples Land Use Ordinance, specifically by adding Mixed Use to Section 504.3.b list of permitted uses in the Commercial Zone allowing both residential and commercial uses otherwise allowed in zoning district to be co-located on the same lot.

Question 4: To see if the Town will vote to amend the Naples Land Use Ordinance Section 507.1, specifically to comply with state statute by allowing Accessory Dwelling Units in the Shoreland Zone and by adding a new local standard requiring a single-family residence in the Shoreland Zone to have twice the minimum lot area to establish an Accessory Dwelling Unit.



Question 5: To see if the Town will vote to amend the Naples Land Use Ordinance, specifically Section 614, by striking and replacing the word marijuana with the word cannabis wherever it appears to align with Maine state cannabis statute, and adding new language to clarify the existing allowed and prohibited cannabis uses in Naples. No changes to the current allowed or prohibited uses are proposed.

Question 6: To see if the Town will vote to amend the Naples Land Use Ordinance, specifically Section 400 Definitions, by adding a new definition for Battery Energy Storage System (BESS) Facility and prohibiting BESS facilities in all zoning districts.

Question 7: To see if the Town will vote to amend the Naples Land Use Ordinance, specifically in Subdivision sections 1007 and 1008, by adding new phosphorous treatment standards and permitting a fee in lieu of full phosphorous treatment for projects treating greater than 60% but less than 100% of the phosphorous load. Fees collected will be directed to a non-lapsing fund dedicated to phosphorus mitigation within the same watershed.

Question 8: To see if the Town will vote to amend the Naples Land Use Ordinance, specifically Section 700 Signs by adding a new Table 1.1, Types of Signs Permitted by District and a new Section 712 Residential and Rural District Sign Standards. No changes are proposed to current types of signs allowed or sign standards in the Commercial or Village districts.

Question 9: To see if the Town will vote to amend the Naples Land Use Ordinance, specifically Section 400 Definitions, by adding a new definition for Farmstands and adding Farmstands as an allowed use in both 504.1 Rural and 504.2 Critical Rural zoning districts.

Question 10: To see if the Town will vote to amend the Naples Food Sovereignty Ordinance, specifically Sections 3 and 4 by amending the definition of Food or Food Products, adding fruit, eggs, grain or grain products, herbs, seasonings or spices, honey, nuts, and maple products or condiments to the list of food and food products, and clarifying that prepared foods items are not included as exempt from regulation.

Question 11: To see if the Town will vote to amend the Naples Land Use Ordinance, specifically Section 107.1, to allow Ordinance Amendments by majority vote at any Town Meeting or referendum and clarifying that amendments to the Official Town of Naples Zoning Map can only be made by a majority vote at the Annual Town Meeting.



Supporting Documentation

Question 1: New 2026 Comprehensive Plan

https://www.townofnaples.org/vertical/sites/%7B16A86E29-4A60-4E08-9440-A862262DC56%7D/uploads/Naples_Comprehensive_Plan_March5_2026_FINAL.pdf

Question 2: Amend Naples Mooring and Waterfront Management Ordinance:

Section 5 New Definitions

Water Ski Slalom Course: *A series of slalom course buoys, flags, or markers set in a zigzag pattern or jumps, or ramps, that a skier navigates while being towed behind a boat.*

Slalom Course Marker Buoys: *Typically, spherical red skier entrance, turn, and exit gate buoys and spherical yellow boat guide buoys used to mark the course for the skier and the boat operator.*

New Section 11: Activities in Areas with Known Invasive Plants

1. Water Ski Slalom Course
 - a. All courses shall not be located in areas where there are known invasive plants or within two hundred (200) feet of invasive plants.
 - b. No part of a water ski slalom course shall be within the Water Safety Zone (within 200 feet of any shoreline) unless authorized to do so by the Maine Dept. of Inland Fisheries and Wildlife.
 - c. All courses must be located in a minimum water depth of 15 feet to reduce sediment resuspension.
 - d. All recreational and commercial courses must be inspected and permitted annually by the Naples Harbor Master.
 - e. New commercial courses are required to obtain a Shoreland Zoning Permit from the Planning Board and a Business Permit from the Naples Select Board.

Current Section 11 Enforcement: Renumber to Section 12

Question 3: Amend Section 504 Zoning Districts in Naples Land Use Ordinance:

1. Add **Mixed Use** to list of allowed uses in the Commercial Zone

503.3.b Commercial Zone, Permitted Uses

- **Mixed Use** (residential and non-residential uses are permitted on the same lot in the Commercial District. This includes only those uses otherwise allowed in the district)

Question 4: Amend Section 507.1 Accessory Dwelling Units in Naples Land Use Ordinance:



507.1: Within the Shoreland Zone: Accessory Dwelling Units are ~~prohibited~~ allowed in the Shoreland Zone Zoning districts. For any lot located fully or partially in a Shoreland Zoning district, Accessory Dwelling Units must independently comply with all Shoreland Zoning requirements. For a single-family residence to establish an ADU, the lot must have twice the minimum lot area.

Question 5: Amend Section 614 Medical Marijuana Ordinance in Naples Land Use Ordinance:

Change all references from Marijuana to **Cannabis** throughout Naples Land Use Ordinance to match State language. There are 29 instances of the word Marijuana in the Land Use Ordinance: Found in Section 400 Definitions, Section 500 Zoning Districts, and Section 614 Medical Marijuana Registered Caregiver.

Add New **614.4: Adult Use (recreational) Retail Stores and Caregiver (medical) Retail Stores, Testing Facilities, and Manufacturing Facilities are prohibited in all Zoning Districts.**

Question 6: Add New Definition to Section 400 for Battery Energy Storage System (BESS) Facility - Naples Land Use Ordinance:

Section 400 New Definition:

Battery Energy Storage System (BESS) Facility: *A building or site that uses a chemical process for absorbing energy and storing it for a period of time for use at a later time, including but not limited to lithium-ion batteries. Bess facilities are prohibited in all Zoning Districts.*

Question 7: Add new phosphorous treatment language to Section 1000 Subdivision in Naples Land Use Ordinance:

Section 1007.15 General Requirements

All new applicants are expected to achieve the phosphorus treatment standards outlined in Section 1008(12). Applicants that achieve greater than 60% but less than 100% of phosphorus treatment on site may be permitted to pay a fee in lieu of full phosphorus treatment. Applicants must demonstrate that the compensation fee is adequate to offset their noncompliance. The Board, in its discretion, may decline to allow for a requested fee in lieu based on, among other things, watershed and lake sensitivity, and limited opportunities to implement town-led projects in public areas. Any fee in lieu of full compliance shall be determined in accordance with the Maine Department of Environmental Protection's fee rate structure, as may be amended by the MDEP from time to time. Fees collected are to be directed to a non-lapsing fund dedicated to phosphorous mitigation projects located within the same watershed as the applicant property.

The Board may require the use of vegetative buffers, limits on clearing, and minimizing street lengths where necessary to reduce phosphorus loading and shall encourage the use of other nonstructural measures prior to allowing the use of high-maintenance structural measures such as infiltration systems and wet ponds.



Section 1008.12 Design Standards

All new subdivisions subject to Planning Board review shall adhere to all phosphorus budget, treatment standards, and the best management practice standards as outlined in Volume II of the Maine Department of Environmental Protection's Maine Stormwater Management Manual (Mar. 2016), as amended from time to time. The Board may further require the use of vegetative buffers, limits on clearing, and minimizing street lengths where necessary to reduce phosphorus loading and shall encourage the use of other nonstructural measures prior to allowing the use of high-maintenance structural

Question 8: Add new Table 1.1 to Section 700 Signs and new Section 712 Standards for Residential and Rural Zones in Naples Land Use Ordinance:

New Table 1.1: Sign Type permitted by District

This table defines the allowable sign types and sizes by District. 'P' designates a permitted sign within a specific district. 'N' designates signs that are not permitted.

Sign Type	Residential ***	Commercial**	Village*	Rural***
Abandoned	N	N	N	N
A-Frame	P	P	P	P
Animated	N	N	N	N
Awning	N	P	P	N
Balloon signs	N	N	N	N
Banners	N	P	P	N
Beacon lighting	N	N	N	N
Changeable Copy	N	N	N	N
Directional or Traffic safety	P	P	P	P
Drive-through Menu	N	P	N	N
Electronic Message	N	P	N	N
Event	P	P	P	P
Flashing	N	N	N	N
For Sale/Rent/Lease	P	P	P	P



Naples MAINE

Heart of The Lakes Region

Free Standing	P	P	P	P
Home Occupation, Major	P	P	P	P
Home Occupation, Minor	P	P	P	P
Externally Illuminated	P	P	P	P
Internally Illuminated	N	P	N	N
Landmark	P	P	P	P
Off-Premises (aka Billboards)	N	N	N	N
Painted, Wall	P	P	P	P
Painted, Sidewalk/Stairs	N	N	N	N
Political	P	P	P	P
Posting	P	P	P	P
Preexisting Nonconforming	P	P	P	P
Preexisting Nonconforming Temporary	N	N	N	N
Projecting	P	P	P	P
Public Safety	P	P	P	P
Roof	N	N	N	N
Sandwich Board	P	P	P	P
Temporary	P	P	P	P
Vehicle (aka mobile billboards)	N	N	N	N
Wall	P	P	P	P
Window	P	P	P	P

- * See Section 710 for Village District Sign Standards
- ** See Section 711 for Commercial & Light Industrial Sign Standards
- *** See Section 712 Residential and Rural District Sign Standards



712 Residential and Rural District Sign Standards

Objective: In keeping with the goals of the Sign Ordinance and to preserve Naples Character, freestanding sign structures should employ materials and finishes with natural color schemes, styles, and materials (timber, stone, etc.) that invoke a "Maine" look. To complement sign installations, traditional, native/non-invasive landscaping is recommended to accompany the installation and enhance the rural environment where the sign is located.

1. Freestanding Signs within a Residential or Rural Zoning District. The following standards shall apply to any freestanding sign located within a Residential or Rural Zoning District.
 - a. No more than one freestanding sign, not to exceed 24 square feet in size, shall be allowed on any parcel.
 - b. The structural supporting elements for a freestanding sign shall not exceed 8 feet in width or 10 feet in height.
 - c. No banners or flags related to the commercial enterprise are permitted on the parcel other than one "open flag" which may be displayed during business hours.
 - d. One Sandwich board or one A-frame sign is allowed during business hours if there are no freestanding signs.
 - e. No sign shall be internally illuminated; this includes "open signs" or any other neon sign; externally lit signs shall employ warm white lighting.
 - f. The physical address of the property where a freestanding sign is displayed must be an integral part of the freestanding sign and may not exceed two square feet in size. The physical address element of the sign shall not be counted in determining the maximum size of the sign.
 - g. Changeable copy signs and electronic message signs are prohibited.

2. Wall, projecting, and Awning Signs within a Residential or Rural Zoning District: The following standards shall apply to any wall or awning sign located within a Residential or Rural Zoning District:
 - a. No more than one wall or projecting sign, not to exceed 24 square feet in size, shall be allowed on any parcel. No wall sign shall extend above the eaves of a building. All wall signs must be firmly attached to the building.
 - b. Awning signs shall contain lettering no larger than 6 inches in height and shall only contain name and address of the business.

3. Home Occupation Signs within a Residential or Rural Zoning District: The following standards shall apply to Home Occupation Signs located in a Residential or Rural Zone (Section 607):
 - a. Not more than one sign will be permitted and must not be more than three square feet. Any signage must meet the standards in Section 700.



Question 9: Add new definition to Section 400 and new allowed use in Section 504 in Naples Land Use Ordinance

Section 400: New Definition for Farmstand

A roadside stand not exceeding 200 square feet in floor area selling only farm, garden, greenhouse, or nursery products, cut Christmas trees, garlands, wreaths and wreath material. Farmstands and the associated parking area cannot be located in the right-of-way. A Farmstand cannot sell alcohol or cannabis in any form for medical or recreational use.

Add **Farmstand** to the list of allowed Uses in Rural 504.1, Critical Rural 504.2 Zoning Districts.

Question 10: Amend Section 3 & 4 of Naples Food Sovereignty Ordinance

Section 3 Food or Food Products Definition: Food or food products means food or food products *intended that are grown, produced, or processed* for human consumption, including, but not limited to, *vegetables, fruit, eggs, grain or grain products, herbs, seasonings or spices*, milk or milk products, meat or meat products, poultry or poultry products, fish or fish products, seafood or seafood products, cider or juice, acidified foods, or canned fruits or vegetables, *honey, nuts, maple products or condiments*.

Section 4 Local Control of Direct Producer-to-Consumer Transactions: Notwithstanding any other provision of the Ordinances of the Town of Naples to the contrary, producers, growers, and processors of food or food products in the Town are exempt from licensure and inspection with respect to their direct producer-to-consumer transactions conducted exclusively at the site of production. *This exemption does not include prepared foods.*

Question 11: Amend Section 107 (Amendments to Land Use) of Naples Land Use Ordinance

Section 107.1: This Ordinance ~~and the official Zoning Map~~ may only be amended by a majority vote at a Town Meeting *or by referendum. The Official Zoning Map may only be amended by a majority vote at the annual Town Meeting.*

Respectfully submitted,

Kathy L. Tombarelli

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Municipal Planner