

Proposed Formula Business Amendments

July 21, 2020

The Damariscotta Land Use Ordinance is hereby amended as follows:

Add the following definition to §101.4

Formula business means a type of retail sales establishment (i.e. chain store, outlet store), restaurant, tavern, bar, or take-out food establishment, which along with 20 or more other establishments maintains two or more of the following features:

- (1) Standardized menu or standardized array of merchandise with 50% or more of in-stock merchandise from a single distributor bearing uniform markings.
- (2) Trademark or service mark, defined as a word, phrase, symbol or design, or a combination of words, phrases, symbols or designs that identifies and distinguishes the source of the goods from one party from those of others, on products or as part of store design.
- (3) Standardized interior décor including but not limited to style of furniture, wall-coverings or permanent fixtures.
- (4) Standardized color scheme used throughout the interior or exterior of the establishment.
- (5) Standardized uniform including but not limited to aprons, pants, shirts, smocks or dresses, hat, and pins (other than name tags).

Amend §101.4.D.1, Schedule of Uses, by adding “formula businesses” as follows:

Commercial-Service	GR	C1	C2	R	WC	M
Formula businesses			C ³			

Purpose of the amendments. The purpose and intent of these amendments to the Damariscotta Land Use Ordinance is to address the adverse impact of nationwide, standardized businesses on Damariscotta’s historic downtown area. The proliferation of formula businesses will have a negative impact on the community’s economy, historical relevance, and unique character. These uses are therefore prohibited in the Commercial 1 District in order to maintain a unique retail and dining experience. Formula businesses frustrate this goal by detracting from the overall historic downtown experience and threatening its tourist economy.