



**City of Biddeford
Sustainability Commission**

January 5, 2026 at 5:30 PM
City Hall Second Floor Conference Room & Zoom

[Join Zoom Meeting Online](#)

Or call in by phone: +1 312 626 6799

Meeting ID: 982 5372 7705

Passcode: 925984

1. Declaration of Quorum/Voting Members
2. Approval of Meeting Minutes
 - 2.a Approval of Meeting Minutes from December 1, 2025
3. New Business
 - 3.a Election of Committee Officers—Vice Chair & Secretary
4. Updates
 - 4.a Adopt a Park-Problems, Issues?
 - 4.b Planning Board-EV Ordinance-December 17, 2025-Update
5. Old Business
 - 5.a Landscape Ordinance Final Review & Approval
6. Work Plan
 - 6.a Work Plan 2026

December 1, 2025 – Sustainability Commission

Attendance: Jeff, Joie, Bev, Brad, Will, Max, and Brad Favreau

Guests: Kathy, Ken, and Kim Matthews

1. Approve both minutes: Jeff motions, Bev seconds, all approve
2. 315 Main St Park was discussed.
 - a. Brad Favreau passed around a schedule for commissioners to volunteer to work on the park, doing some or all of the tasks listed on this template, over the winter months.
 - b. Possibility to rename the park but not discussed.
 - c. “Welcome to downtown “sign is down in our park and is supposed to be re-posted by the City.
1. Motion by Bev: “Cancel December 15 meeting, meet January 5 and 26 for the next meetings”
 - a. Second by Max,
 - b. Unanimous approval
1. Discussion of planning board workshop Wednesday night about the EV Ordinance. Commissioners are invited to attend this workshop to support the ordinance being discussed.
2. Coastal discussion – how do we move forward from here? This was a lively discussion with no consensus. Kim Matthews of the Biddeford Coastal Preservation Coalition was vocal and encouraged the SC to make a coastal beach erosion plan this winter that guesstimates the cost of the City to make a formal beach management plan. York County’s SMPDC does not know when/if their county-wide plan will be awarded/denied. The SC will continue this discussion in December via emails.
3. Landscape ordinance discussion – The SC reviewed recent changes to its Landscaping Ordinance. Brad will update the ordinance for final approval at our next meeting.
4. Joie motions to adjourn, Bev seconds, all approve – adjourn at 6:55.

Article VI Performance Standards

Section 12.1 Landscape Standards

A. Purpose

The purpose of this ordinance is to provide minimum requirements for landscaping of proposed development to maintain a base standard of quality of life and general appearance for private and public properties in the City.

It is the intent of this ordinance to encourage the use of landscaped areas to promote Low Impact Development (LID), stormwater management systems, and to reduce the amount of impervious surface heat islands in urban areas, which are recommended strategies in the Biddeford Climate Action Plan.

B. Applicability

All new development and re-development approved after the effective date of this Ordinance shall comply with these requirements. This includes, but is not limited to, new landscape, replacement planting, or any other landscaping proposed through the Site Plan Review or Subdivision Review process.

C. Definitions

Balled-and-Burlapped Plants: Balled-and-burlapped (or B&B) trees and shrubs are grown in nursery rows.

Bare-Root Plants: Bare-root plants are grown in the field, then harvested. The soil is washed or shaken from their roots after digging. Nearly all are dormant.

Buffer: A combination of physical space and vertical elements, such as but not limited to plants, berms, fences or walls, the purpose of which is to separate and screen incompatible land uses from each other.

Container Grown Plants: Container-grown refers to a plant that has been grown in a container or one that has been transplanted into a container from the field.

Diameter at Breast Height (DBH): DBH is the diameter of a tree measured 4.5 feet above the ground.

Greenspace: Greenspaces are pervious areas of grass, trees or other vegetation, for recreation or aesthetic purposes.

Groundcover: Low-growing, spreading vegetation.

Impervious surface: The total area of a parcel that consists of buildings and any associated structures as well as roads, driveways, and parking areas, whether paved or unpaved and any additional area that is covered with a low-permeability material such as asphalt, stone or concrete or compacted through design or use to reduce permeability

Invasive Species: an organism not native to the region and one that is likely to cause harm to the environment, infrastructure, or public health. For the purposes of this ordinance, invasive species are those enumerated in the Advisory List of Invasive Plants by the Maine Department of Agriculture, Conservation & Forestry.

Landscape Plan: A component of a development plan which shows the quantity, species, and size of all proposed vegetation.

Landscape Planter strip: A vegetated area (naturally vegetated and/or landscaped) located adjacent and parallel to a road or street and designed to visually and functionally separate the roadway from the abutting property upon which it is located.

Low-Impact Design (LID): A management approach to reduce runoff and pollutants by managing runoff close to its source, using natural systems. LID replicates the natural hydrology of a site.

Native Plants: A native or indigenous plant species is one that occurs in a particular place without the aid of humans. They are well adapted to the climate, light, and soil conditions that characterize their ecosystem. Species native to North America are generally recognized as those occurring on the continent prior to European settlement.

Open space: All dedicated portions of a parcel that has vegetated surfaces or is in an undisturbed natural state, such as a wetland or forested area. Vegetated rooftops or portions of a parking area that are landscaped are considered open space per this definition. Areas designated as outdoor storage are not considered open space.

Outdoor Storage Area: a designated space outside of a building for the storage of commercial inventory including but not limited to equipment, vehicles, construction materials, or packaged goods.

Rain Garden: a depressed area in the landscape, planted with grasses and or flowering perennials, that collects rainwater from a roof, driveway or street and allows it to soak into the ground alleviating storm water runoff.

Screening: A method of significantly reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls, or any appropriate combination thereof. This is accomplished either by a strip of dense existing or planted vegetation at least four feet in height, an opaque wall of at least six feet in height, or a uniformly covered fence at least six feet in height

Street Tree: A tree that grows within a right-of-way or twenty-five feet from the edge of a right-of-way, intended to provide shade for pedestrians and a separation between the property and abutting streets and structures.

D. General Landscaping Requirements

Landscaping shall be designed as an integral part of an overall site or subdivision plan with the purpose of enhancing building design, public views and spaces, while also providing buffering and screening to abutting properties and roads when appropriate.

Native species should be selected for their benefits of conserving water, protecting

soil from erosion, creating habitat and providing food for many different animals including birds, pollinators, and small mammals, thereby generally promoting plant and animal biodiversity. Invasive species are prohibited. Invasive species, as enumerated by the Maine Department of Agriculture, Conservation, and Forestry, shall not be considered in landscape plans and explicitly avoided.

E. Landscaping Plan Required

1. Unless otherwise directed by the Approval Authority (Planning Board, Staff Review Committee, or City Planner) a landscaping plan prepared by a licensed landscape architect is required for the following proposed projects. At the City Planner's discretion, a qualified professional other than a licensed landscape architect may create such plan:
 - a. Projects requiring Site Plan review per Part III, Article XI, Site Plan Review;
 - b. Projects requiring Subdivision review per Part II, Chapter 66, Subdivisions;
 - c. The construction of 20,000 or more square feet of outdoor storage area;
 - d. The expansion of an existing parking lot by greater than 20% of total spaces measured over a five-year period, unless the number of existing spaces is fewer than 10 spaces;
 - e. The expansion of an existing impervious surface area by greater than 20% of the total area, measured over a 5-year period, unless the area of impervious surface is fewer than 4,000 square feet;
 - f. The expansion of an existing outdoor storage area by greater than 20% of the total area, as measured over a five-year period.
2. The required landscape plan may be waived or modified by the Approval Authority (Planning Board, City Planner or Staff Review Committee) under special circumstances:
 - a. The preservation of unique wildlife habitat
 - b. The preservation of mature vegetation or natural areas
 - c. Compliance with easements such as providing public access, conservation, or utility maintenance.
 - d. Redevelopment of existing properties where the requirements in this title are impossible to meet;.
 - e. Insufficient distance between an existing structure and a property line for required landscaping
 - f. Unique sites such as including vegetation that provides food or medicinal properties.

3. At the discretion of the Approval Authority (Planning Board, Staff Review Committee or City Planner), a landscape plan may be waived with the provision by owner or developer of a fee deposited into a city fund dedicated to tree planting, care, and maintenance on city-owned property.

F. Minimum Landscaping Required

1. A minimum percentage of the total land area being developed shall be landscaped in accordance with the following percentages, except where pre-existing impervious surface prevents:

Multifamily dwellings (5 or more units):	15%
Mixed-use buildings, commercial, retail and lodging use:	10%
Office and professional uses:	15%
Institutional and civic uses:	15%
Industrial and manufacturing uses:	10%

The total area of landscaping as defined above will be considered toward open space minimum requirements.

Species planted in accordance with this ordinance should adhere to the preferred planting list maintained by the University of Maine Cooperative Extension.

2. Tree and shrub requirements for multi-family, commercial, institutional and civic uses:
 - a. For every 500 square feet of landscaping required, or portion thereof, at least two (2) large trees and two (2) shrubs are required.
 - b. Four (4) small ornamental trees may be substituted for two (2) required large trees, not to exceed 50% of the required large trees.
3. Tree and shrub requirements for industrial and manufacturing uses:
 - a. For every 1,000 square feet of landscaping required, or portion thereof, at least one (1) large tree and two (2) shrubs are required.
 - b. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.
4. Each development shall provide at least two (2) different species. No more than 50% of all trees, per development, shall be of the same species. This standard applies only to trees being planted to meet requirements, not to existing trees.
5. Ground cover is required. Landscaped area that is not planted with trees and shrubs must be planted in ground cover plants, which may include grasses and lawn areas. Mulch (as a ground cover) must be confined to areas underneath plants and is not a substitute for ground cover plants.

6. The retention of existing and healthy shade trees or plantings, not identified by the State of Maine as an invasive species, shall be permitted to achieve these requirements.
7. Deciduous trees shall be a minimum of one and one-half (1 1/2) inch diameter at the time of planting. Evergreen trees shall be minimum six (6) feet high at planting. Tree spacing shall be as appropriate for the species.
8. Ground covers are low-growing vegetative materials with a mound or spreading manner of growth. Spacing is dependent on the type and size of the plant material and must be adequate to provide total coverage of the landscape area within three (3) years. Ground cover plants, other than grasses, must be at least the four (4) inch pot size at time of planting.
9. Shrubs shall be a minimum of eighteen (18) inches in height, or two (2) gallon container size, at the time of planting.
10. Stormwater treatment areas including retention and detention areas shall not be counted toward the required minimum landscaped area, unless significant landscape elements are incorporated into the design of such areas.
11. If a development proposes stormwater treatment systems within or near landscaped areas, they must show that said treatment system will not pose a risk to the effectiveness of the landscaped area, and vice versa. Low-impact design and vegetated treatment systems are encouraged whenever possible.

G. Buffers and Screening

1. Parking Lot Screening along Public Right-of-Way. Where all or a portion of a surface parking area is located within 30 feet of a public right-of-way, and is not separated from the public right-of-way by a structure, the parking area shall include a buffer area five feet in width (minimum) comprising a continuous line of shrubs that achieves 80% opaque screening 30-48" in height during summer months.
2. Buffer Standards.
 - a. General. Where required, buffer areas shall comprise existing trees and vegetation, new landscaping or a combination thereof to create a dense, mixed buffer incorporating both understory and tree canopy layers. Such screening should also effectively provide screening when viewed from upper floors of surrounding properties, where applicable.
 - b. Vegetative buffers. New shrubs shall be spaced six (6) to eight (8) feet apart. Buffers between contrasting land uses may incorporate earthen berms not exceeding 4:1 slope, opaque fencing of high architectural quality, masonry wall or a combination thereof, in addition to landscape plantings. Where fencing or masonry wall is proposed as part of a buffer, less landscaping density is acceptable; however, buffers shall still include trees, shrubs and other vegetation.

Category	Industrial and Manufacturing Uses	Office and Professional Uses	Mixed-Use Buildings, Commercial Retail, and Lodging Use	Institutional and Civic Uses Low Cover	Multi-family Dwellings (5 units or more) Open Area
Buffer Depth or Width	15 feet wide along frontage of public and/or private rights-of way. 15 feet wide along property lines abutting residential uses, 10 feet wide along property lines abutting non industrial or manufacturing uses	10 feet wide along private and public rights-of-way, 10 feet wide along property lines when abutting a residential use, 5 feet wide when abutting a non-office use	10 feet wide along public or private right of way, 10 feet wide along property lines abutting residential use	15 feet wide along public and private rights-of-way, 10 feet wide along property lines abutting a residential use	5 feet wide along a public or private right of way, 5 feet wide along property lines abutting a residential use, 10 feet wide along property lines abutting a non-residential use.
Description	Shall consist of evergreen trees or tall shrubs with a minimum height of six 6 feet at planting, which will provide a 100% sight-obscuring screen within 3 years from the time of planting; or a combination of evergreen and deciduous trees and shrubs backed by 100% sight-obscuring fence	Shall consist of evergreen or a mixture of evergreen and deciduous trees with large shrubs and ground cover interspersed with the trees. A sight-obscuring fence may be required if determined during plan review that such a fence is necessary.	Shall consist of evergreen or a mixture of evergreen and deciduous trees with large shrubs and ground cover interspersed with the trees. Where used to separate parking from streets, plantings must create a visual barrier of at least 12 inches in height at time of planting and form a solid screen 3 years after planting.	Shall consist of a mixture of evergreen and deciduous shrubs and ground cover, to provide solid covering of the entire landscaping area within 3 years of planting and to be held to a maximum height of three and one-half (3 1/2) feet.	Shall consist of trees planted with supporting shrubs or ground cover. Each landscape area shall be of sufficient size to promote and protect growth of plantings, with a one hundred 100 square foot minimum area and no dimension less than 5 feet.

- c. Parking areas. Landscaping shall be incorporated into the development of surface parking to reduce adverse environmental and aesthetic impacts, to shade pavement to reduce heat island effect and to screen parking areas from public view. Plant materials shall be selected for appearance, durability, and tolerance to salt.
 - i. Landscaping that abuts areas of vehicular use shall be adequately protected and separated from vehicles. Protection should take the form of physical or visual separation, such as curb stops, bollards, or continuous curbing. Protection shall be designed with adequate visibility and durability in order to withstand normal snow plowing operations.
 - ii. Landscaped islands shall be curbed and a minimum of eight (8) feet in width, not including curbing. The incorporation of bio-retention into landscaped islands is strongly encouraged.
- d. Snow storage. Snow storage areas may be located in landscaped areas provided that appropriate landscape materials are selected which can withstand such snow storage. Snow storage shall not be located in a stormwater treatment measure, shoreland zoning setback buffers, or where it would adversely impact the functionality of bioretention or other stormwater management measures.

3. Installation and Maintenance of Plantings.

- a. No plant shall be moved after the bud break. Planting periods are between April 1st and July 1st and/or September 1st and November 1st.
- b. Tree planting and other landscaping for subdivisions that cannot be installed prior to the release of the performance guarantee must be insured by a defect bond as described in Article 13 of the City Land Use Code.
- c. All bare soil areas shall be vegetated and/or mulched prior to the issuance of a Certificate of Occupancy.
- d. New vegetation that shows signs of construction damage within a one-year period following construction, including but not limited to bark damage or excessive root damage, grade changes other than those originally indicated in the approved grading plan, soil compaction due to heavy equipment traversing closely, or general decline due to mechanical or natural conditions shall be rejected and must be replaced prior to the release of any defect guarantee.
- e. Landscaping required in accordance with the provisions of this ordinance or any addition or amendments to this ordinance, or in accordance with the provisions of any previous code or ordinance of the city, the landscaping shall be permanently maintained in such a manner as to accomplish the purpose for which it was initially required. All landscaping which, due to accident, damage, disease, lack of maintenance, or other cause, fails to show a healthy appearance and growth shall be restored, or replaced, within one year of initial installation, with the same type of landscaping elements and in the same location as required in the approved landscape plan.

- f. Slopes with between a 5% and 50% grade change shall incorporate installation of a mixture of vegetation, organic mulch and/or erosion control seed mix. Stabilization of slopes greater than 50% must incorporate biotechnical and/or structural methods including but not limited to terracing rip rap or retaining walls in addition to vegetation.

H. Incentives

To help facilitate the goals of the 2023 Biddeford Climate Action Plan, development review applications may receive modifications to density, setback, lot size, and/or height requirements if the development meets all requirements of the landscaping plan as well as one or more the following additional benefits:

1. Ensure at minimum 50% of the plantings are pollinator friendly, drought resistant and/or invasive pest tolerant.
2. Use open space areas for food production such as greenhouses, community gardens, or food plots.
3. Provide public access easements, conservation easements, or public access trails on the site.
4. Provide landscaping beyond the requirements of this ordinance, to the satisfaction of the Approval Authority.

I. Violations / Enforcement [Roby Fecteau to advise.]

To ensure all new landscaping meets the standards set herein, 125% of the cost of landscaping will be held in escrow for one year as a performance guarantee to ensure plantings are healthy and thriving.

Sustainability Commission
Work Plan 2025/2026

Buildings and Energy

Action	Outcome	Timeline	Responsible Party	Status
Energy Audit of Municipal Buildings	Information to increase energy efficiency for city buildings	9 to 12 months	Planning & Development Dept	Pending CRP Grant Award
Adoption of Stretch Codes	Stricter energy efficiency code requirements	1 year	Commission/Code Enforcement	No Action
Solar on Andrews Road	Renewable energy production in Biddeford	1 – 2 years	Commission/Planning/Solar Developer	No Action
Solar Ordinance	Council Adoption of Ordinance	1 – 2 years	Commission/Planning	Policy Committee 1/26/2026

Transportation and Infrastructure

Action	Outcome	Timeline	Responsible Party	Status
Bike/Ped Plan	Council Adoption of Plan	18 months	Commission/Planning/Consultant	Planning Partnership Initiative/ME DOT Jan 2026
EV Charging Ordinance	Council Adoption of Ordinance	1 year	Commission/Planning	Approved by Planning Board
Transit Oriented Development	Council Adoption of Policy	1- 2 years	Commission/Planning	No Action

Land Use and Natural Resources

Action	Outcome	Timeline	Responsible Party	Status
Beach Management Plan	Council Adoption of Plan	1 – 2 years	Commission/Planning	No Action/ Awaiting YCEMA
Landscape Ordinance	Council Adoption of Ordinance	9 to 12 months	Commission/Planning	To Planning Board for Workshop 1/21/2026
Local Food Production	Increased food production	Ongoing	Commission/BCG	No Action

Health and Wellbeing

Action	Outcome	Timeline	Responsible Party	Status
Shade Structure Ordinance	Council Adoption of Ordinance	1 year	Commission/Planning	No Action
Tree Ordinance	Council Adoption of Ordinance	1 year	Commission/Planning	Combine w/ Tree Inventory Project/UNE

Leadership and Support

Action	Outcome	Timeline	Responsible Party	Status
Climate Action in School Curricula	Relationship between Commission and School	1 year	Commission/School Faculty/Admin	CSC re-application? w/GMRI
Engagement of Community and City Staff	Ongoing conversation with community and city staff	Ongoing	Commission	Council Meeting Nov 18, 2025

Other

Action	Outcome	Timeline	Responsible Party	Status
GHG Emission Inventory	Update of inventory	Summer 2025	Commission/Planning/UNE	Complete

For Consideration

Action	Outcome	Timeline	Responsible Party	Status
Tree Ordinance				
Shade Structure Ordinance				
No Lawns! Campaign				
Coastal Project Dune Grass?				
Community Solar Campaign?				