

CHAPTER 900 – ZONING DISTRICTS

901 HARBOR VILLAGE DISTRICT

901.1 Purpose

To maintain the physical, historic, aesthetic and social quality of Rockport's Harbor Village.

901.2 Permitted Uses and Standards

Permitted Uses and Conditional Uses for this zoning district are

- (A) referenced in the table at Section 917 of the Land Use Ordinance.
- (B) Dimensional standards for this zoning district are referenced in the tables at Section 918 of the Land Use Ordinance.
- (C) Other administrative, performance and general standards referenced in the Land Use Ordinance are also applicable in this zoning district.
- (D) Max lot coverage for municipal buildings is 50%
- (E) Max building footprint for non-residential buildings is 2,500 sq.ft.
- (ii) Multiple structures may be constructed on a single lot subject to the lot size, coverage and footprint restrictions. Such structure may be joined by a connector or connectors subject to the definition of a connector in Chapter 300

901.3 Special District Standards

- (A) Planned Unit Developments are allowed in this zone district.
- (B) Retail sales and services shall be within 250 feet of Route One and shall be less than 10,000 square feet in size

Formatted Table

902 VILLAGE DISTRICT

902.1 Purpose

To promote the development of Simonton's Corner, West Rockport, Rockville and Glen Cove Villages while at the same time preserving their physical, historic, aesthetic and social qualities.

902.2 Permitted Uses and Standards

- (A) Permitted Uses and Conditional Uses for this zoning district are referenced in the table at Section 917 of the Land Use Ordinance.
- (B) Dimensional standards for this zoning district are referenced in the tables at Section 918 of the Land Use Ordinance.
- (C) Other administrative, performance and general standards referenced in the Land Use Ordinance are also applicable in this zoning district.

902.3 Special District Standards

(A) Planned Unit Developments are allowed in this zone district.

(B) Exceptions to the building footprint requirement are Public Buildings, Public Schools, Public Athletic Facilities, and Boat Storage, Shipyard/Sales facilities.

Formatted Table

Formatted: Normal

Commented [OT1]: Move to 902

903 RESIDENTIAL COASTAL DISTRICT

903.1 Purpose

To provide a low-density residential setting while respecting the natural saltwater shorelines of the Town and other natural features of the coastal area.

903.2 Permitted Uses and Standards

- (A) Permitted Uses and Conditional Uses for this zoning district are referenced in the table at Section 917 of the Land Use Ordinance.
- (B) Dimensional standards for this zoning district are referenced in the tables at Section 918 of the Land Use Ordinance.
- (C) Other administrative, performance and general standards referenced in the Land Use Ordinance are also applicable in this zoning district.

904 RESIDENTIAL DISTRICT

904.1 Purpose

To preserve the physical, historic and aesthetic quality of that area of Rockport between the Villages and the Rural areas of the Town. To provide an opportunity for less dense growth than in the Villages, but denser growth than in the Rural areas, while minimizing sprawl.

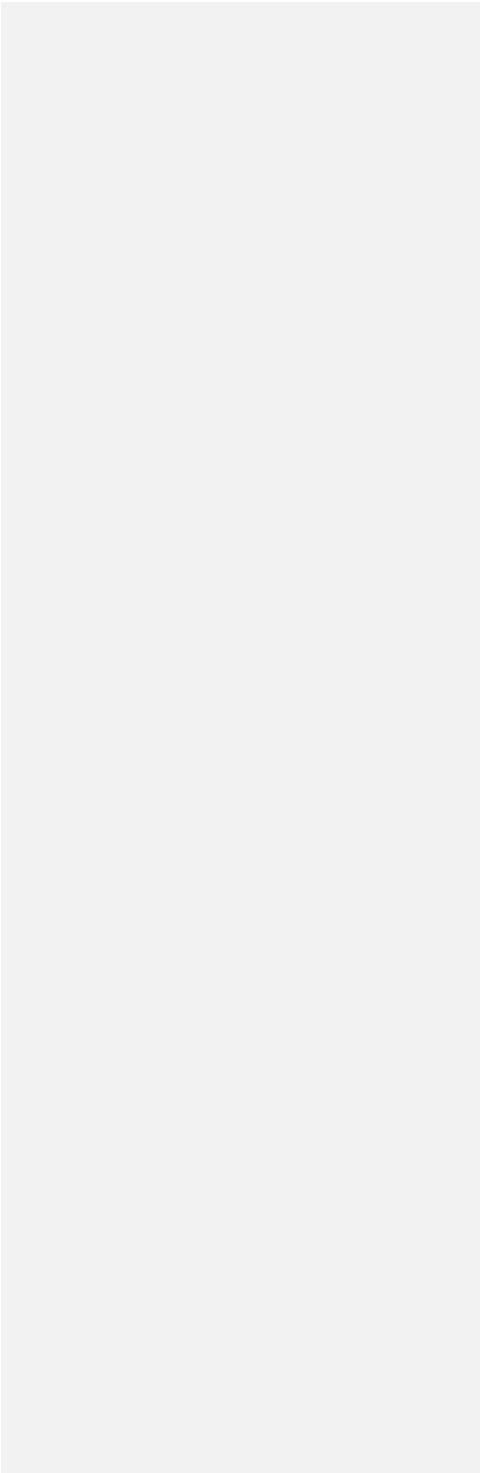
904.2 Permitted Uses and Standards

- (A) Permitted Uses and Conditional Uses for this zoning district are referenced in the table at Section 917 of the Land Use Ordinance.
- (B) Dimensional standards for this zoning district are referenced in the tables at Section 918 of the Land Use Ordinance.
- (C) Other administrative, performance and general standards referenced in the Land Use Ordinance are also applicable in this zoning district.

904.2 Special District Standards

- (A) Planned Unit Developments allowed in this zone district.

905 (RESERVED)



906 MODIFIED MIXED BUSINESS / RESIDENTIAL DISTRICT

906.1 Purpose

The objective of the Modified Mixed Business/Residential District is to encourage commercial growth and residential uses in a setting that creates a village atmosphere. The village setting should encourage pedestrian traffic while slowing vehicular traffic. These objectives are in addition to those of the Section 907 Rockport Mixed Business/Residential District.

906.2 Permitted Uses and Standards

- (A) Permitted Uses and Conditional Uses for this zoning district are referenced in the table at Section 917 of the Land Use Ordinance.
- (B) Dimensional standards for this zoning district are referenced in the tables at Section 918 of the Land Use Ordinance.
- (C) Other administrative, performance and general standards referenced in the Land Use Ordinance are also applicable in this zoning district.
- (D) Max building footprint for non-residential buildings is 6,000 sq.ft.
 - (i) Multiple structures may be constructed on a single lot subject to the lot size, coverage and footprint restrictions. Such structures may be joined by a connector or connectors subject to the definition of a connector in Chapter 300.

906.3 Special District Standards

- (A) Exceptions to the building footprint requirement are Public Buildings, Public Schools, ~~and~~ Public Athletic Facilities, and Boat Storage, Shipyard/Sales facilities.
- (B) Planned Unit Developments allowed in this zone district.

Formatted Table

907 ROCKPORT MIXED BUSINESS / RESIDENTIAL DISTRICT

907.1 Purpose

The objective of the Rockport Mixed Business/Residential District is to encourage commercial growth and residential uses along Routes 1, 17 and 90 and to preserve the scale, size and character of existing architecture, without the design and traffic problems of strip development.

907.2 Permitted Uses and Standards

- (A) Permitted Uses and Conditional Uses for this zoning district are referenced in the table at Section 917 of the Land Use Ordinance.
- (B) Dimensional standards for this zoning district are referenced in the tables at Section 918 of the Land Use Ordinance.
- (C) Other administrative, performance and general standards referenced in the Land Use Ordinance are also applicable in this zoning district.
- (D) Max building footprint for non-residential buildings is 10,000 sq.ft.
 - (ii) Multiple structures may be constructed on a single lot subject to the lot size, coverage and footprint restrictions. Such structures may be joined by a connector or connectors subject to the definition of a connector in Chapter 300.

907.3 Special District Standards

- (A) Fully-enclosed, Private Sport/Recreational Facilities (for example, hockey rinks and tennis, gymnastics or basketball courts) with frontage on Routes 1, 17, and 90, may have a maximum building footprint larger than 10,000 sq.ft., with front set-backs from the road of at least 200 feet, maximum footprint and side and rear setbacks subject to the approval of the Planning Board.
- (B) Exceptions to the building footprint requirement are Public Buildings, Public Schools, ~~and~~ Public Athletic Facilities, ~~and Boat Storage,~~ Shipyard/Sales facilities.
- (C) Multiple structures may be constructed on a single lot subject to lot size and coverage restrictions. Such structures may be joined by a connector or connectors, subject to the requirements of the definition of "connector" in Section 300.

Commented [OT2]: Should be in the definition for a Private Sport/Recreational Facility

Formatted Table

(D) The front setback area shall be screened in accordance with the Standards of Performance for Routes 1, 17 and 90 and Old County Road, found in this Ordinance.

(E) Planned Unit Developments allowed in this zone district.

~~(F) Heavy Landscaping businesses shall be permitted in the Section 906 and 907 zoning districts but such use, be it a structure, outdoor storage or associated activities shall not be permitted less than 100 feet from any property with a preexisting residential use. Heavy Landscaping~~

~~(G) Businesses require a 100 ft setback from any pre-existing residential use within this zone.~~

~~(H) Retail sales and services shall be within 250 feet of Route One and shall be less than 10,000 square feet in size~~

~~The maximum building height for a School within this district shall be 55ft.~~

908 RURAL DISTRICT

908.1 Purpose

To preserve natural resources while allowing for development that is sensitive to lake water quality, wildlife habitat, scenic vistas, steep slopes and ridge lines. To encourage the continuation of resource-based opportunities including blueberry production, farming and woodland management. To, as much as is practical, encourage structures build at high elevations to blend in with the surrounding landscape.

908.2 Permitted Uses and Standards

- (A) Permitted Uses and Conditional Uses for this zoning district are referenced in the table at Section 917 of the Land Use Ordinance.
- (B) Dimensional standards for this zoning district are referenced in the tables at Section 918 of the Land Use Ordinance.
- (C) Other administrative, performance and general standards referenced in the Land Use Ordinance are also applicable in this zoning district.

Formatted Table

909 ROCKPORT HOSPITAL AND RESORT DISTRICT

909. Purpose

To provide areas in the Town of Rockport in which quality recreational and tourist development and in which medical care facilities can occur in harmony with other uses while maintaining the character of the Town.

909. Permitted Uses and Standards

- (A) Permitted Uses and Conditional Uses for this zoning district are referenced in the table at Section 917 of the Land Use Ordinance.
- (B) Dimensional standards for this zoning district are referenced in the tables at Section 918 of the Land Use Ordinance.
- (C) Other administrative, performance and general standards referenced in the Land Use Ordinance are also applicable in this zoning district.

909. Special District Standards

- (A) Hospitals shall have a minimum of 10 contiguous acres of land.
- (B) Resorts shall have a minimum of 25 contiguous acres of land.
- (C) Camping and tenting areas shall have a minimum of 10 contiguous acres of land.
- (D) Retail sales and services within 250 feet of Route 1 shall not exceed 10,000 square feet in size.
- (E) Setback requirements for hospital, motels, inns, resorts and hotels on at least 25 acres of land that exceed 34 feet but are equal to or less than 55 feet shall equal the height of the building for front, rear, and side yard setbacks, or the standard front, rear and side yard setbacks of the District, whichever is greater.
- (F) The maximum building height for ~~h~~Hospitals, ~~m~~Motels, ~~i~~Inns and ~~H~~hotels on at least 25 acres of land ~~and not located in a Shoreland Zoning are~~ shall be 55 feet.

- (G) The minimum distance between principal buildings on the same lot shall be equivalent to the height of the taller building, except that the Planning Board, pursuant to the cluster development provisions of this Ordinance, may permit two or more buildings to share common walls or to be otherwise connected provided that they meet the provisions of Section 804 of this Ordinance.
- (H) For all non-residential uses, within five hundred (500) feet of the edge of pavement of Routes 1, 17, 90 and Old County Road, the seventy-five (75) foot front yard setback must be screened in accordance with the Standards of the Business/Residential District along Routes 1, 17, 90 and Old County Road.
- (I) Planned Unit Developments allowed in this zone district.

910 TRADITIONAL VILLAGE DISTRICT

910. Purpose

To encourage growth to occur in areas which are best suited for increased density in accordance with the Comprehensive Plan; to encourage communities to be built in such areas on the pattern of traditional Maine villages; to promote pedestrian travel and street life by placing houses, shops, workplaces and public places in close proximity; to reduce traffic congestion and dependence on the automobile by creating a hierarchy of streets and ways which equitably and efficiently serve pedestrians, cyclists and drivers; to provide opportunities for the development of employment-generating uses; to provide focuses for community life by providing for commercial services, village greens and sites for civic buildings; to create a built environment that fosters a sense of community and greater independence for senior citizens and children; to promote the physical and social integration of citizens diverse in age, lifestyle and economic status; to provide housing affordable to residents with a wide range of incomes; to create more affordable housing by reducing the amount of land and infrastructure which is built for each dwelling unit; and to promote a pattern of development which permits the efficient delivery of municipal services.

910. General

An owner or owners of land which meets the terms of "Eligible Land" below may propose to develop their land as a Traditional Village, instead of in accordance with the underlying district zoning or other conflicting provisions of the Land Use Ordinance or the Subdivision Ordinance, by complying with the provisions of this Section.

(A) Eligible Land: A Traditional Village shall be land which is contiguous, but which may include land on opposite sides of a street or streets, and which is in a Traditional Village District. Land of any size adjacent to an approved Traditional Village and in a Traditional Village District may be added to the Traditional Village subject to the following:

- (1) The land which is not originally part of the Traditional Village shall be subject to the limitations in Section 910.2.4 independently;
- (2) The Traditional Village with such addition shall still comply with all the provisions of this Ordinance and the Subdivision Ordinance; and
- (3) The addition must be able to be made without causing increased expense, altered land uses, reduced land value or alteration of the development process of the original Traditional Village or the addition must have the approval of the applicant for the original Traditional Village if such applicant owns ten percent (10%) or more of the land area of the Traditional Village or the approval of such applicant's successor in interest provided such successor owns ten percent (10%) or more of the land area of the Traditional Village. An applicant for an addition to a Traditional Village Plan shall prepare a Traditional Village Plan with the addition in conformity with this Ordinance and the Subdivision Ordinance.

(B) Subdistricts: A Traditional Village may be divided into the following districts: Residential, Civic, Cottage, Commercial and Light Industrial. Each Traditional Village shall have at least one (1) Residential Subdistrict, one (1) Civic Subdistrict and one (1) Commercial Subdistrict. The Subdistricts are intended to provide for the diversity necessary for village life while maximizing the synergy among related uses and minimizing the adverse impacts of incompatible uses upon each other.

- (1) A Residential Subdistrict is intended to contain houses and related uses.
- (2) A Civic Subdistrict is intended to contain non-commercial uses of community-wide importance and other compatible uses.
- (3) A Cottage Subdistrict is intended to be primarily residential in character but with features and other uses which may attract seasonal residents and tourists.
- (4) A Commercial Subdistrict is intended primarily to provide uses which meet the retail and service needs of a Traditional Village and its vicinity and may contain other compatible uses.

Formatted Table

- (5) A Light industrial Subdistrict is intended to generate employment opportunities and to contain service uses which are not appropriate for a Commercial Subdistrict, utility related uses and other compatible uses.
- (C) Locations of Subdistricts: The Subdistricts of a Traditional Village shall be located in accordance with the following:
- (1) One (1) or more Civic Subdistricts shall be located to be no more than one thousand eight hundred feet (1,800') by a pedestrian route from eighty-five percent (85%) of the land area of the Residential Subdistricts.
 - (2) A Commercial Subdistrict intended to serve an area beyond the Traditional Village shall be located to permit vehicular access from outside the Traditional Village without passing through a Residential Subdistrict.
 - (3) A Light Industrial Subdistrict shall be located to permit vehicular access outside the Traditional Village without requiring passage through a Residential Subdistrict and so that it may be effectively buffered from Residential Subdistricts.
 - (4) A Cottage Subdistrict shall be located more remotely from a Civic Subdistrict and a Commercial Subdistrict than Residential Subdistricts in general so that year-round uses are not separated from each other by uses that are seasonal.
- (D) Density: The total number of dwellings in a Traditional Village shall not exceed two-and-a-half (2.5) times the total number of acres in the Traditional Village and the total amount of space within buildings for uses (including artisan living/working use) other than dwellings shall not exceed two thousand five hundred (2,500) sq. ft. times the total number of acres in the Traditional Village.
- (E) Natural Areas and Open Space: A minimum of ten percent (10%) of the land area of a Traditional Village shall be open space of the following types:
- (1) Greens;
 - (2) Publicly accessible recreational areas (which may be accessory to other uses);
 - (3) Land which is to be maintained in its natural state (which may be in lots provided it is publicly accessible by footpaths); and
 - (4) Bodies of water provided their banks are publicly accessible at least every five hundred feet (500').

- (F) Greens: A Traditional Village shall include Greens measuring a total of at least forty thousand (40,000) sq. ft. plus an additional ten thousand (10,000) sq. ft. for each one hundred (100) dwelling units or part of one hundred (100) dwelling units permitted pursuant to 3 above. Each Civic Subdistrict shall have a Green of at least twenty-five thousand (25,000) sq. ft. No Green shall be more than twenty percent (20%) paved.
- (G) Minimum Size of Civic Subdistrict: A Civic Subdistrict shall consist of, at least, a Green in accordance with Subsection (F) above, and all lots abutting the Green.
- (H) Minimum Size of a Commercial Subdistrict: At least two percent (2%) of the land area of a Traditional Village shall be a Commercial Subdistrict or more than one (1) Commercial Subdistrict.

910.3 Permitted Uses and Standards

- (A) Permitted Uses: The following shall be permitted in the stated Subdistrict of a Traditional Village.
 - (1) Residential:
 - (a) Single-family detached dwelling;
 - (b) Two-family dwellings;
 - (c) Accessory residential uses, including home occupations.
 - (2) Civic:
 - (a) Schools (public, private and commercial);
 - (b) Day care center;
 - (c) Libraries;
 - (d) Churches and other houses of worship;
 - (e) Professional uses;
 - (f) Bed and Breakfasts;
 - (g) Neighborhood restaurants;
 - (h) Single-family detached dwellings;
 - (i) Two-family dwellings;
 - (j) Accessory uses, including home occupations;
 - (k) Municipal wastewater pumping stations (Municipal pump stations are exempt from all setback requirements in this District).
 - (3) Cottage:
 - (a) Single-family detached dwellings;
 - (b) Single-family attached dwellings;
 - (c) Two-family dwellings;
 - (d) Bed and breakfasts;
 - (e) Inns;
 - (f) Hotels;
 - (g) Restaurants;

Chapter 900 – Zoning Districts

- (h) Health clubs;
- (i) Commercial swimming pools and ice-skating rinks;
- (j) Accessory uses, including home occupations.

(4) Commercial:

- (a) Retail uses of 10,000 sq. ft. or less;
- (b) Professional office;
- (c) Personal services;
- (d) Tradesmen's shops;
- (e) Restaurants;
- (f) Schools, commercial;
- (g) Hotels, motels, inns and bed and breakfasts;
- (h) Outdoor sales and services;
- (i) Commercial swimming pools and ice-skating rinks;
- (j) Artisan living/working uses;
- (k) Single-family detached dwellings;
- (l) Single-family attached dwellings;
- (m) Two-family dwellings;
- (n) Elderly congregate housing;
- (o) Senior citizen/handicapped housing;
- (p) Nursing homes;
- (q) Accessory uses.

(5) Light Industrial:

- (a) Light industrial uses;
- (b) Gasoline filling stations;
- (c) Automobile repair shops;
- (d) Commercial car wash;
- (e) Tradesmen's shops;
- (f) Artisan living/working use;
- (g) Wholesale businesses;
- (h) Public utilities facilities, including substations, pumping stations
- (i) Outdoor sales and services;
- (j) Neighborhood restaurants;
- (k) Horticultural uses;
- (l) Schools, commercial;
- (m) Municipal open space and recreational uses;
- (n) Retail uses;
- (o) Accessory uses.

(B) Conditional Uses: The following uses shall be permitted in the stated Subdistricts of a Traditional Village if they are permitted as conditional uses on appeal to the Planning Board.

(1) Residential:

- (a) Multi-family dwellings;

Chapter 900 – Zoning Districts

- (b) Single-family attached dwellings;
 - (c) Senior citizen/handicapped housing;
 - (d) Elderly congregate housing;
 - (e) Professional offices;
 - (f) Rooming houses;
 - (g) Bed and breakfasts;
 - (h) Retail uses of 1,000 sq. ft. or less.
- (2) Civic:
- (a) Multi-family dwellings;
 - (b) Single-family attached dwelling;
 - (c) Senior citizen/handicapped housing;
 - (d) Elderly congregate housing;
 - (e) Nursing homes;
 - (f) Rooming houses;
 - (g) Boarding care facilities;
 - (h) Community living uses;
 - (i) Community buildings and quasi-public uses;
 - (j) Inns;
 - (k) Fully enclosed places of assembly, amusement and culture operated for profit;
 - (l) Retail stores of 2,000 sq. ft. or less, including art galleries.
- (3) Cottage:
- (a) Multi-family dwellings;
 - (b) Rooming houses;
 - (c) Boarding care facilities;
 - (d) Motels;
 - (e) Day care;
 - (f) Retail uses of 2,000 sq. ft. or less, including art galleries.
- (4) Commercial:
- (a) Retail uses in buildings of more than 10,000 sq. ft.;
 - (b) Senior citizen/handicapped housing;
 - (c) Elderly congregate housing;
 - (d) Rooming houses;
 - (e) Boarding care facilities;
 - (f) Community living uses;
 - (g) Gasoline filling stations;
 - (h) Fully enclosed places of assembly, amusement and culture
 - (i) Night clubs;
 - (j) Community buildings and quasi-public uses;
 - (k) Outdoor sales and services.
- (5) Light Industrial:
- (a) Recycling center;
 - (b) Public and private middle schools, junior high schools and high

- (c) Fully enclosed places of assembly, amusement and culture;
- (d) Animal hospitals and veterinary clinics;
- (e) Waste treatment facilities which are public utilities and which

(C) Other Provisions Regarding Uses:

- (1) Public utility facilities including substations, pumping stations and waste treatment facilities are permitted in Subdistricts of a Traditional Village other than Light Industrial either if they are identified on the Traditional Village plan at the time of subdivision approval or if they are permitted as conditional uses on appeal to the Planning Board. As a condition to permitting such uses in a Subdistrict other than Light Industrial, the reviewing Board shall find that the use cannot be sited in the Light Industrial Subdistrict with undue expense.
- (2) Municipal uses shall be permitted either if they are identified on the Traditional Village Plan at the time of subdivision approval or if they are permitted as conditional uses on appeal to the Planning Board and shall be located in the Subdistrict in which the Permitted Uses or uses permitted by Conditional Use most closely resemble the municipal use.
- (3) Greens are permitted in all Subdistricts.
- (4) The following are permitted in a Traditional Village:
 - (a) Any retail use, restaurant or personal service (except gasoline filling stations) which encourages patrons to remain in their automobiles while receiving goods or services; and
 - (b) Any use not specified in this Section 910.3 unless permitted by the Board of Appeals upon a variance appeal.
- (5) The uses permitted in a Commercial Subdistrict (either as-of-right or as conditional uses) shall be permitted in a Civic Subdistrict either if they are identified on the Traditional Village Plan at the time of subdivision approval or if they are permitted as Conditional Uses on appeal to the Planning Board.
- (6) Lots with front lot lines along at least twenty percent (20%) of the circumference of a Green in a Civic Subdistrict (i.e. either facing a Green across a street or directly fronting on a Green) shall be reserved for Community uses and be so designated on a Traditional Village Plan. However, after two years subsequent to approval of a Final Plan for a Traditional Village, other uses permitted in a Civic Subdistrict pursuant to other provisions of Section 910.3 above, may be permitted on the lots so designated as conditional uses on appeal to the Planning Board.

Formatted Table

Chapter 900 – Zoning Districts

- (7) In-ground sewage disposal systems, including leaching fields, are permitted uses in all Subdistricts and shall be either on the lot served or on a lot dedicated for such use and owned or controlled by an entity capable of assuring the maintenance of the systems.

(D) Standards:

- (1) The General Standards of Performance of Section 800 shall be observed unless they are inconsistent with the provisions of this Section 910 pertaining to a Traditional Village.
- (2) The following standards shall apply in all Subdistricts of a Traditional Village, except as stated.

- (a) Minimum Lot Size:
 - (i) In a Cottage Subdistrict 3,000 sq. ft.
 - (ii) In all other Subdistricts 3,000 sq. ft.
- (b) Maximum Lot Coverage:
 - (i) In a Commercial Subdistrict 90%
 - (ii) In all other Subdistricts 60%
- (c) Minimum Dwelling Size 600 sq. ft.
- (d) Minimum Efficiency or One Bedroom 400 sq. ft.
- (e) Minimum Setback for Driveway, Parking Space or Pavement Unless Shared with Adjacent Property:
 - (i) From side property line None
 - (ii) From rear property line (except for driveway entering from rear property line) 8 Feet
 - (iii) Along an alley None
 - (iv) Along a side or rear property line in a Light Industrial Subdistrict which coincides with the Subdistrict boundary 15

- (g) Minimum Front Setback from Edge of Pavement:
 - (i) In a Commercial Subdistrict Minimum 5 ft.
 - (ii) In a Cottage Subdistrict Minimum 10 ft.
 - (iii) In a Civic Subdistrict Minimum 30 ft.
 - (iv) In all other Subdistricts Minimum 15 ft.

Chapter 900 – Zoning Districts

(h) Minimum Side Setback:

- | | | |
|-------|---|---------|
| (i) | From a Side property line in a Light | 25 Feet |
| (ii) | For Buildings complying with Building Code separation | 25 Feet |
| (iii) | In all other cases | 8 Feet |

(i) Minimum Street Frontage

- | | | |
|------|---------------------------|---------|
| (i) | In a Cottage Subdistrict | 30 Feet |
| (ii) | In all other Subdistricts | 50 Feet |

(j) Minimum Rear Setback

- | | | |
|-------|--|---------|
| (i) | For an accessory building along an alley. | None |
| (ii) | From a rear property line in a Light Industrial District which coincides with the Subdistrict boundary | 25 Feet |
| (iii) | In all other cases | 8 Feet |

- (3) Minimum distance between principal buildings on the same lot shall be the height equivalent of the taller building except, however, two (2) or more buildings may be closer or share common walls or be otherwise connected, provided the buildings comply with the Building Code Separation Requirements.
- (4) For the purpose of setbacks on a corner lot, any lot line along a street (other than an alley) shall be a front line, any lot line along an alley shall be a rear lot line, any lot line between two (2) lots and intersecting a lot line along a street (other than an alley) shall be a side lot line and any lot line intersecting two (2) other lot lines which are not along a street (other than an alley) shall be a rear lot line.
- (5) The facade of any garage, carport or other accessory structure designed for accessory parking of automobiles shall be setback at least ten (10) feet further from the front property line than the foremost facade of the principal building facing the front property line (stoops, porticos, open colonnades and open porches excluded), except that no setback shall be required in a Light Industrial Subdistrict and, except further, that the facade of any garage, carport or other accessory structure designed for accessory parking of automobiles need not be setback beyond the foremost facade of the principal building on a corner lot, if such facade does not contain the main entrance to the principal building.

- (6) Except in a Light Industrial Subdistrict, the front edge of any off-street parking area shall be setback at least as far as the foremost facade of the principal building facing the front property line (stoops, porticos, open colonnades and open porches excluded).
- (7) All front, side or rear property lines in a Light industrial Subdistrict which coincide with a boundary of a Light Industrial Subdistrict shall have the buffers described in Section 802.3.
- (8) All lots in a Traditional Village shall front on a street or a Green.
- (9) Stoops, porticos, open colonnades and open unglazed porches all attached to a principal building may encroach up to twelve feet (12') into front setbacks.
- (10) Special Parking Standards for a Traditional Village
 - (a) The minimum number of parking spaces required in Section 803 shall be provided unless different standards are stated below:
 - (i) For an Accessory Dwelling Unit, One (1) parking space shall be required, in addition to the spaces required for the principal use.
 - (ii) For Offices, Professional and Public Building Spaces one (1) parking space shall be required for each four hundred (400) sq. ft. of gross floor space.
 - (iii) For retail Uses and Personal Services One (1) parking space shall be required for each four hundred (400) sq. ft. of gross floor space
 - (iv) For all other Uses not listed above or in Section 803, a sufficient number of spaces shall be required, as determined by the Planning Board at the time of approval of a Traditional Village Plan if the use is identified on the Plan, or by the Code Enforcement Officer if the use is not identified on the Plan.
 - (b) On-street parking spaces along the front property line of a lot shall be counted toward the minimum of parking spaces required for the use on the lot.
 - (c) On-street parking shall be provided on at least one (1) side of a collector street in a Commercial, Civic and Light Industrial Subdistrict, except that:
 - (i) No on-street parking shall be permitted in a parking lane for thirty feet (30') in front of a community use; and
 - (ii) No parking shall be required in the portion of a collector street which is within a designated wetland.
 - (d) On-street parking shall be provided along the side of any street which abuts a Green in a Civic Subdistrict.
 - (e) On-street parking shall be permitted if shown on a Traditional Village Plan at the time of subdivision approval:

Chapter 900 – Zoning Districts

- (i) No on-street parking shall be permitted in a parking lane for thirty feet (30') in front of a community use; and
- (ii) In all other Subdistricts, along one (1) side of a local street.
- (f) Off-street parking may be located with six hundred feet (600') (measured along a publicly accessible route) from the lot containing the use to which the parking is accessory, provided that either the lot containing the parking is owned or leased to the owner of the principal use or the lot containing the parking is dedicated to parking for as long as the use to which it is accessory shall continue and is owned or controlled by an entity capable of assuring its maintenance as accessory parking. Only parking for uses permitted in a Residential Subdistrict shall be permitted in a Residential Subdistrict.
- (g) Parking lots may not be located within twenty-five (25) feet of a street intersection.

(E) Streets:

- (1) The streets of a Traditional Village shall be laid out to promote pedestrian circulation and ease of access from all points in the Traditional Village to the Civic and Commercial Subdistricts.
- (2) Easements shall be reserved to permit the streets of a Traditional Village to be extended to the edge of the Village and on to adjoining property, if the adjoining property is added to the Traditional Village.
- (3) Streets (including private ways) and alleys shall terminate at streets or proposed streets. The distance between an intersection and the end of a street terminating at a proposed street shall be no more than four hundred feet (400').
- (4) A collector street shall extend from at least one (1) boundary of a Traditional Village to the Green in each Civic Subdistrict.
- (5) One or more collector street(s) of a Traditional Village shall connect to streets outside the Traditional Village in at least two (2) points.
- (6) Street lights shall be provided at each street intersection of a collector street with another collector street or with a local residential street in a Traditional Village, and at each street intersection along a Green. A street light shall be mounted on a standard between eight (8') and fourteen feet (14') in height and be equipped with an incandescent, metal halide or other full spectrum bulb.
- (7) Sidewalks shall be provided along all sides of streets along which on-street parking is provided and in front of community uses.
- (8) Street trees shall be provided as follows:

- (a) One (1) tree shall be planted for every one hundred (100) linear feet of collector or local residential street in a Traditional Village. The location and layout of the foregoing number of street trees shall be shown on a Traditional Village Plan.
- (b) Street trees shall be deciduous trees of not less than two and one-half inch (2½") caliper.

910.4 Approval Procedure for a Traditional Village Plan

- (A) An owner or owners of land meeting the requirements of Eligible Land above may apply for approval of a Traditional Village Plan by the Planning Board. A proposed Traditional Village Plan shall be reviewed by the Planning Board as a major subdivision pursuant to the provisions of the Subdivision Ordinance.
- (B) No site plan review shall be required for any lot in a Traditional Village, except a lot in Light Industrial Subdistrict otherwise requiring site plan review.
- (C) Any private way in a Traditional Village shall be reviewed by the Planning Board during the review of a Traditional Village Plan and no separate approval shall be required. the provision of Section 805.3. (*Private Ways*) shall not apply to a Traditional Village.
- (D) The provisions of Section 804 (*Cluster Development*) shall not apply to a Traditional Village.

911. RESERVED

912. RESERVED

913. DOWNTOWN DISTRICT

913.1 Purpose

To preserve and enhance the mixture of small businesses, civic, educational, residential, and water-dependent development in the Downtown District and to provide additional uses and alternative standards for increased development potential on specific lots with street frontage on Central Street and Main Street consistent with historical patterns of development.

913.2 Permitted Uses and Standards

- (A) Permitted Uses and Conditional Uses for this zoning district are referenced in the table at Section 917 of the Land Use Ordinance.
- (B) Dimensional standards for this zoning district are referenced in the tables at Section 918 of the Land Use Ordinance.
- (C) Other administrative, performance and general standards referenced in the Land Use Ordinance are also applicable in this zoning district.
- (D) Max lot coverage for municipal buildings is 100%

913.3 Special District Standards

To encourage patterns of development that are consistent with the historical development on the harbor side of Central Street, the following additional Uses and alternative Standards shall apply to parcels with Map-Lot numbers 29-303, 29-297, 29-295, 29-293, 29-291, 29-291-001, 29-289 and 29-287 and on parcels subsequently divided within these bounds. In all other respects, the normal Uses and Standards of the 913 Downtown District as found in the tables at Sections 917-918 shall apply within these bounds.

- (A) At street level, within the first twenty (20) feet of buildings facing Central Street within these bounds, only Commercial Uses are permitted.
- (B) In addition to Uses otherwise permitted in the Downtown District, the Residential Multi-family Use, as defined, shall be permitted within these bounds.
- (C) In addition to Uses otherwise permitted in the Downtown District, the following non-residential Uses, as defined, shall be permitted within these bounds: Art Galleries; Barber Shop/Salon; Medical Clinics; and Places of Assembly.

Chapter 900 – Zoning Districts

In addition to Uses otherwise permitted in the Downtown District, the following Uses, as defined, shall be permitted by Conditional Use within these bounds: all Industrial/Manufacturing/Wholesale Uses found in the table at Section 917 except Agricultural product processing and Wholesale facility.

(D) The following alternative Standards shall apply to parcels with street frontage on Central Street within these bounds.

- (1) There shall be no minimum setbacks.
- (2) There shall be no maximum lot coverage.
- (3) There shall be no minimum lot area per dwelling unit.

The maximum building height shall be fifty (50) feet measured from the highest point on the Central Street sidewalk adjacent to the foundation.

The maximum height at the eave shall be forty (40) feet measured from the highest point on the Central Street sidewalk adjacent to the foundation.

Within buildings facing Central Street, the minimum depth of Commercial Uses at street level shall be the first twenty (20) feet.

(7) The minimum frontage shall be twenty (20) feet.

(F) The following alternative Standards shall apply to parcels with street frontage on Main Street within these bounds.

- (1) There shall be no minimum setbacks.
- (2) There shall be no maximum lot coverage.

For Marine-related uses, the maximum building height shall be fifty (50) feet measured from the highest point of original grade adjacent to the foundation. ~~For all other uses, the maximum height shall be thirty-four (34) feet.~~

Commented [OT3]: Section 918 covers building height restrictions. This should be for exceptions or special standards.

(G) Planned Unit Developments allowed in this zone district.

(H) No more than 40 (forty) rooms, in the aggregate, shall be permitted at Inns/Hotels in this zone district.

(I) Retail sales and service shall be within 250 feet of Route One and shall be less than 10,000 Square Feet in size.

914 CHICKAWAUKIE LAKE WATERSHED OVERLAY DISTRICT

914.1 Purpose

The purpose of this regulation is to prevent the degradation of the present water quality of the Chickawaukie Lake Watershed area to ensure its use for recreational purposes and its suitability as a potential drinking water supply source by controlling the amount of phosphorous and nutrient discharge to the ground or to the groundwater from land uses and development by the application of Best Management Practices (BMPs).

914.2 Permitted Uses and Standards

Permitted uses and land use activities in the underlying district are allowed to continue subject to compliance with the Best Management Practices requirements of the Chickawaukie Watershed District. Land use activities in the watershed requiring Best Management Practices shall require a land use permit from the Code Enforcement Officer.

914.3 Special District Standards

The Chickawaukie Lake Watershed Overlay District is an overlay district encompassing all of the area of Rockport in which the surface and ground water flows or drains into Chickawaukie Lake as delineated on the Town of Rockport Zoning Map. Compliance with the Shoreland Zoning Overlay District is also required if the activity occurs within two hundred and fifty feet (250') of the mean high-water mark. If there is a conflict between this Overlay District and the Shoreland Zoning Overlay District, then the more restrictive provisions or those provisions imposing a higher standard shall apply.

(A) Erosion and Sediment Control Plan

Within the Chickawaukie Watershed District, all activities other than normal home gardening and property maintenance, involving soil disturbance greater than 1,000 sq. ft. shall require the preparation of a written Erosion and Sediment Control Plan. The requirements of this section shall be met by selecting the most appropriate Best Management Practices contained in the publication Maine Erosion and Sediment Control BMP'S, Maine DEP, 2003 as amended, which is incorporated by reference within this Ordinance.

(B) Agricultural Practices and Uses

Within the Chickawaukie Watershed Overlay District all agricultural practices, activities and uses shall require the preparation of an agricultural practices plan for each contemplated activity. The requirements of this section shall be met by selecting the most appropriate Best Management Practices (BMPs) contained in the current publication Manual of Best Management Practices for Maine Agriculture, Maine Department of Agriculture, 2007, which is incorporated by reference within this Ordinance.

(C) Timber Harvesting Operations

Persons carrying on timber harvesting operations of more than two (2) acres within the Chickawaukie Watershed Overlay District must submit a Forest Harvesting Plan prepared by a Maine licensed forester. The requirements of this section shall be met by selecting the most appropriate Best Management Practices (BMPs) options contained in the current publication *Best Management Practices for Forestry – Protecting Maine’s Water Quality*, Maine Forest Service, 2004, which is incorporated by reference within this Ordinance.

915 MIRROR LAKE AND GRASSY POND WATERSHED OVERLAY DISTRICT

915.1 Purpose

The purpose of this regulation is to prevent the degradation of the water quality of the Mirror Lake and Grassy Pond watershed area in order to ensure its present and future suitability as a drinking water supply source by controlling the amount of phosphorous and nutrient discharge to the ground or to the groundwater from land use activities through the application of Best Management Practices (BMPs).

915.2 Permitted Uses and Standards

Permitted uses and land use activities in the underlying district are allowed to continue subject to compliance with the Best Management Practices for the Mirror Lake and Grassy pond Watershed District. Land use activities in the watershed requiring a land use permit from the Code Enforcement Officer shall also require a Best Management Practices Plan for soil disturbances.

The Code Enforcement Officer shall notify the owner/operator of the water utility., in writing, within five (5) working days of the receipt of an application for a land use permit for disturbances greater than 1,000 sq. ft.

915.3 Special District Standards

The Mirror Lake and Grassy Pond Watershed Overlay District is an overlay district encompassing all of the area of Rockport in which the surface and ground water flows or drains into Mirror Lake and Grassy Pond as delineated on the Town of Rockport Official Zoning Map. Compliance with the Shoreland Zoning Overlay District is also required, if the activity occurs within two hundred fifty feet (250') of the normal high-water mark. If there is a conflict between this Overlay District and the Shoreland Zoning Overlay District, the more restrictive provisions shall apply.

(A) Erosion and Sediment Control Plan

- (1) Within the Mirror Lake and Grassy Pond Watershed District, all activities other than normal home gardening and property maintenance, involving the disturbance of the existing ground cover (e.g. topsoil or vegetation) due to excavation, grading or filling or other similar activity involving an area in excess or in total accumulation of 1,000 sq. ft. shall require the preparation of a written Erosion and Sediment Control Plan. The requirements of this sections shall be met by selecting the most appropriate Best Management Practices (BMPs) options contained in the publication *Maine Erosion and Sediment Control BMP'S*, Maine DEP, 2003, as amended, which is incorporated by reference within this Ordinance.
- (2) Temporary mulch shall be placed over the unvegetated area as soon as possible but no later than 14 days from the removal of the ground cover or the placement of fill.

(B) Agricultural Practices and Uses

Within the Mirror Lake and Grassy Pond Watershed District all agricultural practices and uses shall require the preparation of an agricultural practices plan for each contemplated activity. The requirements of this section shall be met by selecting the most appropriate Best Management Practices (BMPs) options in the publication *Manual of Best Management Practices for Maine Agriculture*, Maine Department of Agriculture, as amended, which is incorporated by reference within this Ordinance.

(C) Timber Harvesting Operations

Persons carrying on timber harvesting operations greater than two (2) acres within the Mirror Lake and Grassy Pond Watershed District must submit a Forest Harvesting Plan prepared by a Maine licensed forester. The requirements of this section shall be met by selecting the most appropriate Best Management Practices (BMPs) options contained in the publication *Best Management Practices for Forestry – Protecting Maine’s Water Quality*, Maine Forest Service, 2004, as amended, which is incorporated by reference within this Ordinance.

(D) Pollution Prohibited

No one shall pollute, in any manner, the waters of the Mirror Lake and Grassy Pond Watershed Overlay District. Nor shall anyone leave pollutant materials upon the water bodies when frozen, or upon the shores, or within the watershed’s lands. Such pollutants include, but are not limited to, refuse, rubbish, garbage, dead animals, excrement, sewage and the drainage of anything that can compromise the purity of the water bodies.

916 INDUSTRIAL DISTRICT

916.1 Purpose

To provide area within the Town of Rockport for manufacturing, processing, treatment, research, warehousing and distribution.

916.2 Permitted Uses and Standards

- (A) Permitted Uses and Conditional Uses for this zoning district are referenced in the table at Section 917 of the Land Use Ordinance.
- (B) Dimensional standards for this zoning district are referenced in the tables at Section 918 of the Land Use Ordinance.
- (C) Other administrative, performance and general standards referenced in the Land Use Ordinance are also applicable in this zoning district.

916.3 Special District Standards

- (A) Landscaping: All front yards shall be landscaped according to a plan submitted to and approved by the Planning Board.

917. LAND USE TABLE

A. RURAL / AGRICULTURAL / RECREATION

| | 901 | 902 ^z | 903 | 904 ^z | 906 ^z | 907 | 908 | 909 | 913 | 916 |
|---|-----|------------------|-----|------------------|------------------|-----|-----|--------------------|-----|-----|
| Agricultural | CU | CU | CU | | | | P | | | |
| Camp Sites Individual | | | | | | | | P <i>Note 1</i> | | |
| Campgrounds | | | | | | P | | P <i>Note 1</i> | | |
| Golf Courses | | | | | | | P | P | | |
| Golf Range | | | | | | | P | P | | |
| Horticultural | CU | P | P | P | | P | P | P | | |
| Private Club | | CU | | | | | | | P | |
| Recreational Boat Facility | | | | | | | | | P | |
| Recreation Indoor Indoor Recreation Facility | P | | | | P | CU | CU | P | | |
| Recreation Outdoor Outdoor | | | | | P | P | P | P | | |
| Resort | | | | | | | | P- <i>Note-3</i> | | |
| Timber Harvesting | | | | CU | | | P | | | |

* Growth Zones

B. RESIDENTIAL

| | 901 | 902 ^z | 903 | 904 ^z | 906 ^z | 907 | 908 | 909 | 913 | 916 |
|---|-----|------------------|-----|------------------|------------------|-----|-----|-----|-----|-----|
| Accessory Dwelling Unit | P | P | P | P | P | P | P | P | | |
| Community Living Facility | P | P | P | P | P | P | P | P | P | |
| Cluster Development | SB | SB | SB | SB | SB | SB | SB | SB | SB | |
| Congregate Housing | CU | CU | | CU | | | | P | | |
| Home Occupations | P | P | P | P | P | P | P | P | P | |
| Mobile Home Park | | CU | | | | | | | | |
| Residential Dwelling, Single | P | P | P | P | P | P | P | P | P | |
| Residential Dwelling, multi- | P | P | P | P | P | P | P | P | P | |
| Residential Dwelling, multi- | P | P | | P | P | P | P | P | | |
| Residential Dormitories | CU | CU | | | | | | | | |
| Rooming Houses | CU | CU | | CU | | | | | P | |

* Growth Zones

KEY: P = Permitted
 CU= Conditional Use
 SB = Subdivision

Chapter 900 – Zoning Districts

C. COMMERCIAL

| | 901 | 902* | 903 | 904* | 906* | 907 | 908 | 909 | 913 | 916 |
|--|-----|-----------|-----|------|--------------|--------------|-----|-----|----------|-----|
| Agricultural Product Processing | | | | | | | CU | | | |
| Animal hospital/veterinary | | | | | P | P | | | | |
| Animal kennel & facilities | | | | | CU | CU | | | | |
| Art Galleries | P | P | CU | | P | P | P | | P | |
| Auto service/sales | | | | | P | P | | | | |
| Barber Shop/Salon | | | | | P | P | | | P | |
| Bed & breakfast | CU | CU | | CU | P | P | P | | | |
| Commercial greenhouse | | | | | | P | | | | |
| Grocery Store | P | P | | | P | P | | | P | |
| Heavy Landscaping Business | | | | | P Note 11 | P Note 11 | | | | |
| Hotels/Motels/Inns | | CU | | | P | P | | P | P N-9 | |
| Landscaping Business | | P N-10 | | | P | P | | | | |
| Medical eClinics | CU | CU | | | P | P | | P | CU | |
| Office/Professional Office | P | P | | | P | P | CU | P | P | P |
| Commercial Parking Facilities | CU | CU | | | | | | | CU | |
| Restaurant▲ | P | P | | | P | P | | P | P | |
| Retail | P | P | | | P | P | | P | P | P |
| Tradesman shop | CU | CU | | CU | P | P | CU | | CU | |

* Growth Zones

▲ follow the Polystyrene take-out food containers ordinance

D. GOVERNMENT / INSTITUTIONAL

| | 901 | 902* | 903 | 904* | 906* | 907 | 908 | 909 | 913 | 916 |
|---------------------------|-----|------|-----|------|------|-----|-----|----------|-----|-----|
| Cemetery | CU | CU | | CU | | | CU | | | |
| Places-of-WorshipChurches | CU | CU | | CU | P | P | CU | CU | P | |
| Community building | CU | CU | | CU | | | | P | P | |
| Boarding Care | CU | CU | | CU | | | | | | |
| Day Care Facility | CU | CU | | CU | P | P | | P | P | |
| Hospital | | | | | | P | | P Note-6 | | |
| Nursing Home | CU | CU | | CU | | | | P | | |
| Municipal Uses | CU | CU | CU | P | P | P | | | P | P |
| | | | | | | | | | | |
| Schools | CU | CU | | CU | CU | CU | | | | |
| Solid waste facilities | | | | | | | | | | P |

* Growth Zones

KEY: P = Permitted
CU = Conditional Use
SB = Subdivision

E. INDUSTRIAL / MANUFACTURING / TRANSPORTATION / WHOLESALE

| | 901 | 902* | 903 | 904* | 906* | 907 | 908 | 909 | 913 | 916 |
|--|-----|------|-----|------|----------|-------------------------|-----|-----|----------|-----|
| Agricultural product- Processing | | | | | | | CU | | | |
| Boat Storage Commercial | CU | CU | | CU | | | | | P | |
| Boat storage/shipyard/sales | | | | | P | P | | | P | |
| <u>Ship Chandlery</u> | | | | | <u>P</u> | <u>P</u> | | | <u>P</u> | |
| Commercial Fish Pier | | | | | | | | | CU | |
| Industrial | | | | | | P | | | | P |
| Marina/boat yard | | | | | | | | | P | |
| Mini-storage | | | | | | | | | | |
| Outdoor Storage facility | | | | | | | | | | P |
| Research Facility | | | | | | | | | P | P |
| Storage Building | | | | | | P Note- 7 | | | | |
| Wholesale facility | | | | | P | P | | | | |

* Growth Zones

F. OTHER

| | 901 | 902* | 903 | 904* | 906* | 907 | 908 | 909 | 913 | 916 |
|---------------------------|-----|------|-----|------|------|-----|-----|-----|-----|-----|
| Accessory Structures | P | P | P | P | P | P | P | P | P | P |
| Accessory Uses | P | P | P | P | P | P | P | P | P | P |
| Essential Services | P | P | P | P | P | P | P | P | P | P |
| Municipal Pumping station | P | P | P | P | P | P | P | P | P | P |
| Public Utility Facility | CU | CU | CU | CU | P | P | CU | P | | |

* Growth Zones

KEY: P = Permitted
CU = Conditional Use
SB = Subdivision

G. NOTES

- ~~Camping and tent areas are permitted in the 909 District but only on lots 10 acres or greater in area.~~
- ~~Intentionally Deleted~~
- ~~Resorts in the 909 District must have at least 25 contiguous acres.~~
- ~~Intentionally Deleted~~
- ~~Retail sales and services shall be within 250 feet of Route One and shall be less than 10,000 square feet in size.~~
- ~~Hospitals shall be permitted in the 909 District but only on lots 10 acres or greater in area.~~
- ~~Storage buildings do not include mini storage units.~~
- ~~Residential uses are prohibited within the first 20 feet of the ground floor of any structure on Central Street, as measured from the sidewalk.~~
- ~~No more than 40 (forty) rooms, in the aggregate, shall be permitted at Inns/Hotels in the 913 zoning district.~~

Commented [OT4]: These "notes" should really be in the zone section, not here.

Commented [OT5]: This is in section 909. Suggesting to remove from "notes" for its redundant.

Commented [OT6]: Already in 909. Redundant.

Commented [OT7]: This should be moved to each zone section. Not in the note.

Commented [OT8]: Moved to corresponding zones listed in table.

Commented [OT9]: already in 909. Redundant.

Commented [OT10]: Definitions provide clarity for this note.

Commented [OT11]: Covered in 913.

Commented [OT12]: Move to 913.3

Chapter 900 – Zoning Districts

- ~~10. Landscaping businesses shall be permitted in the 902 District but such use, be it a structure, outdoor storage or associated activities shall not be permitted less than 100 feet from any property with a preexisting residential use.~~
- ~~11. Heavy Landscaping businesses shall be permitted in the Section 906 and 907 zoning districts but such use, be it a structure, outdoor storage or associated activities shall not be permitted less than 100 feet from any property with a preexisting residential use.~~
- ~~12.~~

Commented [OT13]: Move to 902

Commented [OT14]: Moved to 906 & 907

Formatted: Indent: Left: 0.34", Hanging: 0.33", No bullets or numbering

918. DIMENSIONAL TABLES

The following tables show the dimensional requirements for the zoning districts as indicated. In addition to these tables other sections of the Land Use Ordinance also contain dimensional requirements which must be followed depending upon the proposed activity. Consult Chapter 1400 for additional dimensional requirements for the Shoreland Zoning Overlay District.

A. General Dimensional Requirements

| | 901 | 902* | 903 | 904* | 906* | 907 | 908 | 909 | 913 | 916 |
|---|----------------|----------------|----------------|----------------|----------------|----------------|-----------------|---------------------------|--------------------------|----------------|
| Minimum lot size without public sewer | 20,000 sq. ft. | 20,000 sq. ft. | 20,000 sq. ft. | 20,000 sq. ft. | 20,000 sq. ft. | 20,000 sq. ft. | 130,000 sq. ft. | 20,000 sq. ft. | 20,000 sq. ft. | 20,000 sq. ft. |
| Minimum lot size with public sewer | 3,000 | 3,000 | 20,000 | 4,000 | 4,000 | 10,000 | 130,000 | 10,000 | 0 | 0 |
| Max. lot coverage | 60% | 60% | 33% | 60% | 60% | 60% | 60% | 60% | 100% | 60% |
| Max building height | 34 ft. | 34 ft. | 34 ft. | 34 ft. | 34 ft. | 34 ft. | 34 ft. | 34 ft. § 909.3 | 34 ft. Note 5 | 34 ft. |
| Minimum street frontage | 60 ft. | 60 ft. | 60 ft. | 60 ft. | 60 ft. | 60 ft. | 150 ft. | 60 ft. | 40 ft. 0. | 60 ft. |
| Minimum frontage Rts 1, 17, 90 and Old County Rd. | | | 75 ft. | 100 ft. | 75 ft. | 100 ft. | | | | |

Commented [OT15]: maybe increase height within PUD for housing developments and Cluster Developments.

Chapter 900 – Zoning Districts

| | | | | | | | | | | |
|--|-------|--------|--------|--------|---------------------------|-----------------|--------|--------|-------------------|--------|
| Minimum side/ rear setbacks | 8 ft. | 8 ft. | 15 ft. | 15 ft. | 15 ft. | 15 ft. | 15 ft. | 15 ft. | 6 ft. | 25 ft. |
| Min. side and rear setback parking / driveways (Note 3) | 4 ft | 4 ft. | 8 ft. | 8 ft. | 10 ft. | 8 ft. | 8 ft. | 8 ft. | 4 ft. | 8 ft. |
| Min. front yard setback condo / internal roads | 10 ft | 10 ft. | 10 ft. | 10 ft. | 10 ft. | 10 ft. | 10 ft. | 10 ft. | | |
| Min. front yard setback (Note 4) | 10 ft | 10 ft. | 40 ft | 40 ft. | 15 ft. | 35 ft. | 20 ft. | 35 ft. | 10 ft. | 35 ft. |
| Minimum front yard setback on Rts. 1, 17 & 90 | | 20 ft. | 50 ft | 40 ft. | 20 ft. residential use | | 20 ft. | 35 ft. | | |
| | | | | | 20 ft. comm. | 20 ft. comm. | | | | |

* Growth Zones

B. General Dimensional Requirements

(1) Lot Density for Dwelling Units

| | 901 | 902 [±] | 903 | 904 [±] | 906 [±] | 907 | 908 | 909 | 913 |
|---|-------------------------|-------------------------|-------------------------------------|--|-------------------------|-------------------------------------|--------------------------|-------------------------------------|-----------------------------|
| Single family dwelling w/o public sewer | 20,000 sq. ft. | 20,000 sq. ft. | 40,000 20,000 sq. ft. | 40,000 20,000 sq. ft. | 20,000 sq. ft. | 40,000 20,000 sq. ft. | 130,000 sq. ft. | 40,000 20,000 sq. ft. | 20,000 sq.ft. |
| Single family dwelling with public sewer | 3,000 sq. ft. | 3,000 sq. ft. | 20,000 sq. ft. | 4,000 sq. ft. | 4,000 sq. ft. | 10,000 sq. ft. | 130,000 sq. ft. | 10,000 sq. ft. | 0 sq. ft. |
| Multi-family & Multi-family 20 w/o public sewer | 20,000 sq. ft. per unit | 20,000 sq. ft. per unit | 20,000 sq. ft. per unit | 20,000 sq. ft. per unit | 20,000 sq. ft. per unit | 20,000 sq. ft. per unit | 65,000 sq. ft. per unit | 20,000 sq. ft. per unit | 20,000 sq.ft. |
| Multi-family & Multi-family 20 with public sewer | 2,700 sq. ft. per unit | 3,000 sq. ft. per unit | 20,000 sq. ft. per unit | 204,000 0 sq. ft. per unit | 3,000 sq. ft. per unit | 2,000 sq. ft. per unit | 32,500 sq. ft. per unit. | 10,000 sq. ft. per unit | 0 sq.ft. |
| Multi-family in shoreland overlay with public sewer | 15000 sq. ft. per unit | | | | | | | | |

Formatted: Table Paragraph

Formatted: Table Paragraph

Formatted: Table Paragraph, Line spacing: Multiple 1.08 li

Formatted: Table Paragraph

Formatted: Table Paragraph

Formatted: Table Paragraph

Commented [OT16]: Reduce further.

* Growth Zones

(2) **Minimum Lot Density for Other Uses**

| | 901 | 902* | 904* | 906* | 907 | 909 | 913 |
|--|--|--|---|--|--|---|-----|
| Boarding Care, Nursing Home Community Living and Dormitories without sewer | 20,000 sq. ft. + 3,000 sq. ft. per bedroom | 20,000 sq. ft. + 5,000 sq. ft. per bedroom | 40,000 sq. ft. + 20,000 sq. ft. per bedroom | | | 20,000 sq. ft. per bedroom | |
| Boarding Care, Nursing Home Community Living and Dormitories with sewer | 12,000 sq. ft. + 3,000 sq. ft. per bedroom | 15,000 sq. ft. + 5,000 sq. ft. per bedroom | 40,000 sq. ft. + 20,000 sq. ft. per bedroom | | | 10,000 sq. ft. per bedroom | |
| Congregate Housing with or without sewer (see Note 6) | 12,000 sq. ft. + 3,000 sq. ft. per bedroom | 15,000 sq. ft. + 5,000 sq. ft. per bedroom | 40,000 sq. ft. + 10,000 sq. ft. per bedroom | | | | |
| Motels, Hotels, Inns, Bed & Breakfast, Community Living, Boarding Care, & Dormitories with and without sewer | | | | 40,000 sq. ft. + 5,000 sq. ft. per bedroom | 40,000 sq. ft. + 5,000 sq. ft. per bedroom | | |
| Motels, Hotels Inns or Resorts w/o sewer | | | | | | 40,000 sq. ft. + 10,000 sq. ft. per bedroom | |
| Motels, Hotels, Inns or Resorts with sewer | | | | | | 20,000 sq. ft. + 5,000 sq. ft. per bedroom | |

Commented [OT17]: This table needs a lot of discussion. Is it needed? Is this existing table too restrictive?

Formatted: Table Paragraph

Formatted: Table Paragraph

Formatted: Table Paragraph

Formatted: Table Paragraph

Formatted: Table Paragraph

*Growth Zones

C. NOTES

- (1) ~~Multiple structures may be constructed on a single lot subject to the lot size, coverage and footprint restrictions. Such structures may be joined by a connector or connectors subject to the definition of a connector in Chapter 300.~~
- (2) ~~Consult Chapter 1400 for additional dimensional requirements in the Shoreland Overlay District.~~
- (3) ~~Setback is applicable unless shared with adjacent property.~~

Commented [OT18]: These are repetitive from definitions or other sections of the LUO and not needed.

Formatted: Indent: Left: 0.92", Hanging: 0.27", No bullets or numbering

~~(4) Front setback is measured from the edge of the pavement.~~

Formatted: Indent: Left: 0.92", Hanging: 0.27", No bullets or numbering

~~(5) See Section 913.3. A greater alternative maximum height (50') and lot coverage percentage (100%) is allowed in a small area with frontage on Central Street for all permitted uses and in a small area with frontage on Main Street for marine related uses.~~

~~(6) Maximum occupancy of a Congregate Housing facility shall be determined by multiplying the number of bedrooms by two.~~

~~(7) The minimum lot area for Dwelling Units and other uses in the Shoreland overlay shall comply with section 1415.1 of this Ordinance.~~

Commented [OT19]: This note is not enforceable.

Commented [OT20]: If an application is applicable for 1400 review, then the application has to meet its requirements. This note is redundant.

919. Conditional Uses

The Planning Board may vote to grant such Conditional Uses with such conditions and safeguards as are appropriate under this ordinance, or to deny such Conditional Uses when not in Harmony with the Purposes and intent of this Ordinance.

A Conditional use may be granted only if the applicant has established to the satisfaction of the Planning Board that the following criteria are met.

If the application will require Site review, and if the Board determined that subsections 2-5 below will be adequately addressed during Site review, then the Board may grant the Conditional Use after making a finding in the affirmative only on subsection 1 below.

- 1 That the proposed use is consistent with a specific goal or strategy of the Town of Rockport's current Comprehensive Plan.
- 2 The expanse of pavement, intensity of use and the bulk and material of any buildings a planned for the proposed Conditional Use would not have a significant adverse effect on: the value of surrounding properties or the use and quiet possession of surrounding property owners.
- 3 That the proposed use will not create an unreasonable demand for public services, including, but not limited to, public roads, fire protection, police protection, solid waste disposal, sewage treatment, public water supplies, schools, public open spaces and recreational programs and facilities.
- 4 That the proposed use would not result in an inordinate amount of pedestrian and/or vehicle traffic at or surrounding the site and/or cause any problems regarding emergency vehicle access.
- 5 The following shall be considered by the Planning Board as possible conditions of approval for any Conditional Use granted:
 - a) Hours of Operation generally;
 - b) Hours of operation for heavy equipment- may be stricter than Section 801.6: and
 - c) Preservation of existing landscaping and other visual buffering.