



CITY OF BELFAST

131 Church Street
Belfast, Maine 04915

Erin Herbig
City Manager

E-mail: citymanager@cityofbelfast.org

Tel: (207) 338-3370 ext. 110

Fax: (207) 338-2419

MANAGER'S REPORT
Belfast City Council Meeting
Tuesday, April 2, 2024

6:00 p.m. Council Work Session with the Northport Selectboard regarding the perambulation process.

7:00 p.m. Regular Council Meeting

TO: Mayor Eric Sanders and Honorable Members of Belfast City Council

FROM: Erin Herbig, City Manager

DATE: Thursday, March 28, 2024

Agenda Items:

10-A Request to appoint Alexandra Sykes of Bucksport as the City Planner for the City of Belfast.

The City of Belfast listed the employment opportunity for the City Planner position beginning on January 18, 2024. This position performs administrative and technical work in implementing the City's zoning and land use ordinances and regulations, working closely with applicants, the public, the Planning Board, the Intown Design Review Committee, the Code Enforcement

Officer, and Department Director in performing this function. Applications were due on February 28th. The City received six complete applications.

The City Planner Hiring Committee, which was composed of HR Administrator Nancy Driscoll, Director of Code and Planning Bub Fournier, Deputy Economic Development Director Joellyn Warren, and me, held first round interviews with five well-qualified candidates on Thursday, February 29th.

On Thursday, March 7th, the committee held a second round of interviews with two candidates. Prior to this interview, the two finalists were asked to submit technical writing samples. The committee came to a unanimous decision on the final candidate, Alexandra Sykes, for your consideration and appointment.

Ms. Sykes has a bachelor's degree from Hobart and William Smith Colleges in Architectural Studies, a master's from the University of Pennsylvania in Historic Preservation and a master's from Montana State University in Architecture. Most recently, she has worked as an architectural designer for GO Logic in Belfast. We are thrilled to have Ms. Sykes join our team and the experience she brings collaboratively working on teams for commercial, residential, and historic preservation design, and planning projects.

If approved by the City Council, the City Planner Hiring Committee requests a motion is made to appoint Alexandra Sykes of Bucksport as the new City Planner for the City of Belfast. Ms. Sykes is expected to start on April 1, 2024. If appointed by the City Council, Ms. Sykes will be sworn in at the meeting by City Clerk Angie Crosby.

Please see the attached cover letter, resume, employment application, employment advertisement, and job description (10-A) providing further information. Director of Code and Planning Bub Fournier and I will be at the meeting to present, introduce Ms. Sykes to the community, and answer any questions.

10-B Request from the Police Chief to accept a \$1,000.00 donation to the Belfast Police Department.

The City of Belfast Police Department received a donation of \$1,000.00 from the Belfast Friends of Scouting.

Police Chief Bobby Cormier requests that, if approved by the City Council, a motion is made to accept the funds of \$1,000.00 and to place these funds into the Department's Explorer Program account #110-352 to apply towards the future purchase of rescue equipment. This account has a current balance of -\$271.22.

Please see the attached memo (10-B) from Police Chief Bobby Cormier providing further detail. I will be at the meeting to present and answer any questions.

10-C Request from the Parks and Recreation Director to approve a new Facility Use Request by the Hospice Volunteers of Waldo County to utilize a portion of Steamboat Landing Park on Saturday, May 5, 2024, from 1:00 AM to 3:00 PM for a Family Fun Day event.

The Hospice Volunteers of Waldo County seek permission for use of Steamboat Landing Park along with their Boathouse rental for their annual Spring Sports Day featuring tea, scones, blooms and seedlings on Sunday, May 7, 2024, starting at 1:00 p.m. This free family and friends' fun day will provide the opportunity for guests of the event to participate in badminton, croquet, strolling, egg and spoon races, and arts and crafts. If approved, they request to begin set up at 10:00 a.m.

If approved by the City Council, Parks and Recreation Director Pam Salokangas requests that a motion be made to approve the new Facility Use Request by the Hospice Volunteers of Waldo County to utilize a portion of Steamboat Landing Park on Saturday, May 5, 2024, from 10:00 AM to 5:30 PM for a Family Fun Day event.

Please see the attached memo and completed facility use application (10-C) from Parks and Recreation Director Pam Salokangas explaining the request in further detail. Director Salokangas will be at the meeting to present and answer any questions.

10-D Request from the Parks and Recreation Director to approve a new Facility Use Request by the Belfast Bay Watershed Coalition to utilize Steamboat Landing Park /Harbor Walk/Heritage Park on Saturday, June 22, 2024, from 10:00 AM to 3:00 PM for A Walk and Roll Stewardship Day.

The Belfast Bay Watershed Coalition seek permission to utilize Steamboat Landing Park, the Harbor Walk and Heritage Park for a Walk and Roll Stewardship Day on Saturday, June 22, 2024, starting at 10:00 a.m. This event will include tables set up along the walk with children's activities, food and displays of ways people can get involved with the Belfast Bay Watershed Coalition initiatives. If approved, they seek authorization for a rain date of Sunday, June 23rd.

If approved by the City Council, Parks and Recreation Director Pam Salokangas requests that a motion be made to approve the new Facility Use Request by the Belfast Bay Watershed Coalition to utilize Steamboat Landing Park/Harbor Walk/Heritage Park on Saturday, June 22, 2024, from 10:00 a.m. to 3:00 p.m. for A Walk and Roll Stewardship Day.

Please see the attached memo and completed facility use application (10-D) from Parks and Recreation Director Pam Salokangas explaining the request in further detail. Director Salokangas will be at the meeting to present and answer any questions.

10-E Request from the Public Works Director to accept and award the City Street Paving Bids.

On March 26th, 2024, the City of Belfast held a bid opening at City Hall for 2024 City Street Paving. The City of Belfast received six bids. The Public Works Director recommends that the City Council make a motion to accept all six bids and to award the bid to Vaughn Thibodeau II Inc. with a bid of \$89.23 per ton for paving. This is a decrease of \$10.64 per ton from FY23. It is further recommended that funding come from account # 450-577 Road Construction and Paving. This account has a current balance of \$500,000.00.

The streets with a shim and overlay are Stephenson Lane, Mill Lane, Patterson Hill Road, Robbins Road, Head of Tide Road, and a section of Waldo Avenue. All of these streets are tentatively scheduled to be paved, unless there is a price adjustment before the work begins. Most of these roads were last resurfaced between 2007 and 2010.

Please see the attached memo (10-E) from Public Works Director Bob Richards explaining the request in more detail. Director Richards will be at the meeting to present and answer any questions.

10-F Presentation on proposed amendments to the City Code of Ordinances, Chapter 66 Definitions, Chapter 80 In-town Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning.

On February 28th, 2024, the Belfast Planning Board voted unanimously to recommend a package of ordinance amendments to the Belfast City Council for adoption that the Board has been working on since the summer of 2023. These proposed ordinance amendments are focused on increasing housing opportunities of all types in the City and address the incorporation of State Statue changes required in LD2003 and supporting legislation.

This amendment work focused on the Inside the Route 1 Bypass area. This comes after major zoning overhauls in all other areas of the City. As recently as August 2021, the City adopted amended technical standards to decrease parking standards for multi-family housing, after hearing from developers that the City's Code could be improved. As recently as 2019, the City amended ordinances to increase housing opportunities inside the bypass affecting accessory dwelling units (ADUs). In addition to this, as early as 2014, the City completed proposals for increased density for zoning districts inside the bypass, increased opportunities for multi-family as a use and proposed allowing ADUs ahead of many other municipalities.

All of this work, coupled with Belfast's long standing zoning policy allowing two-family dwellings on every buildable lot outside of shoreland zoning, has provided a solid foundation for housing opportunities long before the current housing crunch. In effect, Belfast is now postured as a leader in housing opportunities in the State in regard to our zoning ordinances.

The City Council, Planning Board, newly formed Housing and Property Development, Intown Design Review and other City committees, City staff, and engaged members of the public have helped to shape the proposal thus far.

The City has attracted some substantial housing developments in recent years because City officials and staff set the stage to accommodate these projects. With this proposed amendment package, the City will be in compliance with the new state law and continue to accommodate growth Inside the Bypass.

The proposed Ordinance amendments include changes to Chapter 66 Definitions, Chapter 80 Intown Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning. The proposal's goals are broken down into the following categories of changes for better understanding:

- 1) Increase housing development opportunities Inside the Rte. 1 Bypass area of Belfast.
- 2) Adopt State Accessory Dwelling Unit (ADU) standards in compliance with LD2003.
- 3) Incorporate density bonuses and maximum parking requirements in LD2003 for Affordable Housing as defined by the State.

- 4) Accommodate standards in the State law requiring the City to allow 4 dwelling units on a vacant lot for any zoning districts that allow housing in “designated growth areas”.
- 5) Accommodate standards in the State law requiring the City to allow 3 dwelling units on a lot with an existing single-family home for any zoning districts that allow housing in “designated growth areas”.
- 6) Consolidate Inside the Bypass Chapter 102 zoning use and dimensional tables into City-wide format.
- 7) Minor cleanups including a front minimum structure setback adjustment affecting 3 lots on Cottage Street, amendments in support of minor agricultural uses, supporting Chapter 66 Definitions amendments and a newly proposed process in Chapter 80 for residential multifamily and “flex housing” design review.

No City Council action is needed for this agenda item as this is strictly a presentation regarding the proposed amendments.

Please see the attached memo and proposed amendments (10-F, G, and H) from Director of Code and Planning Bub Fournier explaining the request in further detail. Director Fournier will be at the meeting to present.

10-G Public Hearing on proposed amendments to the City Code of Ordinances, Chapter 66 Definitions, Chapter 80 In-town Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning.

NOTICE OF PUBLIC HEARING
BELFAST CITY COUNCIL
PROPOSED AMENDMENTS TO
CITY CODE OF ORDINANCES

The Belfast City Council, at its meeting of Tuesday, April 2nd, 2024, beginning at 7:00 p.m. or as soon as practical thereafter, shall conduct a First Reading and Public Hearing of proposed amendments to the City Code of Ordinances, Chapter 66 Definitions, Chapter 80 In-town Design Review, Chapter 98 Technical Standards, and Chapter 102 Zoning. The proposal aims to increase housing opportunities in zoning districts Inside the Rte. 1 bypass area and bring the City into compliance with State initiatives such as LD2003. The public hearing will be conducted in person at City Hall and can be streamed on the City website at www.cityofbelfast.org.

The City Council is considering proposed amendments to allow multi-family dwellings and a “flex housing” approach to all areas inside the bypass. The Council will also be considering amendments to the City zoning Code to support accessory dwelling units and affordable housing, along with various clean-up amendments. After a First Reading and Public Hearing, the Council will discuss the proposal and may consider options moving forward. This First Reading and Public Hearing at the City Council comes after several meetings by the Planning Board with input from the public to draft the current proposal. A Second Reading at a later date is required before any amendments may be adopted.

The City of Belfast encourages persons who may be affected by the proposed amendments to offer comments to the City Council. The Council is accepting comments in the following ways:

- 1) Submit written comments by 12 noon on April 2nd, 2024 by email to directorplanning@cityofbelfast.org. This is the preferred method to submit comments.
- 2) Submit written comments by 12 noon on April 2nd, 2024 by letter to: City of Belfast, Planning and Codes Dept, 131 Church St, Belfast, ME 04915.
- 3) Submit oral comments in person during the public hearing portion of the meeting.

The complete text of amendments the City Council will be considering can be found on the city website, www.cityofbelfast.org. Reference Planning and Codes, 2023 Inside the Bypass Zoning Amendments to Increase Housing Opportunities. A copy of the proposed amendments is also available for inspection in the Planning and Codes Department offices during normal business hours, 7:00 am - 6:00 pm, Monday - Thursday.

Questions regarding the proposed amendments can be directed to the Planning and Codes Department offices, 338-3370 x 125, or by email to Bub Fournier, Director of Planning and Codes, directorplanning@cityofbelfast.org.

All interested persons are invited to participate in the public hearing and will be given an opportunity to be heard at that time.

Please see the attached memo and proposed amendments (10-F, G, and H) from Director of Code and Planning Bub Fournier explaining the request in further detail.

10-H First Reading on proposed amendments to the City Code of Ordinances, Chapter 66 Definitions, Chapter 80 In-town Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning.

This is a First Reading. At this time, the City Council may discuss, amend, table, or approve the First Reading of the proposed amended ordinance.

If approved by the City Council, Director of Code and Planning Bub Fournier recommends that a motion is made to approve the First Reading of proposed amendments to the City Code of Ordinances, Chapter 66 Definitions, Chapter 80 In-town Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning and to schedule the Second Reading and Public Hearing for an upcoming Council Meeting.

Please see the attached memo and proposed amendments (10-F, G, and H) from Director of Code and Planning Bub Fournier explaining the request in further detail. Director Fournier will be at the meeting to answer any questions.

10-I Update and authorization regarding closing on the former courthouse acquisition.

At the Regular City Council Meeting of October 17, 2023, the City Council approved in substance and authorized the City Manager to finalize and sign a Purchase and Sale Agreement for the purchase of the former Waldo County Superior Court Building from the County of Waldo.

The former Waldo County Superior Court Building, located at 137 Church Street, has not served as an active courthouse since the completion of the new courthouse on Market Street in 2019. The County of Waldo is now in process of relocating the services currently provided in that

building to their other County buildings. There have been delays in the renovations of the future District Attorney's offices and in turn, they will not be ready to complete the move prior to the end of March as had been scheduled. The County has requested to use the building into the month of April. In turn, we will be looking to close on this purchase in late April, once the County has completed their move.

If approved, City staff requests that a motion be made to authorize the City Manager to execute all documents and take all actions incidental to closing on the purchase of the courthouse building from Waldo County pursuant to the Purchase and Sale Agreement dated November 16, 2023.

I will be at the meeting to present and answer any questions.

10-J Request to go into an Executive Session on an Economic Development Matter pursuant to 1 M.R.S.A. 405 (6) C.

10-K Signing of Council Orders

It has been just over four years since I first came on board as City Manager in March of 2020. Within my first week on the job, the City was faced with how to navigate and continue to provide services during a pandemic that had shut down the State of Maine for a month, and ultimately changed the way we would operate every day since.

This was the first, but not the last of many substantial obstacles our community would face together. Yet each day, week, month, and year that passes, and the many challenges that we have faced, I become more and more impressed by our collective ability to continue to work collaboratively together to plan for the future of our incredible City.

We have accomplished so much together, and I am excited for the incredible work ahead on projects that will continue to shape our “big-little City” nestled in Mid-Coast Maine. In the coming months, we will begin work on the Wight Street Construction Project, a large CSO improvement project along High Street, the City of Belfast will close on the former Superior Court House, Energy upgrades will be installed, our Harbor Department and Committee will have their first community discussion regarding the Bridge and River Management Plan while at the same time continuing to make repairs to January storm damage, planning and initial design work is occurring for the proposed Public Safety Building, our Transfer Station will be hosting its first ever Hazard Waste Day, along with so many other exciting projects.

The City of Belfast is blessed with exceptional leaders and employees whose shared experiences have brought great wisdom in addressing the ever-evolving needs and challenges that face our community. I am continuously impressed by the ability of our team to think outside the box and to make every taxpayer dollar stretch. I am grateful to work alongside such an exemplary staff, and with a Mayor and City Council whose unwavering leadership has guided our community when our citizens have needed it the most.

Thank you for the opportunity to serve as your City Manager for the past four years. Onward and upward.

**City of Belfast
Consent Agenda
Tuesday, April 2, 2024
Meeting #19**

The following items are proposed as our Consent Agenda. As in the past the items are voted on in one blanket motion to the affirmative. One Councilor makes a motion to approve the items as stated, and then another Councilor will second that motion and the whole Council votes. If a Councilor requests an item be removed from the consent agenda, they do so during the adoption of the agenda. If a member of the public requests that an item be removed from the consent agenda, they can do so in the open to the public section. Suggested motions are listed and supporting material is enclosed.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an application by Bowen's Pizzeria & Deli LLC located at 181 Waterville Rd., Belfast, Maine for a new Malt and Vinous Restaurant (Class I, II, III, IV) liquor license.**

Motion to approve an application by Bowen's Pizzeria & Deli LLC located at 181 Waterville Rd., Belfast, Maine for a new Malt and Vinous Restaurant (Class I, II, III, IV) liquor license.

10.A



**City of Belfast
Employment Opportunity
City Planner**

The City of Belfast, a vibrant, development-focused community of 7,000 located in midcoast Maine, seeks a full-time City Planner. This position performs administrative and technical work in implementing the City's zoning and land use ordinances and regulations, working closely with applicants, the public, the Planning Board, the Intown Design Review Committee, the Code Enforcement Officer, and Department Director in performing this function.

The successful applicant must have knowledge of the principles and practices of planning, relevant specialization such as but not limited to transportation, land use, or affordable housing is desired, and some experience in working with ArcMAP and other GIS. The salary range for this position is \$56,656.00 to \$74,282.00 in addition to a competitive benefits package. The schedule for this position is a 4-day work week, Monday through Thursday, but will require some attendance at evening meetings.

Applicants must have a minimum of a Bachelor's degree in urban planning, architecture, public policy, or related area of study; master's degree preferred. Two or more years of experience working for a local, state, or federal government agency preferred, particularly in a position that involved the review of development permits, application of regulations and/or project management. Experience with a consulting firm or private business that worked with government programs will be considered.

All applications are to be submitted in confidence and should include a letter of introduction, a completed Belfast Employment Application form (found on web site under Job Openings) and a resume which must be turned in to the Human Resource Administrator, Nancy Driscoll, at 131 Church Street or mailed no later than 6:00 PM on February 28th, 2024. Applications should be in a sealed envelope and addressed to:

City of Belfast
City Planner Search
C/O HR Administrator
131 Church Street
Belfast, Maine 04915

The City of Belfast is an equal opportunity employer.



CITY OF BELFAST JOB DESCRIPTION CITY PLANNER

NATURE of WORK

The City Planner works in the City Planning and Codes Department. The work the City Planner performs is professional in nature. The City Planner performs administrative and technical work in implementing the City's zoning and land use ordinances and regulations, and works closely with applicants, the public, the Planning Board, the Intown Design Review Committee, the Code Enforcement Officer, and Department Director in performing this function. The City Planner takes the lead role or assists in preparing and presenting planning studies and analyses and land use ordinances, and managing specific projects, often with public groups and City Committees.

The Belfast Planning and Codes Department is a relatively small Department within the City. The Department has five staff: the Director, the City Planner, the Code Enforcement Officer, the Planning and Codes Coordinator and the Administrative Assistant. It is expected that all positions in the office will work collaboratively with one another to fulfill the Department's responsibilities. Our work involves frequent public contact, much of which requires providing thorough and accurate on-the-spot responses to how complex regulations would apply to a wide variety and scale of development proposals. Some of the Department's work can be contentious.

The City Planner reports to the Department Director. The Planner is a salaried employee and is subject to the requirements of the City of Belfast Personnel Code. Belfast City Hall is generally open 7am-6pm four days a week M-Th. This position involves attendance at evening meetings.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Key duties the Planner will be expected to perform are listed below. This list, however, is not inclusive of all duties. The omission of specific statements or duties does not exclude such from being a requirement for the position if the work is similar in nature.

Key staff member in the Department who works with applicants and property owners and the applicant's representatives (engineer, architect, contractor) in the review of a project application for a subdivision, site plan, use permit or shoreland permit. Work involves working with the Planning Board to prepare written findings of fact and conditions of approval that describe the Board decision.

Key staff member who works with applicants and property owners and the applicant's representatives in implementing requirements of the City Intown Design Review Ordinance. This involves serving as the non-voting facilitator of the Intown Design Review Committee and preparing findings of fact and notices of decision for the Committee's decision.

Works independently or with the Department Director to generate planning documents in support of new and updated plans and programs.

Works independently or with the Department Director to prepare proposed amendments to the City Code of Ordinances, particularly land use regulations, to implement policy direction provided by the City Council, Planning Board, and similar City bodies.

Prepares and manages or assists in preparing and managing grant applications and professional service contracts.

Working independently with one or more City Committees to help implement policy and program objectives identified by the City Council.

The City Planner will serve as a key customer service representative for the Department and City and respond to requests for public information and addressing citizen and customer concerns. Much of this work will occur at the 'counter' in the Department offices, which involves providing thorough 'on-the-spot' responses to public inquiries in a professional manner.

The City Planner must have some experience in working with ArcView/GIS.

The City Planner is expected to have the ability to develop a reasonable working knowledge of State and City Codes enforced by the Code Enforcement Officer, and to understand and apply how such Code requirements may affect decisions on land use permit applications.

EXPECTED KNOWLEDGE

Knowledge of the principles and practices of planning, particularly as it relates to a small community like Belfast that is both urban and rural in nature.

Knowledge of a relevant specialization such as but not limited to transportation, land use, or affordable housing is desired.

Some experience in working with ArcMAP and other GIS.

Knowledge of public processes.

EXPECTED SKILLS

Experience with development reviews. The ability to review plans and apply provisions of City ordinances and codes to determine compliance with said regulations.

Effective written, communication and interpersonal skills, particularly the ability to clearly explain complex rules and procedures to the public and to boards and committees.

Creative problem-solving skills and ability to gather and present relevant information to solve vaguely defined practical problems.

Experience with group facilitation.

Ability to work on multiple projects or issues simultaneously, and to manage deadlines and establish priorities in completing assigned work.

Ability to work independently or in a team environment as needed.

Ability to attend to details while keeping big-picture goals in mind.

Strong customer service skills. The City Planner must be able to work with people from all walks of life, and to treat all people fairly with dignity and respect.

MINIMUM QUALIFICATIONS

Bachelor's degree in urban planning, architecture, public policy, or related area of study; master's degree preferred.

Two or more years of experience working for a local, state, or federal government agency preferred, particularly in a position that involved the review of development permits, application of regulations and/or project management. Experience with a consulting firm or private business that worked with government programs will be considered.

Able to obtain a State of Maine Driver's license.

This description for the City Planner position was updated in December 2023. The job description does not constitute an employment agreement between the City and the employee and is subject to change by the City as the needs of the City and the requirements of the job may change.

ALEXANDRA ELIZABETH SYKES

February 26, 2024

Human Resources
Attn: Nancy Driscoll
131 Church Street
Belfast, ME 04915

Dear Ms. Driscoll,

I submit my application packet to be considered for the open City Planner position in Belfast Maine. I am interested in using my architectural and historic preservation lens for the greater good of the Belfast community.

I believe my varied educational and professional work history along with my community spirit positions me to serve insightfully as a city planner.

My husband and I moved back to my roots on the East Coast to belong to a community rich in history, yet sensitive to the future needs of individuals, groups, and populations that live in that community.

Over the years, I have worked as an architectural designer and worked collaboratively on project teams, with clients, and state officials on various project types including commercial, residential and historic preservation design/planning projects. My creative, technical, and graphic expertise has been used within communities on the West Coast, New York, throughout Downeast/ Arcadia region of Maine, and on an international internship.

I bring versatility and fluency in computer programs, extensive documentation and survey experience, passion for beautifully executed graphics that effectively communicate keen attention to detail, and a strong (intuitive) research/data analytical problem- solving mindset.

I look forward to speaking with you about my qualifications for consideration as a Belfast Maine City Planner.

Respectfully,

A handwritten signature in cursive script, appearing to read 'Alexandra E. Sykes', followed by a horizontal line extending to the right.

Alexandra Elizabeth Sykes

ALEXANDRA ELIZABETH SYKES

ARCHITECTURAL DESIGNER | HISTORIC PRESERVATIONIST

EDUCATION

- 2017 **Master of Architecture (M.Arch)** | Montana State University - Bozeman, MT
Research Assistant - High Performance Building Systems | Digital Fabrication Lab Assistant - Laser Room
Thesis: 'Adaptable Design: Reframing Adaptability as an Architectural Value' (2017)
- 2013 **Master of Science in Historic Preservation (M.S.)** | University of Pennsylvania - Philadelphia, PA
Architectural Conservation and Preservation Design Emphasis | Teaching Assistant - Digital Media for Preservation
Thesis: 'Buried with Tiffany: A Conservation Plan for the Tiffany Glass Mosaics of the Harris C. Fahnestock Mausoleum at the Woodlawn Cemetery in the Bronx, New York' (2013)
- 2011 **Bachelor of Arts in Architectural Studies (B.A.)** | Hobart and William Smith Colleges - Geneva, NY
Co-Founder and President of Northeast Chapter of AIAS | Senior Architectural Achievement Award
- 2009 **International Study Abroad (Semester):** Advanced Studies in England | Bath, England (UK)
Dissertation: 'Old or Faux: A Conversation with Bath about its Preservation and Modern Georgian Structures' (2009)

EXPERIENCE

January 2022 - present

Architectural Designer | GO Logic - Belfast, ME

Maine based design and construction studio focused on panelized passive house design

- Lead project designer for single family residential houses and multi-building site development projects; project scale ranging from 800sf to 2,000sf in size
- Develops complete, detailed Construction Document Sets for projects ranging in cost from \$400k to \$2.2 million
- Redefined internal design options framework which improved design process efficiency and increased client satisfaction
- Coordinates with various parties through design process ranging from clients, sub-contractors, code officials, renewable energy consultants, specialty material companies, and international window representative.

Sept. 2021 - August 2023

Architectural Conservation Team Member | Woodlawn Cemetery LLC - Bronx, NY

(Restoration Work Began Spring 2023)

- Member of assembled team of historic preservationists and architectural conservators that will utilize the detailed conservation plan prepared from my University of Pennsylvania's Graduate Thesis titled *'Buried with Tiffany: A Conservation Plan for the Tiffany Glass Mosaics of the Harris C. Fahnestock Mausoleum at the Woodlawn Cemetery in the Bronx, New York'* (2013).
- Restoration work will be performed to preserve the architecturally significant Louis Comfort Tiffany Glass Mosaic (ca 1896); Tiffany's earliest ecclesiastical commission and rare example of domed mosaic interior.
- Received Funding through 'Save America's Treasures' Grant Program in association with the National Park Service and Institute for Museum and Library Services.

April 2021 - December 2021

Architectural Designer | WMH Architects - Northeast Harbor, ME

Maine based architectural and design studio focused on high-end residential designs

- Performs field measurements of historic and non-historic residential homes, and prepared as-built documentation packages as a baseline for renovation design options.
- Produces schematic design presentations for new high-end residential homes; schematic packages included two design options detailed in three-dimensional renderings coupled with two-dimensional documentation (site, plans, elevations).
- Develops new residential house designs from design development into construction documents, with a particular focus on detailing interiors based on client feedback.
- Coordinates various construction administration tasks including communication with clients, builders, and sub-consultants. Tasks range from interior finish and fixture coordination, field verification for interior casework, photographic documentation of site progress for field reports, and window/door shop drawing review.
- Involved in preparation and staging for photo shoots with professional photographer of newly completed residences

2018 - March 2021

Preservation/Architectural Designer II | A&E Design - Missoula, MT

Multi-disciplinary design firm providing services in architecture, interiors, environmental graphics & historic preservation

Design Studio

- Team member on a range of project types from small-scale residential/commercial renovations to newly designed offices, museum, and airports; involved in stages of the design process from pre-design through to construction administration
- Defined and executed efforts in the design process which include site analysis, programming, iterative layout studies, design research, and thoughtful crafting and assembly of construction documents which include technical detailing of building components and understanding of construction assemblies
- Collaborated with project architect and project manager in an iterative design process to develop project details that align with overall design intent of the project

Preservation/Architectural Designer II | A&E Design - Missoula, MT

(continued)

- Highly organized and efficient in taking on leadership roles within project team; tasks include exterior material studies, client & consultant coordination, conceptual modeling & rendering, interior material & fixture selection, and space/massing studies in relation to scale & proportion
- Created and implemented a firm-wide graphic standard for project presentation packages; highlighting firm's intent on graphic layout, use of diagrams, and overall visual storytelling graphics
- *Project Highlights:* Glass Elevator Design for Historic Agricultural Fair Building, Technical Detail Development and Schedule Coordination for Missoula International Airport, Schematic Design for Museum of Art and Culture, and Food Hall & Hotel Adaptive Reuse Feasibility Report for Historic Commercial Building

Historic Preservation Studio

- Designed and executed over 10 detailed historic preservation reports and documented 34 singular and grouped historic commercial and residential structures. Report type and knowledge include building condition assessments, historic structure reports, feasibility studies, basis of design, and interpretive & master planning studies
- Collaborated and coordinated with historic preservation studio and consultants to develop historic project goals and treatment recommendations in accordance with the Secretary of the Interior's Standards for Rehabilitation; which aims to minimize adverse effects on historic resources, preserve character defining features, and identify areas for sympathetic/sensitive growth
- Co-developed historic building documentation and report framework and implemented a seamless field to studio process; which enhanced teams' productivity and collaborative engagement
- *Project Highlights:* Historic Estate Assessment and Opportunity Framework, Phased Rehabilitation of Historic Boathouse in Yellowstone National Park, and Sensitive Design for Rehabilitation of Garage Doors at Historic Ranger Station

2013-2016

Architectural Design Intern | Big Timberworks - Gallatin Gateway, MT

Eco design-build firm, housing four shops that work together to blend reclaimed materials with modern design elements

- Collaborated with craftsman and developed concept drawings for custom wood and metal designs to be fabricated; ranging from exterior gates and live edge tables to bud lamp prototypes
- Photographed all completed design projects and partnered with graphics consultant to organize and catalog entire professional portfolio of built designs for website re-branding efforts, social media, and 'wood stories' blog posts
- Elevated conceptual design ideas from principal designer into drawing sets for event barn and eclectic garden shed addition to log cabin home and built schematic model for new modern residence
- Designed complete owner's manuals for newly built custom timber frame residence; including detailed information expressed in text and visual format regarding architectural plans, materiality, architectural photography, custom furniture, hardware, specifications and manuals/warranties

Fall 2012

Woodwork Conservation Intern | Philadelphia Museum of Art - Philadelphia, PA

- Documented and restored appearance of original 18th century wood sash windows of the north and south dependences at Mount Pleasant Historic House using traditional building materials and methods
- Received training and certification to operate a self-propelled boom supported lift (Genie S40)
- Prepared visual presentation to graphically demonstrate the techniques & benefits of window restoration

June-July 2012

Preservation Intern | Archie Bray Foundation/ Heritage PennPraxis - Helena, MT

- Conducted condition assessment survey of abandoned brick beehive Kiln No. 7 (ca. 1908)
- Participated in pilot stabilization & restoration efforts of brick kilns; which included desalination, re-pointing, grouting, and corrosion removal on steel bands
- Investigated and researched opportunities for adaptive reuse/interpretive strategies for site

Summer 2010

Architectural Intern | Maho Bay Resort - Saint John, U.S. Virgin Islands (USVI)

- Designed and fabricated wood shape shifting shelf for retail store
- Maintained and performed minor repairs on wood framed tent-cabins throughout resort
- Research design options for alternate design of tent-cabins at resort
- Explored the vernacular architecture of island through hand-sketching and photography

Fall 2009

Preservation Design Intern | Watson, Bertam & Fell - Bath, England

- Hand-rendered residential facade concepts with sensitive additions; highlighting the historic character of existing building
- Attended and engaged in site visits and planning meetings with Preservation Architect and clients on historic site stewardship

SKILLS

- Adobe Creative Suites (*proficient*)
- Sketchup (*proficient*)
- AutoCAD (*proficient*)
- Revit
- Bluebeam/Plan Grid
- MacOS (*proficient*)
- Microsoft Office Suite
- 3D Modeling (BIM)
- Rendering (SU Podium/Enscape)
- Graphic Design &
- Presentations/Reports
- ArcGIS
- Existing Building Documentation
- Hand Sketching & Diagramming
- Architectural Photography
- Historical Research & Resource Mapping
- Wood Window Restoration &
- Wood Turning

AFFILIATIONS

- Maine Preservation
- American Institute of Architects, Associate AIA
- Preserve Historic Missoula (Former Marketing Board Member)
 - Led re-branding design efforts for non-profit (new logo and print material)
 - Organized membership fundraising event & designed promotional material for event
- Habitat for Humanity, Volunteer | Philadelphia, PA and Missoula, MT
- Woodlawn Conservancy, Inc.
- National Trust for Historic Preservation

References available upon request

City of Belfast

Employment Application

In compliance with Federal and State Equal Employment Opportunity laws, qualified applicants are considered for all positions applied for without regard to race, color, religion, sex, national origin, age, marital status or the presence of non-job-related medical condition or handicap.

Due to Maine Laws, applications are not confidential.

(Answer all questions—please type or print in ink)

Date of Application: February 26, 2024

Position(s) applied for: City Planner

Referral Source: Advertisement Friend Relative
 Job Service Other _____

Name: Sykes Alexandra Elizabeth
Last First Middle

Residence Address: Bucksport ME 04416
Street City State Zip Code

Mailing Address: _____, Bucksport ME 04416

Phone Number: _____

Are you known to schools/references by some other name? Yes

If so, what name: Kress (Maiden Name)

Have you filed an application or been employed here before? No

If yes, date(s): _____

(2)

Give name, address, and phone number of three references not related to you:

Lyle Lemon
Jim McDonald
Brandon Prinzing

Employment Experience:

List each job held. Start with your present or last job. Include military service assignments and volunteer activities.

1. Employer GO Logic 2. Employer WMH Architects
From January 2022 to Present From April 2021 to December 2021
Address 137 High Street Address 10 Neighborhood Road
Belfast, ME 04915 Northeast Harbor, ME 04662
Type of Work Designer Type of Work Designer
Reason for Leaving _____ Reason for Leaving To gain experience in building sector

If you need additional space, please continue on a separate sheet of paper and attach.

Summarize special skills and qualifications acquired from employment or other experiences.

As a team leader, creative planner, visual communicator, framework developer, and client-oriented designer, I have worked/coordinated with local, state, and international companies and individuals/ groups to develop and enhance designs for individuals, communities, and cities. Deliverables include: graphically oriented bound phased design and preservation/rehabilitation planning reports, historic building documentation, condition assessment and cultural resource surveys, and detailed project plans for new and existing structures.

Education:

Level	Name	Location	Years Completed
Elementary			4 5 6 7 8
High School			9 10 11 12
Undergraduate			1 2 3 4
Graduate			1 2 3 4 (2 graduate degrees)

(3)

Diploma: Academic Vocational

Degree(s) Master of Architecture (M.Arch), Master of Science in Historic Preservation (M.S.),
Bachelors of Arts In Architectural Studies (B.A.)

Describe course of study, specialized training, apprenticeship, skills,
and extra-curricular activities:

Primary academic focus on Architecture of the built and natural environment, with a specialization in Historic Preservation (Building Conservation, Building Pathology, and Preservation Design) and specialized experience in studio and architectural history.

See attached additional document.

AGREEMENT:

I certify that the answers provided by me herein are true and complete to the best of my knowledge.

I authorize you to make such investigation and inquiries of my personal employment, and other related materials that may be necessary in arriving at an employment decision. I hereby release employers, schools, and person from all liability in responding to inquiries in connection with my application.

I understand that person(s) soliciting this application may base their selection of applicants to interview or hire on qualifications listed in the Administrative Personnel Code of the City of Belfast, and that I am not entitled to an interview simply by virtue of having applied for the position.

In the event of employment, I understand that false or misleading information provided in application or interview(s) may result in my discharge. I understand also that I am required to abide by all the rules and regulations of the City.

Date: February 26, 2024

Alexandra C. Sykes
Signature of Applicant

Additional Document:

Describe course of study, specialized training, apprenticeship, skills, and extra-circular activities:

Course of Study: Primary academic focus on Architecture of the built and natural environment, with a specialization in Historic Preservation (Building Conservation, Building Pathology, and Preservation Design) and specialized experience in studio art and architectural history.

Specialized Training includes: Trained in Architectural and Graphic Design Software. Trained to develop Historic American Building Surveys (HABS), Historic Structures Reports (HSR), Building/Area Condition Assessments, Program Development, Building Layout and Design, review of compliance reports, and creative planning frameworks.

Apprenticeship experience in US East to West coasts and internationally gaining experience ranging from heritage conservation praxis pilot programs (Archie Bray Foundation - brick beehive kiln restoration), design guideline specific community planning (The Sea Ranch, CA), window restoration apprenticeship with the Philadelphia Museum of Art, cultural resource survey of Creole cemeteries in New Orleans, adaptive reuse planning in United Kingdom, and collaboration with city figures on national historic landmark preservation plans.

Skills: Strong visual graphic skills in mapping and documentation of buildings, resources, and systems. Developed design language for program and design development of buildings. Developer of detail-oriented framework from data analysis, photography, hand-sketching/diagramming, and non-profit marketing.

Extra-Circular activities: Teaching and research assistant for graduate level courses, digital fabrication lab assistant, national and local Memberships include: Association for Preservation Technology (APT), National Trust for Historic Preservation, American Institute of Architects (AIA), and local historic preservation societies.

10.B



BELFAST POLICE DEPARTMENT

"To Protect and Serve"

OFFICE OF THE CHIEF OF POLICE

Robert Cormier
(207)338-2040

March 26, 2024

City of Belfast City Manager
City of Belfast City Council
131 Church Street
Belfast, ME 04915

RE: Donation Acceptance

Dear City Council and City Manager:

The Belfast Police Department requests the donation of One Thousand and 00/100 (\$1,000.00) Dollars from the Belfast Friends of Scouting be accepted and applied to budget line R110-3522.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Cormier", written in a cursive style.

Chief Robert Cormier



CITY OF BELFAST

131 Church Street
Belfast, Maine 04915

10.C

Pamela J. Salokangas, CPRP, CPSI
Parks & Recreation Director

Email: parksandrec@cityofbelfast.org
Phone: (207) 338-3370, ext. 127

MEMORANDUM

TO: Erin Herbig, City Manager
FROM: Pam Salokangas, Parks and Recreation Director
DATE: March 28, 2024
RE: Facility Use Requests (2)

The City of Belfast has received two Facility Use Requests, both of which have been reviewed by the Parks and Recreation Commission at their March 11, 2024 meeting.

The first rental is from the Hospice Volunteers of Waldo County (HVWC) for their Family Fun Day event, scheduled for Saturday, May 5 at the Belfast Boathouse and at Steamboat Landing Park. The contact for this event is Flic Shooter. The rental period is 10 AM-5:30 PM and the event will run from 1-3 PM. Within the Belfast Boathouse will be sales of flowers and seedlings along with the provision of tea and scones for the attendees. On the grounds of Steamboat Landing Park, field games will be provided for participants—games like egg and spoon races, three-legged races, badminton, croquet, and other family games. Approximately 100-150 people are expected for this free event. HVWC's Certificate of Insurance with the City of Belfast noted as the additional insured in in place.

The second rental is from the Belfast Bay Watershed Coalition (BBWC) for their "A Walk and Roll" Stewardship Day, scheduled for Saturday, June 22 with a rain date of Sunday, June 23. The locations include the Belfast Boathouse, and the grassy areas along the Harbor Walk through Steamboat Landing Park and the Harbor Walk. The contacts for this event are Don Trites and Cloe Chunn. The rental period is 10 AM-5 PM and the event will run from 11 AM-3 PM. The Boathouse will host a storyteller and some indoor vendor tabling, and restrooms will be available to the public as well. Vendor tabling will be in the grassy areas along the Harbor Walk as it passes through Steamboat Landing Park and Heritage Park. Table vendors are partner agencies and other groups who work in or support environmental stewardship. There will be some children's activities within Steamboat Landing Park and there will be music also. Approximately 100 people are expected for this free event. BBWC's Certificate of Insurance with the City of Belfast noted as the additional insured is in place.





Facilities Use Request City of Belfast, Maine

EVENT: Hospice Volunteers of Waldo County Family Fun Day

DATES: May 5, 2024 **EVENT REPRESENTATIVE:** Flic Shooter

PROPOSED LOCATION/AREA TO BE USED: Grassy area of Steamboat Landing Park for our field games since we are renting the Boathouse for the majority of our Family Fun Day activities.

All applications and related documents to be returned to the Parks and Recreation Office at City Hall. 338-3370 Ext 27. The City Manager's Office will act as a backup.

The City of Belfast owns Streets, sidewalks, parks, land and buildings. It is the policy of the City that property belonging to the citizens of Belfast be available to the public.

Unless specifically approved to the contrary, no public property will be set aside for the exclusive use of any individual or group and the general public will at all reasonable times have access to City property.

This is a planning checklist for your benefit as well as the City's. **If any aspect of the activity you wish to conduct is not specifically listed on this checklist then there will be no permission to conduct that activity.** Approvals cannot be given to individuals or groups who are uncertain of their plans.

Please attach maps, additional sheets, event outlines etc. - that help to explain your request.

If any of the following questions do NOT apply to your event simple write N/A (not applicable) in the space provided. Thank you.

1) State your name, phone number, e-mail address and identify whom you represent?

Hospice Volunteers of Waldo County, 207-505-4434, hvowc1@gmail.com, Flic Shooter, rep.

2) Describe in detail the nature of this event (What are you planning on?):

Family Fun Day to include Field Games on the Steamboat Landing Park grassy field across from the Boathouse. Games may include badminton, egg and spoon races, three legged races, croquet, and other family games. The rest of the activities will be held within the Boathouse.

3) What facilities would you like to use or what permissions are you seeking with respect to City buildings, Parks, Lands, Streets, sidewalks? Please be specific.

We're requesting use of the Steamboat Park Landing grassy field area across from the Boathouse. None of the activities planned will affect access to the Harbor Walk.

4) What dates and times do you wish to have this event?

Saturday, May 5, 2024, 10 AM-5:30 PM, which includes set-up and clean-up. The event starts at 1 PM and ends at approx. 3 PM.

5) Are you asking to close off any City Streets? (Which ones, what dates, for how long a period of time each day?)

No

If yes, then who will manage these closed off Streets?

6) Are you asking the City for anything other than use of the facilities you have described above?

Under a separate rental application, we have secured the Boathouse for that day.

7) How many people do you expect?

100

8) Will you be selling things at this event? What and by who if not you?

Free event, but we will be selling flowers and seedlings as a small fundraiser.

9) Will any alcohol be served or consumed at this event? (If yes provide details)

Where? - Attach MAP NO

By Whom: Name and Phone contact number:

None

10) Does this event call for any type of open fire - including for cooking purposes? (If so describe what fire safety measures you plan on employing associated with this potential hazard?)

None

11) Will you be renting spaces to vendors on City Property? Yes _____ No X

If yes where do you propose they set up? (MAP Location) _____

12) Describe what type of vendor and the charges you propose to assess against them.

N/A

13) Will you have insurance in the amount of \$1,000,000 that also names the Inhabitants of the City of Belfast as an additional named insured party to hold the City of Belfast harmless from any and all injuries that may occur as the result of any negligence on your part in conducting this event?

Yes

14) Who is your insurance agent that will provide proof of this coverage to the City?

K K K Insurance Group

15) Noise: What kind of noise do you expect to generate at this event and during which specific period of time?

Kids and families having fun, laughing, giggling. There is no music or other noise.

16) How do you propose to handle garbage removal?

We will collect our trash and take it with us.

17) How do you propose to handle parking?

Street and parking lot parking will be utilized by attendees.

18) How do you propose to handle security?

No security needed.

19) How do you propose to handle the need for restrooms?

We will utilize either the city public restrooms or the restrooms inside the Boathouse (rented for the event).

20) What is your plan/need for electricity or water?

Any water we need will be generated from the Boathouse. Outdoor electricity is not needed.

21) Have you spoken to the neighbors in the area of this event and discussed traffic, noise, parking etc. with them?

No.

22) Who will be in charge of the event during the event and what are their home phone numbers, cell phone numbers, and email addresses - where they can be reached before and during this event?

Flic Shooter, 207-930-5569

23) Are you requesting any services from the City? Be specific on the services you are asking for

None

Department

Service Requested

City Manager

Police

Fire/ Ambulance

Parks

Public Works

Harbor

Other?

Remember, If any aspect of the activity you wish to conduct is not specifically listed on this checklist then there will be no permission to conduct that activity.



FACILITY USE APPLICATION CHECKLIST

- Application complete with contact names and contact information
- Specific facility or park requested
- Dates/times of the event and extra set-up time if necessary
- Specific request of City services:
 - electrical needs
 - street closures
 - police assistance
 - trash removal
- Vendor permits (necessary if serving alcohol)
- Parking plan
- Insurance Certificate (need to receive two weeks prior to event)
- Map/diagram of event layout
- Music cannot reach a volume level of more than 7 on controls
- Plan for restroom facilities
- Scheduled meeting with City Representative

My signature attests to the review of the checklist and the realistic view of the event provided to the City. Any deviation from the written request is grounds for cancellation of the event by the City of Belfast without notice.

Signature _____ Date: March 26, 2024

Printed Name: Flic Shooter



ADMINISTRATIVE COMMENTS
(Internal City use only)

City Manager's Office

Police Department

Fire/Ambulance Department

Parks Department

Public Works Department

Harbor Master

Boat House Rental Agent

Other Notes:



FACILITY USE APPLICATION CHECKLIST

- Application complete with contact names and contact information
- Specific facility or park requested
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My signature attests to the review of the checklist and the realistic view of the event provided to the City. Any deviation from the written request is grounds for cancellation of the event by the City of Belfast without notice.

Signature *Flic Shooter* Date: March 26, 2024

Printed Name: Flic Shooter

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

<p>Name Of Additional Insured Person(s) Or Organization(s)</p> <p>City of Belfast 131 Church St Belfast, ME 04915</p> <p>Named Insured: Hospice Volunteers of Waldo County</p> <p>Information required to complete this Schedule, if not shown above, will be shown in the Declarations.</p>

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

ALL ARE INVITED TO A FREE FAMILY & FRIENDS FUN DAY
AT THE ANNUAL
SPRING SPORTS DAY

ALSO FEATURING

Tea & Scones
Blooms & Seedlings

SUNDAY MAY 7

STARTING AT 1 P.M.

at the Belfast Boathouse



Be Our Guest

FOR TEA & SCONES

BADMINTON

CROQUET

STROLLING

EGG & SPOON RACE

ARTS & CRAFTS

Plus FLOWERS &
SEEDLINGS ON SALE

All are welcome!



PRESENTED BY THE
HOSPICE VOLUNTEERS OF WALDO COUNTY

FMI: 207 505 4434 — waldohospicevolunteers@gmail.com
HOSPICEVOLUNTEERSOFWALDOCOUNTY.ORG

10.D



CITY OF BELFAST

131 Church Street
Belfast, Maine 04915

Pamela J. Salokangas, CPRP, CPSI
Parks & Recreation Director

Email: parksandrec@cityofbelfast.org
Phone: (207) 338-3370, ext. 127

MEMORANDUM

TO: Erin Herbig, City Manager
FROM: Pam Salokangas, Parks and Recreation Director
DATE: March 28, 2024
RE: Facility Use Requests (2)

The City of Belfast has received two Facility Use Requests, both of which have been reviewed by the Parks and Recreation Commission at their March 11, 2024 meeting.

The first rental is from the Hospice Volunteers of Waldo County (HVWC) for their Family Fun Day event, scheduled for Saturday, May 5 at the Belfast Boathouse and at Steamboat Landing Park. The contact for this event is Flic Shooter. The rental period is 10 AM-5:30 PM and the event will run from 1-3 PM. Within the Belfast Boathouse will be sales of flowers and seedlings along with the provision of tea and scones for the attendees. On the grounds of Steamboat Landing Park, field games will be provided for participants—games like egg and spoon races, three-legged races, badminton, croquet, and other family games. Approximately 100-150 people are expected for this free event. HVWC's Certificate of Insurance with the City of Belfast noted as the additional insured in in place.

The second rental is from the Belfast Bay Watershed Coalition (BBWC) for their "A Walk and Roll" Stewardship Day, scheduled for Saturday, June 22 with a rain date of Sunday, June 23. The locations include the Belfast Boathouse, and the grassy areas along the Harbor Walk through Steamboat Landing Park and the Harbor Walk. The contacts for this event are Don Trites and Cloe Chunn. The rental period is 10 AM-5 PM and the event will run from 11 AM-3 PM. The Boathouse will host a storyteller and some indoor vendor tabling, and restrooms will be available to the public as well. Vendor tabling will be in the grassy areas along the Harbor Walk as it passes through Steamboat Landing Park and Heritage Park. Table vendors are partner agencies and other groups who work in or support environmental stewardship. There will be some children's activities within Steamboat Landing Park and there will be music also. Approximately 100 people are expected for this free event. BBWC's Certificate of Insurance with the City of Belfast noted as the additional insured is in place.





**Facilities Use Request
City of Belfast, Maine**

EVENT: A Walk and Roll Stewardship Day

DATE: Sat June 22
rain date: June 23 EVENT REPRESENTATIVE: Don Trites + Cloe Chunn
for Belfast Bay Watershed Coalition

PROPOSED LOCATION/AREA TO BE USED: Harbor Walk (+ Boathouse)
+ McCrum parking lot for wheelchair transport vehicles
permission granted -

All applications and related documents to be returned to the Parks and Recreation Office at City Hall. 338-3370 Ext 27. The City Manager's Office will act as a backup.

The City of Belfast owns Streets, sidewalks, parks, land and buildings. It is the policy of the City that property belonging to the citizens of Belfast be available to the public. Unless specifically approved to the contrary, no public property will be set aside for the exclusive use of any individual or group and the general public will at all reasonable times have access to City property.

This is a planning checklist for your benefit as well as the City's. **If any aspect of the activity you wish to conduct is not specifically listed on this checklist then there will be no permission to conduct that activity.** Approvals cannot be given to individuals or groups who are uncertain of their plans.

Please attach maps, additional sheets, event outlines etc. - that help to explain your request.
If any of the following questions do NOT apply to your event simple write N/A (not applicable) in the space provided. Thank you.

1) State your name, phone number, e-mail address and identify whom you represent?

Cloe Chunn, 338-1147, cloechunn@gmail.com
Don Trites, dgtrites@tidewater.net
Belfast Bay Watershed Coalition

2) Describe in detail the nature of this event (What are you planning on?):

See attached description. We will set up tables along the Walk with children's activities, food, and displays of ways people can get involved with BBWC in conservation initiatives. We hope to attract people with disabilities and other groups of diverse age, race, and ethnicity, along with the usual citizenry who attend our events.

3) What facilities would you like to use or what permissions are you seeking with respect to City buildings, Parks, Lands, Streets, sidewalks? Please be specific.

Harbor Walk
Boathouse
Heritage Park
Steamboat Landing Park

4) What dates and times do you wish to have this event?

Sat. June 22, 10:00 - 3:00 (set-up 10:00 - 11:00. Event 11:00 - 3:00)
rain date Sun. June 23, 10 - 3:00
Clean-up 3:00 - 4:30 PM?

5) Are you asking to close off any City Streets? (Which ones, what dates, for how long a period of time each day?)

No

If yes, then who will manage these closed off Streets?

6) Are you asking the City for anything other than use of the facilities you have described above?

There is one near the public wharf! No need for more.
One extra accessible portable toilet placed halfway along the harbor walk. (Assuming the ones will still be at the Footbridge + the Boathouse).

7) How many people do you expect?

100 - 200

8) Will you be selling things at this event? What and by who if not you?

We will be inviting food vendors to ~~sell~~ donate food.
(Ball the Cat, China One)

Nothing ~~else~~ will be for sale (art materials, swag, etc., will be free)

The food vendors who are licensed to sell food there already are welcome to sell their food.

9) Will any alcohol be served or consumed at this event? (If yes provide details)

Where? - Attach MAP No

By Whom: Name and Phone contact number:

10) Does this event call for any type of open fire - including for cooking purposes? (If so describe what fire safety measures you plan on employing associated with this potential hazard?)

No

11) Will you be renting spaces to vendors on City Property? Yes _____ No

If yes where do you propose they set up? (MAP Location)

Food vendors will not be charged rent. We just want them there. Food trucks in their usual locations. Give extra vendors to be put at a table on the Harbor Walk, in Heritage Park, Steamboat Park, etc. but our invited caterers (Bell the Cat + China One) are giving free food.

12) Describe what type of vendor and the charges you propose to assess against them.

We ~~went to ask~~ have asked Bell the Cat (black-owned), China One (Chinese-American family owned) if they want to provide food.

13) Will you have insurance in the amount of \$1,000,000 that also names the Inhabitants of the City of Belfast as an additional named insured party to hold the City of Belfast harmless from any and all injuries that may occur as the result of any negligence on your part in conducting this event?

Yes, Belfast Bay Watershed Coalition has \$1,000,000 liability

coverage for an event. (attached)

14) Who is your insurance agent that will provide proof of this coverage to the City?

Accord

Allen Insurance + Financial

34 Elm St., Camden 04843

I need to get this info from BBWC Treasurer Gene Beersall

15) Noise: What kind of noise do you expect to generate at this event and during which specific period of time?

~~At the~~ Some tasteful music
Ande Anderson's group is playing.

16) How do you propose to handle garbage removal?

This is a Zero-Waste Event.
However, Any trash-generating tables (i.e. food) will have garbage cans they will remove. BBWE will comb the Harbor Walk + Parks after 5:00 PM for any trash.

17) How do you propose to handle parking?

We'd like you to open the McCrum parking lot for handicap-adapted vehicles. Otherwise, the usual parking around town.

18) How do you propose to handle security?

* We would like to know what is required. Police?

19) How do you propose to handle the need for restrooms?

One extra accessible portable toilet, if necessary
but it looks like there are enough already

20) What is your plan/need for electricity or water?

None. We will supply our own water.
No electricity needed.

21) Have you spoken to the neighbors in the area of this event and discussed traffic, noise, parking etc. with them?

No

22) Who will be in charge of the event during the event and what are their home phone numbers, cell phone numbers, and email addresses - where they can be reached before and during this event?

will get
Don Trites dgtrites@tidewater.net
Cloe Chunn cloechunn@gmail.com
Home 338-1147 Cell 323-8961

23) Are you requesting any services from the City? Be specific on the services you are asking for

Maybe One portable toilet (unless you want BBWE to contract for it)



FACILITY USE APPLICATION CHECKLIST

- Application complete with contact names and contact information
- Specific facility or park requested
- Dates/times of the event and extra set-up time if necessary
- Specific request of City services:
 - electrical needs
 - street closures
 - police assistance
 - trash removal
- Vendor permits (necessary if serving alcohol)
- Parking plan
- Insurance Certificate (need to receive two weeks prior to event)
- Map/diagram of event layout
- Music cannot reach a volume level of more than 7 on controls
- Plan for restroom facilities
- Scheduled meeting with City Representative

My signature attests to the review of the checklist and the realistic view of the event provided to the City. Any deviation from the written request is grounds for cancellation of the event by the City of Belfast without notice.

Signature Cloe Churn Date: 1-29-24

Printed Name: Cloe Churn

June 22, 2024 time?

**A Walk and Roll Stewardship Day
Building Inclusive Stewardship for
the Future of the Penobscot Bay
Watershed**

Come join us for a day to share our interest in the environment of the Penobscot Bay Watershed, to learn from others what has been accomplished, to learn about the history of coastal Maine and to meet others, some who use chairs, some who have a disability, some who haven't met folk who have met challenges and made accomplishments, and to expand our community relationships.

Recognizing the overuse of resources and the growing problems of pollution, the Belfast Bay Watershed Coalition was born. More than 20 years ago the Coalition adopted the Penobscot Bay Stewards program, training 20 people each year in the stewardship of the entire Penobscot Bay Watershed. Stewards have developed programs to monitor water quality, stop the use of plastic bags, remove cigarette butts from the area, enhance trails, explore aquaculture, and educate school children about what it takes to help restore natural conditions of the area.

This year we will expand our activities by highlighting the inclusion of folks who use chairs to remain mobile, have challenges to learn but who want to be a part of environmental stewards. We will make this day a day of learning and fun, including children of all ages, as we all meet and learn

from a wider range of community members.

No story of our area could be complete without learning from the original stewards, our Indigenous neighbors and friends. For more than 10,000 years Indigenous people have been living in what is today Maine. By 2000 years ago, the coast and the land provided an environment hospitable enough for the development of villages and seasonal encampments, allowing fishing, hunting and agriculture to spread. In this period the stewardship of the land and water developed, before the first contacts from the European people. It was certainly there that respect for the land and water and the development of stewardship grew.

We hope to be joined by other groups that have a strong interest in the environment and community building.

Children's activities are being actively planned by teachers, librarians and environmental activists. We envision the possibility for a scavenger hunt, learning about shore birds, drawing and coloring and even some chalk on the sidewalk activities. Families and children should find these activities enjoyable and will also have the chance to learn from the Stewards and others about our past and present work.

**Come. Meet new neighbors.
Build a stronger community and
continue the development of
stewardship of our land and water.**

10.E

Date: March 26, 2024

To: Erin Herbig, City Manager
Mayor, City Council

From: Bob Richards
Public Works Director

Re: Paving Bids

We received (nine) bids for paving the streets. I would like to recommend Vaughn Thibodeau II Inc. with the bid of \$ **89.23** per ton for paving the streets. This bid is currently \$10.64 less than last year. This is allocated in the current budget and will come from account # 450-577 Road Construction and Paving. The streets with a shim and overlay are Stephenson Lane, Mill Lane, Patterson Hill Rd., Robbins Rd., Head Of Tide Rd., and a section of Waldo Avenue. All of these are tentatively to be paved unless there is a price adjustment before the work starts. Most of these roads were last resurfaced between 2007 and 2010.

Thank you,
Bob Richards



CITY OF BELFAST

131 Church St.
Belfast, Maine 04915

E-mail: cityclerk@cityofbelfast.org

Tel: (207) 338-3370

Fax: (207) 338-6222

Paving Project
Bid Opening
March 26, 2024

Present at the opening Angie Crosby City Clerk, Bob Richards Public Works Director, Andrew Legacy Deputy Clerk, Jeremiah Wellman Paving, Jeff Mullis Pike Industries, Dave West B & B Paving, Jeff Street Streets Landscaping & Lawn Care, Bub Sanders Vaughn Thibodeau II, Eliot Sekera Northeast Paving, Stan Jordan Hopkins Paving

There was a total of three (9) bid envelopes submitted as follows:

Maine-ly Paving Services, LLC
495 Main Street (PO Box 245)
Canaan, ME 04924
207-431-9159

City Streets/Lanes/Roads: \$98.75 HMA Per Ton

Pike Industries Inc.
05 Western Ave
Fairfield, ME 04937
207-592-0583

City Streets/Lanes/Roads: \$110.38 HMA Per Ton

Hopkins Paving LLC
800 Coldbrook Road
Hermon, ME 04401
207-944-6721

City Streets/Lanes/Roads: \$94.00 HMA Per Ton

Wellman Paving Inc.
89 Goshen Road
Winterport, ME 04496
207-223-8820

City Streets/Lanes/Roads: \$96.30 HMA Per Ton

Eurovia Atlantic Coast LLC d/b/a Northeast Paving
953 Odlin Road (PO Box 103)
Bangor, ME 04401
207-945-0873

City Streets/Lanes/Roads: \$117.00 HMA Per Ton

Littlefield's Paving & Plowing LLC
155 Hanscom Road
Benton, ME 04901
207-314-6171

City Streets/Lanes/Roads: \$131.00 HMA Per Ton



CITY OF BELFAST, MAINE 04915
131 Church Street

PLANNING AND CODES DEPARTMENT

Phone: (207) 338-3370 ext. 125

Fax: (207) 338-2419

Email:

planningandcodes@cityofbelfast.org

NOTE TO CITY COUNCIL

MARCH 26th, 2024

FIRST READING AND PUBLIC HEARING

**INSIDE THE BYPASS ZONING AMENDMENTS FOCUSED ON INCREASING HOUSING
OPPORTUNITIES AND LD 2003 COMPLIANCE**

FROM BUB FOURNIER, DIRECTOR OF PLANNING AND CODES DEPARTMENT

On February 28th, 2024, the Belfast Planning Board voted unanimously to recommend a package of Ordinance amendments for Belfast City Council adoption that the Board has been working on since the summer of 2023. The proposed Ordinance amendments included in the package are focused on increasing housing opportunities of all types in the City, and they address State Law LD2003 and supporting legislation. For the upcoming April 2, 2024 City Council meeting, I am requesting to present the proposed Ordinance package. I also ask that the Council hold a First Reading and Public Hearing on the proposal, followed by consideration of the next steps in the amendment process.

The Belfast City Council has supported increased housing opportunities consistently over time by directing the Board and staff to continue the work that the City has undertaken for many years. This amendment work focused on the Inside the Rte. 1 Bypass area comes after major zoning overhauls in all other areas of the City. Also, as recently as August 2021, the City adopted amended Technical Standards to decrease parking standards for multi-family housing, after hearing from developers that the City's Code could be improved. As recently as 2019, the City adjusted the ordinance to increase housing opportunities inside the bypass affecting Accessory Dwelling Units. Before that, starting as early as 2014, the City hammered out proposals for increased density for zoning districts inside the bypass, increased opportunities for multi-family as a use and proposed allowing ADU's ahead of many other municipalities.

All of this work, coupled with Belfast's long standing zoning policy allowing two-family dwellings on every buildable lot outside Shoreland Zoning, provided a solid foundation for housing opportunities long before the current housing crunch and the newly crafted State Law, LD 2003, aimed to require increased housing opportunities Statewide. In effect, Belfast is now situated as a leader in housing opportunities in the State, in regard to our zoning ordinances.

But there is room for improvement. With the passage of LD 2003 and Statewide implementation on Jan 1, 2024, Belfast needs to make a few adjustments to the City Code of Ordinances. There are also additional amendments that the Board is recommending to increase housing opportunities. The entire City, including the City Council, Planning Board, newly formed Housing and Property Development, Intown Design Review and other committees, city staff, and members of the public have helped to shape the proposal thus far.

The City has attracted some substantial housing developments in recent years because staff and officials set the stage to accommodate these projects. With the currently proposed amendment package, the City will be in compliance with the new State Law and continue to accommodate growth Inside the Bypass.

The proposed Ordinance amendments include changes to Chapter 66 Definitions, Chapter 80 Intown Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning. The proposal's goals are broken down into the following categories of changes for better understanding:

- 1) Increase housing development opportunities Inside the Rte. 1 Bypass area of Belfast.**
- 2) Adopt State Accessory Dwelling Unit (ADU) standards in compliance with LD2003.**
- 3) Incorporate density bonuses and maximum parking requirements in LD2003 for Affordable Housing as defined by the State.**
- 4) Accommodate standards in the State law requiring the City to allow 4 dwelling units on a vacant lot for any zoning districts that allow housing in “designated growth areas”.**
- 5) Accommodate standards in the State law requiring the City to allow 3 dwelling units on a lot with an existing single-family home for any zoning districts that allow housing in “designated growth areas”.**
- 6) Consolidate Inside the Bypass Chapter 102 zoning use and dimensional tables into City-wide format.**
- 7) Minor cleanups including a front minimum structure setback adjustment affecting 3 lots on Cottage Street, amendments in support of minor agricultural uses, supporting Chapter 66 Definitions amendments and a newly proposed process in Chapter 80 for residential multifamily and “flex housing” design review.**

These goals are accomplished in the proposed amendments in the following ways:

1) INCREASED HOUSING DEVELOPMENT OPPORTUNITIES

The proposal increases housing development opportunities by increasing the number of dwelling units allowed on a sewer base lot of 7,500 sqft from 2 to 4. Further, the

proposal would also allow multifamily housing, including a “flex housing” approach, in new and existing buildings in the Residential 1, 2 and 3 zoning districts. The proposal also allows multifamily, including a “flex housing” approach, for the first time in the Residential 1 zoning district. Additional units on existing multi-family dwelling structures as well as conversions from one-two family homes would be possible with these changes. The proposal includes a minor adjustment in maximum density from 19 dwelling units per acre to 21 dwelling units per acre for multi-family dwelling structures for more than 5 dwellings on public sewer.

After the public hearing on Jan. 24th, 2024, the Planning Board asked staff to bring the proposal to the City's In-town Design Review (IDR) Committee to develop design review standards for multifamily dwellings and "flex housing" developments. The Committee completed that work in two meetings and the Planning Board incorporated that draft language into the proposal. *The proposed Chapter 80 IDR language would require developers to participate in a design review of their project but implementation of any design suggestions would be voluntary.*

It should be noted that all other dimensional requirements such as lot coverage, minimum structure setbacks, maximum structure heights, and parking requirements would remain in place.

2) ACCESSORY DWELLING UNITS

The proposal brings Belfast’s currently existing ADU Ordinance in line with the State standards including allowing attached/detached ADU’s alongside almost any other housing use. It also removes parking requirements for defined ADU’s as per the State law. Belfast limits ADU’s to 800 sqft or 75% of the primary dwelling, and they must utilize the primary driveway on a property. These currently adopted standards would remain in place. The proposal does not allow the use of RV’s or a “tiny house on wheels” as a dwelling unit, currently prohibited by the City Code. It should be noted that with the incorporation of a “flex housing” development approach, multiple primary dwellings would be allowed on many lots without the need to utilize ADU standards, although some lots could still benefit from the ADU exceptions to parking standards.

3) AFFORDABLE HOUSING

The proposal allows Affordable housing, as defined by the State and sometimes referred to as subsidized housing, to be constructed at 2.5 times the density of market rate housing in any zoning district that allows multi-family housing. This is a State requirement, and neither the two housing developments on Wight Street, nor the development currently being constructed at the former Public Works site on Congress Street sought this level of density. The proposal also limits the amount of parking that the Planning Board may require for defined Affordable housing developments to no more than 2 parking spaces per 3 dwelling units as per the State law. It is important to note that the current code allows the Planning Board to entertain variable

parking proposals from developers outside the prescriptive requirements of the code, and this was utilized for the housing being constructed on Congress Street. The Planning Board also supported Council adopted right-sizing amendments to the City's prescriptive parking requirements for multi-family in 2021 and these will remain unchanged.

4) VACANT LOTS IN GROWTH AREAS

The proposal accommodates up to 4 dwelling units on a buildable vacant lot in “designated growth areas” with the introduction of a “flex housing” approach for all zoning districts Inside the Bypass area. “Flex housing” is a development approach where a property owner has the flexibility to choose the best housing development to suit specific needs, with the base starting at up to 4 dwelling units in up to 3 structures on a 7,500 sqft lot. An example could be an 8,000 sqft lot supporting two small duplexes. Another example could be a triplex and an ADU on an 8,500 sqft lot. The proposal limits “flex housing” to no greater than a 3 or 4 unit multi-family (triplexes/quadplexes). Multi-family dwellings greater than 4 units in one building are not allowed under “flex housing” but are allowed at the 10,000 sqft lot size threshold, similar to currently adopted Residential 2 and 3 standards for new structures.

5) EXISTING SINGLE-FAMILY HOMES

The proposal accommodates up to 3 dwelling units on a lot with an existing single family home in “designated growth areas” with the introduction of a “flex housing” approach for all zoning districts Inside the Bypass area. The proposal also accommodates converting existing dwellings into multi-family dwelling structures in compliance with current building and life safety codes. Such a conversion would require participation in an Intown Design Review Committee meeting.

6) TABLE UPDATES

The proposal brings all Inside the Bypass zoning districts into the same use and dimensional tables as the rest of the City. Inside the Bypass zoning districts were the first zoning districts to utilize a tabularized use and dimensional layout, but recent citywide zoning amendments have expanded allowed uses. This is an opportunity to update and standardize the Chapter 102 Zoning ordinance with user-friendly tables.

7) CLEANUPS

Minor cleanups include the front setback adjustment of three lots on Cottage Street, minor adjustments to support agricultural uses, updates to some definitions to support the proposed substantive changes, an enhanced purpose statement for multi-family and flex housing performance standards in Chapter 102 Article IX, and adjustments to the City's Chapter 80 Intown Design Review standards to incorporate a mandatory

review of multifamily and “flex housing” developments with voluntary implementation.

I would also like to call your attention to the significant number of written comments that staff received during the Planning Board process, as well as leading up to this First Reading and public hearing. Additionally, it should be noted that the Board conducted 7 meetings on this topic, almost all of which have invited public comments.

The proposed amendments represent an effort to increase housing opportunities as the City, State and entire region grapple with a shortfall of all types of housing. Zoning does not generate housing, although it will help shape the future community of Belfast as projects are brought to fruition. Standards such as lot coverage, setbacks, maximum structure height, parking, and non-residential structure design already in the City Ordinance are largely left unchanged in this proposal, and the Board intends to rely on them when reviewing any proposed project. As we’ve seen from recent storm events, stormwater management is increasingly important, and those standards remain in place. Belfast needs additional housing of all types, and the Chapter 102 Zoning code Inside the Bypass will need to be adjusted in the future as the community sees fit. Feedback from the community, comments from City Councilors, Planning Board members, staff and other stakeholders underline the strong sense of place in the neighborhoods in the City core and denser areas immediately adjacent. The draft language in the proposal represents work to continue to generate improvements and have discussions regarding how to shape the future of the City while enabling the changes that need to occur.

Potential City Council Action

I request that the City Council hold a first reading on these Ordinance amendments as recommended by the Planning Board. I request that the City Council discuss the proposal and consider a motion to accept the First Reading of these proposed ordinance amendments. If the Council chooses to move forward, a Second Reading and public hearing would need to occur before adoption can be considered at a Council meeting in the near future.

Typical format of Amendments

All text shown in black font is current text in the adopted City Code of Ordinances. All text shown in **red font** is new language that is proposed to be added. All text shown with ~~blue strike through~~ is to be removed. All text shown in **green font** are notes for the Board and other readers.

** The draft Dimensional and Use Tables along with footnotes are color coded in the manner the Board is used to seeing for Ordinance Amendment language, however it’s important to keep in mind that this is a complete overhaul of the existing tables and footnotes, so colors are used to highlight specific changes. However, these are essentially completely new tables that would replace the existing ones in the Ordinance.

LD 2003 Guidance



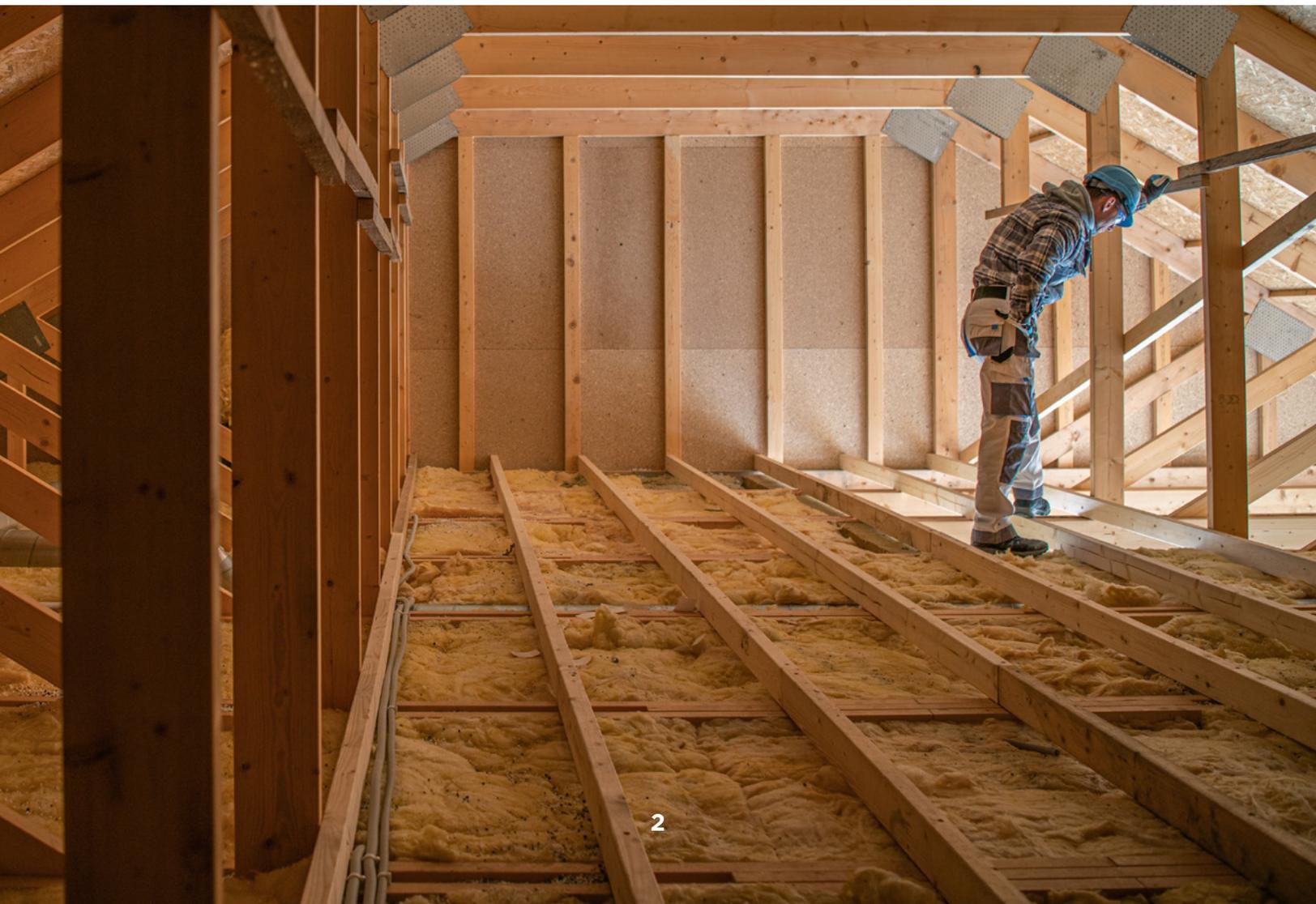
MAINE DEPARTMENT OF
ECONOMIC AND COMMUNITY
DEVELOPMENT

LD 2003 Guidance

“An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions,” generally referred to by its legislative tracking name of LD 2003, was signed into law by Governor Mills on April 27, 2022. This law is designed to remove unnecessary

regulatory barriers to housing production in Maine, while preserving local ability to create land use plans and protect sensitive environmental resources. LD 2003 is based on the recommendations of the legislative commission named in the title, though not all those recommendations are included in the enacted legislation.

This guidance is the result of a collaborative effort by the Department of Economic and Community Development, the Governor’s Office of Policy Innovation and the Future, the Department of Agriculture, Conservation and Forestry; legislative staff, and several municipal lawyers and community planners. It is intended to provide information for local authorities to use in determining how LD 2003 affects their local zoning and land use codes, as well as what steps they can take if they wish to tailor their ordinances to avoid conflicts with state laws. While it is not legally binding or intended to serve as a substitute for the language of LD 2003 or the rules that will be adopted under the law, this guidance represents the interpretation of LD 2003 and its requirements by the state agencies that are responsible for its implementation.





LD 2003 has the following sections that are relevant to municipal government. The amended sections of state law are shown in the chart below. Among other things:

1. Section 4 allows for additional density for “affordable housing developments” in certain areas.
2. Section 5 generally requires that municipalities allow between two and four housing units per lot where housing is permitted.
3. Section 6 requires that municipalities allow accessory dwelling units to be located on the same lot as a single-family home, under certain conditions.
4. Sections 3 and 7 require that the state establish statewide and regional housing production goals and set forth ways in which local governments can coordinate with that goal.

WHILE LD 2003 WENT INTO EFFECT ON AUGUST 8, 2022, SOME ELEMENTS OF THE LAW ARE NOT REQUIRED TO BE APPLIED UNTIL JULY 1, 2023

LD 2003 in Brief			
<p>Effective Aug. 8, 2022</p> <p>Statewide Housing Production Goals</p> <p>(5 MRSA §13056, sub-§9)</p>	<p>Effective Aug. 8, 2022</p> <p>Municipal Role in Fair Housing/ Short Term Rentals</p> <p>(7 30-A MRSA §4364-C)</p>	<p>Effective July 1, 2023</p> <p>Accessory Dwelling Units</p> <p>(6 30 A MRSA §4364-B)</p>	
	<p>Effective July 1, 2023</p> <p>Affordable Housing Density in Growth Areas Bonus</p> <p>(4 30-A MRSA §4364)</p>	<p>Effective July 1, 2023</p> <p>Two to Four Units</p> <p>(5 30-A MRSA §4364-A)</p>	

IN GENERAL, AS LONG AS THESE ACTIONS ARE CONSISTENT WITH LD 2003, MUNICIPALITIES MAY:

CONTINUE to develop Growth Management programs, including comprehensive plans and zoning consistent with those plans

ENFORCE local shoreland zoning ordinances consistent with state shoreland zoning law

REGULATE how many square feet of land are needed for each dwelling unit (other than accessory dwelling units)

CONDUCT site plan review, if authorized by local ordinances, of any residential development

REGULATE the maximum size of accessory dwelling units

REGULATE short-term rentals in their community

CREATE rate of growth ordinances so long as they do not limit the number of accessory dwelling units outlined in Section 6

CREATE local ordinances that are more permissive for residential housing development than the requirements of LD 2003

REGULATE housing development based on documented water and wastewater capacity constraints

IN GENERAL, UNDER THIS LAW, LOCAL GOVERNMENTS MAY NOT:

ENACT local ordinances that allow housing but limit it to one unit per lot

PROHIBIT one accessory dwelling unit per lot or count those units towards a rate of growth ordinance

LIMIT the affordable housing density bonuses allowed in LD 2003 in growth areas as defined in state law

Affordable Housing Density Bonus

30-A MRSA §4364

This section creates an automatic density bonus for certain affordable housing developments. To qualify for this bonus, the development must:

1. Be approved after June 30, 2023
2. Include a certain number of rent or sales price restricted affordable housing units
3. Be in a growth area under section 4349-A, subsection 1, paragraph A or B, or served by water and sewer
4. Be in an area in which multifamily dwellings are allowed
5. Meet shoreland zoning requirements, meet minimum lot sizes if using subsurface waste disposal, and verify that water and sewer capacity is adequate for the development

BONUSES FOR AN AFFORDABLE HOUSING DEVELOPMENT

To take advantage of this density bonus, a development must qualify as “affordable” (as defined below). If eligible, the affordable housing development qualifies for the following exceptions to the zoning requirements in the community:

1. The number of units allowed will be 2.5 times the number allowed for a development not designated affordable
2. The off-street parking requirements may not exceed two spaces for every three units

So, for example, if a developer can build up to six units on a site under local rules, and designates the development as affordable, the developer would be eligible to build 15 units (6×2.5). The local off-street parking requirement for this development could not exceed ten spaces ($15 \times \frac{2}{3}$). In cases of fractional results, the number of units would generally be rounded down, but the number of spaces would generally be rounded up.



WHAT REQUIREMENTS DO AFFORDABLE HOUSING DEVELOPMENTS HAVE TO MEET TO RECEIVE THE DENSITY BONUS?

For rentals, a household with an income at no more than 80% of the area median income for the community, as defined by the U.S. Department of Housing & Urban Development, must be able to afford more than half of the units in the development. That means that rent and certain other housing expenses will not require more than 30% of the household's income.

For homeownership projects, a household with an income at no more than 120% of the area median income for the community, as defined by the U.S. Department of Housing & Urban Development, must be able to afford more than half of the units in the development. That means that mortgage payments (including mortgage insurance) and certain other housing expenses will not require more than 30% of the household's income.

The units that will be affordable at these levels must be restricted through a restrictive covenant that is enforceable by a party acceptable to the municipality (which could be the municipality) for at least 30 years, and that states that the units must be restricted in rent or sales prices accordingly. Often these developments will be getting funding through MaineHousing, which typically requires a comparable covenant.

Information on Area Median Incomes is updated annually by the U.S. Department of Housing & Urban Development. For reference, MaineHousing maintains updated 80% of area median income and 120% of area median income data on their website.

[View AMI data on MaineHousing.org](#)

QUESTIONS AND ANSWERS ON AFFORDABLE HOUSING DENSITY BONUS

What is meant by “multifamily dwellings?”

“Multifamily dwellings” will be defined in rulemaking, but in planning practice generally applies to three units or more.

What is a “base density that is otherwise allowed?”

Under a local zoning code, the “base density that is otherwise allowed” is the number of dwelling units that might be allowed in a list of uses, and/or the maximum number of units allowed based on dimensional requirements, such as lot area per dwelling unit.

If lot area per dwelling unit can be used as a measure of number of units permitted, do the limits on lot area per dwelling unit requirements in Section 5 apply?

This will be addressed in rulemaking.

How does this density bonus interact with any local density bonus that might exist?

This will be addressed in rulemaking.

What if a household exceeds the maximum income after living in the unit?

LD 2003 specifies that the income eligibility is based on household income “at the time of initial occupancy,” meaning that a household could be allowed to remain in an “affordable” unit if their income goes up after they occupy the unit. MaineHousing has experience with this issue, as do communities that manage their own affordable housing programs, so there may be best practices that can be adopted locally. The restrictive covenants should outline how this would work.

What happens when a restricted affordable home ownership unit is sold?

The restrictive covenants should outline how this would work. MaineHousing has experience with this issue, as do communities that manage their own affordable housing programs, so there may be best practices that can be adopted locally.



Residential Areas, Generally; Up to 4 Dwelling Units

30-A MRSA §4364-A

This section requires municipalities to allow multiple dwelling units on parcels where housing is allowed, provided evidence of sufficient water and wastewater capacity exists, beginning on July 1, 2023. Municipalities may not apply different dimensional requirements to lots with more than one housing unit on them than they would to a lot with one housing unit, with the exception that they may require a minimum lot area per dwelling unit. However, if the municipality chooses to require a minimum lot area per dwelling unit, the lot area required may not be less for the first unit than for subsequent units.

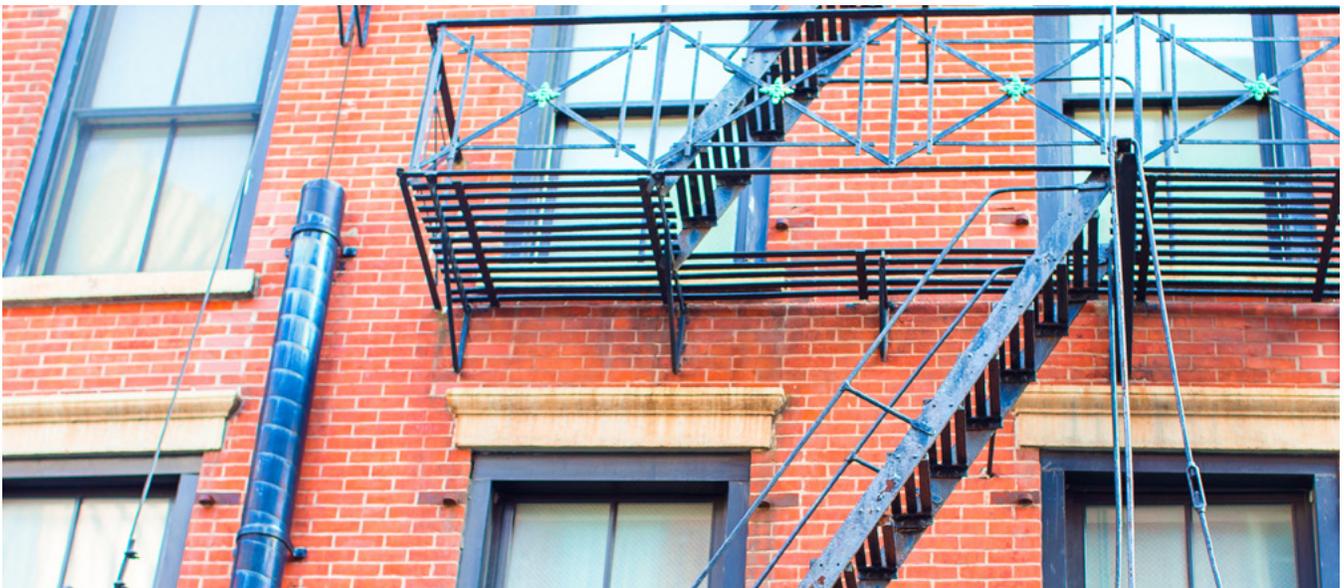
The number of units allowed under this section depends on a few factors:

- A lot without a dwelling unit already on it can have two units if it is not within a designated growth area under section 4349-A, subsection 1, paragraph A or B, served by water system and sewer in a municipality without a comprehensive plan.
- A lot with an existing dwelling unit may have up to two additional dwelling units, either one additional attached dwelling unit, one additional detached dwelling unit, or one of each.

- A lot without a dwelling unit already on it can have four units if it is either:
 - Within a designated growth area under section 4349-A, subsection 1, paragraph A or B, or
 - Served by water system and sewer in a municipality without a comprehensive plan.

Municipalities may allow more than the minimum number required to be allowed on all lots that allow housing, if they wish. In addition, private parties are permitted to restrict the number of housing units on a lot in a private easement, covenant, deed restriction or other agreement provided the agreement does not violate State or Federal rights such as equal protection.

Finally, a municipality may determine in local ordinance that if a property owner tears down an existing dwelling unit, the lot may be treated under this section as if the dwelling unit were still in existence.



Lot Area per Dwelling Unit

Additional units may not require more land area per unit than the first unit

NOT PERMITTED



One Unit Requires
10,000 sq ft



Two Units Require
30,000 sq ft



Three Units Require
50,000 sq ft

PERMITTED



One Unit
Requires
10,000 sq ft



Two Units
May Require Up
To 20,000 sq ft



Three Units
May Require Up
To 30,000 sq ft

QUESTIONS AND ANSWERS ON RESIDENTIAL AREAS, GENERALLY UP TO 4 DWELLING UNITS

Subsection 2 (“Zoning Requirements”) says that municipal zoning ordinances “must” comply with certain conditions, but subsection B. says that they “may” regulate how this section applies to a lot where a dwelling unit is torn down. Is this a “must” or a “may”?

Municipalities have the option of taking the actions in subsection B but do not have to do so, in which case a lot where a dwelling unit was torn down would be viewed as a vacant lot.

Subsection 4 says that verification must be provided to “the municipality” of water and wastewater services. Who should that verification be provided to?

These capacity issues should be reviewed by the municipal staff or board that would normally review these issues as part of any housing development.

What if a municipality does not use Certificates of Occupancy?

Subsection 4 says that the municipality will “certify [a] structure for occupancy.” This requirement should be met for new housing developments under this section the same way they would be for any other housing.

What is meant by “potable” water?

This will be addressed in rulemaking.

What if housing is allowed in an area but only as a conditional use?

Housing would be considered allowed in that area for the purposes of subsection 1. This will be further addressed in rulemaking.

What does “attached to an existing structure” mean?

Local ordinance can define “attached” but it would generally mean having physically connected finished spaces, not just connected via a common porch, breezeway or foundation.

Does the language in subsection 1 mean that if a lot is served by water and sewer in a municipality without a comprehensive plan that it does not need to be vacant to allow up to 4 units?

No, that language still requires the lot not “contain an existing dwelling unit.”



Residential Areas

Empty Lot Where Housing Is Already Allowed



NOTE: The three and four units can be within one structure or multiple structures.

THREE AND FOUR UNITS ALLOWED IF:

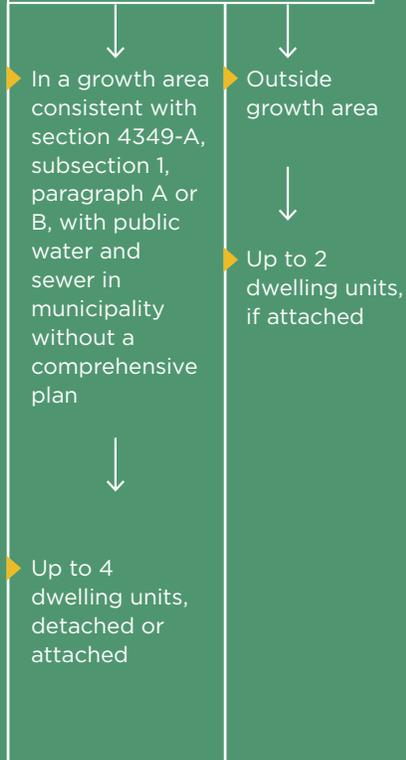
- Located in "growth area" consistent with section 4349-A, subsection 1, paragraph A or B.
- Located in area with existing water/sewer capabilities in towns without comprehensive plans.

Existing Home



What Can Be Built On This Lot?

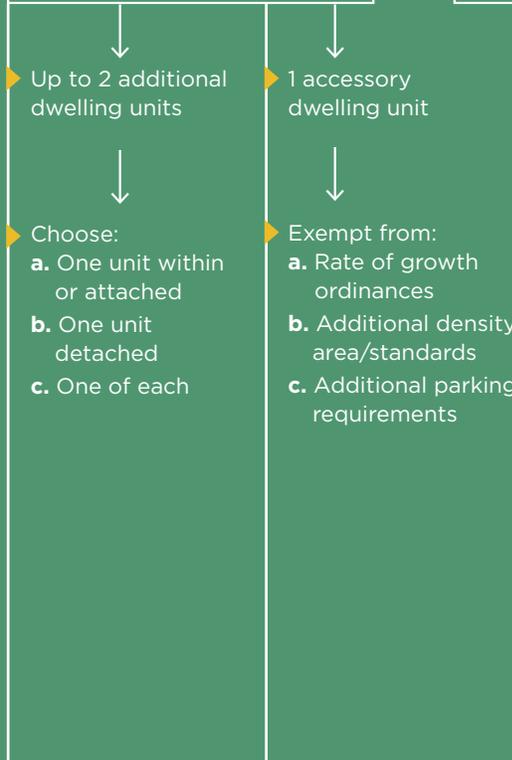
ON LAND WITH ZERO EXISTING UNITS



PRIVATE, STATE OR LOCAL STANDARDS SUCH AS THESE MAY APPLY:

- Home Owners Association regulations
- Deed restrictions
- Lot size, set back, density (not greater than single family)
- Septic requirements
- Minimum Lot Size
- Additional Parking requirement
- Growth ordinance permits
- Shoreland Zoning
- Subdivision Law

ON LAND WITH ONE EXISTING UNIT



PRIVATE, STATE OR LOCAL STANDARDS SUCH AS THESE MAY APPLY:

- Home Owners Association regulations
- Deed restrictions
- Lot size or set back requirements (not greater than single family/existing accessory structure)
- Septic requirements
- Shoreland Zoning
- Other locally determined ADU standards (e.g. maximum size, rules regarding short term rental, etc.)

ON LAND WITH TWO EXISTING UNITS



Accessory Dwelling Units

30-A MRSA §4364-B

This section essentially allows any lot with a single-family dwelling in an area where housing is permitted to have one accessory dwelling unit (ADU) as well, effective July 1, 2023. That ADU can be within the existing home, attached to it, or in a new structure. Municipalities may also allow existing accessory structures to be converted into an ADU.

An ADU allowed under this law is exempt from zoning density requirements. In reviewing an ADU, the setback and dimensional requirements for a single-family home continue to apply unless the municipality makes them more permissive for an ADU. For ADUs in an accessory structure, the setback and dimensional requirements for such a structure apply.

ACCESSORY DWELLING UNIT PARKING

Additional parking requirements for the ADU beyond those required for the single-family dwelling are not permitted.

ACCESSORY DWELLING UNIT SIZE

ADUs must be at least 190 square feet in size. Municipalities may set a maximum size for ADUs in local ordinance.

OTHER MUNICIPAL POWERS

Municipalities may establish an application and permitting process for ADUs provided it is consistent with in this section. Municipalities may also define ADUs, as long as the definition is consistent with state law in Title 30-A, §4301. 1-C. In addition, municipalities may establish requirements for ADUs that are less restrictive than those in this section, such as allowing more than one ADU on a lot or allowing an ADU for two-family or multifamily dwellings.

SIMILARITIES AND DIFFERENCES FROM OTHER SECTIONS

LIKE SECTIONS 4 AND 5, shoreland zoning still applies, as do requirements to verify adequate water and wastewater capacity.

LIKE SECTION 5, private parties are permitted to restrict the number of housing units on a lot, including ADUs, in a private easement, covenant, deed restriction or other agreement provided the agreement does not violate State or Federal rights such as equal protection.

UNLIKE SECTION 5, one ADU for each single-family dwelling does not count towards any rate of growth ordinance as described in §4360.

UNLIKE SECTIONS 4 & 5, additional parking cannot be required for an ADU.

QUESTIONS AND ANSWERS ON ACCESSORY DWELLING UNITS

How is an ADU defined?

The law does not define ADUs. There is a definition in 30-A MRSA §4301 and many communities define them in local ordinances. Rulemaking will clarify which definition to use.

Can an ADU be larger than a primary structure?

Yes, unless the municipality limits the maximum size of an ADU.

Can a previously illegal ADU be legalized under this section?

This will be addressed in rulemaking.

If a pre-existing single-family dwelling is on a non-conforming lot (with respect to size, frontage, or similar characteristics) can an ADU be built on that lot?

This will be addressed in rulemaking.

Subsection 7 says that verification must be provided to “the municipality” of water and wastewater services. Who should that verification be provided to?

These capacity issues should be reviewed by the municipal staff or board that would normally review these issues as part of any housing development.

What if a community does not use Certificates of Occupancy?

Subsection 4 says that the municipality will “certify [a] structure for occupancy.” This requirement should be met for new housing developments under this section the same way they would be for any other housing, whether through a formal Certificate of Occupancy or otherwise.

What is meant by “potable” water?

This will be addressed in rulemaking.

What if housing is allowed in an area but only as a conditional use?

Housing would be considered allowed in that area for the purposes of subsection 1. This will be further addressed in rulemaking.

What does “attached to an existing structure” mean?

Local ordinance can define “attached” but it would generally mean having physically connected finished spaces, not just connected via a common porch, breezeway or foundation.

If a parcel has an existing two-unit structure, does subsection 1 allow an ADU to be built?

No, though a municipality would have the ability to allow that.



Parking for ADUs

Example Parking Requirement

NOT PERMITTED



Single Family Home
2 spaces minimum



Single Family Home + ADU
3 spaces minimum



PERMITTED



Single Family Home
2 spaces minimum



Single Family Home + ADU
2 spaces minimum



This example applies to towns with minimum parking requirements.
For towns without parking restrictions, no additional restrictions would be imposed.

Housing Goals & Fair Housing

MRSA §13056, sub-§9 AND 30-A MRSA §4364-C

Section 3 directs the Department of Economic & Community Development, in coordination with Maine-Housing, to develop a statewide housing production goal and regional production goals based on that statewide goal. In doing so, the section instructs the Department to set benchmarks for meeting those goals, as well as to consider information provided by municipalities on current and potential housing development and permits.

Section 7 outlines ways municipalities can play a role in achieving those state and regional goals. It states that municipalities must ensure that local ordinances and regulations are designed to affirmatively further the purposes of the Federal Fair Housing Act, as well as the Maine Human Rights Act, as part of meeting the housing goals. It also explicitly authorizes municipalities to establish and enforce regulations related to short-term rentals to help meet those goals.

QUESTIONS AND ANSWERS ON SECTIONS 3 & 7

What obligations do the affirmatively furthering fair housing provisions put on municipalities that didn't already exist before LD 2003 passed?

Until recently, the link between land use regulation and fair housing was often not recognized. Section 7 clarifies that municipalities must ensure that zoning and land use ordinances and regulations are designed to affirmatively further the purposes of these state and federal laws.

What happens if local, regional or statewide housing goals are not met?

These sections do not set forth any specific penalties for not meeting these goals.

How does this relate to local Growth Management programs and comprehensive plans?

Local comprehensive plans, while not regulatory documents, should not conflict with these sections. The regulations for comprehensive plans under Chapter 208 state that communities should “[s]eek to achieve a level of at least 10% of new residential development built or placed during the next decade be affordable.”

Do municipalities have to regulate short term rentals?

No.



GENERAL QUESTIONS

What happens if a municipality does not act to update local ordinances, or tries to act and the updates are not approved by the local legislative body?

LD 2003 is an express preemption on municipal home rule authority. Therefore, any ordinance or regulation that is not consistent with the law may be challenged as invalid. Municipalities are encouraged to contact legal counsel to discuss how the law will affect the enforcement of existing ordinances and regulations.

If a town does not have growth areas as defined by section 4349-A, subsection 1, paragraph A or B, and does not have any areas served by water or sewer, does it need to comply with LD 2003?

These communities would not be subject to the affordable housing density provisions in Section 4, and would not have areas that are required to allow up to four units on a residential lot as per Section 5. Other sections of LD 2003 would apply.

How will LD 2003's requirements be related to municipal comprehensive plans?

Comprehensive plans seeking a finding of consistency under the regulations in Chapter 208 should meet those requirements. Since a comprehensive plan is not a regulatory document, LD 2003 would not create any additional requirements. However, zoning ordinances adopted in a municipality would have to be consistent with both a local comprehensive plan and LD 2003.

Is LD 2003 a model ordinance for use in local zoning?

LD 2003 is not a model ordinance. Communities will be able to seek funding from the Housing Opportunity Program to develop new ordinances. In addition, the Department of Economic & Community Development will be hiring staff to provide technical assistance to communities.

Can developers “double count” bonuses from various sections?

This issue is outlined in §4364-A Section 2.A. and §4364-B Section 3.B. It will be further addressed for applicability to §4364 in rulemaking.

Sections 4, 5, and 6 require written verification of “adequate water and wastewater services.” What about a municipal concern that while a specific housing development may not immediately threaten water quality, the cumulative impact of new development may do so in a way that it did not prior to LD 2003?

As was true prior to the passage of LD 2003, communities are free to take regulatory actions as appropriate for protection of natural resources or existing water systems. These can include changes to zoning districts to limit where housing is permitted; changes to lot size requirements; or the creation of an impact fee system consistent with state law to fund environmental or water quality protection.

What does section 4349-A, subsection 1, paragraph A or B say?

It directs the State to make growth-related capital investments only in:

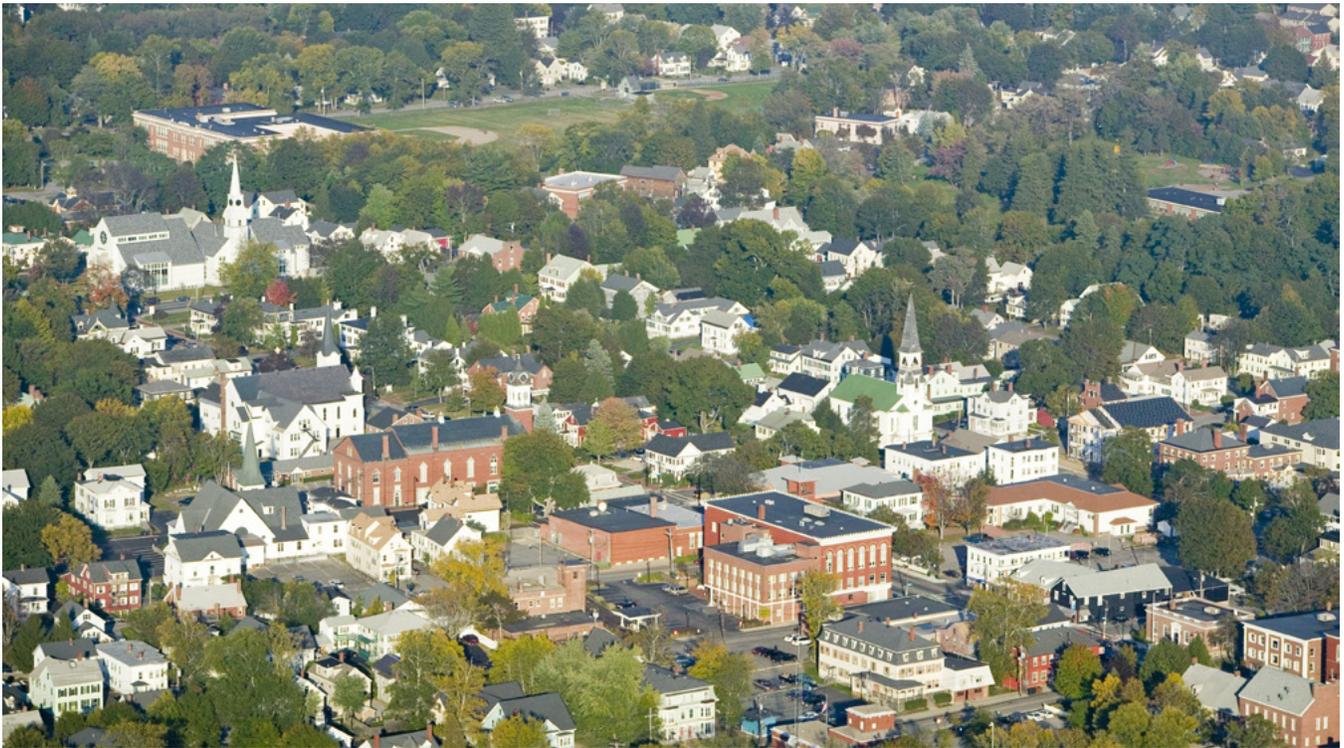
A. A locally designated growth area, as identified in a comprehensive plan adopted pursuant to and consistent with the procedures, goals and guidelines of this subchapter or as identified in a growth management program certified under section 4347A;

or

B. In the absence of a consistent comprehensive plan, an area served by a public sewer system that has the capacity for the growth-related project, an area identified in the latest Federal Decennial Census as a census-designated place or a compact area of an urban compact municipality as defined by Title 23, section 754; or [PL 1999, c. 776, §10 (NEW).]

Growth areas are defined in section 4301, subsection 6-C as:

An area that is designated in a municipality’s or multi-municipal region’s comprehensive plan as suitable for orderly residential, commercial or industrial development, or any combinations of those types of development, and into which most development projected over 10 years is directed.



RULEMAKING PROCESSES

Sections 4, 5 and 6 authorize rulemaking to be led by the Department of Economic & Community Development, in consultation with the Department of Agriculture, Conservation & Forestry. These rules are considered “technical” – meaning they “establish standards of practice or procedure for the conduct of business with or before an agency” and can be approved administratively. Rulemaking is expected to begin in the fall of 2022.

FUNDING FOR TECHNICAL ASSISTANCE

While not part of LD 2003, the supplemental budget for Fiscal Years 2022 and 2023 included Section U-1. 5 MRSA §13056-J, providing funding for a new “Housing Opportunity Program.” That program will “encourage and support the development of additional housing units in Maine, including housing units that are affordable for low and moderate income people and housing units targeted to community workforce housing needs” by supporting “regional approaches, municipal model ordinance development, and ... policy that supports increased housing density where feasible to protect working and natural lands.”

The Housing Opportunity Program will consist of three general areas. “Service Provider grants” will be awarded to experienced service providers to support municipal ordinance development, technical assistance, and public process and community engagement support, and may encourage regional coordination. Community Housing Incentive Program grants will be funded to municipalities directly in two categories:

- Community housing planning grants to be awarded through a competitive process to municipalities to support the creation of housing development plans, and ordinance and policy amendments to support those plans. The grants will be awarded for a period of up to three years, with progress reports each year.
- Community housing implementation grants to be awarded through a competitive process to support the implementation of community housing priorities.

Finally, the Department of Economic and Community Development will be adding staff to provide direct technical assistance to communities.

The Housing Opportunity Program is currently undergoing internal development and is expected to be launched in the coming months.

**Still have questions?
Need more information?**



VISIT: [MAINE.GOV/DECD/HOUSING-LEGISLATION](https://www.maine.gov/decd/housing-legislation)

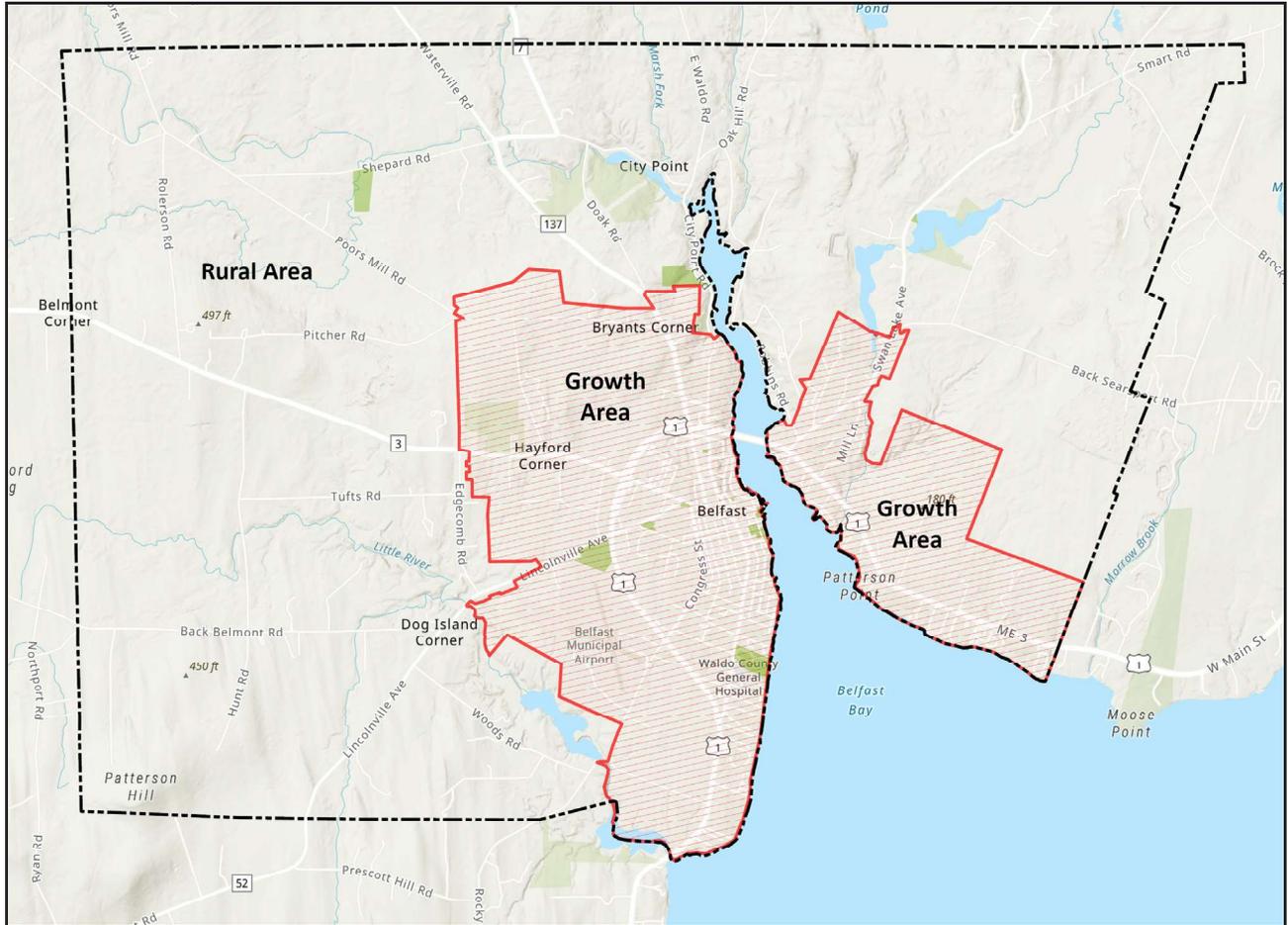


**MAINE DEPARTMENT OF
ECONOMIC AND COMMUNITY
DEVELOPMENT**



Future Land Use Map

The map below illustrates the growth area for the City of Belfast.



Sec. 10-62. Keeping of domesticated chickens in certain zoning districts. [Ord. of 8-3-2010 (1)]

The following standards shall apply to the keeping of domesticated chickens in the following zoning districts in which agricultural activities and the keeping of farm animals is otherwise a prohibited activity: Residential ~~H-1~~, Residential ~~H-2~~, ~~Health Care and Residential 3~~, and ~~Airport Growth~~ zoning districts.

The standards are as follows:

- (a) No more than six chickens shall be allowed on any property, regardless of the size of the property.
- (b) The owner or resident of a single-family dwelling unit shall be allowed to keep domesticated chickens. In the case of a two-family dwelling unit or a multi-family dwelling unit, the only persons who shall be allowed to keep domesticated chickens are a person who both owns and lives on the property.
- (c) Only female chickens are permitted with no restriction on chicken species.
- (d) Chickens shall be kept only for personal use.
- (e) Advertising the sale of eggs, chicken breeding or fertilizer production is prohibited.
- (f) Outside slaughtering of chickens is prohibited.
- (g) The keeping of chickens shall be prohibited at any property which is used for a nonresidential use, **except for educational purposes on a school campus.**

Chapter 102, Zoning. Article IX. Performance Standards.

DIVISION 6. Supplemental performance standards for an accessory dwelling unit ~~in a detached structure~~.

Sec. 102-1361. Applicability of city ordinances.

A property on which the construction of an accessory dwelling unit ~~in a detached structure~~ is proposed shall satisfy applicable requirements identified in Chapter 102, Zoning, Article V, District Regulations; Chapter 102, Zoning, Article VIII, Supplementary District Regulations; Chapter 102, Zoning, Article IX, Performance Standards, Division 2, Environmental Standards; Chapter 98, Technical Standards; Chapter 82, Shoreland; Chapter 78, Floods; and Chapter 62, Utilities; and shall comply with the following Supplemental Performance Standards identified in this Division.

Sec. 102-1362. Wastewater Pollution and Subsurface Wastewater Disposal.

Consistent with requirements of Chapter 62, Utilities, and Chapter 102, Zoning, Article IX, Performance Standards, Division 2, Environmental Standards, all properties must provide adequate wastewater disposal for the uses that occur on the property. An accessory dwelling unit ~~in a detached structure~~ must either be connected to public sewer or must be served by a subsurface wastewater disposal system that has been designed and installed to provide adequate capacity for all of the uses that occur on the property. A subsurface system that has the capacity to serve the demand associated with the new accessory dwelling unit ~~in a detached structure~~ must be installed prior to issuance of an occupancy permit for said unit. The property owner shall provide evidence to the Code Enforcement Officer that the above standard can be satisfied.

Sec. 102-1363. Access to Property.

(a) Number of driveways. Notwithstanding access control standards identified in Chapter 98, Technical Standards, Section 98-154(f), a property on which an accessory dwelling unit ~~in a detached structure~~ is constructed shall have no more than one two-way driveway or two one-way driveway openings (one for egress and one for ingress) on the property. The accessory dwelling unit ~~in a detached structure~~ shall use the same driveway opening that serves the single family residence on the property. The exception to this standard is if two or more properly permitted (two-way) driveway openings existed on the property at the time that an application is submitted to construct an accessory dwelling unit ~~in a detached structure~~.

If a property is subject to Maine Department of Transportation access management requirements, the property owner shall provide evidence to the City Code Enforcement Officer that the State has issued any driveway or entrance permit that may be required. The property owner also shall provide evidence that the City of Belfast Superintendent of Public Works has approved any road opening or driveway entrance permit that may be required.

(b) **Turn-around requirement.** If the posted speed limit is 40 mph or greater on the street on which a driveway opening is located for an accessory dwelling unit ~~in a detached structure~~,

the property shall include a properly constructed driveway that supports a vehicle being able to turn-around on said property so that a vehicle does not need to back out onto the adjacent street to exit the property.

Sec. 102-1364. Amount and Location of Parking.

~~Notwithstanding parking requirements identified in the Chapter 98, Technical Standards, Article VIII, Parking and Loading Facilities, Section 98-242, Off Street Parking Requirements, if a property is located in the Residential 1, Residential 2 or Residential 3 zoning district, and the street or streets on which the property that has an accessory dwelling unit in a detached structure is located does not prohibit on-street parking, the minimum amount of on-site parking that must be provided for a single family dwelling unit and a one or two bedroom accessory dwelling unit in a detached structure shall be 3 parking spaces, provided the location of the parking complies with standards identified in Section 98-247, Front yard parking restricted in certain districts. In all other zoning districts the amount and location of on-site parking shall comply with standards identified in Section 98-242.~~
Accessory dwelling units are exempt from the prescriptive standards in Chapter 98 Technical Standards regarding the amount of parking spaces required.

Sec. 102-1365. Size of Accessory Dwelling Unit or Structure.

The maximum size of a one or two bedroom Accessory Dwelling Unit shall be 800 square feet of habitable space, or a maximum of 75 percent of the size of the principal residential structure, whichever is less. Said accessory dwelling unit may also include a maximum of 200 square feet of attached open structures, such as a deck. **The minimum size of an accessory dwelling unit shall be 190 square feet.**

An accessory dwelling unit may be located in an accessory structure that is greater than 800 square feet in size, provided that the maximum amount of habitable space in said structure that is used as a dwelling unit is 800 square feet. Any such structure may also include a maximum of 200 square feet of attached open structures, such as a deck.

Sec. 102-1366. Size of lot.

A property which complies with the minimum lot size, both amount of area and street frontage (if the lot has street frontage), required for a residential use in a respective zoning district, may be used for ~~a single family dwelling unit and~~ an accessory dwelling unit ~~in a detached structure~~, provided the proposed uses on the property comply with all applicable performance standards. A property that is a nonconforming lot of record with respect to the amount of lot area or street frontage may be used for ~~a single family dwelling unit and~~ an accessory dwelling unit. ~~in a detached structure, subject to compliance with the following requirements:~~

- ~~1) The proposed uses must comply with all applicable performance standards;~~
- ~~2) If a property is connected to public sewer the property must be a minimum of 4,500 square feet in size; and~~

~~3) If a property uses a subsurface wastewater disposal system, the lot shall be no less than 30,000 square feet in size and have a minimum of 100 feet of street frontage (if the lot has street frontage).~~

An accessory dwelling unit shall not be the only use on a property.

If a property is located in a shoreland zoning district, the property shall comply with all lot size and shore frontage requirements to allow the construction of more than one dwelling unit on the property; reference Chapter 82, Shoreland, for lot size and shore frontage requirements that apply to the respective shoreland zoning districts.

Sec. 102-1367. Structure Setbacks, Structure Height and Lot Coverage.

An accessory dwelling unit ~~in a detached structure~~ that is located in a new structure that is constructed pursuant to a building permit issued by the Department shall comply with all structure setback, structure height and lot coverage standards identified for the respective zoning district in which the dwelling unit and structure is located. If the proposed accessory dwelling unit is located in an existing accessory structure that is detached from a single family residence, such as but not limited to a garage or a barn, and the existing structure is nonconforming with respect to structure setback, structure height and/or lot coverage standards, the existing detached structure may be used for an accessory dwelling unit, provided one or more of the following standards are met:

- 1) The proposed construction does not result in the creation of any new **dimensional** nonconformities;
- 2) The City of Belfast Planning Board has approved a use permit to allow a nonconforming expansion as such may be permitted pursuant to requirements of Chapter 102, Zoning, Article III, Nonconformance; or
- 3) The Belfast Zoning Board of Appeals has granted a variance pursuant to Chapter 102, Zoning, Article II, Administration, Division 4, Appeals and Variances, to allow the proposed constructed.

If a property is located in a shoreland zoning district, the proposed accessory dwelling unit ~~in a detached structure~~ shall comply with all applicable structure setback, structure height and lot coverage requirements for the respective shoreland zoning district; reference Chapter 82, Shoreland, for applicable standards.

Sec. 102-1368. Compliance with City building code.

The accessory dwelling unit ~~in a detached structure~~ that is constructed shall comply with all building code requirements identified in Chapter 74, Buildings and Building Regulation.

CHAPTER 66, GENERAL PROVISIONS (ADOPTED AMENDMENTS)

Accessory dwelling unit ~~in a detached structure~~ means a one or two bedroom dwelling unit that is constructed as an accessory dwelling unit to **one or more primary dwelling units and meets the size, access and parking performance standards as outlined in Chapter 102 Article IX Division 6 a single family dwelling unit and which is located in a structure that is detached from the single family dwelling unit.** The structure in which the accessory dwelling unit is

constructed can be used solely as a dwelling unit or may be constructed in an accessory structure that may also serve as a garage, a barn, or similar structure.

SECTION 102-462, TABLE OF USES INSIDE THE BYPASS ZONING DISTRICTS TYPE OF USE	Residential 1	Residential 2	Residential 3	Downtown Commercial	Waterfront Mixed Use 1	Waterfront Mixed Use 2
RESIDENTIAL USES *[2]						
1) Dwelling, single-family.	P-CEO	P-CEO	P-CEO	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
2) Dwelling, Accessory dwelling unit (ADU). *[a]	P-CEO	P-CEO	P-CEO	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
3) Dwelling, two-family.	P-CEO	P-CEO	P-CEO	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
4) Dwelling, Flex Housing (single-family, duplex, triplex, quadplex only). *[b and e]	P-CEO	P-CEO	P-CEO	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
5) Dwelling, multi-family (3 or more units in one structure). *[c and e]	P-CEO	P-CEO	P-CEO	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
6) Dwelling, multi-family in a residential planned unit development. *[q and e]	P-CEO	P-CEO	P-CEO	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
7) Residential Planned unit development (PUD). *[f and g]	P-PBR	P-PBR	P-PBR	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
8) Rural affordable housing development (PUD). *[h]	NO	NO	NO	NO	NO	NO
9) Manufactured housing on a chassis/mobile home.	NO	NO	NO	NO	NO	NO
10) Manufactured housing (units on permanent foundation).	P-CEO	P-CEO	P-CEO	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
11) Manufactured housing community (units on chassis) or mobile home park.	NO	NO	NO	NO	NO	NO
12) Accessory residential structures.	P-CEO	P-CEO	P-CEO	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
13) Accessory residential uses.	P-CEO	P-CEO	P-CEO	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
14) Accessory residential uses on the upper stories of nonresidential structures. *[i]	P-CEO	P-CEO	P-CEO	P-CEO *	P-PBR *[3]	P-PBR *[3]
15) Yard sales, residential held no more than 10 days in a calendar year.	P	P	P	P	P	P
16) Home occupation class 1: Small scale. *[k]	P-CEO	P-CEO	P-CEO	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
17) Home occupation class 2: Mid-scale. *[k]	P-PBR	P-PBR	P-PBR	P-CEO *[9]	P-PBR *[3]	P-PBR *[3]
18) Home occupation class 3: Large scale. *[k]	NO	NO	NO	NO	NO	NO
19) Owner occupied boarding or owner occupied lodging house with up to 3 borders or lodgers.	P-PBR	P-PBR	P-PBR	P-CEO *[9]	NO	NO
20) Owner occupied boarding or owner occupied lodging house with 4 or more borders or lodgers.	P-PBR	P-PBR	P-PBR	P-CEO *[9]	NO	NO
21) Owner occupied group home or owner occupied hospice with a capacity of up to 8 residents.	P-PBR	P-PBR	P-PBR	P-CEO *[9]	NO	NO
22) Owner occupied group home or owner occupied hospice with a capacity of 9 or more residents.	NO	P-PBR	P-PBR	P-CEO *[9]	NO	NO
23) Group home with a capacity of up to 8 residents.	P-PBR	P-PBR	P-PBR	P-CEO *[9]	NO	NO
24) Group home with a capacity of 9 or more residents.	NO	P-PBR	P-PBR	P-CEO *[9]	NO	NO
25) Up to 8 residents in the following: Congregate care, residential retirement housing, assisted living facility or hospice. [State defined Levels I, II and III Residential Care Facility and State defined Levels I, II and III Private Non-Medical Institution]	P-PBR	P-PBR	P-PBR	P-CEO *[9]	NO	NO
26) Nine or more residents in the following: Congregate care, residential retirement housing, assisted living facility or hospice. [State defined Level IV Residential Care Facility, and State defined Level IV Private Non-Medical Institution]	NO	P-PBR	P-PBR	P-CEO *[9]	NO	NO
27) Bed and breakfast class 1. *[l]	P-PBR	P-PBR	P-PBR	P-CEO *[9]	NO	NO
28) Bed and breakfast class 2. *[l]	P-PBR	P-PBR	P-PBR	P-CEO *[9]	NO	NO
29) Bed and breakfast class 3. *[l]	P-PBR	P-PBR	P-PBR	P-CEO *[9]	NO	NO
30) Bed and breakfast, non-owner occupied. *[l]	P-PBR	P-PBR	P-PBR	P-CEO *[9]	NO	NO
Reserved 31)-44)						
OFFICE, CHILD CARE, HEALTH CARE & VETERINARY USES						
45) Professional offices and health care offices.	NO	NO	P-PBR	P-PBR *[8]	P-PBR	P-PBR
46) Health care facilities and hospitals.	NO	NO	P-PBR	P-PBR	P-PBR	P-PBR
47) Nursing homes and Long-term care facilities	NO	NO	P-PBR	P-PBR	NO	NO
48) Care facility, child care facility serving up to 12 children. [State defined Small Childcare Facility for 3 -12 children] *[lv]	P-PBR	P-PBR	P-PBR	P-PBR *[8]	P-PBR	P-PBR
49) Care facility, child care facility serving more than 12 children. [State defined Child Care Center]. *[lv]	P-PBR	P-PBR	P-PBR	P-PBR *[8]	P-PBR	P-PBR
50) Care facility, youth and adult.	P-PBR	P-PBR	P-PBR	P-PBR	NO	NO
51) Veterinary clinic and veterinary hospital.	NO	NO	NO	P-PBR	NO	NO
52) Animal kennel Class 1, includes day-time training facilities .	NO	NO	NO	NO	NO	NO
53) Animal kennel Class 2.	NO	NO	NO	NO	NO	NO
Reserved 54) - 70)						
RETAIL, MOTOR VEHICLE, SERVICES, & REPAIR USES						
70) Retail Store, See Footnote *[n] regarding size limits that apply.	NO	NO	NO	P-PBR *[8]	NO	NO
71) Shopping centers, including mixed use development (service, retail, restaurant, and/or office in same complex).	NO	NO	NO	NO	NO	NO
72) Commercial agricultural greenhouse or nursery: Sale of materials, plants or similar items commonly associated with landscaping activities.	NO	P-PBR *[6]	NO	P-PBR *[8]	P-PBR	P-PBR
73) Farmers Market, indoor or outdoor, that may also include food and craft sales.	P-PBR	P-PBR	P-PBR	P-PBR *[8]	P-PBR	P-PBR
74) Medical Marijuana caregiver retail stores *[cc]	NO	NO	NO	P-PBR *[8]	P-PBR	P-PBR
75) Adult Use, Marijuana Retail Store *[ddd]	NO	NO	NO	NO	NO	NO
76) Convenience stores.	NO	NO	NO	P-PBR *[8]	P-PBR	P-PBR
77) Redemption Centers for Beverage Containers	NO	NO	NO	P-PBR *[8]	NO	NO
78) Motor vehicle, snowmobile, utility-terrain vehicle (UTV) and all-terrain vehicle (ATV) and similar repair business.	NO	NO	NO	NO	NO	NO
79) Motor vehicle fuel sales.	NO	NO	NO	P-PBR *[8]	NO	NO
80) Motor vehicle sales including automobiles, snowmobiles, utility-terrain vehicles (UTV) and all-terrain vehicles (ATV). Primary use.	NO	NO	NO	NO	NO	NO
81) Motor homes, heavy trucks, and related equipment sales, repairs and services.	NO	NO	NO	NO	NO	NO
82) Mobile home, manufactured home and modular home sales.	NO	NO	NO	NO	NO	NO
83) Personal services.	NO	NO	NO	P-PBR *[8]	P-PBR	P-PBR
84) Service Business.	NO	NO	NO	P-PBR *[8]	P-PBR	P-PBR
85) Lumber Yard & Building Supply Store. See definition of a Lumber Yard & Building Supply Store in Chapter 66.	NO	NO	NO	NO	NO	NO
86) Laundromat	NO	NO	NO	P-PBR *[8]	NO	NO
87) Dry Cleaning (on-site)	NO	NO	NO	P-PBR *[8]	NO	NO
88) Funeral Home	P-PBR	P-PBR	P-PBR	NO	NO	NO

SECTION 102-462, TABLE OF USES INSIDE THE BYPASS ZONING DISTRICTS TYPE OF USE	Residential 1	Residential 2	Residential 3	Downtown Commercial	Waterfront Mixed Use 1	Waterfront Mixed Use 2
89) Mausoleum/crematory Reserved 90) - 109)	NO	NO	NO	NO	NO	NO
RESTAURANT & LODGING USES						
110) Hotel and motel.	NO	NO	NO	P-PBR*[8]	P-PBR	P-PBR
111) Campground excluding Recreation Vehicle (RV) Park.	NO	NO	NO	NO	NO	NO
112) Campground, including a Recreation Vehicle (RV) Park and Motor Homes	NO	NO	NO	NO	NO	NO
113) Restaurant, fast food.	NO	NO	NO	NO	NO	NO
114) Restaurant, formula	NO	NO	NO	NO	NO	NO
115) Restaurant with indoor seating.	NO	NO	P-PBR*[4]	P-PBR*[8]	P-PBR	P-PBR
116) Restaurant with outdoor seating.	NO	NO	NO	P-PBR*[8]	P-PBR	P-PBR
117) Restaurant, take out.	NO	NO	NO	P-PBR*[8]	P-PBR	P-PBR
118) Restaurant with drive through window.	NO	NO	NO	NO	NO	NO
119) Restaurant, ice cream stand.	NO	NO	P-PBR*[4]	P-PBR*[8]	P-PBR	P-PBR
120) Lobster pound, and accessory fish/seafood processing Reserved 121) - 139)	NO	NO	NO	NO	P-PBR	P-PBR
INDUSTRIAL, MANUFACTURING, LABORATORY, WAREHOUSE, STORAGE & AQUACULTURE						
140) Light industrial/Light manufacturing	NO	NO	NO	P-PBR*[8]	P-PBR*[5]	P-PBR*[5]
141) Manufacturing, processing and industrial activities, including accessory retail sales	NO	NO	NO	P-PBR*[8]	P-PBR*[5]	P-PBR*[5]
142) Bituminous asphalt plant/mixing operations.	NO	NO	NO	NO	NO	NO
143) Storage, contractor operations including exterior storage of materials and equipment	NO	NO	NO	NO	P-PBR*[5]	P-PBR*[5]
144) Storage facility/warehouse	NO	NO	NO	P-PBR*[8]	P-PBR*[5]	P-PBR*[5]
145) Storage, self-storage facility.	NO	NO	NO	NO	NO	NO
146) Storage tanks for petroleum products, including propane for sale.	NO	NO	NO	P-PBR*[8]	P-PBR*[5]	P-PBR*[5]
147) Boat building, boat repair, boat retrofitting or boat storage, including allowing limited onsite sales as an accessory use.	NO	NO	NO	NO	P-PBR	P-PBR
148) Research laboratory.	NO	NO	P-PBR	P-PBR*[8]	P-PBR*[5]	P-PBR*[5]
149) Medical Marijuana testing facilities *[cc]	NO	NO	NO	P-PBR*[8]	P-PBR	P-PBR
150) Medical Marijuana manufacturing facilities *[cc]	NO	NO	NO	P-PBR*[8]	P-PBR	P-PBR
151) Adult Use Marijuana Cultivation, Tier 1 *[dd]	NO	NO	NO	NO	NO	NO
152) Adult Use Marijuana Cultivation, Tier 2 *[dd]	NO	NO	NO	NO	NO	NO
153) Adult Use Marijuana Cultivation, Tier 3 *[dd]	NO	NO	NO	NO	NO	NO
154) Adult Use Marijuana Cultivation, Tier 4 *[dd]	NO	NO	NO	NO	NO	NO
155) Adult Use, Marijuana Cultivation Nursery *[dd]	NO	NO	NO	NO	NO	NO
156) Adult Use, Marijuana Testing Facility *[dd]	NO	NO	NO	NO	NO	NO
157) Adult Use, Marijuana Manufacturing Facility *[dd]	NO	NO	NO	NO	NO	NO
158) Aquaculture, Land-Based	NO	NO	NO	NO	NO	NO
159) Aquaculture, Freshwater	NO	NO	NO	NO	P-PBR	P-PBR
160) Aquaculture, Marine	NO	NO	NO	NO	P-PBR	P-PBR
161) Aviation and uses accessory to aviation. Reserved 162) - 179)	NO	NO	NO	NO	NO	NO
AGRICULTURE & NATURAL RESOURCE USES						
180) Commercial agricultural, dairy and horticultural activities, including you-pick operations. Also reference 181) - 184) below.	NO	P-PBR*[6]	NO	NO	NO	NO
181) Farm Stand and/or Small Craft Sales as an Accessory Use to an Agricultural Use	NO	P-PBR*[6]	NO	NO	NO	NO
182) Commercial Poultry. (Refer to Chap 66, Definition)	NO	NO	NO	NO	NO	NO
183) Commercial Piggeries. (Refer to Chap 66, Definition)	NO	NO	NO	NO	NO	NO
184) Accessory Uses to Commercial Agriculture. An operating agricultural use may operate a small campground (No RV's) or an outside event activity, subject to Performance Standards identified in Division (YTBD - Performance Standards have not yet been prepared)	NO	NO	NO	NO	NO	NO
185) Domestic chickens - Reference City Code of Ordinances, Chapter 10, Animals, Article III, Domesticated Chickens	P-CEO	P-CEO	P-CEO	NO	NO	NO
186) Slaughterhouse.	NO	NO	NO	NO	NO	NO
187) Horses and horse barns/Stables accessory to residential uses. *[jj]	NO	P-PBR*[6]	NO	NO	NO	NO
188) Animal breeding, husbandry.	NO	P-PBR*[6]	NO	NO	NO	NO
189) Tree farm.(Including on-site sales)	NO	P-PBR*[6]	NO	NO	NO	NO
190) Forestry: Woodlot management and timber harvesting. Reference State Permitting requirements from DEP.	NO	NO	NO	NO	NO	NO
191) Forestry: Commercial firewood processing. Reserved 192) - 209)	NO	NO	NO	NO	NO	NO
UTILITIES						
210) Stealth telecommunications facilities. *[ff]	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR
211) Minor telecommunications facilities including co-location on existing structures. *[ff]	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR
212) Telecommunications facilities. *[ff]	NO	NO	NO	NO	NO	NO
213) Small Wireless Facility (as defined by State Statute) in public ROW	P	P	P	P	P	P
214) Essential Services. Also see 215) below.	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO
215) Power Generation & Substations, 3 Phase Power Transmission Lines, & natural gas line facilities *[gg]	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR

SECTION 102-462, TABLE OF USES INSIDE THE BYPASS ZONING DISTRICTS TYPE OF USE	Residential 1	Residential 2	Residential 3	Downtown Commercial	Waterfront Mixed Use 1	Waterfront Mixed Use 2
216) Solar Energy Systems, Large-Scale, ground-mounted. * [ee]	NO	NO	NO	NO	NO	NO
217) Solar Energy Systems, Small-Scale, ground-mounted and roof-mounted. * [10, 12 and ee]	P-CEO	P-CEO * [11]	P-CEO	P-CEO	P-CEO	P-CEO
218) Solar Energy Systems, Large-Scale and Medium Scale, roof-mounted. * [ee]	P-PBR	P-PBR	P-PBR	NO	NO	NO
219) Wind Generation - Turbines (Commercial)	NO	NO	NO	P-PBR	P-PBR	P-PBR
220) Wind Generation - Turbines (Residential)	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR
221) Hydroelectric Power Generation facilities * [gg]	NO	NO	NO	NO	NO	NO
Reserved 222) - 239)						
PUBLIC, SCHOOLS, COMMUNITY FACILITIES, PERFORMANCE FACILITIES & RECREATION						
240) Municipal uses deemed necessary by the City Council for which the Council shall hold a public hearing with ten days' public notice given.	P	P	P	P	P	P
241) Quasi-public and non-municipal public uses.	P-PBR	P-PBR	P-PBR	P-PBR [8]*	P-PBR	P-PBR
242) Public park.	P	P	P	P	P	P
243) Public parking facility.	NO	NO	P-PBR	P-PBR [8]*	P-PBR	P-PBR
244) School, public	P-PBR	P-PBR	P-PBR	P-PBR [8]*	P-PBR	P-PBR
245) School, private/parochial/charter.	P-PBR	P-PBR	P-PBR	P-PBR [8]*	P-PBR	P-PBR
246) Community center.	NO	P-PBR	P-PBR	P-PBR [8]*	P-PBR	P-PBR
247) Social club.	NO	P-PBR	P-PBR	P-PBR [8]*	NO	NO
248) Museum.	NO	NO	NO	P-PBR [8]*	P-PBR	P-PBR
249) Convention center.	NO	NO	NO	P-PBR [8]*	P-PBR	P-PBR
250) Theater/Performing arts center. * [bb]	NO	NO	NO	P-PBR [8]*	P-PBR	P-PBR
251) Theater, outdoor and event facility. Permitted as an accessory use to an agricultural use. * [bb]	NO	NO	NO	P-PBR [8]*	P-PBR	P-PBR
252) Recreational facility, indoor (public or private).	NO	NO	NO	P-PBR [8]*	NO	NO
253) Recreational facility, outdoor, excluding motorized vehicles.	NO	NO	NO	NO	NO	NO
254) Recreational facility, outdoor, including motorized vehicles.	NO	NO	NO	NO	NO	NO
255) Recreational or community activities.	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO
256) Shooting or rifle range (public allowed).	NO	NO	NO	NO	NO	NO
257) Drive-in movie theater.	NO	NO	NO	NO	NO	NO
258) Amusement park.	NO	NO	NO	NO	NO	NO
259) Churches	P-PBR	P-PBR	P-PBR	P-PBR * [8]	NO	NO
Reserved 260) - 279)						
MISCELLANEOUS USES						
280) Accessory non-residential structure if the principal structure was subject to review by Code Enforcement Officer.	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO
281) Accessory non-residential structure if the principal structure was subject to review by the Planning Board.	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR
282) Accessory non-residential use in which the principal use was subject to review by the Code Enforcement Officer.	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO
283) Accessory non-residential uses in which the principal use was subject to review by the Planning Board. (Permitted uses & expansions of legally established nonconforming uses).	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR
284) Marinas and marina related service businesses.	NO	NO	NO	P-PBR [8]*	P-PBR	P-PBR
285) Docks, floats and similar uses that occur below the normal high water mark. This use also requires review by the Harbor Committee pursuant to Chapter 82, Shoreland.	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR
286) Water borne transportation and recreation.	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR	P-PBR
287) Fill, loam, sand, and gravel extraction operations provided the operation does not include the removal of bedrock material through blasting or any other mechanical means or the crushing or further processing of such bedrock material.	NO	NO	NO	NO	NO	NO
288) Fill, loam, sand, gravel extraction, excluding bedrock, with restrictions on extent of area to be extracted at one time, and establishment of a continuing reclamation and reforestation program.	NO	NO	NO	NO	NO	NO
289) Fill activities that involve the altering at least 10 cubic yards of fill, but less than 100 cubic yards of material.	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO
290) Fill activities that involve the addition or removal of 100 cubic yards or more of material.	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO
291) Septage, storage and spreading.	NO	NO	NO	NO	NO	NO
292) Junkyards, including auto graveyards.	NO	NO	NO	NO	NO	NO
293) Significant Groundwater Well	NO	NO	NO	NO	NO	NO
294) Significant Water Intake or Significant Water Discharge/Outfall Pipe	NO	NO	NO	NO	NO	NO
Reserved 295) - 310)						
SPECIAL USES						
311) Special Use Areas	N/A	N/A	N/A	N/A	N/A	N/A
312) Special Uses that Require City Review Pursuant to Contract Rezoning	YES	YES	YES	YES	YES	YES
Reserved 313) - 340)						
USES SPECIFIC TO CHAPTER 82, SHORELAND *[yy]						
340) Nonintensive recreational uses not requiring structures, such but not limited to hunting, fishing and hiking subject to State and City laws.	YES	YES	YES	YES	YES	YES
341) Motorized vehicular traffic on existing roads and trails.	YES	YES	YES	YES	YES	YES
342) Clearing of Vegetation for Development, may require permit in Shoreland Zoning districts	YES	YES	YES	YES	YES	YES
343) Fire Prevention Activities	YES	YES	YES	YES	YES	YES
344) Wildlife Management Practices	YES	YES	YES	YES	YES	YES
345) Soil and Water Conservation Practices	YES	YES	YES	YES	YES	YES
346) Mineral Exploration	NO	NO	NO	NO	NO	NO
347) Surveying and Resource Analysis	YES	YES	YES	YES	YES	YES
348) Emergency Operations	YES	YES	YES	YES	YES	YES
349) Conversion of Seasonal Residences to Year-Round Residences	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO
350) Service Drops to Allowed Uses	YES	YES	YES	YES	YES	YES
351) Private Sewage Disposal Systems of Allowed Uses, as per Chap. 62 Utilities	P-LPI	P-LPI	P-LPI	NO	NO	NO
352) Road and Driveway Construction	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO	P-CEO
353) Small Nonresidential Facilities for Educational, Scientific, or Nature Interpretation Purposes	NO	NO	NO	P-PBR * [8]	P-PBR	P-PBR
Shoreland Zones and Shoreland Uses are not shown. Refer to Chapter 82, Shoreland, for Shoreland Table of Uses						
KEY TO TABLE						
N/A - Not Applicable						
P Permitted Use - No Permit Required						
P-CEO Permitted Use that requires CEO Review & Permit						
P-PBR Permitted Use that requires Planning Board review & permit						
P-LPI Licensed Plumbing Inspector review & permit required						
NO Prohibited Use						
STATE Permit required from State in lieu of City Permit review						

SECTION 102-462, TABLE OF USES INSIDE THE BYPASS ZONING DISTRICTS TYPE OF USE	Residential 1	Residential 2	Residential 3	Downtown Commercial	Waterfront Mixed Use 1	Waterfront Mixed Use 2
YTBD Yet to Be Determined. City has not yet adopted referenced standards for Certain Uses that are cited.						

Sec. 102-1341. Purpose of Standards and Applicability of City Ordinances.

Multi-family and Flex Housing uses and structures are intended to provide opportunities to increase the housing portfolio in Belfast and strengthen the community's ability to provide affordable high-quality housing for all citizens of the City. Multi-family and Flex Housing uses and structures are part of the built environment, and the City encourages integrating desirable site and design features into these projects so that they fit in and contribute to the neighborhoods in which they are located.

Article IX, Division 7, identifies specific performance standards that apply to the construction or use of a multi-family dwelling structure(s) and structures and units in a flex housing project, and are intended to address specific potential impacts associated with such construction and uses. An applicant/owner who proposes to construct a new multi-family dwelling structure or expand an existing structure in which multi-family dwelling units are located, or to construct one or more structures and dwelling units as a flex housing project, shall comply with these Division 7 requirements, and shall satisfy all applicable requirements identified in Chapter 62, Utilities; Chapter 78, Floods; Chapter 82, Shoreland; Chapter 90, Site Plan; Chapter 98, Technical Standards; and all other applicable requirements in Chapter 102, Zoning. A project that involves the construction of one single family residence and only one detached accessory 2 dwelling unit shall be subject to the Article IX, Division 6, Supplemental Performance Standards for an Accessory Dwelling Unit in a Detached Structure.

CITY CODE of ORDINANCES
CHAPTER 80, INTOWN DESIGN REVIEW
(Includes Amendments Adopted 3-6-18)

**(Includes proposed draft language to support multi-family and “flex housing”
design review in Residential 1, 2, Residential 3, Downtown Commercial and
Waterfront Mixed Use 1 and 2 zoning districts)**

Chapter 80 IN-TOWN DESIGN REVIEW

Article I. In General

- Sec. 80-1. Statement of purpose.
- Sec. 80-2. Definitions
- Sec. 80-3. Establishment of In-Town Design Review Committee.
- Sec. 80-4. Activities subject design review.
- Sec. 80-5. Areas subject to design review.
- Sec. 80-6. Guidelines for new construction, renovations and restorations.
- Sec. 80-7. Standards for demolitions or relocations.
- Sec. 80-8. Annual meeting of In-town Design Review Committee members.
- Secs. 80-9 -- 80-30. Reserved.

Article II. Applications and Process

- Sec. 80-31. Permit application.
- Sec. 80-32. Classification of permit application.
- Sec. 80-33. Review process for a Type 1 Mandatory In-town Design Review Permit
- Sec. 80-34. (Repealed on March 6, 2018, **replaced on DATE TBD**). Review process for a Type 2 Major Voluntary In-town Design Review Permit.
- Sec. 80-35. Review process for a Type 3 Minor Voluntary In-town Design Review Permit.
- Sec. 80-36. Failure to submit permit application or obtain a permit.
- Sec. 80-37. Application fee.

Article III. Appeals.

- Sec. 80-50. Permit subject to appeal.
- Sec. 80-51. Administrative appeal of a Type 1 Mandatory In-town Design Review Permit.
- Sec. 80-52. Zoning Board of Appeals review of a Certificate of Economic Hardship.

Article I. In General

- Sec. 80-1. Statement of purpose.

The City hereby establishes a design review process for all residential and nonresidential construction activities located within the city's commercial core, its downtown and the associated waterfront, and for all other proposed nonresidential, **multifamily and flex housing** construction activities located within most of the Route One bypass. The goals are:

- (1) To foster a healthy downtown commercial area;
- (2) To retain and enhance the existing character of the downtown and inside the bypass areas;
- (3) To strengthen the connection between the downtown and the waterfront;
- (4) To apply design review standards in a reasonable and flexible manner to prevent the unnecessary loss of the community's character, while not stifling change;
- (5) To require or strongly encourage proposed new development, including the construction of new structures and the renovation or restoration of existing **residential**, nonresidential and mixed use structures, to be compatible with existing development, and to positively contribute to the character of the community; ~~and~~
- (6) To prohibit or strongly discourage the demolition or removal of existing "noteworthy" structures that have helped to shape and create the present character of the city; **and**
- (7) To encourage development of housing while conducting design review and maintaining economic feasibility for applicants.**
- (8) To enable a diverse portfolio of housing "inside the bypass" that not only increases the availability and affordability of living options, but also supports and enhances Belfast's key strength as a welcoming, hospitable place to live. Residents from all walks of life need more housing that will provide them with walking access to shops, entertainment, and employment opportunities.**

Architectural diversity is a hallmark of Belfast's neighborhoods. In this vein, the code encourages projects to be pedestrian friendly, with building mass, scale, fenestration, and landscaping fitting into the existing context of the neighborhood, without dictating a specific style.

The City will pursue these goals through a design review process that emphasizes a productive and respectful dialogue between the citizens, property and business owners, and developers who choose to live and work in the-community, and the reasonable and flexible application of design standards identified in this chapter.

(Ord. of 3-27-2001, § 1.0)

Sec 80-2. Definitions.

Certificate of Economic Hardship. A certificate issued by the Planning and Codes Department evidencing a hardship variance approved by the Belfast Zoning Board of Appeals in accordance with Article III, Appeals, of this chapter.

Committee Facilitator. The staff representative from the Planning and Codes Department who serves as a non-voting Facilitator at each Committee meeting.

Department refers to the Planning and Codes Department.

In-town Design Review Committee. Committee appointed by the City Council that is responsible for conducting the review of permit applications identified in this chapter, and the review of other applications specifically identified in Chapter 102, Zoning.

Notice of Decision. The Notice of Decision identifies the findings of the In-Town Design Review Committee and the Committee's conditions of approval (conditions that an applicant must comply with) or recommendations (voluntary recommendations that an applicant is not required to comply with). Said Notice typically is prepared by the Committee Facilitator.

Type 1, Mandatory In-town Design Review Permit. A permit which requires applicant compliance with the findings and conditions established by the In-town Design Review Committee; reference Subsection 80.4(a) of this chapter.

Type 2, Major Voluntary In-town Design Review Permit. This definition was repealed on March 6, 2018 **and replaced on DATE TBD. A permit which requires an applicant to submit an application for review by the In-Town Design Review Committee of a proposed new or exterior alteration of any multi-family (3 or more dwellings per structure) or flex housing structure, but does not require an applicant to comply with the Committee's findings and conditions; reference Subsection 80.4(a) of this Chapter. (Note: This draft language would not apply to one-two family dwellings unless they are part of a "flex housing" development.)**

Type 3, Minor Voluntary In-town Design Review Permit. A permit which requires an applicant to obtain review by the In-Town Design Review Committee of a minor alteration to the exterior of an existing structure, but does not require an applicant to comply with the Committee's findings and conditions; reference Subsection 80.4(c) of this Chapter.

Sec. 80-3. Establishment of In-Town Design Review Committee.

- (a) Membership. The In-town Design Review Committee shall include no less than five and no more than fifteen qualified persons who have been appointed by the City Council. Five persons from this membership shall be selected to serve in the review of each project application subject to review as a Type 1 In-town Design Review Permit, and three persons from this membership shall be selected to serve in the review of each project application subject to review as a Type 3 In-town Design Review Permit.
- (b) Qualifications to serve. An individual must meet the following qualifications to serve on the In-town Design Review Committee:
 - (1) Must be a resident of the city; or
 - (2) A property owner in one of the areas subject to design review; or
 - (3) The operator of a business in an area subject to design review; and
 - (4) Must have a demonstrated interest, knowledge, ability, experience or expertise in a field that involves construction, renovation or restoration of structures or downtown and waterfront development.
- (c) Term of appointment. A member shall be appointed for a period of three years and shall serve without compensation. A member may be appointed for additional terms.

- (d) Committee Coordinator. One member of the committee may be assigned the role of serving as coordinator for the committee. The role of the coordinator would include but is not necessarily limited to: maintaining contact among committee members, arranging training sessions for committee members, publishing a newsletter, and assisting the Planning and Codes Department in the Committee performing its assigned responsibilities.
(Ord. of 3-27-2001, § 2.0)

Sec. 80-4. Activities subject to design review.

In-town design review by the In-town Design Review Committee shall apply to the activities identified in subsections (a) and (c) of this section. This requirement also explicitly applies to all construction activities proposed by the city or other governmental, public or quasi-public agencies.

- (a) Type 1 Mandatory In-Town Design Review Permit.

The following construction activities that affect the exterior appearance of any structure occupied by a non-residential use on one or more floors, including such structures that also may include a residential use on one or more upper floors, that are proposed to occur in the following zoning districts shall be subject to obtaining a Type 1 Mandatory In-town Design Review Permit: Downtown Commercial, Residential 1, Residential 2, Residential 3, Waterfront Mixed Use 1 and Waterfront Mixed Use 2.

- (1) The construction of any new primary or accessory structure;
- (2) Any exterior alteration or construction to an existing structure that involves an increase or decrease in height of said structure or change in roof configuration, which also includes rooftop additions, fences or decks.
- (3) Any exterior alteration or construction to an existing structure that involves an increase or decrease in the footprint of an existing structure, which also includes the addition, alteration or removal of exterior stairs, stoop or bulkheads.
- (4) Window or door replacement for an existing structure that results in the enlargement or diminishment in the size of existing openings, or a change in the location of said openings.
- (5) Any exterior alteration or construction to an existing structure that involves the addition, change or removal of any faced or cladding (facing) material or decorative trim.
- (6) Any exterior alteration that involves the addition, change or removal of any deck, balcony, porch or pergola.
- (7) The addition, change or removal of any appurtenances to the exterior of an existing structure such as but not limited to chimneys, antennae, satellite receiving dishes, and solar collectors that exceed two feet by two feet in size.
- (8) The demolition or relocation of an existing structure.
- (9) A request for a sign permit that involves erecting or altering a freestanding sign, and
- (10) If a project that requires review as a Type 1 Permit also proposes to erect new or replace existing on-building signage, such signage shall be subject to Committee review.

(b) Type 2 Major Voluntary In-town Design Review Permit. This subsection was repealed on March 6, 2018 **and replaced on DATE TBD. The following construction activities that affect the exterior appearance of any structure occupied by a multi-family or flex housing residential use on one or more floors, that are proposed to occur in the following zoning districts shall be subject to obtaining a Type 2 Major Voluntary In-town Design Review Permit: Downtown Commercial, Residential 1, Residential 2, Residential 3, Waterfront Mixed Use 1 and Waterfront Mixed Use 2.**

- (1) The construction of any new primary or accessory structure;**
- (2) Any exterior alteration or construction to an existing structure that involves an increase or decrease in height of said structure or change in roof configuration, which also includes rooftop additions, fences or decks.**
- (3) Any exterior alteration or construction to an existing structure that involves an increase or decrease in the footprint of an existing structure, which also includes the addition, alteration or removal of exterior stairs, stoop or bulkheads.**
- (4) Window or door replacement for an existing structure that results in the enlargement or diminishment in the size of existing openings, or a change in the location of said openings.**
- (5) Any exterior alteration or construction to an existing structure that involves the addition, change or removal of any faced or cladding (facing) material or decorative trim.**
- (6) Any exterior alteration that involves the addition, change or removal of any deck, balcony, porch or pergola.**
- (7) The addition, change or removal of any appurtenances to the exterior of an existing structure such as but not limited to chimneys, antennae, satellite receiving dishes, and solar collectors that exceed two feet by two feet in size.**
- (8) The demolition or relocation of an existing structure.**

(c) Type 3 Minor Voluntary In-town Design Review Permit. The following construction activities that affect the exterior appearance of any structure occupied by a non-residential use on one or more floors, including such structures that also may include a residential use on one or more upper floors, that are proposed to occur in the following zoning districts shall be subject to obtaining a Type 3 Minor Voluntary In-town Design Review Permit: Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2.

- (1) Window replacement within existing window openings.
- (2) Door replacement within existing door openings.
- (3) Replacement of existing stoops or steps.
- (4) Addition or replacement of awnings.

(d) Activities exempt from in-town design review. Design review shall not be required for the construction activities identified in subsections (a), (b) and (c) above, if the work consists solely of ordinary maintenance, or the work consists solely of an emergency repair of a temporary nature.

(Ord. of 3-27-2001, § 3.0)

Section 80-5. Areas subject to in-town design review.

This Chapter shall apply to certain activities located in the following zoning districts: Downtown Commercial, Residential 1, Residential 2, Residential 3, Waterfront Mixed Use 1, and Waterfront Mixed Use 2, as such are depicted on the adopted official zoning map for the City; reference Chapter 102, Zoning, Article V, District Regulations (copy of map attached).

Sec. 80-6. Guidelines for new construction, renovations and restorations.

The In-town Design Review Committee, in issuing its findings on an application for a Type 1, **Type 2** or Type 3 In-town Design Review Permit shall consider the following guidelines, subsections (1) through (3), in making a decision regarding the compatibility of the proposed renovation or restoration of an existing structure, or the proposed construction of a new structure.

- (1) Scale and form.
 - a. Height. In addition to applicable requirements of Chapters 82 and 102, the proposed height of a structure shall be visibly compatible with surrounding structures when viewed from any street or open space, and in compliance with any design guidelines.
 - b. Width. The width of a building shall be visually compatible with surrounding structures when viewed from any street or open space and in compliance with any design guidelines.
 - c. Proportion of principal facades. The relationship of the width to the height of the principal elevations shall be visually compatible with structures, public ways and open spaces to which it is visually related.
 - d. Roof shapes. The roof shape of a structure shall be visually compatible with the structures to which it is visually related.
 - e. Scale of a structure. The size and mass of structures in relation to open spaces, windows, door openings, porches and balconies shall be visually compatible with the structures, public ways and places to which they are visually related.
- (2) Composition of principal facades.
 - a. Proportion of openings. The relationship of the width to height of windows and doors shall be visually compatible with structures, public ways and places to which the building is visually related.
 - b. Rhythm of solids to voids in facades. The relationship of solids to voids in the facade of a structure shall be visually compatible with structures, public ways and places to which it is visually related.
 - c. Rhythm of entrance porch and other projections. The relationship of entrances and other projections to sidewalks shall be visually compatible with the structures, public ways and places to which they are visually related.
 - d. Relationship of materials. The relationship of the color and texture of materials (other than paint color) of the facade shall be visually compatible with the predominant materials used in the structures to which they are visually related.
 - e. Retaining architectural character. The distinguishing original qualities and character of a structure or site and its environment shall be retained, and the removal or alteration of any such material or distinctive architectural feature shall be avoided when possible.

Further, any distinctive stylistic features or examples of skilled craftsmanship that characterize a structure or site shall be treated with sensitivity.

(3) Relationship to street.

- a. Walls of continuity. Facades and site structures, such as masonry walls, fences and landscape masses, shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the structures, public ways and places to which such elements are visually related.
- b. Rhythm of spacing and structures on streets. The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways and places to which it is visually related.
- c. Directional expression of principal elevation. A structure shall be visually compatible with the structures, public ways and places to which it is visually related in its directional character, whether this is vertical character, horizontal character or non-directional character.
- d. Streetscape and pedestrian improvements. Streetscape and pedestrian improvements and any change in the appearance thereof, which are readily visible from any street or open space, shall not be incongruous to the area's character and shall comply with these design guidelines.
- e. Location of mechanical equipment. Whenever possible, mechanical equipment or other utility hardware on the roof, ground or buildings shall be screened from public view with materials harmonious to the structure, or shall be located so as not to be readily visible from public ways.

(Ord. of 3-27-2001, § 5.0)

- f. Site Layout and Design. Site layout and design shall be visually compatible with nearby features in the neighborhood.**
- g. Historic Districts. New construction and exterior alterations in historic districts shall be visually compatible with surrounding structures.**

Sec. 80-7. Standards for demolitions or relocations.

The In-town Design Review Committee shall apply the following standards in evaluating a request to demolish or relocate an existing structure:

- (1) Character of area. The demolition or relocation of the building will not adversely affect the character of the area in which the structure is located, or that the demolition or relocation of the building will positively contribute to the character of the area.
- (2) Use of site. The reuse of the site will be a permitted use or continuation of a nonconforming use that is compatible with the character of the area, and proposed buildings or structures will comply with design guidelines for new construction.
- (3) Alternatives to demolition or relocation. There is no practical alternative that will allow the retention of the building. The Committee can require an owner to demonstrate that the existing building is incapable of earning an economic return.
- (4) Unsafe structure. The building has been deemed unsafe by the Code Enforcement Officer.
- (5) The property owner is unable to obtain insurance on the structure.

- (6) Slum and blight. The building is located in an area that has been formally declared as a slum and blight area by the City, and such designation has been accepted by the State.
(Ord. of 3-27-2001, § 6.0)

Sec. 80-8. Annual meeting of In-town Design Review Committee members.

It is recommended that an annual meeting of all members of the In-town Design Review Committee be held. The purpose of the annual meeting is to share member experiences in the review of permit applications, to evaluate how the design review process is functioning, and to prepare and issue an annual written report to the City Council and citizens of the City. The annual meeting will routinely be held, but shall not be required to be held, between January and March of each year.
(Ord. of 3-27-2001, § 9.0)

Secs. 80-9 -- 80-30. Reserved.

Article II. Applications and Process

Sec. 80-31. Permit application.

A person who proposes to undertake an activity subject to this chapter shall file an In-town Design Review Permit application with the Planning and Codes Department and shall provide all information required on the application form. Department staff at the Planning and Codes Department are authorized to request any and all reasonable information that the In-town Design Review Committee may need to make a finding on a permit application. This information may include but is not limited to sketches, photographs, drawings, plans, and examples of sample materials.
(Ord. of 3-27-2001, § 4.0)

Sec. 80-32. Classification of permit application.

The Planning and Codes Department, upon receipt of an application, shall review the application and determine the classification of permit review required by the In-town Design Review Committee. The two classifications of permits are:

- (1) Type 1, Mandatory In-Town Design Review Permit Review; reference Section 80-33 for a description of the applicable review process.
- (2) Subsection repealed on March 6, 2018 **and replaced on DATE TBD. Type 2 Major Voluntary In-town Design Review Permit; reference Section 80-34 for a description of the applicable review process.**
- (3) Type 3, Minor Voluntary In-Town Design Review Permit; reference Section 80-35 for a description of the applicable review process.

(Ord. of 3-27-2001, § 4.0)

Section 80-33. Review Process for Type 1 Mandatory In-town Design Review Permit.

- (a) Schedule of Committee meeting. The Code and Planning Department, upon receipt of a complete application that requires review as a Type 1 Mandatory In-town Design Review Permit, shall date the application, and within five working days, shall schedule an In-town Design Review Committee meeting to review the application. The meeting of the In-town Design Review Committee shall occur within fifteen working days of the date that the Code and Planning Department deems the application for a Type 1 Permit complete.
- (b) Public notice requirement. The Code and Planning Department, a minimum of ten calendar days prior to the In-town Design Review Committee meeting, shall provide written notice of the application and the proposed meeting date to all property owners located within a radius of 150 feet of the applicant property, and also shall post this notice in City Hall or on the City website.
- (c) Selection of In-town Design Review Committee. The Code and Planning Department shall select the five members of the In-town Design Review Committee that will serve on the review of an application for a Type 1 Permit randomly choosing the members from the list of appointed members. If any of the five members initially contacted to serve on a permit review has a conflict or chooses not to serve on the review of a specific permit application, the Department shall contact additional members on the list of appointed members to select a five member committee. The Code and Planning Department shall provide the five members of the In-town Design Review Committee that will participate in the review of an application for a Type 1 Permit a copy of the application subject to review.
- (d) Process open to public. The Committee will allow an opportunity for public comment at the meeting at which the application is reviewed, and will accept written comment on the application. The open to public comment period will occur prior to the Committee's deliberations on the application. Public comment must be directed to issues which are within the purview of the Committee. All proceedings of the Committee, including any site visits which the Committee may conduct, shall be open to the public to attend and observe.
- (e) Committee Facilitator. A staff representative from the Code and Planning Department shall serve as the Facilitator of an In-town Design Review Committee meeting at which an application for a Type 1 Permit is considered. The Facilitator shall not have a vote on a permit application.
- (f) Committee review meeting and decision. The In-town Design Review Committee shall review each application for a Type 1 Permit to determine if the proposed construction activity is compatible with the design review guidelines identified in Sections 80-6 and 80-7. The Committee shall pursue each review as a constructive dialogue between the applicant and the Committee, with the goal of encouraging an applicant to use construction practices that satisfy the guidelines in this chapter. The Committee shall make its findings in its Notice of Decision, and shall present said Notice of Decision to the applicant and the Code and Planning Department as soon as practical, but not later than 30 working days of the date of the initial Committee meeting. This date may be extended upon the mutual written consent of the applicant and the Committee.

- (g) Permit issuance. The Code Enforcement Officer shall acknowledge the Notice of Decision for a Type 1 Permit that complies with the findings of the In-town Design Review Committee on the respective building permit issued by the Code Enforcement Officer
- (h) Binding decision. The written decision and conditions of approval (Notice of Decision) established by the In-town Design Review Committee shall be binding upon the applicant.
- (i) Other permit requirements. The design review process shall not be interpreted as a waiver of any City regulation governing the issuance of a building permit or other City land use permit. In cases when a Type 1 review is required by this chapter, completion of the design review process shall be a precondition of receipt of a building permit.
- (j) Appeal of Committee decision. An applicant may seek an Administrative Appeal or an Economic Hardship Variance from the Belfast Zoning Board of Appeals with respect to permit requirements established by the In-town Design Review Committee. All appeals shall comply with guidelines established in Section 80-50 of this chapter.

Sec. 80-34. Review process for Type 2 Major Voluntary In-town Design Review Permit.

This section was repealed on March 6, 2018 **and replaced on DATE TBD.**

- (a) Schedule of Committee meetings. The In-town Review Committee shall meet on an as needed basis to review any complete applications that are filed for a Type 2 Major Voluntary In-town Design Review Permit. The Planning and Codes Department shall schedule all meetings of the In-town Design Review Committee associated with the review of Type 2 Major Voluntary Permits and shall inform the Committee members of the meeting schedule. A preliminary workshop with the Applicant and members of the Committee is also available at the Applicant's request.**
- (b) Public notice requirement. The Planning and Codes Department shall post in City Hall and on the City website a public notice of the agenda for a meeting of the In-town Review Committee that involves the Committee's review of a complete application for a Type 2 Major Voluntary In-town Design Review Permit. This notice shall be posted a minimum of 48 hours prior to the scheduled meeting. No other public notification is required of this Committee meeting.**
- (c) Selection of In-town Design Review Committee. The Planning and Codes Department shall select the three members of the In-town Design Review Committee that will serve on the review of an application for a Type 2 Permit by randomly choosing the members from the list of appointed members. If any of the three members initially contacted to serve on a permit review has a conflict or chooses not to serve on the review of a specific permit application, the Department shall contact additional members on the list of appointed members to select a three-member Committee. The Planning and Codes Department shall provide the three members of the In-town Design Review Committee that will participate in the review of an application for a Type 2 permit a copy of the application subject to review.**

- (d) **Process open to the public.** All scheduled meetings of the In-town Design Review Committee for the review of a Type 2 Major Voluntary In-town Design Review Permit, including any site visits, shall be open to the public. The Committee is not required to accept oral public comment on a permit application at the meeting. All public comments should be submitted in writing to the Committee.
- (e) **Committee Facilitator.** A representative of the Planning and Codes Department shall serve as the Facilitator of the In-town Design Review Committee meeting. The Facilitator shall not have a vote on a permit application.
- (f) **Committee review meeting and decision.** The In-town Design Review Committee shall review each application for a Type 2 Major Voluntary In-town Design Review Permit to determine if the proposed construction activity is compatible with the design review guidelines identified in Section 80-6. The Committee shall pursue each review as a constructive dialogue between the applicant and the Committee, with the goal of encouraging an applicant to use construction practices that satisfy the guidelines in this chapter. The Committee shall make its findings in its Notice of Decision, and shall present said Notice of Decision to the applicant and the Code and Planning Department as soon as practical, but not later than 15 working days of the date of the initial Committee meeting. This date may be extended upon the mutual written consent of the applicant and the Committee.
- (g) **Permit issuance.** Reserved.
- (h) **Nonbinding decision.** The Notice of Decision of the In-town Design Review Committee with respect to a Type 2 Permit shall be nonbinding upon the applicant. While the Committee and the City will strongly encourage an applicant to adhere to the decision of the In-town Design Review Committee, the City will not deny an applicant a building permit for failing to adhere to the Committee's Notice of Decision, will not establish conditions on a building permit that are related solely to the Notice of Decision of the In-town Design Review Committee, and will not revoke a building permit if an applicant who received a Notice of Decision on a Type 2 Permit subsequently fails to comply with recommendations identified in said Notice.
- (i) **Other permit requirements.** The design review process shall not be interpreted as a waiver of any City regulation governing the issuance of a building permit. In cases when a Type 2 Major Voluntary In-town Design Review Permit application review process is required by this chapter, completion of the design review process shall be a precondition of receipt of a building permit.

Sec. 80-35. Review process for Type 3 Minor Voluntary In-town Design Review Permit.

- (b) **Schedule of Committee meetings.** The In-town Review Committee shall meet on an as needed basis to review any complete applications that are filed for a Type 3 Minor In-town Design Review Permit. The Planning and Codes Department shall schedule all meetings of

the In-town Design Review Committee associated with the review of Type 3 Permits, and shall inform the Committee members of the meeting schedule.

- (b) Public notice requirement. The Planning and Codes Department shall post in City Hall and on the City website a public notice of the agenda for a meeting of the In-town Review Committee that involves the Committee's review of a complete application for a Type 3 Minor In-town Design Review Permit. This notice shall be posted a minimum of 48 hours prior to the scheduled meeting. No other public notification is required of this Committee meeting.
- (c) Selection of In-town Design Review Committee. The Planning and Codes Department shall select the three members of the In-town Design Review Committee that will serve on the review of an application for a Type 3 Permit by randomly choosing the members from the list of appointed members. If any of the three members initially contacted to serve on a permit review has a conflict or chooses not to serve on the review of a specific permit application, the Department shall contact additional members on the list of appointed members to select a three member Committee. The Code and Planning Department shall provide the three members of the In-town Design Review Committee that will participate in the review of an application for a Type 3 permit a copy of the application subject to review.
- (d) Process open to public. All scheduled meetings of the In-town Design Review Committee for the review of a Type 3 Minor In-town Design Review Permit, including any site visits, shall be open to the public. The Committee is not required to accept oral public comment on a permit application at the meeting. All public comment should be submitted in writing to the Committee.
- (e) Committee Facilitator. A representative of the Planning and Codes Department shall serve as the Facilitator of the In-town Design Review Committee meeting. The Facilitator shall not have a vote on a permit application.
- (f) Committee review meeting and decision. The In-town Design Review Committee shall review each application for a Type 3 Minor In-town Design Review Permit to determine if the proposed construction activity is compatible with the design review guidelines identified in Section 80-6. The Committee shall pursue each review as a constructive dialogue between the applicant and the Committee, with the goal of encouraging an applicant to use construction practices that satisfy the guidelines in this chapter. The Committee shall make its findings in its Notice of Decision, and shall present said Notice of Decision to the applicant and the Planning and Codes Department as soon as practical, but not later than 15 working days of the date of the initial Committee meeting. This date may be extended upon the mutual written consent of the applicant and the Committee.
- (g) Permit issuance. This subsection repealed on March 6, 2018.
- (h) Nonbinding decision. The Notice of Decision of the In-town Design Review Committee with respect to a Type 3 Permit shall be nonbinding upon the applicant. While the Committee and the City will strongly encourage an applicant to adhere to the decision of the In-town Design

Review Committee, the City will not deny an applicant a building permit for failing to adhere to the Committee's Notice of Decision, will not establish conditions on a building permit that are related solely to the Notice of Decision of the In-town Design Review Committee, and will not revoke a building permit if an applicant who received a Notice of Decision on a Type 3 Permit subsequently fails to comply with recommendations identified in said Notice.

- (i) Other permit requirements. The design review process shall not be interpreted as a waiver of any City regulation governing the issuance of a building permit. In cases when a Type 3 Minor In-town Design Review Permit application review process is required by this chapter, completion of the design review process shall be a precondition of receipt of a building permit.

(Ord. of 3-27-2001, § 4.0)

Sec. 80-36. Failure to submit a permit application or obtain an appropriate permit.

It is the responsibility of an applicant to be aware of the requirements of the City Code of Ordinances and to submit the appropriate application for a permit identified in this chapter. The failure to submit an application and to obtain the appropriate permit prior to the start of construction activities shall be subject to the following penalties:

- (1) An applicant that fails to submit an application or obtain a permit for an activity subject to review as a Type 1 Mandatory In-town Design Review Permit shall be subject to the same penalties that apply to the failure to submit and obtain a building permit that are identified in chapter 102, zoning.
- (2) Subsection repealed on March 6, 2018 **and replaced on DATE TBD. An applicant that fails to submit an application or obtain a permit for an activity subject to review as a Type 2 Major Voluntary In-town Design Review Permit shall be subject to the same penalties that apply to the failure to submit and obtain a building permit that are identified in chapter 102, zoning.**
- (3) An applicant that fails to submit an application or obtain a permit for an activity subject to review as a Type 3 Minor Voluntary In-town Design Review Permit shall be subject to a penalty of \$50.00.

The City Council shall have the authority to waive any and all penalties that may be assessed per this chapter.

(Ord. of 3-27-2001, § 7.0)

Sec. 80-36. Application fee.

The fee to submit an application for a Type 1 Mandatory In-town Design Review Permit, **a Type 2 Major Voluntary In-town Design Review Permit**, or a Type 3 Minor Voluntary In-town Design Review Permit shall be established by the City Council, and may be adjusted from time-to-time by the Council.

(Ord. of 3-27-2001, § 8.0)

Secs. 80-37 --- 80-49. Reserved.

Article III. Appeals

Sec 80-50. Permit subject to appeal.

An applicant for a Type 1 Mandatory In-town Design Review Permit may request an Administrative Appeal of a decision by the In-town Design Review Committee, or may request a Certificate of Economic Hardship Variance from the Belfast Zoning Board of Appeals. The process for the review of an application for an Administrative Appeal or a Certificate of Economic Hardship Variance are identified in this article. An applicant cannot request either an Administrative Appeal or a Certificate of Economic Hardship Variance for **a Type 2 Major Voluntary In-town Design Review Permit** or a Type 3 Minor Voluntary In-town Design Review Permit since any decision of the In-town Design Review Committee with respect to said permit is non-binding on an applicant.

Sec 80-51. Administrative appeal of a Type 1 Mandatory In-town Design Review Permit.

- (a) Process to receive and review an appeal. An applicant who has received or has been denied the issuance of a Type 1 Mandatory In-town Design Review Permit by the In-town Design Review Committee may file and request that the Zoning Board of Appeals consider an application for an Administrative Appeal regarding the Committee decision on said permit and their interpretation of the requirements of Chapter 80, In-town Design Review. The following standards identified in Chapter 102, Zoning, Article II, Administration, Sec 102-134 shall apply to said Administrative Appeal: (a) Filing; (b) Public Hearing required, notice; (c) Failure to receive notice; (d) Right of parties to appear by agent or attorney; (e) Attendance at hearing by city officials; (g) De novo review and (h) Conduct of hearing.
- (b) Standard of review of an appeal. The Zoning Board of Appeals shall act as an appellate board which shall entertain all evidence of record submitted in the underlying hearing, including any transcripts, findings of fact, and decisions made by the In-Town Design Review Committee. The Board shall review the entire record and determine if the evidence of record compels the Zoning Board of Appeals to find that all or part of the decision on appeal was arbitrary or capricious and compels a contrary decision based on substantial evidence in the record. In such Administrative Appeals the Zoning Board of Appeals is hereby authorized to take the following action.
 1. Approve the decision issued by the In-town Design Review Committee.
 2. Reverse in total the decision of the In-town Design Review Committee.
 3. Remand to the Design Review Committee for further proceedings necessary to:
 - a. Compare the record in the event that the Board finds it unable to render a decision due to the absence of critically important factual information;
 - b. Consider how a decision of the Zoning Board of Appeals to reverse part of the decision of the Design Review Committee affects the proposed improvement: or

- c. Remand for further proceedings consistent with the order of the Zoning Board of Appeals.

The actions described in subsections (c) – (e) below may or shall occur in response to the above decisions of the Zoning Board of Appeals.

- (c) Zoning Board of Appeals decision to approve decision issued by the In-town Design Review Committee. If the Zoning Board of Appeals acts pursuant to (b)1. above to approve a decision of the In-town Design Review Committee an aggrieved applicant may appeal said decision to the Maine Superior Court. (d) Zoning Board of Appeals decision to reverse in total a decision of the In-town Design Review Committee. If the Zoning Board of Appeals chooses to reverse a decision of the In-Town Design Review Committee, (b) 2. above, the decision of the Zoning Board of Appeals shall be binding unless said decision is appealed to the Superior Court.
- (e) Remand by Zoning Board of Appeals. If the Zoning Board of Appeals chooses to reject in part a decision of the In-town Design Review Committee and to remand a specific decision to the In-town Design Review Committee, pursuant to (b)3. above, the membership of the In-town Design Review Committee which initially heard the application shall sit in review of the remand order. The Committee shall confine its review to the remand decision issued by the Zoning Board of Appeals, and shall issue findings describing how it has addressed issues identified in the order from the Zoning Board of Appeals. The decision of the In-town Design Review Committee regarding such a remand is subject to the administrative appeal procedure identified in this section.

Sec. 80-52 Zoning Board of Appeals review of a Certificate of Economic Hardship.

- (a) An applicant that asserts it cannot comply with conditions of approval established by the In-town Design Review Committee for issuance of a Type 1 Mandatory In-town Design Review Permit may apply to the Zoning Board of Appeals for relief by issuance of a Certificate of Economic Hardship. Said application shall be submitted on the official form within 30 days of the written Notice of Decision of the In-town Design Review Committee to the Code and Planning Department. The Department shall schedule the request for a Certificate for a meeting before the Zoning Board of Appeals. Zoning Board of Appeals review of the application shall occur in accordance with the process for the review of variances that is described in Chapter 102, Zoning, Article II, Administration, Section 102-133, Variances.
- (b) The Zoning Board of Appeals shall approve an application for a Certificate of Economic Hardship only upon a determination that applicant compliance with conditions of approval established by the In-town Design Review Committee will result in the loss of all reasonable use of the structure.
- (c) In considering an application for a Certificate of Economic Hardship, the Zoning Board of Appeals shall consider among other things any evidence presented concerning the following:

- (1) Any opinion from a licensed engineer or architect with experience in renovation, restoration or rehabilitation as to the structural soundness of the structure and its suitability for continued use, renovation, restoration or rehabilitation.
- (2) Any estimates of the cost of the proposed alteration, construction, demolition or removal and an estimate of any additional cost that would be incurred to comply with the conditions of approval established by the Committee.
- (3) Any estimates of the market value of the property in its current condition; after completion of the proposed alteration, construction, demolition or removal; and after any expenditures necessary to comply with conditions of approval established by the Committee.
- (4) A comparison of the cost of improvements associated with 1 – 3 above, as proposed by the applicant, and the cost of improvements required to comply with conditions of approval established by the Committee.
- (5) Information supplied by the applicant with respect to the following:
 - a. The assessed value of the property and/or the structure for the current year.
 - b. Real property taxes paid for the previous two years.
 - c. The amount paid for the property by the owner, the date of purchase and the party from whom purchased.
 - d. The current balance of any mortgages or other financing secured on the property and annual debt service on the property.
 - e. Any appraisals obtained within the last 2 years.
 - f. Any listings of the property for sale or rent, including the price asked and offers received, if any within the past 2 years.
 - g. All studies commissioned by the owner as to the profitable renovation, rehabilitation or utilization of any structures on the property.
 - h. For income producing property, itemized income and expense statements for the property for the previous two years.

Notwithstanding this list of information, the Zoning Board of Appeals may request additional information to assist in its decision regarding the issuance for a Certificate of Economic Hardship.

- (d) The Zoning Board of Appeals, in its written decision, shall define why or why not the Certificate of Economic Hardship should or should not be granted, and the specific conditions that apply to the issuance of a Certificate. The only appeal of any decision regarding issuance or denial of an Economic Hardship Variance shall be to the Superior Court.

Secs. 80-53 --- 80-60. Reserved.

TEXT OF PROPOSED AMENDMENTS

CHAPTER 98, TECHNICAL STANDARDS

ARTICLE VIII, PARKING AND LOADING REQUIREMENTS

Sec. 98-242 Off-street parking requirements.

[Ord. No. 39-1998, § 8.2.1, 12-1-1998; Ord. of 1-5-2010(1)]

- (a) Off-street parking space required. No use of premises shall be allowed, changed or expanded and no structure shall be constructed or enlarged unless adequate off-street parking, including **handicapped accessible** parking, is provided and maintained.
- (b) Amount of parking required. An appropriate amount of off-street parking spaces, including **handicapped accessible** parking spaces (reference 98-243 for these standards), shall be required for each principal and accessory use located on a parcel. The following table entitled "Schedule of Required Off-Street Parking" (hereinafter, the Schedule), shall serve as a guideline in establishing the minimum amount of parking which must be provided for a use, and also the maximum amount of parking which shall be allowed. If a specific use is not listed or is dissimilar to a use listed in the schedule, the Planning Board is authorized to determine an appropriate amount of parking.

In determining the minimum amount of parking, any fraction shall be rounded up to the nearest whole number. In determining the maximum amount of parking allowed, multiply the amount of parking identified in the Schedule by 1.20.

- (c) Planning Board use of the schedule and ability to adjust amount of parking. The Planning Board may adjust the amount of parking identified in the Schedule based on factors such as the following:
 - 1. The Schedule identifies parking requirements for many uses. The City, however, recognizes that some uses are not listed in the Schedule. As such, the Planning Board may determine that a specific use has specific parking demands and shall consult the most current edition of the Institute of Transportation Engineers (ITE) Parking Generation manual to assist in determining the amount of parking required.
 - 2. The Planning Board may use information, such as the following, to allow an increase or decrease in the amount of parking identified in the Schedule:
 - a. A parking demand analysis prepared by the applicant that is based on at least two comparable sites in Maine for a comparable type of business. The analysis must compare parking demands for differing days and times of week. The Board may engage the services of an engineering firm to review this analysis.
 - b. Information from the ITE manual.
 - c. Information from another qualified industry source, such as but not limited to information provided by a company that has identified its parking demands for comparable facilities. The Board may engage the services of an engineering firm to review this information.

The City, in granting the Planning Board the authority to adjust on-site parking requirements, recognizes that the ITE manual that is used to identify parking

requirements is often based on a limited number or variety of analyses of parking demands for specific uses. For example, the parking studies listed in the ITE manual are often based on three or fewer studies, the studies are for limited periods of time, the studies are for uses in communities that may be very dissimilar to Belfast, or the studies may be very dated, 15 or more years old, as well as other concerns. Thus, the city recognizes that better data could be available through other sources to assist the Planning Board in making a good decision regarding the amount of on-site parking.

- (d) Affordable Housing developments, as defined by LD 2003, shall be exempted from the prescriptive requirements in this section. These developments shall be required to provide no more than 2 off-street spaces for every 3 dwelling units, regardless of the number of bedrooms per dwelling. The Planning Board strongly encourages considering use of the prescriptive table, especially in areas not served by public transit and not within walking distance of services.**
- (e) Accessory Dwelling Units shall be exempted from the prescriptive requirements in this section. The Planning Board strongly encourages considering use of the prescriptive table, especially in areas not served by public transit and not within walking distance of services.**

Planning Board use of the schedule and ability to adjust amount of parking. The Planning Board may adjust the amount of parking identified in the Schedule based on factors such as the following:

1. The Schedule identifies parking requirements for many uses. The City, however, recognizes that some uses are not listed in the Schedule. As such, the Planning Board may determine that a specific use has specific parking demands and shall consult the most current edition of the Institute of Transportation Engineers (ITE) Parking Generation manual to assist in determining the amount of parking required.
2. The Planning Board may use information, such as the following, to allow an increase or decrease in the amount of parking identified in the Schedule:
 - a. A parking demand analysis prepared by the applicant that is based on at least two comparable sites in Maine for a comparable type of business. The analysis must compare parking demands for differing days and times of week. The Board may engage the services of an engineering firm to review this analysis.
 - b. Information from the ITE manual.
 - c. Information from another qualified industry source, such as but not limited to information provided by a company that has identified its parking demands for comparable facilities. The Board may engage the services of an engineering firm to review this information.

The City, in granting the Planning Board the authority to adjust on-site parking requirements, recognizes that the ITE manual that is used to identify parking requirements is often based on a limited number or variety of analyses of parking demands for specific uses. For example, the parking studies listed in the ITE manual are often based on three or fewer studies, the studies are for limited periods of time, the studies are for uses in communities that may be very dissimilar to Belfast, or the studies may be very dated, 15 or more years old, as well as other concerns. Thus, the city recognizes that better data could be available through other sources to assist the Planning Board in making a good decision regarding the amount of on-site parking which it

Table 98-242. Schedule of Required Off-Street Parking

Use	Unit of Measurement	Number of Spaces
Residential		
Single-family and two-family (duplex)	Dwelling Unit	2.0 per unit. Such units are exempt from the maximum number of parking spaces requirement.
Multi-family or Flex Housing - One Bedroom Units: a) Tri-plex or Four-plex b) Fifth Unit to Tenth Unit c) Eleventh Unit or More	Dwelling Unit	a) 1.5 spaces/unit b) 1.25 spaces/unit c) 1 space/unit
Multi-family or Flex Housing - Two Bedroom Units a) Tri-plex or Four-plex b) Fifth to Fifteenth Unit c) Sixteenth Unit or More	Dwelling Unit	a) 1.75 spaces/unit b) 1.5 spaces/unit c) 1.25 spaces/unit
Multi-family or Flex Housing Three Bedroom or More Units	Dwelling Unit	2 spaces/unit
Older Adult Independent Housing	Dwelling Unit	1.0 space/ unit
Congregate Housing a) Independent units b) Assisted Living c) Nursing Home	a) Dwelling Unit b) Living Units c) Beds and employees	a) 1.0 space/ unit b) 1.0 space/ 3 units c) 1 space/ 6 beds and 1 space/ employee maximum shift
Bed and Breakfast	Dwelling Unit and rooms	2 spaces for the residence and 1 space/rental room
Rooming/Boarding House	Manager and rental rooms	2 spaces for the manager/owner and 1 space for each rental room
Home Occupation	Dwelling Unit (residence) and equivalent use	2 spaces for dwelling unit/residence and number of spaces required for type of home occupation proposed

DOC 11.C DIVISION 11, DIMENSIONAL STANDARDS, SEC 102-532, DIMENSIONAL TABLE, EASTSIDE DISTRICTS

DIMENSIONAL STANDARD	SEARSPORT AVENUE COMMERCIAL	SEARSPORT AVENUE WATERFRONT	SWAN LAKE AVENUE MIXED USE	RESIDENTIAL -5	RESIDENTIAL 6
1) MINIMUM LOT SIZE					
1.1) MINIMUM LOT SIZE FOR LOT CONNECTED TO PUBLIC SEWER					
a. Minimum Lot Size, Single Family Residential, Public Sewer.	14,520 sf (.33 Acre)	14,520 sf (.33 Acre)	14,520 sf (.33 Acre)	10,000 SF	21,780 SF (.5 Acre)
b. Minimum Lot Size, Single Family Residential, Back Lot, Public Sewer.	12,500 SF	12,500 SF	12,500 SF	10,000 SF	21,780 SF (.5 Acre)
c. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling Unit, Public Sewer. Reference Footnote *[F] for Additional Standards.	14,520 sf (.33 Acre) *[F]	14,520 sf (.33 Acre) *[F]	14,520 sf (.33 Acre) *[F]	10,000 SF (20,000 SF if in Urban Residential Shoreland Zone) *[F]	21,780 SF (.5 Acre) *[F]
d. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling unit, Back Lot, Public Sewer. Reference Footnote *[F] for Additional Standards.	12,500 SF *[F]	12,500 SF *[F]	12,500 SF *[F]	10,000 SF (20,000 SF if in Urban Residential Shoreland Zone) *[F]	21,780 SF (.5 Acre) *[F]
e. Minimum Lot Size, Two Family Residential, Public Sewer.	14,520 sf (.33 Acre)	14,520 sf (.33 Acre)	14,520 sf (.33 Acre)	10,000 SF (20,000 SF if in Urban Residential Shoreland Zone)	21,780 .5 Acre)
f. Minimum Lot Size, Two Family Residential, Back Lot, Public Sewer.	14,520 sf (.33 Acre)	14,520 sf (.33 Acre)	14,520 sf (.33 Acre)	10,000 SF (20,000 SF if in Urban Residential Shoreland Zone)	21,780 SF (.5 Acre)
g. Minimum Lot Size, Multi-Family Residential, Public Sewer. Standard for backlot is the same as a lot with road frontage. Reference Footnote *[G] for Additional Standards.	21,780 Net SF (.5 Net Acre). Lot size increases based on number of dwelling units; reference Density Standards in this Table. Also reference Footnote *[G]	21,780 Net SF (.5 Net Acre). Lot size increases based on number of dwelling units; reference Density Standards in this Table. Also reference Footnote *[G]	21,780 Net SF (.5 Net Acre). Lot size increases based on number of dwelling units; reference Density Standards in this Table. Also reference Footnotes *[A] & *[G]	Multi-family based on Flex Housing standard in this Table; Tri-plex & Four-Plex only for Multi-family Structure. Prohibited in Shoreland Zone. Also reference Footnote *[G]	Prohibited Use

DOC 11.C DIVISION 11, DIMENSIONAL STANDARDS, SEC 102-532, DIMENSIONAL TABLE, EASTSIDE DISTRICTS

DIMENSIONAL STANDARD	SEARSPORT AVENUE COMMERCIAL	SEARSPORT AVENUE WATERFRONT	SWAN LAKE AVENUE - MIXED USE	RESIDENTIAL-5	RESIDENTIAL 6
1.1) MINIMUM LOT SIZE FOR LOT CONNECTED TO PUBLIC SEWER --- Continued					
h. Dwelling, Flex Housing Public Sewer The minimum lot size standard for a backlot is the same as a lot with road frontage. Reference Footnote *[G] for Additional Standards.	21,780 Net SF (.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing. Reference Density standard *[J] in this Table. Also see *[G].	21,780 Net SF (.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing. Reference Density standard *[J] in this Table. Also see *[G].	21,780 Net SF (.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing. Reference Density standard *[J] in this Table. Also see *[G].	20,000 Net SF (.459 Net Acre) with requirements to increase lot size based on number of dwelling structures & dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing. Reference Density standard *[J] in this Table. Flex Housing is only permitted on the northerly side of Robbins Road. Also see *[G].	Prohibited Use.
i. Minimum Lot Size, Non-Residential, Public Sewer. Reference Footnote *[I] for Standards regarding Nonconformities.	43,560 Net SF [1 Net Acre). Reference Footnote *[E] for performance standards that require lot size & lot frontage increases based on amount of traffic. See Footnote *[I] regarding nonconformities.	43,560 Net SF [1 Net Acre). Reference Footnote *[E] for performance standards that require lot size & lot frontage increases based on amount of traffic. See Footnote *[I] regarding nonconformities.	43,560 Net SF (1 Net Acre). Reference Footnote *[A] for amount of lot size increase based on amount of traffic. See Footnote *[I] regarding nonconformities.	43,560 Net SF (1 Net Acre). Reference Footnote *[I] regarding nonconformities.	43,560 Net SF (1 Net Acre) Reference Footnote *[I] regarding nonconformities.
1.2) MINIMUM LOT SIZE FOR LOT THAT USES A SUBSURFACE WASTEWATER DISPOSAL SYSTEM.					
a. Minimum Lot Size, Single Family Residential, Subsurface System.	21,780 sf (.5 Acre)	21,780 sf (.5 Acre)	43,560 SF (1 Acre)	21,780 SF (.5 Acre)	43,560 SF (1 Acre)
b. Minimum Lot Size, Single Family Residential, Back Lot, Subsurface System.	21,780 sf (.5 Acre)	21,780 sf (.5 Acre)	32,670 SF (.75 Acre)	21,780 SF (.5 Acre)	43,560 SF (1 Acre)
c. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling Unit, Subsurface System. Reference Footnote *[F] for Additional Standards.	21,780 sf (.5 Acre) *[F]	21,780 sf (.5 Acre) *[F]	43,560 SF (1 Acre) *[F]	21,780 SF (.5 Acre) *[F]	43,560 SF (1 Acre) *[F]

DOC 11.C DIVISION 11, DIMENSIONAL STANDARDS, SEC 102-532, DIMENSIONAL TABLE, EASTSIDE DISTRICTS

DIMENSIONAL STANDARD	SEARSPORT AVENUE COMMERCIAL	SEARSPORT AVENUE WATERFRONT	SWAN LAKE AVENUE - MIXED USE	RESIDENTIAL-5	RESIDENTIAL 6
1.2) MINIMUM LOT SIZE FOR LOT THAT USES A SUBSURFACE WASTEWATER DISPOSAL SYSTEM --- Continued					
d. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling Unit, Back Lot, Subsurface System. Reference Footnote *[F] for additional Standards.	21,780 sf (.5 Acre) *[F]	21,780 sf (.5 Acre) *[F]	32,670 SF (.75 Acre) *[F]	21,780 SF (.5 Acre) *[F]	43,560 SF (1 Acre) *[F]
e. Minimum Lot Size, Two-Family Residential, Subsurface System.	21,780 sf (.5 Acre)	21,780 sf (.5 Acre)	43,560 SF (1 Acre)	21,780 SF (.5 Acre)	43,560 (1 Acre)
f. Minimum Lot Size, Two-Family Residential, Back Lot, Subsurface System.	21,780 sf (.5 Acre)	21,780 sf (.5 Acre)	32,670 SF (.75 Acre)	21,780 SF (.5 Acre)	43,560 SF (1 Acre)
g. Minimum Lot Size, Multi-Family Residential, Subsurface System. Minimum lot size for a backlot is the same as a lot with road frontage.	43,560 NET SF (1 Net Acre). Lot size increases based on number of dwelling units: reference Density Standards in this Table. Also see Footnote *[G]	43,560 NET SF (1 Net Acre). Lot size increases based on number of dwelling units: reference Density Standards in this Table. Also see Footnote *[G]	43,560 NET SF (1 Net Acre). Lot size increases based on number of dwelling units: reference Density Standards in this Table. Also see Footnote *[G]	Prohibited Use	Prohibited Use
h. Residential, Flex Housing Subsurface System. Minimum lot size standard for a backlot is the same as a lot with road frontage. Reference Footnote *[G] for additional Standards.	43,560 NET SF (1 Net Acre) with increases in lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing. Reference Density standard *[K] in this Table. Also see Footnote *[G]	43,560 NET SF (1 Net Acre) with increases in lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing. Reference Density standard *[K] in this Table. Also see Footnote *[G]	43,560 NET SF (1 Net Acre) with increases in lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing. Reference Density standard *[K] in this Table. Also see Footnote *[G]	Prohibited Use.	Prohibited Use.
i. Minimum Lot Size, Non-Residential, Subsurface System. Reference Footnote *[I] for Additional Standards.	43,560 Net SF [1 Net Acre). Reference Footnote *[E] for performance standards that require lot size & lot frontage increases based on amount of traffic. See Footnote *[I] regarding nonconformities.	43,560 Net SF [1 Net Acre). Reference Footnote *[E] for performance standards that require lot size & lot frontage increases based on amount of traffic. See Footnote *[I] regarding nonconformities.	43,560 NET SF (1 Net Acre). Reference Footnote *[A] for amount of Lot Size increase based on amount of traffic. See Footnote *[I] regarding nonconformities.	43,560 Net SF (1 Net Acre) See Footnote *[I] regarding nonconformities.	43,560 Net SF (1 Net Acre) See Footnote *[I] regarding nonconformities.

DOC 11.C DIVISION 11, DIMENSIONAL STANDARDS, SEC 102-532, DIMENSIONAL TABLE, EASTSIDE DISTRICTS

DIMENSIONAL STANDARD	SEARSPORT AVENUE COMMERCIAL	SEARSPORT AVENUE WATERFRONT	SWAN LAKE AVENUE - MIXED USE	RESIDENTIAL-5	RESIDENTIAL 6
2) <u>MINIMUM STREET (LOT) FRONTAGE FOR A LOT</u>					
a. Minimum Street Frontage - Residential	150 Lineal Ft	150 Lineal Ft	150 Lineal Ft	100 Lineal Ft	100 Lineal Ft
b. Minimum Street Frontage - Non-Residential	150 Lineal Ft. Footnote *[E] references standards that require lot frontage increases based on amount of traffic.	150 Lineal Ft. Footnote *[E] references standards that require lot frontage increases based on amount of traffic.	150 Lineal Ft See *[A] regarding lot frontage increases based on amount of traffic.	150 Lineal Ft	150 Lineal Ft
c. Minimum Width Lot - Back Lot - Residential	125 Lineal Ft	125 Lineal Ft	125 Lineal Ft	100 Lineal Ft	100 Lineal Ft
d. Minimum Width Lot - Back Lot - Non-Residential	150 Lineal Ft	150 Lineal Ft	150 Lineal Ft	150 Lineal Ft	150 Lineal Ft
3) <u>MINIMUM FRONT SETBACK FOR A STRUCTURE</u>					
a. Front Setback, Structure- Residential (Primary Structure)	30 Feet	30 Feet	30 Ft	Footnote *[B]. Reference Setback Map for Res 5 Zone	30 Ft
b. Front Setback, Structure- Residential (Accessory Structure)	30 Feet	30 Feet	30 Ft	Footnote *[B]. Reference Setback Map for Res-5 District	30 Ft
c. Front Setback, Structure - Nonresidential (Primary Structure)	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.	40 Ft *[C]	30 Ft or greater. * [B]. Reference Setback Map for Res-5 Zone	30 Ft
d. Front Setback, Structure - Nonresidential (Accessory Structure)	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.	40 Ft *[C]	30 Ft or greater. * [B]. Reference Setback Map for Res-5 Zone	30 Ft

DOC 11.C DIVISION 11, DIMENSIONAL STANDARDS, SEC 102-532, DIMENSIONAL TABLE, EASTSIDE DISTRICTS

DIMENSIONAL STANDARD	SEARSPORT AVENUE COMMERCIAL	SEARSPORT AVENUE WATERFRONT	SWAN LAKE AVENUE - MIXED USE	RESIDENTIAL-5	RESIDENTIAL 6
4) MINIMUM SIDE SETBACK FOR A STRUCTURE					
a. Side Setback- Residential - Primary Structure	15 ft, except that multi-family is 25 ft.	15 ft, except that multi-family is 25 ft.	15 ft, except that multi-family is 25 ft.	15 Ft	15 Ft
b. Side Setback - Residential - Accessory Structure	15 ft, except that multi-family is 25 ft.	15 ft, except that multi-family is 25 ft.	15 ft, except that multi-family is 25 ft.	15 Ft	15 Ft
c. Side Setback- Non-Residential - Primary Structure	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.	25 Ft *[C]	25 Ft *[C]	25 Ft *[C]
d. Side Setback- Non-Residential - Accessory Structure	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.	25 Ft *[C]	25 Ft *[C]	25 Ft *[C]
5) MINIMUM REAR SETBACK FOR A STRUCTURE					
a. Rear Setback - Residential - Primary Structure	15 ft, except that multi-family is 25 ft.	15 ft, except that multi-family is 25 ft.	15 ft, except that multi-family is 25 ft.	15 Ft	15 Ft
b. Rear Setback - Residential - Accessory Structure	15 ft, except that multi-family is 25 ft.	15 ft, except that multi-family is 25 ft.	15 ft, except that multi-family is 25 ft.	15 Ft	15 Ft
c. Rear Setback - Nonresidential - Primary Structure	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.	15 Ft	15 Ft	15 Ft
d. Rear Setback - Nonresidential - Accessory Structure	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.	15 Ft	15 Ft	15 Ft

DOC 11.C DIVISION 11, DIMENSIONAL STANDARDS, SEC 102-532, DIMENSIONAL TABLE, EASTSIDE DISTRICTS

DIMENSIONAL STANDARD	SEARSPORT AVENUE COMMERCIAL	SEARSPORT AVENUE WATERFRONT	SWAN LAKE AVENUE - MIXED USE	RESIDENTIAL-5	RESIDENTIAL 6
6) DENSITY STANDARD (Number of Dwelling Units Per Size of Lot)					
6.1 DENSITY STANDARD FOR DWELLING UNITS CONNECTED TO PUBLIC SEWER					
a. Single Family Residential (Public Sewer)	1 Unit Per 14,520 SF or 1 Unit Per 12,500 SF for a Back Lot	1 Unit Per 14,520 SF or 1 Unit Per 12,500 SF for a Back Lot	1 Unit Per 14,520 SF or 1 Unit Per 12,500 SF for a Back Lot	1 Unit Per 10,000 SF. Same for a Back Lot.	1 Unit Per 21,780 SF (.5 acre). Same for a Back Lot.
b. Single Family Residential with a Detached Accessory Dwelling Unit (Public Sewer). Reference Footnote *[F] for Additional Standards.	1 Primary and 1 Detached Accessory Unit Per 14,520 SF or 1 Primary and 1 Detached Unit per 12,500 SF for Back Lots. *[F]	1 Primary and 1 Detached Accessory Unit Per 14,520 SF or 1 Primary and 1 Detached Unit per 12,500 SF for Back Lots. *[F]	1 Primary and 1 Detached Accessory Unit Per 14,520 SF or 1 Primary and 1 Detached Unit per 12,500 SF for Back Lots. *[F]	1 Primary Unit and 1 Detached Accessory Unit Per 10,000 SF (20,000 SF if in Urban Residential Shoreland District). Same for a Back Lot. *[F]	1 Primary and 1 Detached Accessory Unit Per 21,780 SF. Same standard for a Back Lot. *[F]
c. Two-Family Residential, Public Sewer	2 Units in 1 structure Per 14,520 SF or 2 Units in 1 Structure Per 12,500 SF for a Back Lot.	2 Units in 1 structure Per 14,520 SF or 2 Units in 1 Structure Per 12,500 SF for a Back Lot.	2 Units in 1 structure Per 14,520 SF or 2 Units in 1 Structure Per 12,500 SF for a Back Lot.	1 Duplex Structure per 10,000 SF (20,000 SF if in Urban Residential Shoreland District). Same for a Back Lot.	1 Duplex Structure per 21,780 SF. Same standard for a Back Lot.
d. Multi-Family Residential, Public Sewer. The Density Standard for Multi-Family Housing on a Back Lot is calculated the same as for a lot that has Street Frontage. Reference Footnote *[G] for additional standards.	6 Units Per Initial 21,780 Net SF (.5 Net Acre) and 1,500 Net SF for each additional unit. Reference *[G] for additional standards.	6 Units Per Initial 21,780 Net SF (.5 Net Acre) and 1,500 Net SF for each additional unit. Reference *[G] for additional standards.	4 Units Per Initial 21,780 NET SF (.5 Net Acres) and 2,500 Net SF for each additional unit. *[D] & *[G]	Prohibited Use if in Urban Residential Shoreland Zone. Reference Flex Housing Standard for Density. Maximum of 4 dwelling units in a single structure. *[G]	Prohibited Use
e. Residential, Flex Housing -Public Sewer. Reference Footnote *[G] for additional standards.	See Footnote *[J] for density standard. See Footnote *[G] for additional standards.	See Footnote *[J] for density standard. See Footnote *[G] for additional standards.	See Footnote *[J] for density standard. See Footnote *[G] for additional standards.	See Footnote *[J] for density standard. Also see Footnote *[G]. Prohibited Use in Urban Residential Shoreland District.	Prohibited Use.
f. Special standards that apply to an Affordable Housing Development as defined by LD2003.	2.5 times the density that is otherwise allowed	2.5 times the density that is otherwise allowed	2.5 times the density that is otherwise allowed, within the limits of the Growth Area as defined in the Future Land Use section of the adopted Comprehensive Plan.	Same density as other Multi-Family	Prohibited Use.

DOC 11.C DIVISION 11, DIMENSIONAL STANDARDS, SEC 102-532, DIMENSIONAL TABLE, EASTSIDE DISTRICTS

DIMENSIONAL STANDARD	SEARSPORT AVENUE COMMERCIAL	SEARSPORT AVENUE WATERFRONT	SWAN LAKE AVENUE - MIXED USE	RESIDENTIAL-5	RESIDENTIAL 6
6.2 DENSITY STANDARD FOR DWELLING UNITS THAT USE A SUBSURFACE WASTEWATER DISPOSAL SYSTEM.					
a. Single Family Residential (Subsurface System)	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). There is no change in the density standard for a Back Lot.	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). There is no change in the density standard for a Back Lot.	1 Unit Per 43,560 SF (1 Acre). Back Lot is calculated at a Density Standard of 1 Unit Per 32,670 SF (.75 Acre)	1 Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot.	1 Unit Per 43,560 SF (1 Acre). There is no change in the Density Standard for a Back Lot.
b. Single Family Residential with a Detached Accessory Dwelling Unit, (Subsurface System). Reference Footnote *[F] for additional standards.	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). There is no change in the density standard for a Back Lot. *[F]	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). There is no change in the density standard for a Back Lot. *[F]	1 Primary and 1 Detached Accessory Unit Per 43,560 SF (1 Acre). The Density standard for a Back Lot is calculated at 1 Primary Structure and 1 Detached Accessory Structure Per 32,670 SF (.75 acre). *[F]	1 Primary Unit and 1 Detached Accessory Unit Per Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot. *[F]	1 Primary and 1 Detached Accessory Unit Per 43,560 SF (1 Acre). There is no change for a Back Lot. *[F]
c. Two-Family Residential, Subsurface System.	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). There is no change in the density standard for a Back Lot.	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). There is no change in the density standard for a Back Lot.	1 Duplex Structure Per 43,560 SF (1 Acre). The density standard for a back lot is calculated at 1 duplex structure per 32,670 sf (.75 acre).	1 Duplex Structure Per 21,780 SF (.5 Acre). There is no change in the density standard for a back lot.	1 Duplex Structure Per 43,560 SF (1 Acre). There is no change in the density standard for a back lot.
d. Multi-Family Residential, Subsurface System. Reference Footnote *[G] for additional standards.	43,560 Net SF (1 Net Acre) for the initial 4 units and 10,890 Net SF for each additional dwelling unit. See *[G] for additional standards.	43,560 Net SF (1 Net Acre) for the initial 4 units and 10,890 Net SF for each additional dwelling unit. See *[G] for additional standards.	4 multi-family dwelling units for initial 1 Net Acre (43,560 Net SF), and 7,260 Net SF for each additional multi-family dwelling unit. Also see *[D] & *[G]	Prohibited Use	Prohibited Use
e. Residential, Flex Housing, Subsurface System Reference Footnote *[G] for additional standards.	See Footnote *[K] for Density Standard. See Footnote *[G] for additional standards.	See Footnote *[K] for Density Standard. See Footnote *[G] for additional standards.	See Footnote *[K] for Density Standard. See Footnote *[G] for additional standards.	Prohibited Use.	Prohibited Use

DIMENSIONAL STANDARD	SEARSPORT AVENUE COMMERCIAL	SEARSPORT AVENUE WATERFRONT	SWAN LAKE AVENUE - MIXED USE	RESIDENTIAL-5	RESIDENTIAL 6
7) MAXIMUM LOT COVERAGE					
a. Maximum Lot Coverage (Impervious Surface Ratio) - Residential: Single Family, Two-Family & Single Family with Detached Accessory Dwelling Units.	50% if lot is less than 10,890 SF, and 35% for all lots 10,891 SF or larger. See *[L] if existing development that does not conform to lot coverage.	50% if lot is less than 10,890 SF, and 35% for all lots 10,891 SF or larger. See *[L] if existing development that does not conform to lot coverage.	50% if lot is less than 10,890 SF, and 35% for all lots 10,891 SF or larger. See *[L] if existing development that does not conform to lot coverage.	50% if lot is less than 10,890 SF, and 35% for all lots 10,891 SF or larger. See *[L] if existing development that does not conform to lot coverage.	50% if lot is less than 10,890 SF, and 35% for all lots 10,891 SF or larger. See *[L] if existing development that does not conform to lot coverage.
b. Maximum Lot Coverage (Impervious Surface Ratio) - Residential: Multi-Family Housing and Flex Housing	60%. See *[L] if existing development does not conform to lot coverage.	60%. See *[L] if existing development does not conform to lot coverage.	50%. See *[L] if existing development does not conform to lot coverage.	50%. See *[L] if existing development does not conform to lot coverage.	50%. See *[L] if existing development does not conform to lot coverage.
c. Maximum Lot Coverage (Impervious Surface Ratio) - Nonresidential	65%. See *[L] if existing development does not conform to lot coverage.	65%. See *[L] if existing development does not conform to lot coverage.	50%. See *[L] if existing development does not conform to lot coverage.	50%. See *[L] if existing development does not conform to lot coverage.	50%. See *[L] if existing development does not conform to lot coverage.
8) MAXIMUM STRUCTURE HEIGHT					
a. Maximum Height, Residential -(Non-Shoreland Area)	38 Feet, however, 45 feet for multi-family housing	38 Feet (If applicable, reference height restrictions in Chapter 82, Shoreland)	38 Feet (If applicable, reference height restrictions in Chapter 82, Shoreland)	38 Ft	38 Ft
b. Maximum Height, Nonresidential - Non-Shoreland Areas	45 Feet	38 Feet (If applicable, reference height restrictions in Chapter 82, Shoreland)	38 Feet (If applicable, reference height restrictions in Chapter 82, Shoreland)	38 Ft	38 ft

DOC 2C. BOARD PUBLIC HEARING - SEC 102-553. DIMENSIONAL TABLE - SOUTHERLY DISTRICTS

DIMENSIONAL STANDARD	ROUTE ONE SOUTH MIXED USE (ROS-MU)	ROUTE ONE SOUTH BUSINESS PARK (ROS-BP)	AIRPORT BUSINESS PARK (ABP)	LOWER CONGRESS MIXED USE (LC-MU)	AIRPORT GROWTH (AG)	RESIDENTIAL 7 (RES-7)
1) MINIMUM LOT SIZE						
1.1) <u>MINIMUM LOT SIZE FOR LOT CONNECTED TO PUBLIC SEWER</u>						
a. Minimum Lot Size, Single Family Residential, Public Sewer.	14,520 SF	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	14,520 SF	43,560 SF *[C]	14,520 SF
b. Minimum Lot Size, Single Family Residential, Back Lot, Public Sewer.	14,520 SF	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	14,520 SF	43,560 SF *[C]	14,520 SF
c. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling Unit, Public Sewer. Reference Footnote *[F] for Additional Standards.	14,520 SF *[F]	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	14,520 SF *[F]	Not Applicable. Prohibited Use.	14,520 SF *[F]
d. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling unit, Public Sewer, Back Lot. Reference Footnote *[F] for Additional Standards.	14,520 SF *[F]	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	14,520 SF *[F]	Not Applicable. Prohibited Use.	14,520 SF *[F]
e. Minimum Lot Size, Two Family Residential, Public Sewer.	14,520 SF	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	14,520 SF	Not Applicable. Prohibited Use.	14,520 SF
f. Minimum Lot Size, Two Family Residential, Public Sewer, Back Lot.	14,520 SF	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	14,520 SF	Not Applicable. Prohibited Use.	14,520 SF
g. Minimum Lot Size, Mult-Family Residential, Public Sewer. Standard for backlot is the same as a lot with road frontage. Reference Footnote *[G] for Additional Standards.	21,780 Net SF (.5 Net Acre). *[G]. Lot size increases based on number of dwelling units. Reference Density Standards.	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use. Also reference Footnote *[H]

DOC 2C. BOARD PUBLIC HEARING - SEC 102-553. DIMENSIONAL TABLE - SOUTHERLY DISTRICTS

DIMENSIONAL STANDARD	ROUTE ONE SOUTH MIXED USE (ROS-MU)	ROUTE ONE SOUTH BUSINESS PARK (ROS-BP)	AIRPORT BUSINESS PARK (ABP)	LOWER CONGRESS MIXED USE (LC-MU)	AIRPORT GROWTH (AG)	RESIDENTIAL 7 (RES-7)
h. Dwelling, Flex Housing Public Sewer The minimum lot size standard for a backlot is the same as a lot with road frontage. Reference Footnote *[G] for Additional Standards.	21,780 Net SF (.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units in a single structure. Reference Density standards in this Table. *[G] & *[J]	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	21,780 Net SF (.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units in a single structure. Reference Density standards in this Table. *[G] & *[J]
i. Minimum Lot Size, Non-Residential, Public Sewer. Reference Footnote *[I] for Additional Standards regarding the status of nonconforming lots.	43,560 Net SF (1 Net Acre). Footnote *[A] references applicable performance standards that require lot size and lot frontage increases based on the amount of traffic. Also reference Footnote *[I].	87,120 Net SF (2 Net Acres). Also reference Footnote *[D]	43,560 Net SF (1 Net Acre). *[I]	43,560 Net SF (1 Net Acre). *[I]	43,560 Net SF (1 Net Acre) *[I].	43,560 Net SF (1 Net Acre). *[I]
1.2) MINIMUM LOT SIZE FOR LOT THAT USES A SUBSURFACE WASTEWATER DISPOSAL SYSTEM.						
a. Minimum Lot Size, Single Family Residential, Subsurface System.	21,780 SF (.5 Acre)	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	43,560 SF (1 Acre)	43,560 SF *[C]	32,670 SF (.75 Acre)
b. Minimum Lot Size, Single Family Residential, Back Lot, Subsurface System.	21,780 SF (.5 Acre)	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	43,560 SF (1 Acre)	43,560 SF *[C]	32,670 SF (.75 Acre)
c. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling Unit, Subsurface System. Reference Footnote *[F] for Additional Standards.	21,780 SF (.5 Acre) *[F]	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	43,560 SF (1 Acre) *[F]	Not Applicable. Prohibited Use.	32,670 SF (.75 Acre) *[F]

DOC 2C. BOARD PUBLIC HEARING - SEC 102-553. DIMENSIONAL TABLE - SOUTHERLY DISTRICTS

DIMENSIONAL STANDARD	ROUTE ONE SOUTH MIXED USE (ROS-MU)	ROUTE ONE SOUTH BUSINESS PARK (ROS-BP)	AIRPORT BUSINESS PARK (ABP)	LOWER CONGRESS MIXED USE (LC-MU)	AIRPORT GROWTH (AG)	RESIDENTIAL 7 (RES-7)
d. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling Unit, Back Lot, Subsurface System. Reference Footnote *[F] for additional Standards.	21,780 SF (.5 Acre) *[F]	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	43,560 SF (1 Acre) *[F]	Not Applicable. Prohibited Use.	32,670 SF (.75 Acre) *[F]
e. Minimum Lot Size, Two-Family Residential, Subsurface System.	21,780 SF (.5 Acre)	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	43,560 SF (1 Acre)	Not Applicable. Prohibited Use.	32,670 SF (.75 Acre)
f. Minimum Lot Size, Two-Family Residential, Back Lot, Subsurface System.	21,780 SF (.5 Acre)	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	43,560 SF (1 Acre)	Not Applicable. Prohibited Use.	32,670 SF (.75 Acre)
g. Minimum Lot Size, Multi-Family Residential, Subsurface System. Minimum lot size for a backlot is the same as a lot with road frontage. Reference Footnote *[G] for additional standards.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.
h. Residential, Flex Housing Subsurface System. Minimum lot size standard for a backlot is the same as a lot with road frontage. Reference Footnote *[G] for additional Standards.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	54,450 Net SF (1.25 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units in a single structure. Reference Density standards in this Table. *[G] &*[K]
i. Minimum Lot Size, Non-Residential, Subsurface System. Reference Footnote *[I] for Additional Standards regarding standards for nonconforming lots.	43,560 Net SF (1 Net Acre). Footnote *[A] identifies performance standards that require lot size and lot frontage increases based on the amount of traffic. Also see Footnote *[I].	87,120 Net SF (2 Net Acres).	43,560 SF (1 Acre) *[I]	43,560 Net SF (1 Net Acre) *[I]	43,560 Net SF (1 Net Acre) *[I]	43,560 Net SF (1 Net Acre) *[I]

DOC 2C. BOARD PUBLIC HEARING - SEC 102-553. DIMENSIONAL TABLE - SOUTHERLY DISTRICTS

DIMENSIONAL STANDARD	ROUTE ONE SOUTH MIXED USE (ROS-MU)	ROUTE ONE SOUTH BUSINESS PARK (ROS-BP)	AIRPORT BUSINESS PARK (ABP)	LOWER CONGRESS MIXED USE (LC-MU)	AIRPORT GROWTH (AG)	RESIDENTIAL 7 (RES-7)
2) <u>MINIMUM STREET (LOT) FRONTAGE FOR A LOT</u>						
a. Minimum Street Frontage - Residential. Reference Footnote *[I] regarding the status of nonconforming lots	150 Lineal Ft *[I]	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	150 Lineal Ft *[I]	150 Lineal Ft *[C] & *[I]	100 Lineal Ft on Private Road or Public Road Other Than Route One. 150 LF if Frontage on Rte One. *[I]
b. Minimum Street Frontage - Non-Residential. Reference Footnote *[I] regarding the status of nonconforming lots	150 Lineal Ft. Footnote *[A] identifies performance standards that require lot size and lot frontage increases based on the amount of traffic. Footnote *[I] addresses Nonconforming Lots.	250 Lineal Ft if the Lot has frontage on a public road. Also reference Footnote*[D]	150 Lineal Ft *[I]	200 Lineal Ft *[I]	150 Lineal Ft. *[I]	150 Lineal Ft *[I]
c. Minimum Width Lot - Back Lot - Residential	125 Lineal Ft.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	125 Lineal Ft.	125 Lineal Ft. *[C]	125 Lineal Ft.
d. Minimum Width Lot - Back Lot - Non-Residential	150 Lineal Ft.	250 Lineal Ft	150 Lineal Ft	150 Lineal Ft.	150 Lineal Ft.	150 Lineal Ft.
3) <u>MINIMUM FRONT SETBACK FOR A STRUCTURE</u>						
a. Front Setback, Structure- Residential (Primary Structure)	30 Ft	Reference Footnote *[D]	Not Applicable. Prohibited Use.	30 Ft	30 Ft. *[C]	25 Ft.
b. Front Setback, Structure- Residential (Accessory Structure)	30 Ft	Reference Footnote *[D]	Not Applicable. Prohibited Use.	30 Ft	30 Ft. *[C]	25 Ft.
c. Front Setback, Structure - Nonresidential (Primary Structure)	Reference Footnote *[B] that identifies variable setback requirements based on structure size.	Reference Footnote *[D]	Minimum of 25 Feet, however City Council can approve a lesser amount.	30 Ft	30 Ft	25 Ft.

DOC 2C. BOARD PUBLIC HEARING - SEC 102-553. DIMENSIONAL TABLE - SOUTHERLY DISTRICTS

DIMENSIONAL STANDARD	ROUTE ONE SOUTH MIXED USE (ROS-MU)	ROUTE ONE SOUTH BUSINESS PARK (ROS-BP)	AIRPORT BUSINESS PARK (ABP)	LOWER CONGRESS MIXED USE (LC-MU)	AIRPORT GROWTH (AG)	RESIDENTIAL 7 (RES-7)
d. Front Setback, Structure - Nonresidential (Accessory Structure)	Reference Footnote *[B] that identifies variable setback requirements based structure size.	Reference Footnote *[D]	Minimum of 25 Feet, however City Council can approve a lesser amount.	30 Ft	30 Ft	25 Ft.
4) MINIMUM SIDE SETBACK FOR A STRUCTURE						
a. Side Setback- Residential - Primary Structure	15 Ft, except multi-family is 25 Ft	Reference Footnote *[D]	Not Applicable. Prohibited Use.	15 Ft	15 Ft. *[C]	15 Ft
b. Side Setback - Residential - Accessory Structure	15 Ft, except multi-family is 25 Ft	Reference Footnote *[D]	Not Applicable. Prohibited Use.	15 Ft	15 Ft. *[C]	15 Ft
c. Side Setback- Non-Residential - Primary Structure	Reference Footnote *[B] that identifies variable setback requirements based on structure size.	Reference Footnote *[D]	Minimum of 15 Feet, however City Council can approve a lesser amount.	25 Ft	15 Ft	20 Ft
d. Side Setback- Non-Residential - Accessory Structure	Reference Footnote *[B] that identifies variable setback requirements based on structure size.	Reference Footnote *[D]	Minimum of 15 Feet, however City Council can approve a lesser amount.	25 Ft	15 Ft	20 Ft.
5) MINIMUM REAR SETBACK FOR A STRUCTURE						
a. Rear Setback - Residential - Primary Structure	15 Ft, except 25 feet for multi-family	Reference Footnote *[D]	Not Applicable. Prohibited Use.	15 Ft	15 Ft. *[C]	15 Ft
b. Rear Setback - Residential - Accessory Structure	15 Ft, except 25 feet for multi-family	Reference Footnote *[D]	Not Applicable. Prohibited Use.	15 Ft	15 Ft. *[C]	15 Ft
c. Rear Setback - Nonresidential - Primary Structure	Reference Footnote *[B] that identifies variable setback requirements based on structure size.	Reference Footnote *[D]	Minimum of 15 Feet, however City Council can approve a lesser amount.	25 Ft	15 Ft	15 Ft

DOC 2C. BOARD PUBLIC HEARING - SEC 102-553. DIMENSIONAL TABLE - SOUTHERLY DISTRICTS

DIMENSIONAL STANDARD	ROUTE ONE SOUTH MIXED USE (ROS-MU)	ROUTE ONE SOUTH BUSINESS PARK (ROS-BP)	AIRPORT BUSINESS PARK (ABP)	LOWER CONGRESS MIXED USE (LC-MU)	AIRPORT GROWTH (AG)	RESIDENTIAL 7 (RES-7)
d. Rear Setback - Nonresidential - Accessory Structure	Reference Footnote *[B] that identifies variable setback requirements based on structure size.	Reference Footnote *[D]	Minimum of 15 Feet, however City Council can approve a lesser amount.	25 Ft	15 Ft	15 Ft
6) DENSITY STANDARD (Number of Dwelling Units Per Size of Lot)						
6.1 DENSITY STANDARD FOR DWELLING UNITS CONNECTED TO PUBLIC SEWER						
a. Single Family Residential (Public Sewer)	1 Unit Per 14,520 sf.	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	1 unit per 14,520 sf	Reference Footnote *[C]	1 unit per 14,520 sf
b. Single Family Residential with a Detached Accessory Dwelling Unit (Public Sewer). Reference Footnote *[F] for Additional Standards.	1 Primary and 1 Detached Accessory Unit Per 14,520 SF *[F].	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	1 Primary and 1 Detached Accessory Unit Per 14,520 SF. *[F]	Not Applicable. Prohibited Use.	1 Primary and 1 Detached Accessory Unit Per 14,520 SF *[F].
c. Two-Family Residential, Public Sewer	1 Duplex Structure Per 14,520 SF.	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	1 Duplex Structure Per 14,520 SF.	Not Applicable. Prohibited Use.	1 Duplex Structure Per 14,520 SF.
d. Multi-Family Residential, Public Sewer. Reference Footnote *[G] for additional standards.	6 Units Per Initial 21,780 NET SF (.5 Net Acres) and 1,500 Net SF for each additional unit. *[G]	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.
e. Residential, Flex Housing- Public Sewer. Reference Footnote *[G] for additional standards.	See Footnote *[J] for density standard. Footnote *[G] also applies.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Reference Footnote *[J] for density standard. Footnote *[G] also applies.
f. Special standards that apply to a residential Planned Unit Development that is on public sewer.	See Footnote *[E] for special density standards that apply to a PUD.	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	Must comply with above density standards for single family, single family w/ detached accessory unit, or a duplex.	Not Applicable. Prohibited Use.	Must comply with above density standards for single family, single family w/ detached accessory unit, or a duplex.

DOC 2C. BOARD PUBLIC HEARING - SEC 102-553. DIMENSIONAL TABLE - SOUTHERLY DISTRICTS

DIMENSIONAL STANDARD	ROUTE ONE SOUTH MIXED USE (ROS-MU)	ROUTE ONE SOUTH BUSINESS PARK (ROS-BP)	AIRPORT BUSINESS PARK (ABP)	LOWER CONGRESS MIXED USE (LC-MU)	AIRPORT GROWTH (AG)	RESIDENTIAL 7 (RES-7)
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g. Special standards that apply to an Affordable Housing Development as defined by LD2003.	2.5 times the density that is otherwise allowed	Not Applicable. Prohibited Use.	Not Applicable. Prohibited Use.	2.5 times the density that is otherwise allowed	Not Applicable. Prohibited Use.	2.5 times the density that is otherwise allowed
6.2 DENSITY STANDARD FOR DWELLING UNITS THAT USE A SUBSURFACE WASTEWATER DISPOSAL SYSTEM.						
a. Single Family Residential (Subsurface System)	1 Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot.	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use	1 Unit Per 43,560 SF (1 Acre)	Reference Footnote *[C]	1 Unit Per 32,670 SF (.75 Acre)
b. Single Family Residential with a Detached Accessory Dwelling Unit, (Subsurface System). Reference Footnote *[F] for additional standards.	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). *[F]. There is no change in the Density Standard for a Back Lot.	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use	1 Primary and 1 Detached Accessory Unit Per 43,560 sf (1 Acre). *[F] The Density Standard for a Back Lot is the same.	Not Applicable. Prohibited Use	1 Primary and 1 Detached Accessory Unit Per 32,670 SF (.75 Acre). *[F] The Density Standard for a Back Lot is the same.
c. Two-Family Residential, Subsurface System.	1 Duplex Structure Per 21,780 sf (.5 Acre). There is no change in the density standard for a back lot.	Not Applicable. Prohibited, except as an accessory use to certain nonresidential uses.	Not Applicable. Prohibited Use	1 Duplex Structure Per 43,560 sf (1 Acre). There is no change in the density standard for a back lot.	Not Applicable. Prohibited Use	1 Duplex Structure Per 32,670 sf (.75 Acre). There is no change in the density standard for a back lot.
d. Multi-Family Residential, Subsurface System.	Not. Applicable. Prohibited Use	Not. Applicable. Prohibited Use	Not. Applicable. Prohibited Use	Not. Applicable. Prohibited Use	Not. Applicable. Prohibited Use	Not. Applicable. Prohibited Use
e. Residential, Flex Housing, Subsurface System Reference Footnote *[G] for additional standards.	Not Applicable. Prohibited Use	Not Applicable. Prohibited Use	Not Applicable. Prohibited Use	Not Applicable. Prohibited Use	Not Applicable. Prohibited Use	Reference Footnote *[K] for Density Standard & reference Footnote *[G]

DOC 2C. BOARD PUBLIC HEARING - SEC 102-553. DIMENSIONAL TABLE - SOUTHERLY DISTRICTS

f. Special standards that apply to a residential Planned Unit Development that uses a subsurface system to manage wastewater.	See Footnote *[E] for special density standards that apply to a PUD.	Not Applicable. Prohibited Use	Not Applicable. Prohibited Use	Must comply with above density standards for single family, single family w/ detached accessory unit, or a duplex.	Not Applicable. Prohibited Use	Must comply with above density standards for single family, single family w/ detached accessory unit, or a duplex.

DIMENSIONAL STANDARD	ROUTE ONE SOUTH MIXED USE (ROS-MU)	ROUTE ONE SOUTH BUSINESS PARK (ROS-BP)	AIRPORT BUSINESS PARK (ABP)	LOWER CONGRESS MIXED USE (LC-MU)	AIRPORT GROWTH (AG)	RESIDENTIAL 7 (RES-7)
7) <u>MAXIMUM LOT COVERAGE.</u>						
a. Maximum Lot Coverage (Impervious Surface Ratio) - Residential: Single Family, Two-Family & Single Family with Detached Accessory Dwelling Units.	35% *[L]	Housing, as an accessory use, must comply with overall nonresidential lot coverage standard.	Not Applicable. Prohibited Use	35% *[L]	40% *[C] & *[L]	40% *[L]
b. Maximum Lot Coverage (Impervious Surface Ratio) - Flex Housing and Multi-Family Residential	60% *[L]	Housing, as an accessory use, must comply with overall nonresidential lot coverage standard.	Not Applicable. Prohibited Use	Not Applicable. Prohibited Use	Not Applicable. Prohibited Use	60% *[L]
c. Maximum Lot Coverage (Impervious Surface Ratio) - Nonresidential	65% *[L]	70% *[L]	85% *[L]	50% *[L]	50% *[L]	50% *[L]
8) <u>MAXIMUM STRUCTURE HEIGHT</u>						
a. Maximum Height, Residential -(Non-Shoreland Area)	38 Ft for most residential, except 45 feet for multi-family.	45 Ft. Residential that is an Accessory Use to certain Nonresidential Uses	Not Applicable. Prohibited Use	38 Ft	38 Ft	38 Ft

DOC 2C. BOARD PUBLIC HEARING - SEC 102-553. DIMENSIONAL TABLE - SOUTHERLY DISTRICTS

<p>b. Maximum Height, Nonresidential - Non-Shoreland Areas</p>	<p>45 Ft for Primary Structure and 38 Ft for Accessory Structures.</p>	<p align="center">45 Ft</p>	<p>45 Ft. The Airport Manager, however, may determine that a lesser height may be required to protect airport operations and safety at Belfast Airport.</p>	<p align="center">38 Ft</p>	<p align="center">38 Ft</p>	<p align="center">38 Ft</p>
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DOC 16-C. DIVISION 16, SEC 102-633, DIMENSIONAL TABLES, NORTHWESTERLY OF BYPASS OUTSIDE RURAL ZONING DISTRICTS

DIMENSIONAL STANDARD	RESIDENTIAL-4	ROUTE 3 -RURAL	OUTSIDE RURAL - 1	OUTSIDE RURAL -2	ROUTE 3 COMMERCIAL	OFFICE PARK	ROUTE 137 MIXED USE
1) MINIMUM LOT SIZE							
1.1) MINIMUM LOT SIZE FOR LOT CONNECTED TO PUBLIC SEWER							
a. Minimum Lot Size, Single Family Residential, Public Sewer.	14,520 SF (.33 Acre)	43,560 SF (1 Acre)	43,560 SF (1 Acre)	43,560 SF (1 Acre)	14,520 SF (.33 Acre)	14,520 SF (.33 Acre)	14,520 SF (.33 Acre)
b. Minimum Lot Size, Single Family Residential, Back Lot, Public Sewer.	12,500 SF	32,670 SF (.75 Acre)	32,670 SF (.75 Acre)	32,670 SF (.75 Acre)	12,500 SF	12,500 SF	12,500 SF
c. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling Unit, Public Sewer. Reference Footnote *[F] for Additional Standards.	14,520 SF (.33 Acre) *[F]	43,560 SF (1 Acre) *[F]	43,560 SF (1 Acre) *[F]	43,560 SF (1 Acre) *[F]	14,520 SF (.33 Acre) *[F]	14,520 SF (.33 Acre) *[F]	14,520 SF (.33 Acre) *[F]
d. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling unit, Back Lot, Public Sewer. Reference Footnote *[F] for Additional Standards.	12,500 SF *[F]	32,670 SF (.75 Acre) *[F]	32,670 SF (.75 Acre) *[F]	32,670 SF (.75 Acre) *[F]	12,500 SF *[F]	12,500 SF *[F]	12,500 SF *[F]
e. Minimum Lot Size, Two Family Residential, Public Sewer.	14,520 SF (.33 Acre)	43,560 SF (1 Acre)	43,560 (1 Acre)	43,560 SF (1 Acre)	14,520 SF (.33 Acre)	14,520 SF (.33 Acre)	14,520 SF (.33 Acre)
f. Minimum Lot Size, Two Family Residential, Back Lot, Public Sewer.	12,500 SF	32,670 SF (.75 Acre)	32,670 SF (.75 Acre)	32,670 SF (.75 Acre)	12,500 SF	12,500 SF	12,500 SF
g. Minimum Lot Size, Multi-Family Residential, Public Sewer. Standard for backlot is the same as a lot with road frontage. Reference Footnote *[G] for Additional Standards.	21,780 Net SF (.5 Net Acre). Lot size increases based on number of dwelling units; reference Density Standards in this Table. Also reference Footnote *[G]	Reference Flex Housing Standard in this Table for amount of multi-family allowed. Tri-plex or Four-plex only for Multi-Family Structure. Also reference Footnote *[G]	Reference Flex Housing Standard in this Table for amount of multi-family allowed. Tri-plex or Four-plex only for Multi-Family Structure. Also reference Footnote *[G]	Reference Flex Housing Standard in this Table for amount of multi-family allowed. Tri-plex or Four-plex only for Multi-Family Structure. Also reference Footnote *[G]	21,780 Net SF (.5 Net Acre). Lot size increases based on number of dwelling units; reference Density Standards in this Table. Also reference Footnote *[G]	21,780 Net SF (.5 Net Acre). Lot size increases based on number of dwelling units; reference Density Standards in this Table. Also reference Footnote *[G]	21,780 Net SF (.5 Net Acre). Lot size increases based on number of dwelling units; reference Density Standards in this Table. Also reference Footnote *[G]

DOC 16-C. DIVISION 16, SEC 102-633, DIMENSIONAL TABLES, NORTHWESTERLY OF BYPASS OUTSIDE RURAL ZONING DISTRICTS

DIMENSIONAL STANDARD	RESIDENTIAL 4	ROUTE 3 - RURAL	OUTSIDE RURAL 1	OUTSIDE RURAL 2	ROUTE 3 COMMERCIAL	OFFICE PARK	ROUTE 137 MIXED USE
1.1) MINIMUM LOT SIZE FOR LOT CONNECTED TO PUBLIC SEWER --- Continued							
h. Dwelling, Flex Housing Public Sewer The minimum lot size standard for a backlot is the same as a lot with road frontage. Reference Footnote *[G] for Additional Standards.	21,780 Net SF (.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing.; reference Density standard *[J] in the Dimensional Table. Also see *[G]	65,340 NET SF (1.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing; reference Density standard *[K] in this Dimensional Table. Also see *[G]	65,340 NET SF (1.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing; reference Density standard *[K] in this Dimensional Table. Also see *[G]	65,340 NET SF (1.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing; reference Density standard *[K] in this Dimensional Table. Also see *[G]	21,780 Net SF (.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing; reference Density standard *[J] in the Dimensional Table. Also see *[G]	21,780 Net SF (.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing; reference Density standard *[J] in the Dimensional Table. Also see *[G]	21,780 Net SF (.5 Net Acre) with requirements to increase lot size based on number of dwelling structures and dwelling units. A maximum of 4 dwelling units allowed in a single structure using Flex Housing; reference Density standard *[J] in the Dimensional Table. Also see *[G]
i. Minimum Lot Size, Non-Residential, Public Sewer. Reference Footnote *[I] for Additional Standards.	43,560 Net SF (1 Net Acre). Reference Footnote *[A] for amount of lot size & lot frontage increase based on traffic. See Footnote *[I] regarding nonconformities.	87,120 Net SF (2 Net Acre). Reference Footnote *[A] for amount of lot size & lot frontage increase based on traffic. See Footnote *[I] regarding nonconformities.	108,900 Net SF (2.5 Net Acre). Reference Footnote *[A] for amount of lot size & lot frontage increase based on traffic. See Footnote *[I] regarding nonconformities.	87,120 Net SF (2 Net Acre). Reference Footnote *[A] for amount of lot size & lot frontage increase based on traffic. See Footnote *[I] regarding nonconformities.	43,560 Net SF (1 Net Acre). Reference Footnote *[E] for amount of lot size & lot frontage increase based on traffic. See Footnote *[I] regarding nonconformities.	43,560 Net SF (1 Net Acre). See Footnote *[I] regarding nonconformities.	43,560 Net SF (1 Net Acre). Reference Footnote *[E] for amount of lot size & lot frontage increase based on traffic. See Footnote *[I] regarding nonconformities.
1.2) MINIMUM LOT SIZE FOR LOT THAT USES A SUBSURFACE WASTEWATER DISPOSAL SYSTEM.							
a. Minimum Lot Size, Single Family Residential, Subsurface System.	21,780 SF (.5 Acre)	87,120 SF (2 Acre)	87,120 SF (2 Acres)	43,560 SF (1 Acre)	21,780 SF (.5 Acre)	21,780 SF (.5 Acre)	21,780 SF (.5 Acre)
b. Minimum Lot Size, Single Family Residential, Back Lot, Subsurface System.	21,780 SF (.5 Acre)	65,340 SF (1.5 Acre)	65,340 SF (1.5 Acre)	32,670 SF (.75 Acre)	21,780 SF (.5 Acre)	21,780 SF (.5 Acre)	21,780 SF (.5 Acre)
c. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling Unit, Subsurface System. Reference Footnote *[F] for Additional Standards.	21,780 SF (.5 Acre) *[F]	87,120 SF (2 Acre) *[F]	87,120 SF (2 Acres) *[F]	43,560 SF (1 Acre) *[F]	21,780 SF (.5 Acre) *[F]	21,780 SF (.5 Acre) *[F]	21,780 SF (.5 Acre) *[F]

DOC 16-C. DIVISION 16, SEC 102-633, DIMENSIONAL TABLES, NORTHWESTERLY OF BYPASS OUTSIDE RURAL ZONING DISTRICTS

DIMENSIONAL STANDARD	RESIDENTIAL 4	ROUTE 3 - RURAL	OUTSIDE RURAL 1	OUTSIDE RURAL 2	ROUTE 3 COMMERCIAL	OFFICE PARK	ROUTE 137 MIXED USE
1.2) MINIMUM LOT SIZE FOR LOT THAT USES A SUBSURFACE WASTEWATER DISPOSAL SYSTEM --- Continued							
d. Minimum Lot Size, Single-Family Residential with Detached Accessory Dwelling Unit, Back Lot, Subsurface System. Reference Footnote *[F] for additional Standards.	21,780 SF (.5 Acre) *[F]	65,340 SF (1.5 Acre) *[F]	65,340 SF (1.5 Acre) *[F]	32,670 SF (.75 Acre) *[F]	21,780 SF (.5 Acre) *[F]	21,780 SF (.5 Acre) *[F]	21,780 SF (.5 Acre) *[F]
e. Minimum Lot Size, Two-Family Residential, Subsurface System.	21,780 SF (.5 Acre)	87,120 SF (2 Acre)	87,120 SF (2 Acre)	43,560 SF (1 Acre)	21,780 SF (.5 Acre) *[F]	21,780 SF (.5 Acre) *[F]	21,780 SF (.5 Acre) *[F]
f. Minimum Lot Size, Two-Family Residential, Back Lot, Subsurface System.	21,780 SF (.5 Acre)	65,340 SF (1.5 Acre)	65,340 SF (1.5 Acre)	32.670 SF (.75 Acre)	21,780 SF (.5 Acre) *[F]	21,780 SF (.5 Acre) *[F]	21,780 SF (.5 Acre) *[F]
g. Minimum Lot Size, Multi-Family Residential, Subsurface System. Minimum lot size for a backlot is the same as a lot with road frontage.	43,560 NET SF (1 Net Acre). Lot size increases based on number of dwelling units.; reference Density Standard in this Table & see Footnote *[G]	Reference Flex Housing Standard to determine minimum lot size for multi-family. Maximum size structure is a four-plex. Also see Footnote *[G]	Reference Flex Housing Standard to determine minimum lot size for multi-family. Maximum size structure is a four-plex. Also see Footnote *[G]	Reference Flex Housing Standard to determine minimum lot size for multi-family. Maximum size structure is a four-plex. Also see Footnote *[G]	43,560 NET SF (1 Net Acre). Lot size increases based on number of dwelling units; reference Density Standard in this Table. Also see Footnote *[G]	43,560 NET SF (1 Net Acre). Lot size increases based on number of dwelling units; reference Density Standard in this Table. Also see Footnote *[G]	43,560 NET SF (1 Net Acre). Lot size increases based on number of dwelling units; reference Density Standard in this Table. Also see Footnote *[G]
h. Residential, Flex Housing Subsurface System. Minimum lot size standard for a backlot is the same as a lot with road frontage. Reference Footnote *[G] for additional Standards.	43,560 NET SF (1 Net Acre) with increases in lot size based on number of dwelling structures and dwelling units A maximum of 4 dwelling units in a single structure. Reference density standard in Footnote *[L] Also see *[G]	87,120 NET SF (2 Net Acres) with increases in lot size based on number of dwelling structures and dwelling units A maximum of 4 dwelling units in a single structure. Reference density standard in Footnote *[M] . Also see *[G]	87,120 NET SF (2 Net Acres) with increases in lot size based on number of dwelling structures and dwelling units A maximum of 4 dwelling units in a single structure. Reference density standard in Footnote *[M] . Also see *[G]	87,120 NET SF (2 Net Acres) with increases in lot size based on number of dwelling structures and dwelling units A maximum of 4 dwelling units in a single structure. Reference density standard in Footnote *[M] . Also see *[G]	43,560 NET SF (1 Net Acre) with increases in lot size based on number of dwelling structures and dwelling units A maximum of 4 dwelling units in a single structure. Reference density standard in Footnote *[L]. Also see *[G]	43,560 NET SF (1 Net Acre) with increases in lot size based on number of dwelling structures and dwelling units A maximum of 4 dwelling units in a single structure. Reference density standard in Footnote *[L]. Also see *[G]	43,560 NET SF (1 Net Acre) with increases in lot size based on number of dwelling structures and dwelling units A maximum of 4 dwelling units in a single structure. Reference density standard in Footnote *[L]. Also see *[G]
i. Minimum Lot Size, Non-Residential, Subsurface System. Reference Footnote *[I] for Additional Standards.	43,560 Net SF (1 Net Acre). Reference Footnote *[A] for amount of lot size & lot frontage increase based on traffic & Footnote *[I] for nonconformities.	87,120 NET SF (2 Net Acres). Reference Footnote *[A] for amount of Lot Size & lot frontage increase based on traffic & Footnote *[I] for nonconformities.	108.900 NET SF (2.5 Net Acres). Reference Footnote *[A] for amount of Lot Size & lot frontage increase based on traffic & Footnote *[I] for nonconformities.	87,120 NET SF (2 Net Acres). Reference Footnote *[A] for amount of Lot Size & lot frontage increase based on traffic & Footnote *[I] for nonconformities.	43,560 Net SF (1 Net Acre). Reference Footnote *[E] for amount of lot size & lot frontage increase based on traffic & Footnote *[I] for nonconformities.	43,560 Net SF (1 Net Acre). Reference Footnote *[I] for nonconformities.	43,560 Net SF (1 Net Acre). Reference Footnote *[E] for amount of lot size & lot frontage increase based on traffic & Footnote *[I] for nonconformities.

DOC 16-C. DIVISION 16, SEC 102-633, DIMENSIONAL TABLES, NORTHWESTERLY OF BYPASS OUTSIDE RURAL ZONING DISTRICTS

DIMENSIONAL STANDARD	RESIDENTIAL 4	ROUTE 3 - RURAL	OUTSIDE RURAL 1	OUTSIDE RURAL 2	ROUTE 3 COMMERCIAL	OFFICE PARK	ROUTE 137 MIXED USE
2) <u>MINIMUM STREET (LOT) FRONTAGE FOR A LOT</u>							
a. Minimum Street Frontage - Residential	150 Lineal Ft	200 Lineal Ft	200 Lineal Ft	200 Lineal Ft	150 Lineal Ft	150 Lineal Ft	150 Lineal Ft
b. Minimum Street Frontage - Non-Residential	150 Lineal Ft with increases based on amount of traffic *[A]	200 Lineal Ft with increases based on amount of traffic; reference Footnote *[A]	250 Lineal Ft with increases based on amount of traffic; reference Footnote *[A]	200 Lineal Ft with increases based on amount of traffic; reference Footnote *[A]	150 Lineal Ft. Footnote *[E] identifies standards that requires increase in lot frontage based on traffic.	200 Lineal Ft.	150 Lineal Ft. Footnote *[E] identifies standards that requires increase in lot frontage based on traffic.
c. Minimum Width Lot - Back Lot - Residential	125 Lineal Ft	200 Lineal Ft	200 Lineal Ft	150 Lineal Ft	125 Lineal Ft	125 Lineal Ft	125 Lineal Ft
d. Minimum Width Lot - Back Lot - Non-Residential	150 Lineal Ft	200 Lineal Ft	200 Lineal Ft	200 Lineal Ft	150 Lineal Ft	150 Lineal Ft	150 Lineal Ft
3) <u>MINIMUM FRONT SETBACK FOR A STRUCTURE</u>							
a. Front Setback, Structure- Residential (Primary Structure)	30 Ft	30 Ft	30 Ft	30 Ft	30 Ft	30 Ft	30 Ft
b. Front Setback, Structure- Residential (Accessory Structure)	30 Ft	30 Ft	30 Ft	30 Ft	30 Ft	30 Ft	30 Ft
c. Front Setback, Structure - Nonresidential (Primary Structure)	50 Ft *[C]	75 Ft * [C]	75 Ft *[C]	50 Ft *[C]	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[O] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.
d. Front Setback, Structure - Nonresidential (Accessory Structure)	50 Ft *[C]	75 Ft *[C]	75 Ft *[C]	50 Ft *[C]	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[O] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.

DOC 16-C. DIVISION 16, SEC 102-633, DIMENSIONAL TABLES, NORTHWESTERLY OF BYPASS OUTSIDE RURAL ZONING DISTRICTS

DIMENSIONAL STANDARD	RESIDENTIAL 4	ROUTE 3 - RURAL	OUTSIDE RURAL 1	OUTSIDE RURAL 2	ROUTE 3 COMMERCIAL	OFFICE PARK	ROUTE 137 MIXED USE
<u>4) MINIMUM SIDE SETBACK FOR A STRUCTURE</u>							
a. Side Setback- Residential - Primary Structure	15 Ft, except 25 ft for multi-family	15 Ft, except 25 ft for multi-family	15 Ft, except 25 ft for multi-family				
b. Side Setback - Residential - Accessory Structure	15 Ft, except 25 ft for multi-family	15 Ft, except 25 ft for multi-family	15 Ft, except 25 ft for multi-family				
c. Side Setback- Non-Residential - Primary Structure	25 Ft *[C]	25 Ft *[C]	30 Ft *[C]	25 Ft *[C]	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[O] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.
d. Side Setback- Non-Residential - Accessory Structure	25 Ft *[C]	30 Ft *[C]	30 Ft *[C]	30 Ft *[C]	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[O] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.
<u>5) MINIMUM REAR SETBACK FOR A STRUCTURE</u>							
a. Rear Setback - Residential - Primary Structure	15 Ft, except 25 ft for multi-family	15 Ft	15 Ft	15 Ft	15 Ft, except 25 ft for multi-family	15 Ft, except 25 ft for multi-family	15 Ft, except 25 ft for multi-family
b. Rear Setback - Residential - Accessory Structure	15 Ft, except 25 ft for multi-family	15 Ft	15 Ft	15 Ft	15 Ft, except 25 ft for multi-family	15 Ft, except 25 ft for multi-family	15 Ft, except 25 ft for multi-family
c. Rear Setback - Nonresidential - Primary Structure	15 Ft	20 Ft *[C]	20 Ft *[C]	20 Ft *[C]	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[O] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.
d. Rear Setback - Nonresidential - Accessory Structure	15 Ft	20 Ft *[C]	20 Ft *[C]	20 Ft *[C]	Reference Footnote *[H] for specific setback requirements based on structure size.	Reference Footnote *[O] for specific setback requirements based on structure size.	Reference Footnote *[H] for specific setback requirements based on structure size.

DOC 16-C. DIVISION 16, SEC 102-633, DIMENSIONAL TABLES, NORTHWESTERLY OF BYPASS OUTSIDE RURAL ZONING DISTRICTS

DIMENSIONAL STANDARD	RESIDENTIAL 4	ROUTE 3 - RURAL	OUTSIDE RURAL 1	OUTSIDE RURAL 2	ROUTE 3 COMMERCIAL	OFFICE PARK	ROUTE 137 MIXED USE
6) DENSITY STANDARD (Number of Dwelling Units Per Size of Lot)							
6.1 DENSITY STANDARD FOR DWELLING UNITS CONNECTED TO PUBLIC SEWER							
a. Single Family Residential (Public Sewer)	1 Unit Per-14,520 SF or 1 Unit Per 12,500 SF for a Back Lot	1 Unit Per 43,560 SF (1 Acre) or 1 Unit Per 32,670 Sf for a Back Lot	1 Unit Per 43,560 SF (1 Acre) or 1 Unit Per 32,670 Sf for a Back Lot	1 Unit Per 43,560 SF (1 Acre) or 1 Unit Per 32,670 Sf for a Back Lot	1 Unit Per 14,520 SF or 1 Unit Per 12,500 SF for a Back Lot	1 Unit Per 14,520 SF or 1 Unit Per 12,500 SF for a Back Lot	1 Unit Per 14,520 SF or 1 Unit Per 12,500 SF for a Back Lot
b. Single Family Residential with a Detached Accessory Dwelling Unit (Public Sewer). Reference Footnote *[F] for Additional Standards.	1 Primary and 1 Detached Accessory Unit Per 14,520 SF or 1 Primary and 1 Detached Unit per 12,500 SF for a Back Lot. *[F]	1 Primary and 1 Detached Accessory Unit Per 43,560 SF (1 Acre) or 1 Unit Per 32,670 SF for Back Lots. *[F]	1 Primary and 1 Detached Accessory Unit Per 43,560 SF (1 Acre) or 1 Primary and 1 Detached Unit Per 32,670 SF for Back Lots. *[F]	1 Primary and 1 Detached Accessory Unit Per 43,560 SF (1 Acre) or 1 Unit Per 32,670 SF for Back Lots. *[F]	1 Primary and 1 Detached Accessory Unit Per 14,520 SF or 1 Primary and 1 Detached Unit per 12,500 SF for a Back Lot. *[F]	1 Primary and 1 Detached Accessory Unit Per 14,520 SF or 1 Primary and 1 Detached Unit per 12,500 SF for a Back Lot. *[F]	1 Primary and 1 Detached Accessory Unit Per 14,520 SF or 1 Primary and 1 Detached Unit per 12,500 SF for a Back Lot. *[F]
c. Two-Family Residential, Public Sewer	1 Duplex Structure Per 14,520 SF or 1 Structure Per 12,500 SF for a Back lot.	1 Duplex Structure Per 43,560 SF (1 Acre) or 1 Structure Per 32,670 SF for a Back Lot.	1 Duplex Structure Per 43,560 SF (1 Acre) or 1 Structure Per 32,670 SF for a Back Lot.	1 Duplex Structure Per 43,560 SF (1 Acre) or 1 Structure Per 32,670 SF for a Back Lot.	1 Primary and 1 Detached Accessory Unit Per 14,520 SF or 1 Primary and 1 Detached Unit per 12,500 SF for a Back Lot.	1 Primary and 1 Detached Accessory Unit Per 14,520 SF or 1 Primary and 1 Detached Unit per 12,500 SF for a Back Lot.	1 Primary and 1 Detached Accessory Unit Per 14,520 SF or 1 Primary and 1 Detached Unit per 12,500 SF for a Back Lot.
d. Multi-Family Residential, Public Sewer. The Density Standard for Multi-Family Housing on a Back Lot is calculated the same as for a lot that has Street Frontage. Reference Footnote *[G] for additional standards.	4 Units Per Initial 21,780 NET SF (.5 Net Acres) and 2,500 Net SF for each additional unit. *[D] & *[G]	Reference Flex Housing standard for density for multi-family. Maximum of 4 dwelling units in a single structure. *[G]	Reference Flex Housing standard for density. Maximum of 4 dwelling units in a single structure. *[G]	Reference Flex Housing standard for density. Maximum of 4 dwelling units in a single structure. *[G]	6 Units per Initial 21,780 Net SF (.5 Net Acre) and 1,500 Net SF for each additional unit. Reference Footnote *[G] for additional standards.	6 Units per Initial 21,780 Net SF (.5 Net Acre) and 1,500 Net SF for each additional unit. Reference Footnote *[G] for additional standards.	6 Units per Initial 21,780 Net SF (.5 Net Acre) and 1,500 Net SF for each additional unit. Reference Footnote *[G] for additional standards.
e. Residential, Flex Housing -Public Sewer. Reference Footnote *[G] for additional standards.	See Footnote *[K-J] for density standard. Also see Footnote *[G] for additional standards.	See Footnote *[L-K] for density standard. Also see Footnote *[G] for additional standards.	See Footnote *[L-K] for density standard. Also see Footnote *[G] for additional standards.	See Footnote *[L-K] for density standard. Also see Footnote *[G] for additional standards.	See Footnote *[J] for density standard. Also see Footnote *[G] for additional standards.	See Footnote *[J] for density standard. Also see Footnote *[G] for additional standards.	See Footnote *[J] for density standard. Also see Footnote *[G] for additional standards.
f. Special standards that apply to an Affordable Housing Development as defined by LD2003.	2.5 times the density that is otherwise allowed	2.5 times the density that is otherwise allowed	2.5 times the density that is otherwise allowed, within the limits of the Growth Area as defined in the Future Land Use section of the adopted Comprehensive Plan.	2.5 times the density that is otherwise allowed, within the limits of the Growth Area as defined in the Future Land Use section of the adopted Comprehensive Plan.	2.5 times the density that is otherwise allowed	2.5 times the density that is otherwise allowed	2.5 times the density that is otherwise allowed

DOC 16-C. DIVISION 16, SEC 102-633, DIMENSIONAL TABLES, NORTHWESTERLY OF BYPASS OUTSIDE RURAL ZONING DISTRICTS

DIMENSIONAL STANDARD	RESIDENTIAL 4	ROUTE 3 - RURAL	OUTSIDE RURAL 1	OUTSIDE RURAL 2	ROUTE 3 COMMERCIAL	OFFICE PARK	ROUTE 137 MIXED USE
6.2 DENSITY STANDARD FOR DWELLING UNITS THAT USE A SUBSURFACE WASTEWATER DISPOSAL SYSTEM.							
a. Single Family Residential (Subsurface System)	1 Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot.	1 Unit Per 87,120 SF (2 Acres). Back Lot is calculated at a Density Standard of 1 Unit Per 65,340 SF (1.5 Acre)	1 Unit Per 87,120 SF (2 Acres). Back Lot is calculated at a Density Standard of 1 Unit Per 65,340 SF (1.5 Acre)	1 Unit Per 43,560 SF (1 Acre). Back Lot is calculated at a Density Standard of 1 Unit Per 32,670 SF (.75 Acre).	1 Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot.	1 Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot.	1 Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot.
b. Single Family Residential with an Detached Accessory Dwelling Unit, (Subsurface System). Reference Footnote *[F] for additional standards.	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot. *[F]	1 Primary and 1 Detached Accessory Unit Per 87,120 SF (2 Acres). The Density Standard for a Back Lot is Calculated at 1 Primary Structure and 1 Detached Accessory Structure Per 65,340 SF (1.5 Acre). *[F]	1 Primary and 1 Detached Accessory Unit Per 87,120 SF (2 Acres). The density standard for a back lot is calculated at 1 primary structure and 1 detached accessory structure per 65,340 SF (1.5 Acre). *[F]	1 Primary and 1 Detached Accessory Unit Per 43,560 SF (1 Acre). The density standard for a back lot is calculated at 1 primary structure and 1 detached accessory structure per 32,670 sf (.75 acre). *[F]	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot. *[F]	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot. *[F]	1 Primary and 1 Detached Accessory Unit Per 21,780 SF (.5 Acre). There is no change in the Density Standard for a Back Lot. *[F]
c. Two-Family Residential, Subsurface System.	1 Duplex Structure Per 21,780 sf. There is no change in the density standard for a back lot.	1 Duplex Structure Per 87,120 SF (2 Acres). The density standard for a back lot is calculated at 1 duplex structure per 65,340 sf (1.5 acre).	1 Duplex Structure Per 87,120 SF (2 Acres). The density standard for a back lot is calculated at 1 duplex structure per 65,340 sf (1.5 acre).	1 Duplex Structure Per 43,560 SF (1 Acre). The density standard for a back lot is calculated at 1 duplex structure per 32,670 sf (.75 acre).	1 Duplex Structure Per 21,780 sf. There is no change in the density standard for a back lot.	1 Duplex Structure Per 21,780 sf. There is no change in the density standard for a back lot.	1 Duplex Structure Per 21,780 sf. There is no change in the density standard for a back lot.
d. Multi-Family Residential, Subsurface System. Reference Footnote *[G] for additional standards.	Four multi-family dwelling units for initial 1 Net Acre (43,560 Net SF), and 10,890 Net SF for each additional multi-family dwelling unit. *[G]	Reference Flex Housing standard *[M] for density for multi-family housing. Maximum of 4 dwelling units in a single structure. *[G]	Reference Flex Housing standard *[M] for density for multi-family housing. Maximum of 4 dwelling units in a single structure. *[G]	Reference Flex Housing standard *[M] for density for multi-family housing. Maximum of 4 dwelling units in a single structure. *[G]	Four multi-family dwelling units for initial 1 Net Acre (43,560 Net SF), and 10,890 Net SF for each additional multi-family dwelling unit. *[G]	Four multi-family dwelling units for initial 1 Net Acre (43,560 Net SF), and 10,890 Net SF for each additional multi-family dwelling unit. *[G]	Four multi-family dwelling units for initial 1 Net Acre (43,560 Net SF), and 10,890 Net SF for each additional multi-family dwelling unit. *[G]
e. Residential, Flex Housing, Subsurface System Reference Footnote *[G] for additional standards.	See Footnote *[L] for Density Standard. Also see Footnote *[G].	See Footnote *[M] for Density Standard. Also see Footnote *[G].	See Footnote *[M] for Density Standard. Also see Footnote *[G].	See Footnote *[M] for Density Standard. Also see Footnote *[G].	See Footnote *[L] for Density Standard. Also see Footnote *[G].	See Footnote *[L] for Density Standard. Also see Footnote *[G].	See Footnote *[L] for Density Standard. Also see Footnote *[G].

DOC 16-C. DIVISION 16, SEC 102-633, DIMENSIONAL TABLES, NORTHWESTERLY OF BYPASS OUTSIDE RURAL ZONING DISTRICTS

DIMENSIONAL STANDARD	RESIDENTIAL 4	ROUTE 3 - RURAL	OUTSIDE RURAL 1	OUTSIDE RURAL 2	ROUTE 3 COMMERCIAL	OFFICE PARK	ROUTE 137 MIXED USE
7) <u>MAXIMUM LOT COVERAGE</u>							
a. Maximum Lot Coverage (Impervious Surface Ratio) - Residential: Single Family, Two-Family & Single Family with Detached Accessory Dwelling Units.	50% if lot is less than 10,890 SF, and 40% for lots 10,890 SF or greater in size. See Footnote *[O] if lot does not conform to lot coverage.	Not Applicable	Not Applicable	Not Applicable	60% if lot is less than 10,890 SF, and 35% for lots 10,890 SF or greater in size. See Footnote *[O] if lot does not conform to lot coverage.	35% for all lots. See Footnote *[O] if lot does not conform to lot coverage.	50% if lot is less than 10,890 SF, and 40% for lots 10,890 SF or greater in size. See Footnote *[O] if lot does not conform to lot coverage.
b. Maximum Lot Coverage (Impervious Surface Ratio) - Residential: Multi-Family Housing and Flex Housing	50%. See Footnote *[O] if lot does not conform to lot coverage.	40%. See Footnote *[O] if lot does not conform to lot coverage.	40%. See Footnote *[O] if lot does not conform to lot coverage.	40%. See Footnote *[O] if lot does not conform to lot coverage.	60%. See Footnote *[O] if lot does not conform to lot coverage.	60%. See Footnote *[O] if lot does not conform to lot coverage.	60%. See Footnote *[O] if lot does not conform to lot coverage.
c. Maximum Lot Coverage (Impervious Surface Ratio) - Nonresidential	50%. See Footnote *[O] if lot does not conform to lot coverage.	50%. See Footnote *[O] if lot does not conform to lot coverage.	50%. See Footnote *[O] if lot does not conform to lot coverage.	50%. See Footnote *[O] if lot does not conform to lot coverage.	No maximum coverage for a lot less than 5 acres in size. 70% for lots greater than 5 acres in size. See Footnote *[O] if a lot does not conform to lot coverage.	No maximum coverage for a lot less than 2 acres in size, and 55% for lots greater than 2 acres in size. See Footnote *[O] if a lot does not conform to lot coverage.	No maximum coverage for a lot less than 2 acres in size, and 65% for lots greater than 2 acres in size. See Footnote *[O] if a lot does not conform to lot coverage.
					Not Relevant	Not Relevant	Not Relevant
					Not Relevant	Not Relevant	Not Relevant

DOC 16-C. DIVISION 16, SEC 102-633, DIMENSIONAL TABLES, NORTHWESTERLY OF BYPASS OUTSIDE RURAL ZONING DISTRICTS

DIMENSIONAL STANDARD	RESIDENTIAL 4	ROUTE 3 - RURAL	OUTSIDE RURAL 1	OUTSIDE RURAL 2	ROUTE 3 COMMERCIAL	OFFICE PARK	ROUTE 137 MIXED USE
8) <u>MAXIMUM STRUCTURE HEIGHT</u>							
a. Maximum Height, Residential -(Non-Shoreland Area)	38 Ft	38 Ft	38 Ft	38 Ft	38 Ft & 45 Ft for multi-family.	38 Ft & 45 Ft for multi-family.	38 Ft & 45 Ft for multi-family.
b. Maximum Height, Nonresidential - Non-Shoreland Areas	38 Ft	38 Ft	38 Ft	38 Ft	45 Ft	45 Ft	38 Ft

CHAPTER 90 SITE PLAN

ARTICLE V

~~Board~~ Review of a Multifamily Housing Project

Sec. 90-130. Site plan review required. [10-6-2020]

(a) Pursuant to 30-A M.R.S.A. § 4402, 6, (**State Subdivision Law**) effective July 1, 2018, a division of a new or existing structure into three or more dwelling units (multifamily housing) **in a 5 year period**, whether the division is accomplished by sale, lease, development or otherwise, regardless of the size of the structure, shall be subject to review and approval by the Planning Board pursuant to the requirements of Chapter 90, Site Plan.

(b) Effective July 1, 2018, a structure that was constructed on or before July 1, 2018, that qualifies as multifamily housing in which ~~one~~ **three** or more new **dwelling** units **in a 5 year period** are proposed to be established, regardless of the size of the structure, shall be subject to review and approval by the Planning Board pursuant to requirements of Chapter 90, Site Plan.

(c) A multifamily housing project that is subject to Site Plan review shall be exempt from review as a subdivision (Chapter 94, Subdivisions), unless the project involves the creation of three or more lots.

(d) An existing multifamily dwelling use or structure in which less than 3 new dwelling units are proposed to be established in 5 years shall be subject to review and approval by the Code Enforcement Officer, notwithstanding any previous approvals requiring otherwise.

Sec. 90-131. Site plan review process. [10-6-2020]

(a) A multifamily housing project that involves the development of six or more new dwelling units in a new structure or structures, the development of six or more new dwelling units in an existing structure or structures, or the development of six or more new dwelling units in an existing multifamily housing project that has or has not previously been reviewed and approved by the Planning Board, shall be subject to Planning Board review and approval pursuant to procedures for both a Preliminary Plan, reference this Chapter, Article III, and a Final Plan, reference this Chapter, Article IV.

(b) A multifamily housing project that involves the development of five or less new dwelling units in a new structure or structures, the development of five or less new dwelling units in an existing structure or structures that are used for multifamily housing, or the development of five or less new dwelling units in an existing multifamily housing project that has or has not previously been reviewed and approved by the Belfast Planning Board, shall be subject to ~~Planning Board~~ review pursuant to a consolidated Preliminary Site Plan and Final Site Plan process. An applicant shall be required to submit all information required pursuant to Secs. 90-71, 90-72, 90-100 and 90-101 in an application. The Planning Board shall be required to conduct a public hearing on the proposed project, **should it trigger their review**, and shall provide public notification of the hearing pursuant to Sec. 90-45 requirements.

(c) Notwithstanding the provisions of Subsection (a) or (b) above, a project in which a minimum of 66% of the proposed dwelling units qualify as affordable multifamily housing dwelling units, regardless of the number of dwelling units proposed to be developed, or the number of structures in which said units are

located, shall be subject to Planning Board review pursuant to a consolidated merged Preliminary Plan and Final Site Plan process. An Applicant shall be required to submit all information required pursuant to Secs. 90-71, 90-72, 90-100, and 90-101 in an application. The Planning Board shall be required to conduct a minimum of two public hearings on the proposed project application, with said hearings occurring a minimum of seven days apart, and shall provide public notification of the hearings pursuant to Sec. 90-45 requirements.

(d) A multifamily housing project that is proposed as an element of a mixed use development, regardless of the number of multifamily units that are proposed, shall be subject to Board review pursuant to requirements of Chapter 90, Site Plan, as both a preliminary plan, reference Article III, and a Final Plan, reference Article IV. This requirement also applies to multifamily housing that may qualify as affordable housing.

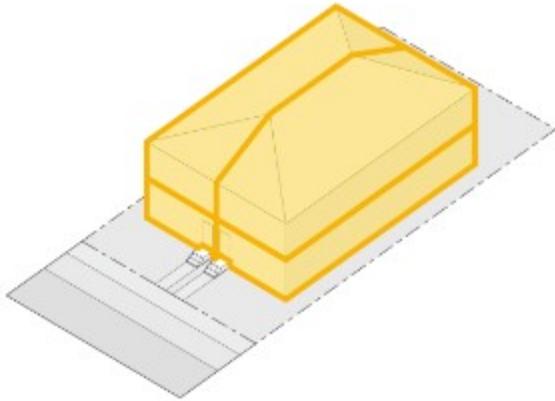
(e) A multifamily housing project that involves the creation of less than 2 dwellings in 5 years in an existing or new structure shall be subject to review and approval by the Code Enforcement Officer, notwithstanding any previous approvals requiring otherwise.

Sec. 90-132. Special criteria for a multifamily housing project. [10-6-2020]

The number of dwelling units that can be constructed on a property that includes the development of multifamily housing shall be based on net residential density. The following criteria shall not be included in the calculation of the lot area to determine net residential density and the maximum number of dwelling units that can be developed on the property:

- (a) Land that is situated below the high annual tide or normal high-water mark of any water body.
- (b) Land that is located within the 100-year flood plain as identified on the official Federal Emergency Management Agency flood maps adopted by the City of Belfast, reference Chapter 78, Floods. The Board, however, can consider information submitted by a registered land surveyor that demonstrates that the property in question lies at least two feet above the 100-year flood level.
- (c) Land that is part of a publicly or privately owned street right-of-way or easement.
- (d) Land that is part of a utility easement that benefits an off-site property or properties.
- (e) Land meeting the definition of wetland or freshwater wetland as defined by the State Department of Environmental Protection or the U.S. Army Corps of Engineers.
- (f) Land that has been created by filling or draining a pond or wetland.
- (g) Land that is located on steep slopes that exceed a grade of 20%.

Front Loaded



Ideal Specifications

Lot	
Width	60 feet
Depth	130 feet
Area	7,800 sq. ft.
	0.179 acres

Units	
Number of Units	4 units
Typical Unit Size	1,200 sq. ft.

Density	
Net Density	22 du/acre
Gross Density	18 du/acre

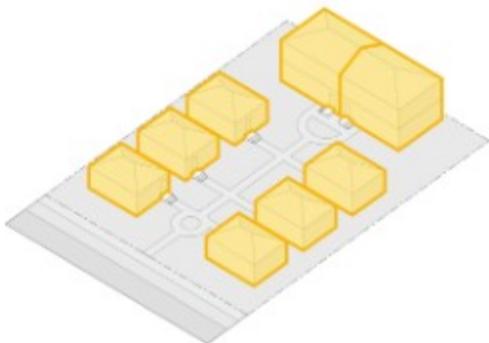
Parking	
Parking Ratio	1.5 per unit
On-street Spaces	2
Off-street Spaces	4

Setbacks	
Front	15 feet
Side	5 feet

Building	
Width	40 feet
Depth	60 feet
Height (to eave)	21 feet
Floors	2 stories

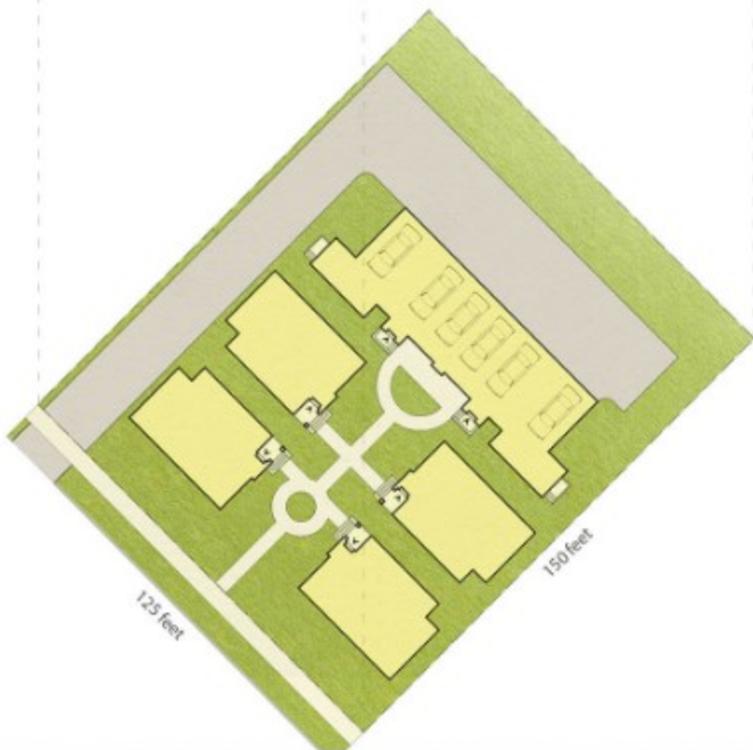


Front Loaded

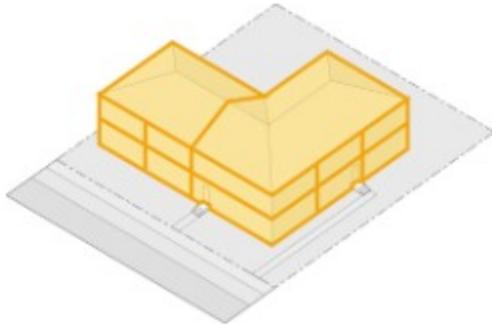


Ideal Specifications

Lot	
Width	125 feet
Depth	150 feet
Area	18,750 sq. ft.
	0.43 acres
Units	
Number of Units	6 units
Typical Unit Size	840 sq. ft.
Density	
Net Density	14 du/acre
Gross Density	12 du/acre
Parking	
Parking Ratio	1.83 per unit
On-street Spaces	5
Off-street Spaces	6
Setbacks	
Front	15 feet
Side	5 feet
Building	
Building Size	
Width	24 feet
Depth	35 feet
Height (to eave)	15 feet
Floors	1 story



Front Loaded



Ideal Specifications

Lot	
Width	105 feet
Depth	135 feet
Area	14,175 sq. ft.
	0.325 acres
Units	
Number of Units	12 units
Typical Unit Size	765 sq. ft.
Density	
Net Density	37 du/acre
Gross Density	30 du/acre
Parking	
Parking Ratio	1.33 per unit
On-street Spaces	4
Off-street Spaces	12
Setbacks	
Front	15 feet
Side	5 feet
Building	
Width	75 feet
Depth	65 feet
Height (to eave)	28 feet
Floors	2.5 stories



CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 9, DIMENSIONAL STANDARDS, SECTION 102-471 DIMENSIONAL CHART

DIMENSIONAL STANDARD	RESIDENTIAL 1	RESIDENTIAL 2	RESIDENTIAL 3	DOWNTOWN COMMERCIAL	WATERFRONT MIXED USE 1	WATERFRONT MIXED USE 2
1) <u>MINIMUM LOT SIZE</u>						
1.1) <u>MINIMUM LOT SIZE FOR LOT CONNECTED TO PUBLIC SEWER</u>						
a. Minimum Lot Size, Single Family Residential, Public Sewer	7,500 sf	7,500 sf	7,500 sf	2,000 sf- *[1]	43,560 sf-* [2]	20,000 sf - *[2 and 3] or 4,000 sf- *[2 and 3]
b. Minimum Lot Size, Single Family Residential, Back Lot, Public Sewer	7,500 sf	7,500 sf	7,500 sf	2,000 sf- *[1]	43,560 sf- *[2]	20,000 sf - *[2 and 3] or 4,000 sf *[2 and 3]
c. Minimum Lot Size, Single Family Residential with Accessory Dwelling Unit, Public Sewer. Reference Footnote [F] for Additional Standards.	4,500 sf	4,500 sf	4,500 sf	2,000 sf- *[1]	43,560 sf- *[2]	20,000 sf - *[2 and 3] or 4,000 sf *[2 and 3]
d. Single Family Residential with Accessory Dwelling Unit, Back Lot, Public Sewer. Reference Footnote *[F] for Additional Standards.	4,500 sf	4,500 sf	4,500 sf	2,000 sf- *[1]	43,560 sf- *[2]	20,000 sf - *[2 and 3] or 4,000 sf *[2 and 3]
e. Minimum Lot Size, Two Family Residential, Public Sewer	7,500 sf	7,500 sf	7,500 sf	2,000 sf- *[1]	43,560 sf- *[2]	20,000 sf - *[2 and 3] or 4,000 sf *[2 and 3]
f. Minimum Lot Size, Two Family Residential, Back Lot, Public Sewer	7,500 sfb	7,500 sfb	7,500 sfb	2,000 sf- *[1]	43,560 sf- *[2]	20,000 sf - *[2 and 3] or 4,000 sf *[2 and 3]
g. Minimum Lot Size, Multi-Family Residential, Public Sewer. Standard for backlot is the same as a lot with road frontage. Reference Footnotes *[5, D and G] for Additional Standards.	10,000 sf	10,000 sf	10,000 sf	2,000 sf- *[1]	43,560 sf- *[2]	20,000 sf - *[2 and 3] or 4,000 sf *[2 and 3]
h. Dwelling, Flex Housing Public Sewer. The minimum lot size standard for a backlot is the same as a lot with road frontage. Reference Footnotes *[5, G and J] for Additional Standards.	7,500 sf	7,500 sf	7,500 sf	2,000 sf- *[1]	43,560 sf- *[2]	20,000 sf - *[2 and 3] or 4,000 sf *[2 and 3]
i. Minimum Lot Size, Non-Residential, Public Sewer. Reference Footnote *[I] for Standards regarding Nonconformities.	10,000 sf	10,000 sf	10,000 sf	2,000 sf- *[1]	43,560 sf- *[2]	20,000 sf - *[2 and 3] or 4,000 sf *[2 and 3]

When an * asterisk and [] are on the Dimensional Chart, such as * [1], Refer to Footnotes in Section 102-471 that accompany this Chart

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 9, DIMENSIONAL STANDARDS, SECTION 102-471 DIMENSIONAL CHART

1.2) MINIMUM LOT SIZE FOR A SUBSURFACE WASTEWATER DISPOSAL SYSTEM.						
a. Minimum Lot Size, Single Family Residential, Subsurface System.	20,000 sf	20,000 sf	20,000 sf	Prohibited	Prohibited	Prohibited
b. Minimum Lot Size, Single Family Residential, Back Lot, Subsurface System.	20,000 sf	20,000 sf	20,000 sf	Prohibited	Prohibited	Prohibited
c. Minimum Lot Size, Single-Family Residential with Accessory Dwelling Unit, Subsurface System. Reference Footnote *[F] for Additional Standards.	20,000 sf	20,000 sf	20,000 sf	Prohibited	Prohibited	Prohibited
d. Minimum Lot Size, Single-Family Residential with Accessory Dwelling Unit, Back Lot, Subsurface System. Reference Footnote *[F] for additional Standards.	20,000 sf	20,000 sf	20,000 sf	Prohibited	Prohibited	Prohibited
e. Minimum Lot Size, Two-Family Residential, Subsurface System.	20,000 sf	20,000 sf	20,000 sf	Prohibited	Prohibited	Prohibited
f. Minimum Lot Size, Two-Family Residential, Back Lot, Subsurface System	20,000 sf	20,000 sf	20,000 sf	Prohibited	Prohibited	Prohibited
g. Minimum Lot Size, Multi-Family Residential, Subsurface System. Minimum lot size for a backlot is the same as a lot with road frontage. Reference Footnote *[D] for additional standards.	Prohibited 20,000 sf	Prohibited 20,000 sf	Prohibited 20,000 sf	Prohibited	Prohibited	Prohibited
h. Residential, Flex Housing Subsurface System. Minimum lot size standard for a backlot is the same as a lot with road frontage. Reference Footnotes *[G and K] for additional standards.	20,000 sf	20,000 sf	20,000 sf	Prohibited	Prohibited	Prohibited
i. Minimum Lot Size, Non-Residential, Subsurface System. Reference Footnote *[I] for Additional Standards.	20,000 sf	20,000 sf	20,000 sf	Prohibited	Prohibited	Prohibited
2) MINIMUM STREET FRONTAGE FOR A LOT						
a. Minimum Street Frontage - Residential	60 ft	60 ft	60 ft	20 ft - *[1]	200 ft - *[2]	200 ft - *[2 or 3] or 50 ft *[2 or 3]
b. Minimum Street Frontage - Non-Residential	80 ft - *[4]	80 ft - *[4]	80 ft - *[4]	20 ft	200 ft	200 ft *[3] or 50 ft *[3]

When an * asterisk and [] are on the Dimensional Chart, such as * [1], Refer to Footnotes in Section 102-471 that accompany this Chart

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 9, DIMENSIONAL STANDARDS, SECTION 102-471 DIMENSIONAL CHART

c. Minimum Width Lot - Back Lot - Residential	60 ft	60 ft	60 ft	20 ft - *[1]	200 ft -* [2]	200 ft - *[2 or 3] or 50 ft *[2 or 3]
d. Minimum Width Lot - Back Lot - Non-Residential	80 ft - *[4]	80 ft - *[4]	80 ft - *[4]	20 ft - *[1]	200 ft -* [2]	200 ft - *[2] or 50 ft *[3]
3) <u>MINIMUM FRONT SETBACK FOR A STRUCTURE</u>						
a. Front Setback, Structure- Residential (Primary Structure) *[B]	Traditional Neighborhood Setback Pattern Area #1 - 5 ft Area #2 - 10 ft Area #3 - 15 ft Area #4 - 20 ft Area # 5 - 25 ft Area # 6 - 30 ft Area # 7 - 40 ft Area # 8 - 60 ft	Traditional Neighborhood Setback Pattern Area #1 - 5 ft Area #2 - 10 ft Area #3 - 15 ft Area #4 - 20 ft Area # 5 - 25 ft Area # 6 - 30 ft Area # 7 - 40 ft Area # 8 - 60 ft	Traditional Neighborhood Setback Pattern Area #1 - 5 ft Area #2 - 10 ft Area #3 - 15 ft Area #4 - 20 ft Area # 5 - 25 ft Area # 6 - 30 ft Area # 7 - 40 ft Area # 8 - 60 ft	0 ft -* [1]	10 ft -* [1]	10 ft -*[1]
b. Front Setback, Structure- Residential (Accessory Structure) *[B]	20 ft or Traditional Setback Pattern if Traditional is Greater than 20'	20 ft or Traditional Setback Pattern if Traditional is Greater than 20'	20 ft or Traditional Setback Pattern if Traditional is Greater than 20'	0 ft -*[1]	10 ft -*[2]	10 ft -* [2]
c. Front Setback, Structure - Nonresidential (Primary Structure) *[B]	Traditional Neighborhood Setback Pattern Area #1 or # 2 - 10 ft Area #3 or #4 - 20 ft Area # 5 - 25 ft Area # 6 - 30 ft Area # 7 - 40 ft Area # 8 - 60 ft	Traditional Neighborhood Setback Pattern Area #1 or # 2 - 10 ft Area #3 or #4 - 20 ft Area # 5 - 25 ft Area # 6 - 30 ft Area # 7 - 40 ft Area # 8 - 60 ft	Traditional Neighborhood Setback Pattern Area #1 or # 2 - 10 ft Area #3 or #4 - 20 ft Area # 5 - 25 ft Area # 6 - 30 ft Area # 7 - 40 ft Area # 8 - 60 ft	0 ft	10 ft	10 ft
d. Front Setback, Structure - Nonresidential (Accessory Structure) *[B]	20 ft or Traditional Setback Pattern if Traditional is Greater than 20'	20 ft or Traditional Setback Pattern if Traditional is Greater than 20'	20 ft or Traditional Setback Pattern if Traditional is Greater than 20'	0 ft	10 ft	10 ft

When an * asterisk and [] are on the Dimensional Chart, such as * [1], Refer to Footnotes in Section 102-471 that accompany this Chart

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 9, DIMENSIONAL STANDARDS, SECTION 102-471 DIMENSIONAL CHART

DIMENSIONAL STANDARD	RESIDENTIAL 1	RESIDENTIAL 2	RESIDENTIAL 3	DOWNTOWN COMMERCIAL	WATERFRONT MIXED USE 1	WATERFRONT MIXED USE 2
4) <u>MINIMUM SIDE SETBACK FOR A STRUCTURE - *[9]</u>						
a. Side Setback- Residential - Primary Structure	15 ft	15 ft	15 ft	0 ft - *[1]	10 ft -*[2]	5 ft -* [2]
b. Side Setback - Residential - Accessory Structure	15 ft	15 ft	15 ft	0 ft - *[1]	10 ft -*[2]	5 ft -*[2]
c. Side Setback- Non-Residential - Primary Structure	20 ft	20 ft	20 ft	0 ft	10 ft	5 ft
d. Side Setback- Non-Residential -Accessory Structure	20 ft	20 ft	20 ft	0 ft	10 ft	5 ft
5) <u>MINIMUM REAR SETBACK FOR A STRUCTURE - *[9]</u>						
a. Rear Setback - Residential - Primary Structure	10 ft	10 ft	10 ft	0 ft - *[1]	10 ft -* [2]	5 ft -*[2]
b. Rear Setback - Residential - Accessory Structure	10 ft	10 ft	10 ft	0 ft - *[1]	10 ft -*[2]	5 ft -* [2]
c. Rear Setback - Nonresidential - Primary Structure	20 ft	20 ft	20 ft	0 ft	10 ft	5 ft
d. Rear Setback - Nonresidential - Accessory Structure	20 ft	20 ft	20 ft	0 ft	10 ft	5 ft

When an * asterisk and [] are on the Dimensional Chart, such as * [1], Refer to Footnotes in Section 102-471 that accompany this Chart

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 9, DIMENSIONAL STANDARDS, SECTION 102-471 DIMENSIONAL CHART

DIMENSIONAL STANDARD	RESIDENTIAL 1	RESIDENTIAL 2	RESIDENTIAL 3	DOWNTOWN COMMERCIAL	WATERFRONT MIXED USE 1	WATERFRONT MIXED USE 2
6) DENSITY STANDARD (Number of Units/Size of Lot)						
6.1) DENSITY STANDARD FOR DWELLING UNITS CONNECTED TO PUBLIC SEWER						
a. Single Family Residential (Public Sewer)	1 Unit/7,500 sf	1 Unit/7,500 sf	1 Unit/7,500 sf	No Density Standard - *[1]	Accessory Use Only -*[1]	Accessory Use Only -*[1]
b. Single Family Residential with an Accessory Dwelling Unit (Public Sewer). Reference Footnote *[F] for Additional Standards	1 Primary and 1 Accessory Unit Per 7,500 sf	1 Primary and 1 Accessory Unit Per 7,500 sf	1 Primary and 1 Accessory Unit Per 7,500 sf	No Density Standard - *[1]	Accessory Use Only -*[1]	Accessory Use Only -*[1]
c. Two-Family Residential, Public Sewer	2 Units in 1 structure Per 7,500 sf	2 Units in 1 structure Per 7,500 sf	2 Units in 1 structure Per 7,500 sf	No Density Standard - *[1]	Accessory Use Only -* [2]	Accessory Use Only -*[2]
d. Multi-Family Residential, Public Sewer. The Density Standard for Multi-Family Housing on a Back Lot is calculated the same as for a lot that has Street Frontage. Reference Footnote *[G] for additional standards.	10,000 sf to allow multi-family greater than 4 dwellings in one structure. 1 Unit/2000 sf.	10,000 sf to allow multi-family greater than 4 dwellings in one structure. 1 Unit/2000 sf.	10,000 sf to allow multi-family greater than 4 dwellings in one structure. 1 Unit/2000 sf.	No Density Standard - *[1]	Accessory Use Only -* [2]	Accessory Use Only -*[2]
e. Residential, Flex Housing Public Sewer. Reference Footnote *[G] for additional standards.	7,500 sf to allow up to 4 dwellings in up to 3 structures. Structures with greater than 4 dwelling units not allowed. See Footnote *[J] for density standard. See Footnote *[G] for additional standards.	7,500 sf to allow up to 4 dwellings in up to 3 structures. Structures with greater than 4 dwelling units not allowed. See Footnote *[J] for density standard. See Footnote *[G] for additional standards.	7,500 sf to allow up to 4 dwellings in up to 3 structures. Structures with greater than 4 dwelling units not allowed. See Footnote *[J] for density standard. See Footnote *[G] for additional standards.	No Density Standard -*[1]	Accessory Use Only -* [2]	Accessory Use Only -*[2]
6.2 DENSITY STANDARD FOR DWELLING UNITS THAT USE A SUBSURFACE WASTEWATER DISPOSAL SYSTEM.						
a. Single Family Residential (Subsurface System)	1 Unit/20,000 sf	1 Unit/20,000 sf	1 Unit/20,000 sf	Prohibited	Prohibited	Prohibited

When an * asterisk and [] are on the Dimensional Chart, such as * [1], Refer to Footnotes in Section 102-471 that accompany this Chart

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 9, DIMENSIONAL STANDARDS, SECTION 102-471 DIMENSIONAL CHART

b. Single Family Residential with a Accessory Dwelling Unit, (Subsurface System). Reference Footnote *[F] for additional standards.	1 Primary and 1 Accessory Dwelling Unit Per 20,000 sf	1 Primary and 1 Accessory Dwelling Unit Per 20,000 sf	1 Primary and 1 Accessory Dwelling Unit Per 20,000 sf	Prohibited	Prohibited	Prohibited
c. Two-Family Residential, Subsurface System.	1 Duplex Structure Per 20,000 sf	1 Duplex Structure Per 20,000 sf	1 Duplex Structure Per 20,000 sf	Prohibited	Prohibited	Prohibited
d. Multi-Family Residential, Subsurface System. Reference Footnote *[G] for additional standards.	20,000 sf to allow multi-family greater than 3 or 4 dwellings in one structure. 1 Unit/2000 sf. See *[G] for additional standards.	20,000 sf to allow multi-family greater than 3 or 4 dwellings in one structure. 1 Unit/2000 sf. See *[G] for additional standards.	20,000 sf to allow multi-family greater than 3 or 4 dwellings in one structure. 1 Unit/2000 sf. See *[G] for additional standards.	Prohibited	Prohibited	Prohibited
e. Residential, Flex Housing, Subsurface System Reference Footnote *[G] for additional standards.	20,000 sf to allow up to 4 dwellings in up to 3 structures. Structures with greater than 4 dwelling units not allowed. See Footnote *[J] for density standard. See Footnote *[G] for additional standards.	20,000 sf to allow up to 4 dwellings in up to 3 structures. Structures with greater than 4 dwelling units not allowed. See Footnote *[J] for density standard. See Footnote *[G] for additional standards.	20,000 sf to allow up to 4 dwellings in up to 3 structures. Structures with greater than 4 dwelling units not allowed. See Footnote *[J] for density standard. See Footnote *[G] for additional standards.	Prohibited	Prohibited	Prohibited
DIMENSIONAL STANDARD	RESIDENTIAL 1	RESIDENTIAL 2	RESIDENTIAL 3	DOWNTOWN COMMERCIAL	WATERFRONT MIXED USE 1	WATERFRONT MIXED USE 2
7) MAXIMUM LOT COVERAGE *[4]						
a. Maximum Lot Coverage - Residential (Impervious Surface Ratio); Single Family, Two-Family & Accessory Dwelling Units	Based on Lot Size 5,000 sf or Less - 70% 5,001 to 10,000 sf - 60% 10,001 to 15,000 sf - 50% 15,001 sf or more - 40%	Based on Lot Size 5,000 sf or less - 70% 5,001 to 10,000 sf - 60% 10,001 to 15,000 sf - 50% 15,001 sf or more - 40%	Based on Lot Size 5,000 sf or less - 70% 5,001 to 10,000 sf - 60% 10,001 to 15,000 sf - 50% 15,001 sf or more - 40%	100% - *[1]	100% - *[2]	100% - *[2]
c. Maximum Lot Coverage - Nonresidential (Impervious Surface Ratio) - Standard for Nonresidential, Multi-Family, and Flex Housing.	Based on Lot Size Less Than 10,000 sf - 80% 10,001 to 20,000 sf - 75% 20,001 - 43,560 sf - 70% 43,561 or more - 65%	Based on Lot Size Less Than 10,000 sf - 80% 10,001 to 20,000 sf - 75% 20,001 - 43,560 sf - 70% 43,561 or more - 65%	Based on Lot Size Less Than 10,000 sf - 80% 10,001 to 20,000 sf - 75% 20,001 - 43,560 sf - 70% 43,561 or more - 65%	100%	100% - * [2]	100% - *[2]

When an * asterisk and [] are on the Dimensional Chart, such as * [1], Refer to Footnotes in Section 102-471 that accompany this Chart

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 9, DIMENSIONAL STANDARDS, SECTION 102-471 DIMENSIONAL CHART

DIMENSIONAL STANDARD	RESIDENTIAL 1	RESIDENTIAL 2	RESIDENTIAL 3	DOWNTOWN COMMERCIAL	WATERFRONT MIXED USE 1	WATERFRONT MIXED USE 2
8) <u>MAXIMUM STRUCTURE HEIGHT</u>						
a. Maximum Height, Residential - Non-Shoreland Area	38 ft	38 ft	38 ft *[10]	Downtown # 1 -38 ft -*[7] Downtown # 2 - 45 ft -[7] Downtown #3 - 60 ft -*[7]	35 ft or Height per Contract Rezoning - *[8]	35 ft or Height per Contract Rezoning - *[8]
b. Maximum Height, Residential - Shoreland	35 ft	35 ft	35 ft	N/A	35 ft or Height per Contract Rezoning - *[8]	35 ft or Height per Contract Rezoning - *[8]
DIMENSIONAL STANDARD	RESIDENTIAL 1	RESIDENTIAL 2	RESIDENTIAL 3	DOWNTOWN COMMERCIAL	WATERFRONT MIXED USE 1	WATERFRONT MIXED USE 2
9) <u>MAXIMUM STRUCTURE HEIGHT</u>						
a. Maximum Height, Nonresidential - Non-Shoreland Areas	38 ft	38 ft	38 ft *[10]	Downtown # 1 -38 ft -*[7] Downtown # 2 - 45 ft -[7] Downtown #3 - 60 ft -*[7]	35 ft or Height per Contract Rezoning - *[8]	35 ft or Height per Contract Rezoning - *[8]
b. Maximum Height, Nonresidential - Shoreland Areas	35 ft	35 ft	35 ft	N/A	35 ft or Height per Contract Rezoning - *[8]	35 ft or Height per Contract Rezoning - *[8]

When an * asterisk and [] are on the Dimensional Chart, such as * [1], Refer to Footnotes in Section 102-471 that accompany this Chart

CITY CODE OF ORDINANCES

CHAPTER 102, ZONING

ARTICLE V. DISTRICT REGULATIONS

DIVISION 9. Inside the Bypass Zoning Districts

Sec 102-461. Inside the Bypass Zoning Districts.

The Inside the Bypass area, Division 9 in Article V, District Regulations, includes six zoning districts: Residential 1, Residential 2, Residential 3, Downtown Commercial, Waterfront Mixed Use 1, and Waterfront Mixed Use 2. The zoning standards for the above districts, prior to Council adoption of Division 9 on January 15, 2019, were included in Division 30, Use Table for the Inside the Bypass Districts, and Division 31, Dimensional Table for the Inside the Bypass Districts. Certain properties in the Residential 1, Residential 2, Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2 districts are either required or eligible to use contract rezoning; reference Article X, Contract Rezoning.

Sec 102-462. Use Table

The Table of Uses in this Section identifies uses that are permitted in the following zoning districts, as such are shown on the Official Zoning Map adopted by the City Council and as such zoning district boundaries may be amended by the City from time to time: Residential 1, Residential 2, Residential 3, Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2. Said Table may be amended by the City Council from time to time.

The Table of Uses does not identify certain properties located in the Residential 1, Residential 2, Downtown Commercial, Waterfront Mixed Use 1, and Waterfront Mixed Use 2 zoning districts that may be permitted to conduct additional uses as part of an application approved through the City contract rezoning process. Properties in the Residential 1 and Residential 2 zoning districts that may use the contract rezoning process are identified in Chapter 102, Zoning, Article X, Contract Rezoning, Division 3, Residential 1 and Residential 2 Zoning Districts. Properties in the Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts that are either required to use the contract rezoning process or that may voluntarily request to use the contract rezoning process are identified in Article X, Division 4, Waterfront Mixed Use 1 Zoning District, Waterfront Mixed Use 2 Zoning District, and Waterfront Development Shoreland District. Article X, Contract Rezoning, Division 5, Downtown Commercial zoning district, identifies certain circumstances for properties located in the Downtown Commercial zone that may be eligible to pursue a contract rezoning agreement.

Footnotes to the Use Table identify additional requirements that apply to certain uses identified in the Use Table, and are more fully described in Section 102-463. Footnotes are identified in the Table of Uses by the following designation: * [number] and *[lower case letter].

Note to the Board: The Table of Uses in this section, applicable to Inside the Bypass zoning districts, is a complete overhaul of the current table. It incorporates several incremental

changes in the past as well as major changes to residential uses. It will completely replace the existing table. RED font is intended to identify major changes only.

Note to General Codes - INSERT revised USE TABLE (102-462)HERE

Sec 102-463. Footnotes to Use Table

The Footnotes identified below apply to the Use Table identified in Section 102-462. The respective footnote identifies additional requirements that apply to the use identified in the Use Table. The footnotes are identified in the Use Table by the following designation: * [number] or *[lower case letter].

*[1]: Reserved. (The City Council repealed Footnote 1 on December 5, 2017).

*[2]: ~~Multi-family dwelling units are limited to new construction only, which means the construction of a new building. This provision does not allow the conversion of an existing single family or two family residence into a multi-family dwelling structure, nor does it permit an existing multi-family dwelling structure to construct additional units in the same structure.~~ **Reserved. (The City Council repealed Footnote 2 on [date of adoption]). Multi-family, Flex Housing, One-Two Family Dwelling and Accessory Dwelling Units are allowed in all zoning districts Inside the Bypass, subject to various standards. See Footnote *[1] for the Dimensional Table regarding prohibiting residential uses on the first floor in the Downtown Commercial zoning district.**

*[3]: The identified uses are only permitted as an accessory use to a nonresidential use.

*[4]: In the Residential 3 zoning district, certain restaurants and ice cream stands are permitted on properties that have street frontage on Northport Avenue, provided the property is located southerly of the common lot line between Map 33, Lot 21 (Waldo County General Hospital) and the lot lines for Map 33, Lot 19, and Map 33, Lot 23, as such were shown on the City of Belfast tax maps in effect on September 17, 2014. Also, the maximum number of seats for a restaurant or ice cream stand is 20, and outdoor seating is prohibited.

*[5]: The identified use must be for a marine related activity.

*[6]: The identified agricultural activities are limited to the following (2) areas:

1) The portion of the Residential 2 zoning district that is bounded by Miller Street to the north, the Route 1 Bypass to the west, and Congress Street to the south and east.

2) The portion of the Residential 2 zoning district that lies north of the Residential 15 zoning district near Vine Street and to the west of High Street to the border of the Residential 4 and Outside Rural 1 zoning districts.

*[7]: YTBD or Yet to Be Determined. The City of Belfast has not yet formulated zoning ordinance standards for the zoning districts identified in this Use Table regarding the establishment of a Non-residential Planned Unit Development.

*[8]. In the portion of the Downtown Commercial zoning district in which a Use is exempt from the on-site parking requirement, reference Chapter 98, Technical Standards, Article VIII, Parking and Loading Facilities, Sec. 98-245, Areas and Uses exempt from parking requirement, the City Code Enforcement, rather than the City Planning Board, shall have the authority to review and act on a Use Permit application, **unless Planning Board review is triggered otherwise via Site Plan or Subdivision etc.**

*[9]. A property that is in the Downtown Commercial zoning, that has street frontage on Front Street, and that is located northwesterly of the City Wastewater Treatment Plant (between the Treatment Plant and Peirce Street), may have one or more residential uses located on the first floor of the structure.

*[10]. In the Inside the Bypass zoning districts that allow a medium-scale ground-mounted solar energy system, the maximum size of a system shall be 1 acre (43,560 square feet). (Footnote 10 was adopted on January 7, 2020).

*[11]. Notwithstanding the limitation on a medium-scale ground-mounted solar energy system identified in Footnote 10, RSU 71 shall be allowed to develop a system that is up to 4 acres in size. The Code Enforcement Officer can review and issue this permit. (Footnote 11 was adopted on January 7, 2020).

*[12]. Notwithstanding the limitation on a medium-scale ground-mounted solar energy system identified in Footnote 10, and the prohibition on a large-scale ground-mounted solar energy system in the Residential 2 zoning district, the City of Belfast shall be allowed to develop a ground-mounted system of any size, provided the City Council conducts a public hearing on the proposal, publishes notice of the hearing a minimum of 10 days in advance of the hearing, and post the hearing, the Council affirmatively votes to allow the proposed use. (Footnote 12 was adopted on January 7, 2020).

***[a] Reference performance standards for an accessory dwelling unit.
Chapter 102, Zoning, Article IX, Performance Standards, Division 6, Supplemental Performance Standards for an Accessory Dwelling Unit.**

***[b] Reference density standards that apply to a Dwelling, Flex Housing project that are identified in the Dimensional Standards Table (Section 102-471) for each respective zoning district. The density standard establishes a formula to identify the amount and type of housing development that can occur on a property. The formula is based on the following factors: the size (net area) of the lot (as calculated based on net developable acreage), the number of dwelling units, the number of dwelling structures, and the method used to manage wastewater, public sewer or a subsurface wastewater disposal system. In all cases, the maximum number of dwelling units that can be located**

in any single structure in a flex housing project is four dwelling units for zoning districts Inside the Bypass. Chapter 90, Site Plan, Article V, Board Review of a Multi-Family Housing or Flex Housing Project, identifies the process for Planning Board review of a Flex Housing project, and all Flex Housing projects must comply with the Chapter 102, Zoning, Article IX, Performance Standards, Division 7, Supplemental Performance Standards for a Multi-family Housing or Flex Housing Project. Certain Flex Housing projects are also subject to Planning Board review pursuant to the Chapter 102, Zoning, Article VI, Planned Unit Development standards. An applicant, when a permit application is submitted, must declare if the proposed development is a multi-family or a flex housing project, which shall affirm the standards in the City Code of Ordinances that shall apply to the project.

*[c] Reference performance standards for multi-family housing; Chapter 102, Zoning, Article IX, Performance Standards, Division 7, Supplemental Performance Standards for a Multi-family Housing or Flex Housing Project.

*[d] Flex housing allows housing options in all zoning districts Inside the Bypass up to a four-plex (4 dwelling units in 1 structure) structure. Tri-plexes, One-Two Family Dwellings and Accessory Dwelling Units may also be allowed.

*[e] Multi-family housing shall be considered a distinct and separate use from Flex Housing. Multi-family housing shall be regulated pursuant to the density standards in the Dimensional Standards Table for each respective zoning district, and other provisions in the City Code of Ordinances that apply to a Multi-family housing project. An applicant, when a permit application is submitted, must declare if the proposed development is a multi-family or a flex housing project, which shall affirm the standards in the City Code of Ordinances that shall apply to the project.

*[f] Reference Chapter 102, Zoning, Article VI, Planned Unit Development, Division 1, Residential Planned Unit Development.

*[g] Flexibility is permitted regarding the types of Multi-family housing and Flex Housing that can be constructed in a residential Planned Unit Development. Reference the density standards in the Dimensional Standards Table for each respective zoning district, and reference standards in Chapter 102, Zoning, Article VI, Planned Unit Development, Division 1, Residential Planned Unit Development.

*[h] Not applicable for Inside the Bypass zoning districts where Rural Affordable Housing Developments, as defined by the City and classified as PUD's, are not permitted.

*[i] Not applicable for Inside the Bypass zoning districts where manufactured housing communities are not permitted.

*[j] Residential development in the upper stories of a structure is permitted if the amount of development complies with density standards for a respective zoning district identified in the Dimensional Standards Table.

*[k] Reference the Division 1.5, Performance Standards for Home Occupations, identified in Chapter 102, Zoning, Article VIII, Supplementary District Regulations.

*[l] Reference standards identified in Chapter 102, Zoning, Article VIII, Supplementary District Regulations, Division 6, Bed and Breakfast Establishments.

*[m] Professional Offices and Health Care Offices. Not applicable for Inside the Bypass zoning districts where Professional Offices and Health Care Offices are allowed.

*[n] Retail Uses. Retail uses are allowed in the Downtown Commercial zoning district up to 75,000 sqft. Retail uses are allowed in the Waterfront Mixed Use zoning districts up to 20,000 sqft.

*[o] Shopping Centers. Not Applicable.

*[p] Personal Service Business. Not Applicable.

*[q] Convenience Store. Not Applicable.

*[r] Storage/Warehouse. Not Applicable.

*[s] Light Manufacturing. Not Applicable.

*[t] Manufacturing, processing, or industrial facility. Not Applicable.

*[u] Not Applicable

*[v] Animal kennels are not allowed in any zoning districts Inside the Bypass.

*[w] Any business that sells and dispenses fuel shall be limited to a maximum of 4 fuel dispensers (pumps) on the property.

*[x] Campground and Recreational Vehicle Parks are not allowed in any zoning districts inside the bypass.

*[y] Not Applicable.

*[z] Not Applicable.

*[aa] A fill, loam, sand, and gravel extraction operation is not allowed in any zoning district Inside the Bypass.

*[bb] An outdoor theater or event facility that is permitted as an accessory use to an agricultural use is limited to a maximum of 100 seats or guests and a maximum of 8 events per year, and no more than 2 events in any single month. This use is subject to review by the Planning Board and compliance with specific performance standards in Chapter 102, Zoning, Article VIII, Supplementary District Regulations, Division (YTBD - Note: City has not adopted these standards as of yet), Performance Standards for Event Facilities and Outdoor Theaters.

*[cc] Allowed Medical Marijuana uses must comply with requirements identified in Chapter 102, Zoning, Article VIII, Supplementary District Regulations, Division 8, Medical Marijuana Regulations.

*[dd] Allowed Adult Use Marijuana uses must comply with requirements identified in Chapter 102, Zoning, Article VIII, Supplementary District Regulations, Division 2.5, Adult Use Marijuana Regulations.

*[ee] A Solar Energy System must comply with requirements identified in Chapter 102, Zoning, Article VIII, Supplementary District Regulations, Division 9, Solar Energy Systems.

*[ff] Telecommunications Facilities must comply with requirements identified in Chapter 102, Zoning, Article VIII, Supplementary District Regulations, Division 5, Telecommunications Facilities.

*[gg] Power Substations and Generator Facilities shall be subject to review pursuant to Chapter 90, Site Plan, and the performance standards that may apply to a specific zoning district.

*[hh] Significant Groundwater Wells are not allowed in any zoning districts Inside the Bypass.

*[ii] Significant Groundwater Wells are not allowed in any zoning districts Inside the Bypass.

*[jj] Commercial Horse Stables and Barns are not allowed in any zoning districts Inside the Bypass.

*[kk] Not applicable

*[ll] Not Applicable

*[mm] Not Applicable

*[nn] Reserved in this Division.

*[oo] Bituminous asphalt plants are not allowed in any zoning districts inside the bypass.

*[pp] Not Applicable.

*[qq] Reserved in this Division.

*[rr] Not Applicable.

*[ss] Hydroelectric facilities. All applications to establish a new hydroelectric facility or to remove a facility, such as a dam, that was used to produce hydroelectric power, shall be subject to Planning Board review pursuant to Chapter 90, Site Plan.

*[tt] Lumber Yards and Building Supply Stores are not allowed in any zoning district Inside the Bypass.

*[uu] Snowmobile, utility terrain vehicle (UTV), all-terrain vehicle (ATV), and similar repair business are not allowed in any zoning district Inside the Bypass.

*[vv] Child care facilities, stand alone or accessory, are an allowed use in all zoning districts Inside the Bypass with Planning Board review.

*[xx] Service Business. Not Applicable.

*[yy] The Use Table includes a category of uses entitled: 'Use Specific to Chapter 82, Shoreland'; (Uses 340 - 353). The uses in this category are specific uses identified in the State Model Shoreland Regulations, and thus, are included in the Use Table for Chapter 82, Shoreland. As Belfast's Code of Ordinances incorporates common Use Tables for all zoning districts in Chapter 102, Zoning, Article V, District Regulations, and Chapter 82, Shoreland, this same category of Shoreland uses is identified in the respective Use Tables that apply to Chapter 102, Zoning.

Sec 102-464 - 102-469 Reserved.

Sec 102-470. Dimensional Standards Table

The Dimensional Standards Table identifies dimensional standards for the following zoning districts, as such are shown on the Official Zoning Map adopted by the City Council: Residential 1, Residential 2, Residential 3, Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2. Said Dimensional Standards Table includes standards identified on the original Table adopted on October 7, 2014 (Division 31), amendments to the Table adopted by the City Council at its meetings of October 21, 2014 and June 21, 2016, the re-codification of this Table that was adopted by the City Council at its meeting of January 15, 2019 (Recodified as

Division 9), and subsequent amendments to the re-codification of said Table that may be adopted by the City Council from time to time.

Footnotes to the Dimensional Standards Table identify additional requirements that apply to certain dimensional standards and are more fully described in Section 102-471. Footnotes are identified in the Dimensional Standards Table by the following designation: * [number] or * [UPPER CASE LETTER].

Note to the Board: The Dimensional Table in this section, applicable to Inside the Bypass zoning districts, is a complete overhaul of the current table. It incorporates several incremental changes in the past as well as major changes to residential uses. It will completely replace the existing table. RED font is intended to identify major changes only.

Note to General Codes - INSERT DIMENSIONAL STANDARDS TABLE HERE

SEC 102-471 Footnotes to Dimensional Standards Table

The Footnotes identified below apply to the Dimensional Standards Table in Section 102-470. The respective footnote identifies additional requirements that apply to the standard identified in the Dimensional Standards Table. The footnotes are identified in the Dimensional Standards Table by the following designation: * [number] and *[UPPER CASE LETTER].

*[1]. In the Downtown Commercial zoning district, residential uses are allowed, provided the residential use is not located on the first floor; any residential use must be located on an upper floor, **including any Hotel/Motel rooms containing sleeping units or dwelling units.** The above prohibition on a first floor residence(s) shall not apply to any property in the Downtown Commercial zoning district that has street frontage on Front Street and that is located northwesterly of the City Wastewater Treatment Plant, the area from the Plant to Peirce Street. Further, notwithstanding the standard (prohibition), a structure which had a residential use located on the first floor on or before the date of adoption of this Ordinance (October 21, 2014) may continue as a legally established nonconforming use, and the nonconforming residential use may be expanded if such expansion complies with requirements of Chapter 102, Zoning, Article III, Nonconformance.

*[2]. In the Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts, residential uses are allowed only as an accessory use to a nonresidential use, and a property (lot) on which an applicant proposes to construct one or more residential dwelling units shall include one or more permitted nonresidential uses on the same property (lot). Further, any dwelling unit that is constructed shall comply with the following standards:

- (1) The maximum usable floor area of the total of all residential dwelling units that are established on a property (lot) that is one acre or less in size shall not exceed the total amount of floor area of all nonresidential uses located within one or more structures on the same property (lot).

- (2) The maximum usable floor area of the total of all residential dwelling units that are established on a property (lot) that is more than one acre in size shall not exceed 75 percent of the total amount of floor area of all nonresidential uses located within one or more structures on the same property (lot).
- (3) Standards (1) and (2) above, apply to any application to construct one or more new nonresidential dwelling units on or after July 20, 2004 (date when standard was enacted). Any dwelling unit constructed before July 20, 2004 that does not satisfy the above density standards shall be considered a nonconforming use of record which may continue, and said dwelling unit may be expanded in compliance with applicable provisions of Chapter 82, Shoreland, and Chapter 102, Zoning, Article III, Nonconformance.
- (4) The property the City identifies as Map 13, Lot 46, located at 3 Field Street, which was used exclusively as a single family residence on the date of adoption of this Ordinance amendment (October 7, 2014), is considered a legally established nonconforming use, and may continue to be used exclusively as a single family residence. Further, the primary residential structure may be expanded, any existing accessory structure to the single family residence may be expanded, and any new accessory structure to the single family residence may be constructed, provided all structures comply with structure setback standards that apply.
- (5) The density standards identified in standards (1) and (2) of this footnote, may be modified by the City of Belfast through a contract rezoning agreement adopted pursuant to applicable provisions of Chapter 82, Shoreland, and Chapter 102, Zoning, Article III, Nonconformance.

*[3]. In the Waterfront Mixed Use 2 zoning district, a lot which has shore frontage must also have a minimum of 200 feet of street frontage, if said lot has frontage on a street. A lot which does not have any shore frontage must have a minimum of 50 feet of frontage on a street, if said lot has frontage on a street, and must have a minimum width of 50 feet if it does not have any frontage on a street. A lot which does not satisfy the above standards shall be considered a nonconforming lot of record.

*[4]. In the Residential 1, Residential 2 and Residential 3 zoning districts, a nonresidential use that is proposed for a vacant (undeveloped) property (lot), or a property (lot) that was used for a residential use at the time the nonresidential use is proposed, shall have a minimum of 80 feet of street frontage. A property in the above zoning districts that was being used for a nonresidential use on or before the date of adoption of this Ordinance (October 7, 2014) that does not satisfy this minimum street frontage requirement, shall be considered a nonconforming lot of record and the nonresidential use may continue on said property (lot) subject to requirements of Chapter 102, Zoning, Nonconformance.

*[5]. In the Residential 1 zoning district, an existing structure that was used as a multi-family residence on or before January 1, 1986, was considered a legally established nonconforming use of record. Subject to requirements of Chapter 102, Zoning, Article III, Nonconformance, the nonconforming use of said structure could continue, and an expansion may be permitted. **However, multi-family uses, including conversions, are now permitted in the Residential 1 zoning district as of [date of adoption].**

*[6]. Effective with the date of adoption of this Ordinance amendment (October 7, 2014), in the Residential 2 and Residential 3 zoning districts, the construction of a new multi-family dwelling

structure (which means the construction of a new building) was allowed as a permitted use. In the same above districts, the conversion of a structure that was used as a single family or two-family residence on or before the date of adoption of this Ordinance (October 7, 2014) into a multi-family dwelling was prohibited. In the same above districts, an existing structure that was used as a multi-family residence on or before January 1, 1986, was considered a legally established nonconforming use of record, and subject to requirements of Chapter 102, Zoning, Article III, Nonconformance, the nonconforming use of said structure could continue, and an expansion could be permitted. **However, multi-family uses, including conversions, are now permitted in the Residential 2 and 3 zoning district as of [date of adoption].**

*[7]. In Area #1 of the Downtown Commercial zoning district the following maximum height restrictions shall apply:

- (1) A new structure shall not exceed a height of 38 feet;
- (2) the height of a structure that existed on or before the date of adoption of this Ordinance (October 21, 2014) that is less than 38 feet in height shall not be increased to a height of greater than 38 feet; and
- (3) any structure that existed on or before the date of adoption of this Ordinance (October 21, 2014), that had a height of 38 feet or more, may continue as a legally established nonconforming structure with regard to structure height, and any portion of the structure may be increased in height, provided that the total height of the structure does not exceed the maximum height of the structure which existed on the date of adoption of this Ordinance (October 21, 2014).

Area #1 of the Downtown Commercial zoning district is identified on the map in this section [102-471 9)] entitled: Downtown Commercial Building Heights.

In Area #2 of the Downtown Commercial zoning district the following maximum height restrictions shall apply:

- (1) A new structure shall not exceed a height of 48 feet;
- (2) the height of a structure that existed on or before the date of adoption of this Ordinance (October 21, 2014) that is less than 48 feet in height shall not be increased to a height of greater than 48 feet, and
- (3) any structure that existed on or before the date of adoption of this Ordinance (October 21, 2014) that had a height of 48 feet or more, may continue as a legally established nonconforming structure with regard to structure height, and any portion of the structure may be increased in height, provided that the total height of the structure does not exceed the maximum height of the structure which existed on the date of adoption of this Ordinance (October 21, 2014).

Area #2 of the Downtown Commercial zoning district is identified on the map in this section [102-471 9)] entitled: Downtown Commercial Building Heights.

In Area #3 of the Downtown Commercial zoning district the following maximum height restrictions shall apply:

- (1) A new structure shall not exceed a height of 60 feet;
- (2) the height of a structure that existed on or before the date of adoption of this Ordinance (October 21, 2014) that is less than 60 feet in height shall not be increased to a height of greater than 60 feet, and

- (3) any structure that existed on or before the date of adoption of this Ordinance (October 21, 2014) that had a height of 60 feet or more, may continue as a legally established nonconforming structure with regard to structure height, and any portion of the structure may be increased in height, provided that the total height of the structure does not exceed the maximum height of the structure which existed on the date of adoption of this Ordinance (October 21, 2014).

Area #3 of the Downtown Commercial zoning district is identified on the map in this section [102-471 9)] entitled: Downtown Commercial Building Heights.

*[8]. In the Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts, the maximum height of a structure shall not exceed 35 feet, unless the City allows or allowed a structure height of greater than 35 feet pursuant to an adopted contract rezoning agreement; reference Chapter 102, Zoning, Article X, Contract Rezoning.

*[9]. This standard identifies how to determine the amount of rear setback required for structures located on a corner lot; a lot has frontage on two or more streets. Pursuant to the City Ordinances, a corner lot has only one street frontage for the purposes of determining the amount of front setback required for structures. ~~In the case of a corner lot, the amount of structure setback for all other lot lines shall comply with the side setback requirement for the respective zoning district.~~

*[10]. In the Residential 3 zoning district, the maximum structure height shall be 55 feet for any structure located on Map 33, Lot 21, which is owned by Waldo County General Hospital, or any property which directly abuts this property which also is located in the Residential 3 zoning district which is acquired by Waldo County General Hospital and merged with this property (Map 33, Lot 21). (Footnote # 10 was adopted on October 21, 2014.)

*[11] In the Downtown Commercial zoning district, a property owner, pursuant to the contract rezoning process identified in Chapter 102, Zoning, Article X, Contract Rezoning, Division 5, Downtown Commercial zoning district, may request to divide or subdivide a property (lot) and building into two or more properties (lots) when one or more of the properties (lots) that are created by said division or subdivision do not satisfy the minimum lot size and/or minimum lot frontage requirements in effect for the Downtown Commercial zoning district. This provision only applies to a property on which the building that is proposed to be divided was constructed on or before July 16, 1985. (Footnote # 11 was adopted on June 21, 2016.)

***[A] Not Applicable**

***[B] The required minimum front setbacks for structures in the Residential 1, Residential 2, and Residential 3 zoning districts is reflected in the Adopted Setback Map in Chapter 102 Zoning, Article V District Regulations, Division 31 Dimensional Standards, Section 102-900 as adopted October 7, 2014 and most recently amended on July 21, 2020. Note to the Board: Front Setback Map has been modified on Cottage Street as per Board discussions.**

***[C] Not Applicable**

***[D] The limit on the maximum number of dwelling units that can be constructed in a single multi-family housing structure in any zoning district inside the bypass is 30, and the maximum number of bedrooms in a structure is 60.**

***[E] Not Applicable**

***[F] A property that is proposed to be developed as a single family residence with an accessory dwelling unit must comply with the Chapter 102, Zoning, Article IX, Performance Standards, Division 6, Supplemental Performance Standards for an Accessory Dwelling Unit.**

***[G] A property that is proposed to be developed as a multi-family dwelling structure or a flex housing project must comply with the Chapter 102, Zoning, Article IX, Performance Standards, Division 7, Multi-family housing and Flex Housing. Said standards shall apply to any structure in a flex housing project, even if the respective structure(s) has less than three units. In all cases, the maximum number of dwelling units that can be located in any single structure in a flex housing project is four dwelling units for zoning districts Inside the Bypass.**

***[H] Not Applicable**

***[I] A property that is proposed to be developed for a nonresidential use after -- insert date of Council action -- [date of adoption] must satisfy the minimum lot size and minimum lot frontage requirement specified in the Dimensional Standards Table. A property that was developed for a nonresidential use on or before --insert date of Council action -- [date of adoption] that does not satisfy either or both the minimum lot size and minimum lot frontage requirement for the respective zoning district shall be considered a legally established use that is located on a nonconforming lot of record.**

***[J] Dwelling, Flex housing, All zoning districts Inside the Bypass connected to public sewer. Flex Housing is an approach that is designed to allow an individual property owner flexibility in the maximum number of dwelling units, type of dwelling units, and number of dwelling structures that can be constructed on a property. The density standard for Flex Housing is based on the size (area) of the lot (as calculated using net developable acreage), the number of dwelling units, the number of dwelling structures, and the method used to manage wastewater, public sewer or a subsurface wastewater disposal system. The maximum number of dwelling units that can be constructed in any one structure is four (4), and the density standard shall be the same for a lot that has frontage on a road and for a**

back-lot, and shall be based on the standard for a lot that has road frontage. In all cases, a Flex Housing project that involves the construction of 3 or more dwelling units shall require review by the Planning Board pursuant to Chapter 90, Site Plan, and in some cases, a Flex Housing project that involves the construction of 2 new dwelling units on a property shall require Planning Board review pursuant to Chapter 90, Site Plan; reference Chapter 90, Site Plan, Article V, Board Review of a Multi-Family Housing or Flex Housing Project. Also, if the amount of proposed development involves the construction of 9 or more dwelling units and/or 6 or more dwelling structures, the Flex Housing project shall be subject to review pursuant to the requirements of both Chapter 90, Site Plan, and Chapter 102, Zoning, Article VI, Planned Unit Development (PUD). The provisions in Article VI, Planned Unit Development, Division 1, Residential Planned Unit Development, shall apply even if the size of the property may be less than the minimum standards for a PUD identified in this Division. An applicant, when a permit application is submitted, must declare if the proposed development is a multi-family or a flex housing project, which shall affirm the standards in the City Code of Ordinances that shall apply to the project. The following Table identifies the density standards that shall apply to the Residential 1, Residential 2 and Residential 3 zoning districts for the Flex Housing approach if the property is connected to public sewer.

Minimum Size of Property (net)	Maximum # of Dwelling Units	Maximum # of Dwelling Structures
7,500 sf	4	3
10,000 sf	5	3
12,500 sf	6	4
15,000 sf	7	4
17,500 sf	8	5
20,000 sf	9	5

If a proposed Flex Housing project involves the development of a property that is greater than 20,000 sf (net) in size, and the development of 9 or more dwelling units and/or 5 or more dwelling structures, the formula for calculating such additional development shall be based on a ratio of 2 additional dwelling units and 1 additional dwelling structure for each increment of 5,000 sf (net) in size. In no case, however, may a single structure have more than 4 dwelling units.

*[K] Residential, Flex housing, All zoning districts Inside the Bypass connected to a subsurface system to manage wastewater. Flex Housing is an approach that is designed to allow an individual property owner flexibility in the maximum number of dwelling units, type of dwelling units, and number of dwelling structures that can be constructed on a property. The density standard for Flex Housing is based on the size (area) of the lot (as calculated using net developable acreage), the number of dwelling units, the number of

dwelling structures, and the method used to manage wastewater, public sewer or a subsurface wastewater disposal system. The maximum number of dwelling units that can be constructed in any one structure is four(4), and the density standard shall be the same for a lot that has frontage on a road and for a back-lot, and shall be based on the standard for a lot that has road frontage. In all cases, a Flex Housing project that involves the construction of 3 or more dwelling units shall require review by the Planning Board pursuant to Chapter 90, Site Plan, and in some cases, a Flex Housing project that involves the construction of 2 new dwelling units on a property shall require Planning Board review pursuant to Chapter 90, Site Plan; reference Chapter 90, Site Plan, Article V, Board Review of a Multi-Family Housing or Flex Housing Project. Also, if the amount of development proposed involves the development of 9 or more dwelling units and/or 6 or more dwelling structures, the project shall be subject to review pursuant to the requirements of both Chapter 90, Site Plan, and Chapter 102, Zoning, Article VI, Planned Unit Development. The provisions in Article VI, Planned Unit Development, Division 1, Residential Planned Unit Development (PUD) shall apply, even if the size of the property may be less than the minimum lot size standard for a PUD identified in Division 1. An applicant, when a permit application is submitted, must declare if the proposed development is a multi-family or a flex housing project, which shall affirm the standards in the City Code of Ordinances that shall apply to the project. The following Table identifies the density standards that shall apply to the Residential 1, Residential 2 and Residential 3 zoning districts for the Flex Housing approach if the property uses a subsurface system to manage wastewater disposal.

Minimum Size of Property (net)	Maximum # of Dwelling Units	Maximum # of Dwelling Structures
20,000 sf	4	3
22,500 sf	6	4
25,000 sf	8	5
27,500 sf	10	6
30,000 sf	12	7
32,500 sf	14	8

If a proposed Flex Housing project involves the development of a property that is greater than 1 Net Acres in Size, and the development of 13 or more dwelling units, in 8 or more dwelling structures, the formula for calculating such additional development shall be based on a ratio of 2 additional dwelling units and 1 additional dwelling structure for each increment of 2,500 sqft (net). In no case, however, shall a single structure have more than 4 dwelling units.

*[L] A property that is nonconforming with respect to the amount of lot coverage identified in the Dimensional Standards Table for a respective zoning district may qualify for an increase in the maximum amount of lot coverage allowed; reference Chapter 102, Zoning,

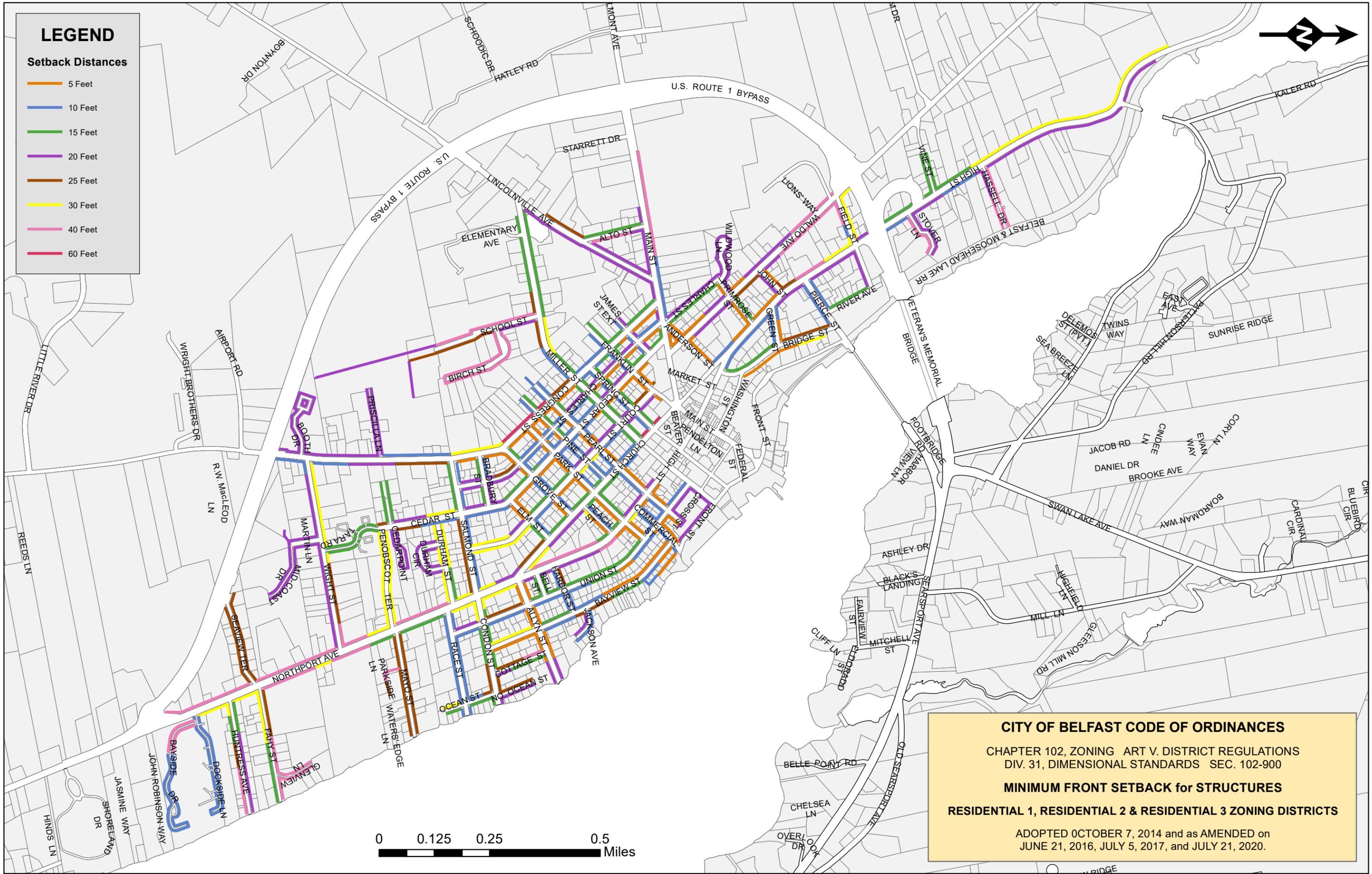
Article III, Nonconformance, Type 7 Nonconformity, Amount of Lot Coverage.

Sec 102-473 - Sec 102-480 Reserved.

LEGEND

Setback Distances

- 5 Feet
- 10 Feet
- 15 Feet
- 20 Feet
- 25 Feet
- 30 Feet
- 40 Feet
- 60 Feet

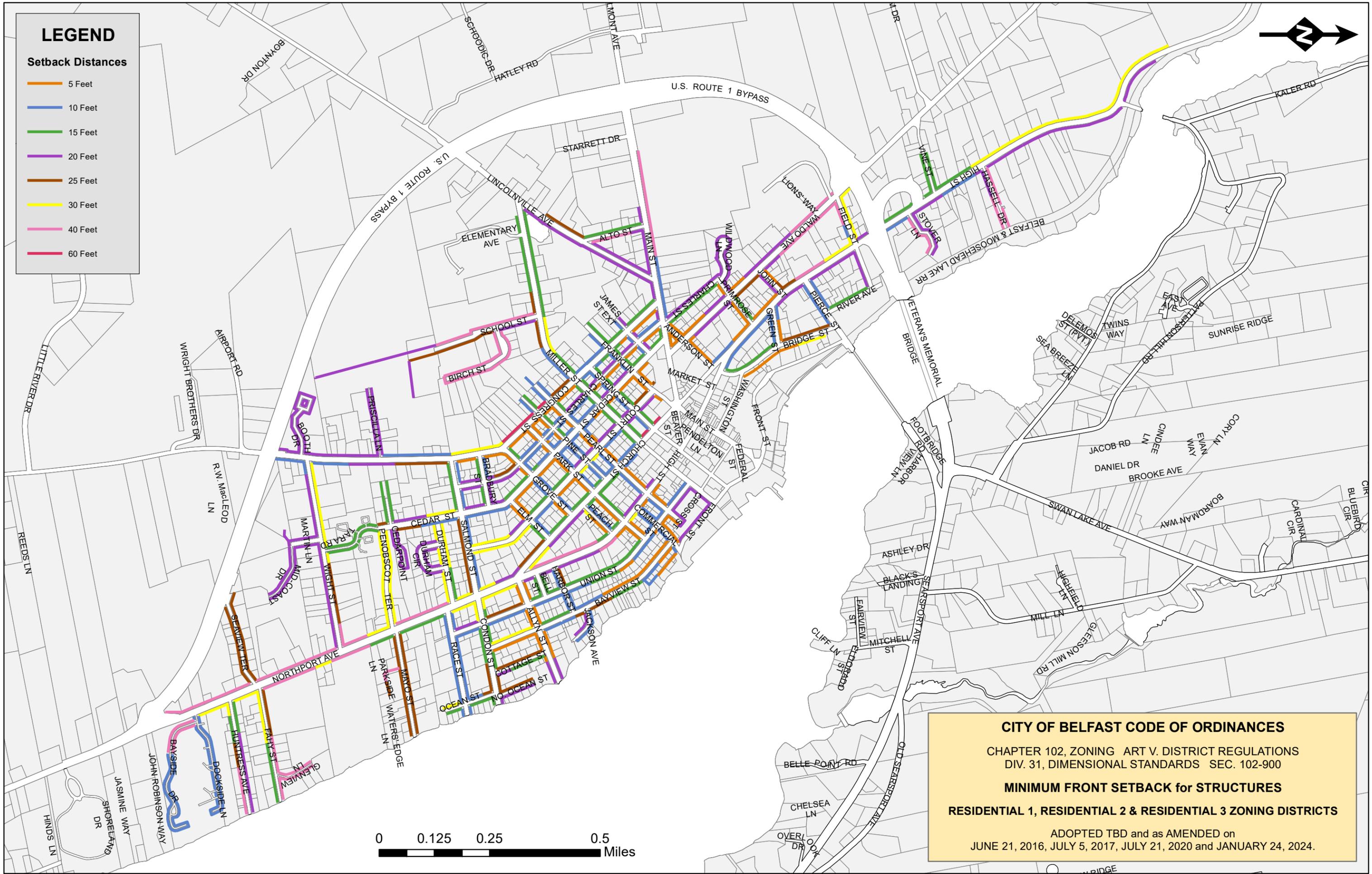


CITY OF BELFAST CODE OF ORDINANCES
CHAPTER 102, ZONING ART V. DISTRICT REGULATIONS
DIV. 31, DIMENSIONAL STANDARDS SEC. 102-900
MINIMUM FRONT SETBACK for STRUCTURES
RESIDENTIAL 1, RESIDENTIAL 2 & RESIDENTIAL 3 ZONING DISTRICTS
ADOPTED OCTOBER 7, 2014 and as AMENDED on
JUNE 21, 2016, JULY 5, 2017, and JULY 21, 2020.

LEGEND

Setback Distances

- 5 Feet
- 10 Feet
- 15 Feet
- 20 Feet
- 25 Feet
- 30 Feet
- 40 Feet
- 60 Feet



CITY OF BELFAST CODE OF ORDINANCES
CHAPTER 102, ZONING ART V. DISTRICT REGULATIONS
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MINIMUM FRONT SETBACK for STRUCTURES
RESIDENTIAL 1, RESIDENTIAL 2 & RESIDENTIAL 3 ZONING DISTRICTS
ADOPTED TBD and as AMENDED on
JUNE 21, 2016, JULY 5, 2017, JULY 21, 2020 and JANUARY 24, 2024.