



# CITY OF BELFAST

131 Church Street  
Belfast, Maine 04915

**Erin Herbig**  
City Manager

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**MANAGER'S REPORT**  
Belfast City Council Meeting  
Tuesday, March 18, 2025

**6:00 p.m.** Request to go into an Executive Session on a Personnel Matter pursuant to 1 M.R.S.A. 405 (6) A.

**6:30 p.m.** Council Work Session with the Pedestrian, Transportation, and Accessibility Committee.

**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 13, 2025

**Agenda Items:**

**10-A Presentation on proposed amendments to the City Code of Ordinances, regarding a Transitional Housing Facility at 23 Mill Lane, the United Methodist Church.**

At the Regular Council Meeting on January 7, 2025, the City Council discussed a proposed Transitional Housing Facility to be located at 23 Mill Lane, the United Methodist Church. The project's supporters, the Midcoast Maine Homeless Coalition, were given specific questions to

address at the Council's next regular meeting on Jan. 21, 2025. At that time, the Council directed City staff to begin work on the necessary ordinance amendments to include allowance of the proposed facility for Planning Board Review.

On Jan. 22, 2025, the Planning Board reviewed necessary changes to the City Code to facilitate the proposed Transitional Housing Facility at 23 Mill Lane. The Board reached consensus on most of the standards that staff identified, including the potential requirement of an annual City License for any Transitional Housing Facility. Additionally, a requirement to submit a description of how the bathrooms might function for any Transitional Housing Facility has been included with the proposed performance standards for this use in the draft language was added following feedback from the State Fire Marshall's Office.

This amendment involves four different Chapters of the City Code and would allow a Transitional Housing Facility at one specific property, 23 Mill Lane, with Planning Board approval.

At the March 4, 2025, Regular Meeting, the City Council unanimously approved the First Reading of proposed amendments to the City Code of Ordinances regarding a proposed Transitional Housing Facility at 23 Mill Lane, the United Methodist Church, and to schedule the Second Reading and Public Hearing for an upcoming Regular City Council Meeting.

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-A, B and C) from the Director of Code and Planning Bub Fournier explaining the request in further detail. Director Fournier will be at the meeting to present.

**10-B Public Hearing on proposed amendments to the City Code of Ordinances, regarding a Transitional Housing Facility at 23 Mill Lane, the United Methodist Church.**

## NOTICE OF PUBLIC HEARING

### BELFAST CITY COUNCIL

#### PROPOSED AMENDMENTS TO CITY CODE OF ORDINANCES

The Belfast City Council, at its meeting on Tuesday March 18th, 2025, beginning at 7:00 pm in the Belfast City Hall Council Chambers, located at 131 Church Street, Belfast, ME 04915, shall conduct a public hearing and Second Reading on proposed amendments to the City Code of Ordinances, Chapter 14 Businesses, Chapter 66 Definitions, Chapter 72 Housing and Chapter 102 Zoning. The proposed zoning amendments include changes in the City Ordinance to accommodate Planning Board review of a new use, a Transitional Housing Facility, through a Special Use Area designation of 23 Mill Lane, the United Methodist Church, located in the Outside Rural 2 zoning district. The public hearing will be conducted in person at City Hall and can be streamed on the City website at [www.cityofbelfast.org](http://www.cityofbelfast.org).

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 March 18th, 2025, by email to [directorplanning@cityofbelfast.org](mailto:directorplanning@cityofbelfast.org). This is the preferred method to submit comments.
- 2) Submit written comments by 12 noon on March 18th, 2025, by letter to: City of Belfast, Planning and Codes Dept, 131 Church Street, Belfast ME 04915.
- 3) Submit oral comments in person during the public hearing portion of the meeting.

The amendments that the City is considering can be found on the city website, [www.cityofbelfast.org](http://www.cityofbelfast.org), reference Planning and Codes. A copy of the proposed amendments is also available for inspection in the Planning and Codes Department offices during normal business hours, 7:00am – 6:00pm, 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](mailto: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. If any written or emailed comments have been submitted prior to the public hearing as referenced in the notice, the Director of Code and Planning will present them at this time.

No City Council action is needed for this agenda item as this is strictly a public hearing regarding proposed Ordinance Amendments regarding a proposed Transitional Housing Facility at 23 Mill Lane, the United Methodist Church.

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

**10-C Second Reading on proposed amendments to the City Code of Ordinances, regarding a Transitional Housing Facility at 23 Mill Lane, the United Methodist Church.**

This is a Second Reading, the First Reading was held at the Regular City Council Meeting of March 4, 2025. At this time, the City Council may discuss, amend, table, or approve the Second 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 Second Reading of proposed amendments to the City Code of Ordinances regarding a proposed Transitional Housing Facility at 23 Mill Lane, the United Methodist Church as presented.

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

**10-D Request from Planning and Codes Director to waive Building, Electrical and Planning Board Permit Fees for a proposed Transitional Housing Facility at 23 Mill Lane.**

The Midcoast Maine Homeless Coalition requests a fee waiver for all Building, Electrical and Planning Board Permit Fees for a proposed Transitional Housing Facility at 23 Mill Lane. The letter from the Midcoast Maine Homeless Coalition states that they request a waiver for \$500 Planning Board Permit Fees. The Director of Code and Planning Bub Fournier further

recommends that the City Council consider authorizing the waiver of all electrical and building permit fees, to be calculated when they are applied.

If approved by the City Council, Director of Code and Planning Bub Fournier recommends that a motion is made to waive Building, Electrical and Planning Board Permit Fees for a proposed Transitional Housing Facility at 23 Mill Lane.

Please see the attached letter (10-D) from the Midcoast Maine Homeless Coalition. Director Fournier will be at the meeting to answer Council questions.

#### **10-E Presentation on proposed Ordinance Amendments for Chapter 30, Marine Activities.**

At the November 16th, 2024, City Council Work Session, the Harbor Advisory Committee recommended the Council consider adopting regulations for large passenger vessels that carry 50 or more passengers within the Harbor. The topic was discussed by the Council, various stakeholders, and staff during the meeting. The Council requested the Harbor Advisory Committee prepare further specificity to their recommendation and present this information to be at an upcoming Regular Council meeting.

At the January 21st, 2025, Regular Council Meeting, Councilors revisited the topic of defining further regulations in regard to limiting the number of passengers for large passenger vessels to embark and disembark, including by tender, at the City Landing or other City property or marine facilities. After discussion and consensus by the Council, the Council unanimously approved a motion to direct Planning and Codes staff to draft Ordinance language to reflect said recommendations by the Harbor Advisory Committee.

The amendments proposed outline that any marine vessel certified to carry 50 or more passengers shall not be allowed to embark or disembark guest passengers, including by tender, at the City Landing or other City property or marine facilities. The draft ordinance language for

your review is marked up in the typical manner, in which the proposed changes are indicated in red.

Planning and Codes staff ran a public hearing notice for two weeks in the Midcoast Villager. In addition, mailed notices of this meeting were sent to all property owners in the Waterfront Mixed Use-1 and Waterfront Mixed Use-2 zoning districts as well as other stakeholders, which included local business groups and cruise ship industry contacts.

The City Council voted to unanimously approve the First Reading of proposed amendments to the City Code of Ordinances, Chapter 30, Marine Activities and to schedule the Second Reading and Public Hearing for an upcoming Regular City Council Meeting.

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-E, F and G) from City Planner Alexandra Sykes explaining the request in further detail. Planner Sykes and Harbor Master Kathy Given will be at the meeting to present.

### **10-F Public Hearing on proposed ordinance amendments for Chapter 30, Marine Activities.**

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

The Belfast City Council at its meeting of Tuesday, March 18th, 2025, beginning at 7:00 P.M. or as soon as practical thereafter, shall conduct a Second Reading and an accompanying Public Hearing on proposed amendments to the City Code of Ordinances, Chapter 30 Marine Activities.

The public hearing will be conducted in person at City Hall and can be streamed on the City website at [www.cityofbelfast.org](http://www.cityofbelfast.org).

The City Council is considering proposed amendments to Chapter 30 Marine Activities that would modify the allowances for large passenger vessels. The Amendments propose that any marine vessel certified to carry 50 or more passengers shall not be allowed to embark or disembark guest passengers, including by tender, at the City Landing or other City property or

marine facilities. After a Second Reading and Public Hearing, the Council will discuss the proposed amendments and may consider options for moving forward. The Council has the authority to approve or deny the Ordinance Amendments to Chapter 30 Marine Activities at the March 18<sup>th</sup> Second Reading.

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

- 1) Submit written comments by 12 noon on March 18th, 2025 by email to [directorplanning@cityofbelfast.org](mailto:directorplanning@cityofbelfast.org). This is the preferred method to submit comments.
- 2) Submit written comments by 12 noon on March 18th, 2025 by letter to: City of Belfast, Planning and Codes Dept, 131 Church Street, Belfast ME 04915.
- 3) Submit oral comments in person during the public hearing portion of the meeting.

The complete text of amendments the Board is considering can be found on the city website, [www.cityofbelfast.org](http://www.cityofbelfast.org), reference Planning and Codes. A copy of the proposed amendments is also available for inspection in the Planning and Codes Department offices during normal business hours, 7:00am – 6:00pm, 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](mailto: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. If any written or emailed comments have been submitted prior to the public hearing as referenced in the notice, the City Planner will present them at this time.

No City Council action is needed for this agenda item as this is strictly a public hearing regarding proposed ordinance amendments for Chapter 30, Marine Activities.

Please see the attached memo and proposed amendments (10-E, F and G) from City Planner Alexandra Sykes explaining the request in further detail.

**10-G Second Reading on proposed ordinance amendments for Chapter 30, Marine Activities.**

This is the Second Reading, the First Reading was held at the Regular City Council Meeting of February 18, 2025. At this time, the City Council may discuss, amend, table, or approve the Second Reading of the proposed amended ordinance.

If approved by the City Council, City Planner Alexandra Sykes recommends that a motion is made to approve the Second Reading of proposed amendments to the City Code of Ordinances, Chapter 30, Marine Activities as presented.

Please see the attached memo and proposed amendments (10-E, F and G) from City Planner Alexandra Sykes explaining the request in further detail. Planner Sykes and Harbor Master Kathy Given will be at the meeting to answer questions.

**10-H Discussion and potential action regarding the 2025 Summer Curbside Belfast Program.**

The Belfast City Council first approved the Curbside Belfast program in 2020 as a response to the COVID-19 pandemic. The program enables businesses in the City's downtown area to utilize City-owned outdoor parking spaces for commercial use. The Planning and Codes Department, Public Works Department, City Manager's Office, Our Town Belfast, and various businesses have carried out the program, refining it to meet the needs of the community through a bi-annual program review and implementing any recommended changes to the program approved at a City Council Meeting. The program continues to activate the vibrant downtown community and has been a widely celebrated addition to our downtown.

There are several minor changes proposed for the program this year, some of which were already incorporated in the Winter 2024-2025 season. The fee for the Winter 2024-2025 season was changed to \$400 following Council discussion ahead of that season, with the intent stated at that

time to increase to \$750 for Summer 2025. Other minor changes to the program included the requirement to be open 5 out of 7 days per week for at least 6 hours per day and placed a required set up time frame on participating businesses.

A meeting to discuss the Curbside Program was held on February 27, 2025, with City Planning and Codes staff, past participants and stakeholders, and me. Staff have incorporated other suggestions from that meeting such as reflective markings for traffic safety during low visibility and encouraging participants to allow public use of Curbside spaces when not open for business. After hearing from participants, staff suggest the Council also consider allowing businesses to close their Curbside area for business during extreme temperature events such as above 85 degrees in summer or below 20 degrees in winter.

This is an opportunity for the Council to discuss the 2025 Curbside Belfast program and direct staff to generate appropriate permitting documents to facilitate the program in order for the summer 2025 program to launch as soon as possible ahead of the season.

Please see the attached memo and the draft 2025 Curbside documents (10-H) from Director of Code and Planning Bub Fournier explaining the request in further detail. Director Fournier will be at the meeting to answer Council questions.

**10-I Request by the Deputy Economic Development Director to apply for CDBG Community Enterprise Program funds to implement a business façade improvement program.**

The Maine Community Enterprise Grant (CE) Program is a program under the Community Development Block Grant Program, Office of Community Development. The CE Program provides grant funds to municipalities to assist in business façade programs and to make streetscape improvements in downtown areas. Assistance to businesses may be in the form of grants or loans at the discretion of the community.

The City has successfully implemented façade improvement programs in the past with funding in 2013, 2020, and 2021 from the CDBG Community Enterprise Program fund. Funds from this

program resulted in one-time grants to building owners to make exterior improvements for 10 buildings downtown. Buildings that received prior funding are not eligible for additional grants; however, the City has a list of building owners that were interested in the program but were not funded due to lack of funds in previous years.

Like prior program years, the City of Belfast intends to use 90% of the total grant amount requested, or \$90,000.00, to provide 5 businesses façade grants of \$18,000.00 each. Each of these facade grants will be matched with \$5,000.00 in cash from each participating business or property owner, for total matching funds of \$25,000.00, which is equal to 25% of the grant award. The remaining 10% of the total grant amount requested, or \$10,000.00, will be used to hire qualified administrative services to implement this grant effectively and efficiently.

The program selection process consists of three phases: a Letter of Intent, an application phase, and a project development phase. The Letter of Intent illustrates community need, estimated budget and verification of CDBG National Objective. Once the City receives a notice to apply, staff will return to the City Council for approval to submit the full application by the grant deadline on April 11, 2025.

If approved by the City Council, Deputy Economic Development Director Joellyn Warren recommends a motion is made to authorize the submission of Letter of Intent to the Office of Community Development Community Enterprise Grant (CE) Program, and to authorize the City Manager to sign all paperwork related to and necessary for the submission of this request.

Please see the attached memo (10-I) from Deputy Economic Development Director Joellyn Warren providing further information. Deputy Director Warren will be present and answer any questions.

**10-J Request by the Economic Development Director to have the City Council finalize a ranked list of Fiscal Year 2026 Congressional Earmark Requests and authorize applications for them to be submitted.**

After a hiatus of more than a decade, Congress reinstated in 2021 directed spending programs, more commonly referred to as earmarks. The City of Belfast has applied for earmarks during the previous four cycles. The City of Belfast was fortunate to be awarded two earmarks in federal fiscal year 2022, one earmark in federal fiscal year 2023, and one earmark in federal fiscal year 2024.

The following was the ranked list of earmark requests that were submitted during the 2025 cycle:

- 1) Retrofitting of Former Waldo County Superior Court Building: conducting of an energy audit; installation of VRF heat pumps, LED lighting, insulation, air quality system, full-size elevator, and an enclosed ADA-compliant bridge to connect the building to Belfast City Hall.
- 2) CSO Improvements: phase 2 of planned CSO improvements, focusing on pipe removals, repairs, relocations, and associated construction.
- 3) Public Safety Building Additional Funding: additional funding for a new Public Safety Building.
- 4) Pump Station Telemetry Improvements: installation of telemetry improvements at pump stations to improve emergency alarm notification, a MEDEP-required upgrade.

One other request that was considered last year but was ultimately not selected for submission was Swan Lake Avenue Improvements: extension of the sidewalk along Swan Lake Avenue from East Belfast Elementary School to the intersection of Alberta Way.

City personnel would recommend, based on the actual previous earmark awards, that the City submit no fewer than two but no more than four earmark requests. City personnel would be responsible for arriving at the specific amount to be requested for each earmark, informed by the previous actual earmark awards to municipalities in Maine.

If approved by the City Council, City staff recommends a motion is made to finalize a ranked list of fiscal year 2026 earmark requests, for which the City of Belfast will submit applications to the

offices of Senator Susan Collins, Senator Angus King, and Representative Jared Golden; and to authorize the City Manager to sign any and all paperwork related to and necessary for the submission of these requests

Please see the attached memo (10-J) from Economic Development Director Thomas Kittredge providing further information. Director Kittredge and I will be present and answer any questions.

**10-K Request from the Fire Chief to accept a donation of \$1,000.00 from the Reny's Foundation.**

The Fire Department received a \$1,000.00 donation from the Reny's Foundation.

Only the City Council can accept donations on behalf of the City. If accepted by the Council, City staff recommend that a motion be made to accept this donation and the funding be placed into Account G 1-2100-00 Jaws of Life. This account has a current balance of \$7,313. Chief Richards further recommends that these funds be applied towards the future purchase of rescue equipment.

Please see the attached memo (10-K) from Fire Chief Patrick Richards providing further detail. I will be at the meeting to present and answer any questions.

**10-L Request from the Sexual Assault Support Services of Midcoast Maine to recognize Sexual Assault Awareness Month and Child Abuse Awareness Month in Belfast.**

The City of Belfast was contacted by Amanda Evans, Rural Services Coordinator for Sexual Assault Support Services of Midcoast Maine, serving Waldo and Knox Counties.

April is Sexual Assault Awareness month and Child Abuse Awareness Month. Ms. Evans and her team have requested to place teal ribbons with laminated cards that have information about services for those who have experienced sexual violence around Belfast on trees and/or poles as well as place groups of pinwheels with an explanation of what they stand for in a few areas.

The group would set everything up at the beginning of April and take it all down at the end of April or beginning of May.

If approved by the City Council, City staff recommend a motion is made to authorize the Sexual Assault Support Services of Midcoast Maine to conduct the previously mentioned activities in Belfast in April in recognition of Sexual Assault Awareness month and Child Abuse Awareness Month.

Please see the attached email request from Rural Services Coordinator Amanda Evans (10-L). I will be at the meeting to answer any questions.

### **10-M Signing of Council Orders**

In 1991, U.S. Congress proclaimed the month of March as Irish American Heritage Month. March 17<sup>th</sup>, St. Patrick's Day, was originally a holiday designated to honor Saint Patrick, who introduced Christianity to the Country of Ireland in the 5<sup>th</sup> century. St. Patrick's Day later evolved into a celebration of all things Irish.

For the past several years, the City of Belfast has flown the Irish Flag at City Hall as a statement of cultural solidarity with our sister City with which we share a name, Belfast, Ireland. The City of Belfast is proud to participate in honoring its Irish heritage again this year and to fly the Irish flag in honor of Maine's Irish heritage.

The Irish flag is a symbol of pride and celebration of a long Irish history in Belfast and the entire State of Maine. The flag is also a demonstration of welcome to the long history of immigrants who have laid their roots here and have provided the structure of the Belfast that we now call our home.

According to the Maine Irish Heritage Center, roughly 1 in 6 Mainers are of Irish decent, which far exceeds the US national average of 1 in every 10 people. The green, white, and orange flag reflects the deeply rooted cultural foundation of Mainers who played an incredible role in the foundation of our wonderful City and our beautiful State.

A big thank you to the Maine Irish Heritage Center in Portland for gifting the City of Belfast with the Irish flag to fly on our City Hall flagpole each year on March 17th.

Happy St. Patrick's Day!

**City of Belfast  
Consent Agenda  
Tuesday, March 18, 2025  
Meeting #18**

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 from the Transfer Station Manager to confirm Anne Saggese as a Part-time Attendant for the Belfast Transfer Station.**

Motion to confirm Anne Saggese as a Part-time Attendant for the Belfast Transfer Station.

**B. Request from the Parks and Recreation Director to confirm Carolyn Steeves as a Part-time Seasonal Parks & Recreation Pool Operator/Groundskeeper for the Parks and Recreation Department.**

Motion to confirm Carolyn Steeves as a Part-time Seasonal Parks & Recreation Pool Operator/Groundskeeper for the Parks and Recreation Department.

**C. Request to approve an application by Daniel Rock d/b/a Fon's Kitchen located at 132 High Street, Belfast, Maine for a renewal Malt, Spirituous, and Vinous liquor license.**

Motion to approve an application by Daniel Rock d/b/a Fon's Kitchen located at 132 High Street, Belfast, Maine for a renewal Malt, Spirituous, and Vinous liquor license.

**D. Request to approve an application for a Special Amusement Permit for Shawna Aitken d/b/s Nautilus for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 3 Main Street, Belfast, Maine, interior and exterior.**

Motion to approve an application for a Special Amusement Permit for Shawna Aitken d/b/s Nautilus for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 3 Main Street, Belfast, Maine, interior and exterior.

- E. Request to approve a Farmers Market Authorization liquor license sales application by Michael Holland d/b/a Outland Farm Brewery operating at The United Farmers Market of Maine, 18 Spring Street, Belfast, Maine.**

Motion to approve a Farmers Market Authorization liquor license sales application by Michael Holland d/b/a Outland Farm Brewery operating at The United Farmers Market of Maine, 18 Spring Street, Belfast, Maine.

- F. Request to approve a Facility Use Application by the RSU #71 Peer Leadership for the annual 5K Race, walk and run along the Belfast Rail Trail on Saturday, May 3, 2025, starting at 9:00 a.m.**

Motion to approve a Facility Use Application by the RSU #71 Peer Leadership for the annual 5K Race, walk and run along the Belfast Rail Trail on Saturday, May 3, 2025, starting at 9:00 a.m.

- G. Request to approve a Facility Use Application by the Belfast Bay Watershed Coalition for the annual Walk and Roll for Conservation event located at Steamboat Landing Park on Saturday, May 31, 2025, from 10:00 a.m. to 2:00 p.m.**

Motion to approve a Facility Use Application by the Belfast Bay Watershed Coalition for the annual Walk and Roll for Conservation event located at Steamboat Landing Park on Saturday, May 31, 2025, from 10:00 a.m. to 2:00 p.m.

- H. Request to approve a Facility Use Application by PAWS Animal Adoption Center for the annual Paces for PAWS 5K and 1 mile Fun Run event along the Belfast Rail Trail on Saturday, June 14, 2025, from 7:00 a.m. to 10:00 a.m.**

Motion to approve a Facility Use Application by PAWS Animal Adoption Center for the annual Paces for PAWS 5K and 1 mile Fun Run event along the Belfast Rail Trail on Saturday, June 14, 2025, from 7:00 a.m. to 10:00 a.m.

- I. Request to approve a Facility Use Application by Collin Brewster Cuning for the annual Cold Water Connections "Dip-A-Thon" fundraiser on Saturday, March 15th at 10:00 a.m. at the Belfast Boathouse Beach.**

Motion to approve a Facility Use Application by Collin Brewster Cuning for the annual Cold Water Connections "Dip-A-Thon" fundraiser on Saturday, March 15th at 10:00 a.m. at the Belfast Boathouse Beach.

9.F, G, H + I



# 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 10, 2025  
**RE:** Facility Use Requests

The City of Belfast Parks and Recreation Department is presenting the following Facility Use Requests for the Consent Agenda.

9.F

### RSU #71 5K Race

This proposed race is not a new event, but an event with a new location. Last year's 5K Mud Run is now a 5K Race and RSU #71/Peer Leadership Leo's are requesting use of the Belfast Rail Trail for their 5K Race--a run and walk--on Saturday, May 3. The walk will start at 9 AM and the run portion will start at 9:30 AM. Ms. Pam Lynam is overseeing this school-sponsored event, and their fundraising recipient is LifeFlight of Maine.

RSU #71 is not requesting any equipment or supplies from the City, and they have already provided their Certificate of Insurance. Along with the Facility Use Request Form, they have also provided a route map that demonstrates their start at the Belfast Rail Trail near the footbridge, with an out-and-back route, and two water stations. Volunteers will manage the stations and remove any trash from the rail trail. Ms. Lynam does plan to ask permission to utilize the McCrum property for parking; otherwise, she will encourage people to use the Bridge Street Parking Lot and marked street parking.

Belfast Parks and Recreation recommends approval by Belfast City Council for this event.

9.G

### Belfast Bay Watershed Coalition (BBWC) – Walk and Roll for Conservation

This facility request is for a returning event, but the event will utilize Steamboat Landing Park only for this year's event. The Walk and Roll for Conservation is scheduled for Saturday, May 31 from 10 AM-2 PM, with a rain date set for Saturday, June 7.

The BBWC will utilize Steamboat Landing Park for table displays and information-sharing, and they encourage their visitors to "walk and roll" along the Harbor Walk. Table displays will be for fellow conservation groups to share news and information about conservation initiatives. There may be some





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sidewalk chalk art, but the BBWC understands that the Harbor Walk needs to remain open for general users during their event. A map is included with the Facility Use Request Form, and the Certificate of Insurance is on file as well. The only detail to be finalized will be the date/time that the weather call is made for May 31 so that Belfast Parks and Recreation staff are aware of the change and can prepare for set-up the following week.

Belfast Parks and Recreation recommends approval by Belfast City Council for this event.

9.H

## Paces for PAWS 5K and 1 Mile Fun Runs

This annual fundraising race is scheduled for Saturday, June 14, 2025, and PAWS is requesting use of the Belfast Rail Trail from 7-10 AM. PAWS is once again partnered with Run Belfast who will handle the race logistics. They are not requesting any supplies from the City, but are requesting a Belfast Police Officer to assist at the City Point trailhead parking lot. This request was forwarded to the Police Chief.

Within their Facility Use Request, Run Belfast has provided a map of the run which will start at the Belfast Rail Trail's City Point Trailhead and head southward, with a turnaround just south of Upper Bridge parking lot. Both the runs will utilize the same general out-and-back route. PAWS submitted a Certificate of Insurance, but it will expire before this race; we will collect a new Certificate once their policy has renewed.

Belfast Parks and Recreation recommends approval by Belfast City Council for this event.

9.I

## Cold Water Connections

The organizer of the annual activity dropped off the Facility Use Application on Monday, March 10, 2025, for the event scheduled for Saturday, March 15, 2025. There was not time to bring this forward to a City Council meeting, so information was provided by the City Manager to the Council members, and I am providing summary information within this memo. for post-event approval and closing the loop.

This year's fundraiser is to support refugee programs in Maine. They plan to utilize the beach at the Belfast Boathouse, and they are expecting up to 20 participants to actually participate in the dip portion, with up to 30 people total to include supporters of the dippers. Max. time in the water will be capped at 15 min. A former nurse will be on-site to oversee the participants' safety.

This group is not capable of providing insurance but plan to have people sign a waiver to indemnify Collin Brewster Cunning (organizer) and City of Belfast (property owner), and to note that people are participating at their own risk.





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Belfast, Maine 04915

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The Parks and Recreation Director followed up with Mr. Cuning to remind him to complete an application well in advance of his event next year so that City Council members can review and approve/deny prior to the event.

Belfast Parks and Recreation recommends approval by Belfast City Council for this event, and with the recommendation noted in the previous paragraph.





### Facilities Use Request City of Belfast, Maine



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 application is specifically for City property such as waterfront parks, pavilions, streets, sidewalks, etc. This application is NOT for the Belfast Boathouse, but it may be required in addition to the Belfast Boathouse Rental Application if you are planning an event that includes both the Belfast Boathouse and Steamboat Landing Park.

This application must be submitted 60 days or more before the proposed event date. This allows for the application to be reviewed by all departments and to be reviewed and approved by the Belfast City Council.

EVENT NAME: 5K Mud Run ("Mud" is being removed from the name.)

BRIEF EVENT DESCRIPTION: We would like to do a walk/

5K run on the Harbor. Walk in Belfast

DATES and TIMES: Saturday, May 3 8:00 walk 9:30 run

PROPOSED LOCATIONS/AREAS TO BE USED:

Harbor Walk

ORGANIZING GROUP (if applicable): Peer Leadership Leo's RSW #71

GROUP REPRESENTATIVE/INDIVIDUAL NAME: Pamela Lynam

MAILING ADDRESS: 23 Lions Way, Belfast, ME 04915

PHONE NUMBER: 207-322-7016 CELL PHONE: 207-338-1790

(cell) school

All applications and related documents must be returned to the Belfast Parks and Recreation Office at City Hall, 131 Church Street, Ground Level (drop off at City Clerk's office). Questions? Please call 207-338-3370 Ext. 127 or parksandrec@cityofbelfast.org.

This is a planning checklist for your benefit as well as the City's. All activities must be included in the event description; anything not included cannot be approved and cannot be added later unless a second or revised application is submitted. Approvals will not be provided to individuals or groups who are uncertain of their plans.

When you are ready to submit your application, please attach maps, additional sheets, event outlines etc. which will help to explain your request. If any of the following questions do NOT apply to your event, simply write N/A (not applicable) in the space provided. Thank you.

Describe in detail the activities within your event and the schedule you are proposing.

We are doing a fundraising walk and 5K mud run to raise money for LifeFlight of Maine.

Based on the facilities noted above, how do you intend to use the spaces requested?

Just for walking / running

Are you asking to close off any City Streets? If so, please list by street name (include from where-to-where the street will be blocked, days, times, etc.).

No (just the Harbor Walk during the time frames)

If yes, who will be managing the street closures?

Students along the Harbor Walk Path

How many people do you expect at your event?

~50

How many volunteers do you expect at your event?

~20

Will you be selling things at this event? If yes, what will you be selling, and please provide descriptions.

NO

If you will not be selling anything, will others at this event be selling items? If yes, please provide details.

NO

Will you be renting spaces to vendors on City property? If yes, please provide for the type of vendors and your fees.

NO

Please provide an explanation of vendor space sizes, locations, load-in/load-out details, etc.

N/A

Does this event call for any type of open fire, including for cooking purposes? If so, please describe what fire safety measures you plan on employing associated with this potential hazard? NOTE: a fire permit may be required.

NO

How do you propose to handle garbage removal?

we will take it with us  
any we might have

How do you propose to handle parking and how will parking instructions be communicated to vendors, volunteers, service providers, and your customers?

Use the parking spots available  
near the harbor walk.

How do you propose to handle security, if needed.

not needed though there will  
be plenty of adults there.

How do you propose to handle the need for regular and accessible restrooms?

use the porta potties

What are your electrical needs, and how will you provide electricity?

N/A

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

Nothing more than conversational.

What are your event safety protocols (i.e., weather, injury), and will you have a First Aid tent?

We will have some supplies  
but not a tent.

Have you spoken to the neighbors in the area of this event regarding traffic, noise, parking etc.? NOTE: You may need to provide parking lot monitors and signage for your event.

No - Not worried

Will any alcohol be served or consumed at this event? If yes, please provide details on who will be providing that service, including their contact information (phone and email). NOTE: Additional permits may be required for your event based on your service provider, their liability insurance coverages, and any existing permits they may have.

NO

Please attach a map that shows your event's boundaries, how you will set-up your event (vendors, beer/wine garden, restrooms, where activities will be located, your access points, and any other pertinent details).

Are you able to provide a Certificate of Insurance in the amount of \$1,000,000 that also lists the City of Belfast as an additional insured 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.

Who is your insurance agent that will provide the Certificate of Insurance as proof of this policy?

MSMA Property + Casualty Trust

Who will be in charge of the event and on-site for the majority of the event's duration? Please include cell phone numbers and an email address.

plynan@rsu71.org Pam Lynam 207-322-7016  
Chip Lagerham clagerham@rsu71.org

Are you asking the City for any additional services over and above the request to use the facilities you have described above? If so, please be specific. (Examples: barricades, security/street closures, electrical access, etc.)

NO

Are there any other details you haven't addressed and that you would like to include?

NO

Have you reviewed the specific policies for use of City-owned property, located in Appendix A?

Yes  No

**Department and Services Requested**

*Just the Apace*

City Manager:

Police:

Fire/ Ambulance:

\* Parks and Rec.:

Public Works:

Harbor Master:

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 unless an amended form or an addendum is filed for approval by City Council. Any amendments or addenda must be filed more than 60 days prior to the event date.**

I certify that I am at least twenty-one (21) years of age. I have read and fully understand the Facilities Request Application and also the rules and regulations utilizing Belfast Parks and Recreation's facilities and property. I am an authorized representative of above listed business, organization, or event and will abide by all rules and regulations set forth by this agreement. I understand and fully agree to forfeiture of any or all deposits if I am not in compliance with the terms set forth by this agreement. In signing this form as an individual or as a representative of the above listed business or organization, release the City of Belfast from any and all liability in case of death or injury during the use of any City-owned facility or property.

SIGNATURE: *Pamela J. Salokangas*

DATE: *3/1/2025*

REVIEW #1: *Pamela J. Salokangas*

DATE: *3/4/25*

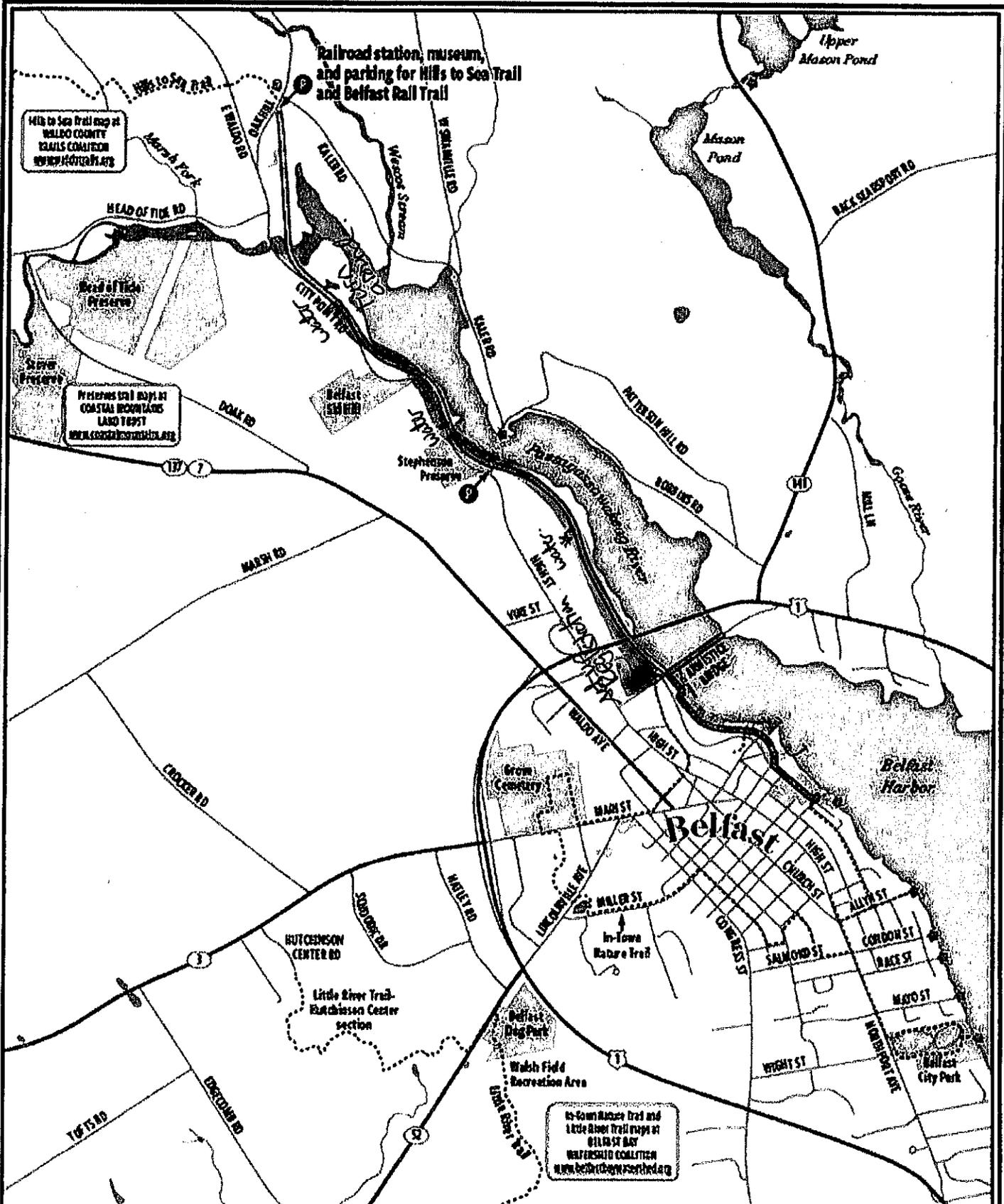
REVIEW #2: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVAL: *Pamela J. Salokangas*

DATE: *3/10/25*

Map has been submitted. Group is requesting permission to utilize McCrum Lot for parking. Insurance on file.



Hills to Sea Trail map at  
WALDO COUNTY  
TRAILS COLLECTION  
[www.hillstosea.com](http://www.hillstosea.com)

Preserve Trail map at  
COASTAL DEPARTMENT  
LAND TRUST  
[www.coastaldeptlandtrust.org](http://www.coastaldeptlandtrust.org)

Railroad station, museum,  
and parking for Hills to Sea Trail  
and Belfast Rail Trail

In-Town Harbor Trail and  
Little River Trail maps at  
BELLERBY BAY  
WALFRESHED COLLECTION  
[www.bellerbybay.com](http://www.bellerbybay.com)

### BELFAST RAIL TRAIL



- ◀ Shore Access
- ▬ The Belfast Rail Trail (2.2 miles)
- ▬ The Belfast Harbor Walk (1 mile)

Created this map from [www.hardbalmaps.com](http://www.hardbalmaps.com)  
Data Sources: Maine GIS and Hardbalmaps.com



### Facilities Use Request City of Belfast, Maine



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 application is specifically for City property such as waterfront parks, pavilions, streets, sidewalks, etc. This application is NOT for the Belfast Boathouse, but it may be required in addition to the Belfast Boathouse Rental Application if you are planning an event that includes both the Belfast Boathouse and Steamboat Landing Park.

This application must be submitted 60 days or more before the proposed event date. This allows for the application to be reviewed by all departments and to be reviewed and approved by the Belfast City Council.

EVENT NAME: Walk and Roll for Conservation

BRIEF EVENT DESCRIPTION: All-community event (4 hrs) for anyone to walk or roll (wheelchairs, strollers) to learn & join our conservation initiatives

DATES and TIMES: Sat. May 31. Event: 10:00-2:00 Setup+cleanup 8:00-3:00  
*Rain date June 7.*

PROPOSED LOCATIONS/AREAS TO BE USED: Harbor Walk and Steamboat Landing Park. Gazebo, picnic tables

ORGANIZING GROUP (if applicable): Belfast Bay Watershed Coalition

GROUP REPRESENTATIVE/INDIVIDUAL NAME: Don Trites, Beverly Baker, C/pe Chunn

MAILING ADDRESS: BBWC's: P.O. Box 152, Belfast. Don's: P.O. Box 18 Lincolnville, ME 04849

PHONE NUMBER: 207-458-1012<sup>Don</sup> CELL PHONE: 207-458-1009<sup>Beverly</sup>

All applications and related documents must be returned to the Belfast Parks and Recreation Office at City Hall, 131 Church Street, Ground Level (drop off at City Clerk's office). Questions? Please call 207-338-3370 Ext. 127 or parksandrec@cityofbelfast.org.

This is a planning checklist for your benefit as well as the City's. All activities must be included in the event description; anything not included cannot be approved and cannot be added later unless a second or revised application is submitted. Approvals will not be provided to individuals or groups who are uncertain of their plans.

When you are ready to submit your application, please attach maps, additional sheets, event outlines etc. which will help to explain your request. If any of the following questions do NOT apply to your event, simply write N/A (not applicable) in the space provided. Thank you.

Describe in detail the activities within your event and the schedule you are proposing.

9:00-10:00 Set up our extra tables plus your picnic tables with displays. Activities: childrens arts + crafts, middle school singers, high school climate club, we will bring refreshments. Sidewalk chalk drawing, wheelchairs rolling on sidewalk.

Based on the facilities noted above, how do you intend to use the spaces requested?

We have 3 tents to erect at Steamboat Landing Park in case of rain. Our tables will be arranged near the sidewalk.

Are you asking to close off any City Streets? If so, please list by street name (include from where-to-where the street will be blocked, days, times, etc.).

No

If yes, who will be managing the street closures?

How many people do you expect at your event?

100-200

How many volunteers do you expect at your event?

20-25

Will you be selling things at this event? If yes, what will you be selling, and please provide descriptions.

No selling. Just giving (info, art supplies, finger foods)

If you will not be selling anything, will others at this event be selling items? If yes, please provide details.

Will you be renting spaces to vendors on City property? If yes, please provide for the type of vendors and your fees.

No

Map for May 31.  
Walk + Roll

Front Street

Steamboat Landing Park

Beachhouse

3 tables + tents

Grzebo

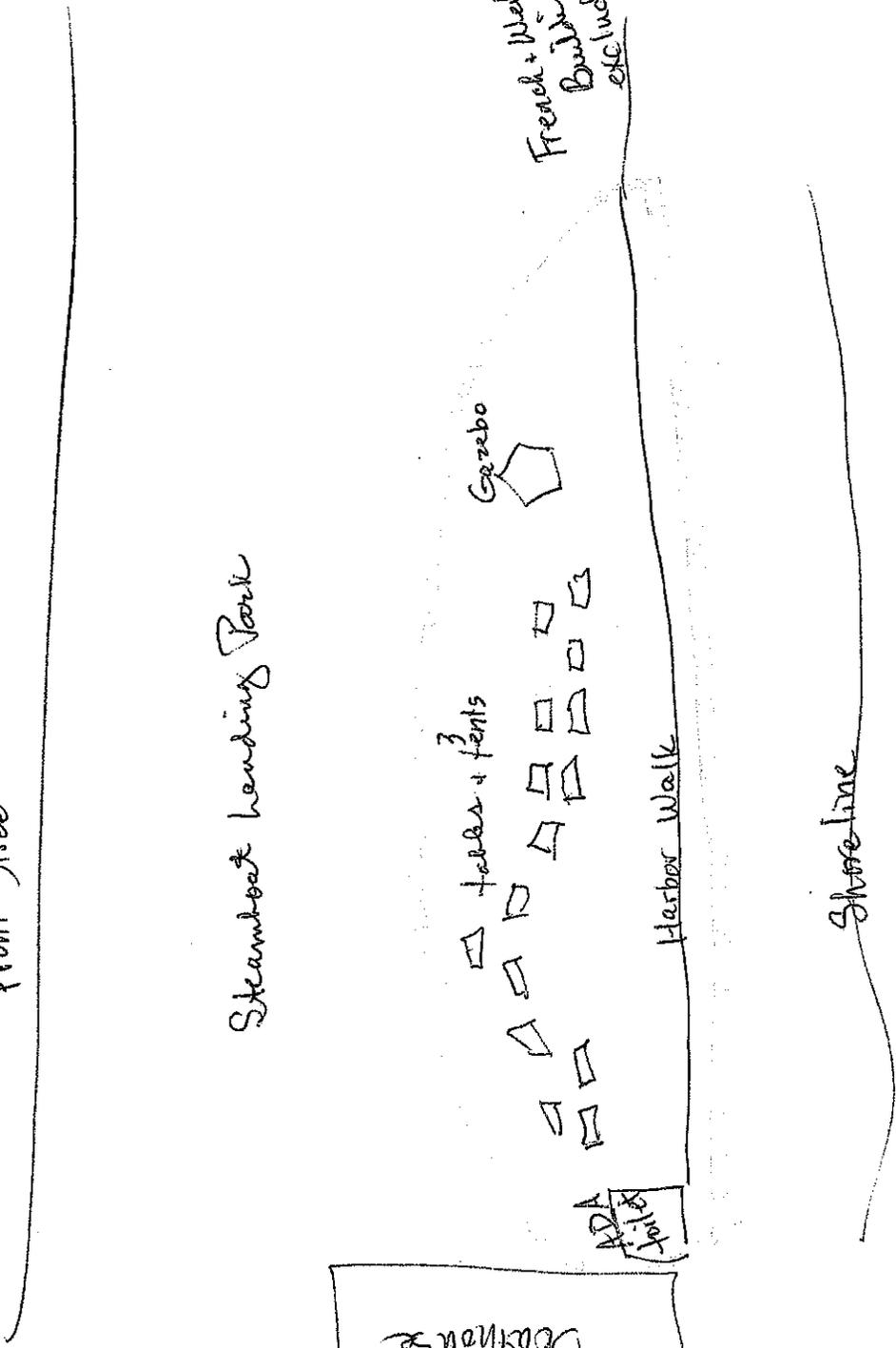
French + Webb  
Building  
excluded

Harbor Walk

Shoreline

Bay

ADA  
table



Please provide an explanation of vendor space sizes, locations, load-in/load-out details, etc.

Does this event call for any type of open fire, including for cooking purposes? If so, please describe what fire safety measures you plan on employing associated with this potential hazard? NOTE: a fire permit may be required.

No

How do you propose to handle garbage removal?

We will remove our own trash, collected in bags at each table.

How do you propose to handle parking and how will parking instructions be communicated to vendors, volunteers, service providers, and your customers?

We have requested McCrum parking lot again this year.

How do you propose to handle security, if needed.

Not needed.

How do you propose to handle the need for regular and accessible restrooms?

We request that the City provide accessible toilets:  
Outside Boathouse, where Harbor Walk meets footbridge

What are your electrical needs, and how will you provide electricity?

None needed.

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

Quiet - conversation, some singing

What are your event safety protocols (i.e., weather, injury), and will you have a First Aid tent?

We have first aid backpacks. Injuries - we call 911 if needed.  
Weather - ~~here is~~ <sup>Request for</sup> no rain date of June 7. Same time.

Have you spoken to the neighbors in the area of this event regarding traffic, noise, parking etc.? NOTE: You may need to provide parking lot monitors and signage for your event.

We have not spoken with neighbors.  
We have parking signs + managers.

Will any alcohol be served or consumed at this event? If yes, please provide details on who will be providing that service, including their contact information (phone and email). NOTE: Additional permits may be required for your event based on your service provider, their liability insurance coverages, and any existing permits they may have.

No

Please attach a map that shows your event's boundaries, how you will set-up your event (vendors, beer/wine garden, restrooms, where activities will be located, your access points, and any other pertinent details).

Are you able to provide a Certificate of Insurance in the amount of \$1,000,000 that also lists the City of Belfast as an additional insured 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 - attached

Who is your insurance agent that will provide the Certificate of Insurance as proof of this policy?

Allen Insurance  
34 Elm St., Camden  
04843

Who will be in charge of the event and on-site for the majority of the event's duration? Please include cell phone numbers and an email address.

Don Trites dgtrites@tidewater.net 207-458-1012  
Beverly Baker bevbaker@tidewater.net 207-458-1009

Are you asking the City for any additional services over and above the request to use the facilities you have described above? If so, please be specific. (Examples: barricades, security/street closures, electrical access, etc.)

No

Are there any other details you haven't addressed and that you would like to include?

Have you reviewed the specific policies for use of City-owned property, located in Appendix A?

Yes

No

**Department and Services Requested**

|                  |   |
|------------------|---|
| City Manager:    |   |
| Police:          |   |
| Fire/ Ambulance: |   |
| Parks and Rec.:  | SBL Gate; parking lot barricades; lot signage |
| Public Works:    |   |
| Harbor Master:   |   |
| 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 unless an amended form or an addendum is filed for approval by City Council. Any amendments or addenda must be filed more than 60 days prior to the event date.**

I certify that I am at least twenty-one (21) years of age. I have read and fully understand the Facilities Request Application and also the rules and regulations utilizing Belfast Parks and Recreation's facilities and property. I am an authorized representative of above listed business, organization, or event and will abide by all rules and regulations set forth by this agreement. I understand and fully agree to forfeiture of any or all deposits if I am not in compliance with the terms set forth by this agreement. In signing this form as an individual or as a representative of the above listed business or organization, release the City of Belfast from any and all liability in case of death or injury during the use of any City-owned facility or property.

SIGNATURE: *Cloe Churn*

DATE: *2-27-25*

REVIEW #1: *Pamela J. Salokangas*

DATE: *3/4/2025*

REVIEW #2: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVAL: \_\_\_\_\_

DATE: \_\_\_\_\_



### Facilities Use Request City of Belfast, Maine



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 application is specifically for City property such as waterfront parks, pavilions, streets, sidewalks, etc. This application is NOT for the Belfast Boathouse, but it may be required in addition to the Belfast Boathouse Rental Application if you are planning an event that includes both the Belfast Boathouse and Steamboat Landing Park.

This application must be submitted 60 days or more before the proposed event date. This allows for the application to be reviewed by all departments and to be reviewed and approved by the Belfast City Council.

**EVENT NAME:**

**BRIEF EVENT DESCRIPTION:**

**DATES and TIMES:**

**PROPOSED LOCATIONS/AREAS TO BE USED:**

**ORGANIZING GROUP (if applicable):**

**GROUP REPRESENTATIVE/INDIVIDUAL NAME:**

**MAILING ADDRESS:**

**PHONE NUMBER:**  **CELL PHONE:**

All applications and related documents must be returned to the Belfast Parks and Recreation Office at City Hall, 131 Church Street, Ground Level (drop off at City Clerk's office). Questions? Please call 207-338-3370 Ext. 127 or parksandrec@cityofbelfast.org.

This is a planning checklist for your benefit as well as the City's. **All activities must be included in the event description; anything not included cannot be approved and cannot be added later unless a second or revised application is submitted. Approvals will not be provided to individuals or groups who are uncertain of their plans.**

When you are ready to submit your application, please attach maps, additional sheets, event outlines etc. which will help to explain your request. If any of the following questions do NOT apply to your event, simply write N/A (not applicable) in the space provided. Thank you.

Describe in detail the activities within your event and the schedule you are proposing.

Set up 07:00-08:30am; start time 08:30am from Depot terminus of Belfast Rail Trail; all runners and walkers should finish by 09:30am; clean up 09:30-10:00am.

Based on the facilities noted above, how do you intend to use the spaces requested?

Staging, to include registration and parking, at Depot terminus of Belfast Rail Trail.  
Run/Walk on Belfast Rail Trail, to include water stop at approx. 5K turn.

Are you asking to close off any City Streets? If so, please list by street name (include from where-to-where the street will be blocked, days, times, etc.).

N/A

If yes, who will be managing the street closures?

N/A

How many people do you expect at your event?

60-100

How many volunteers do you expect at your event?

8-12

Will you be selling things at this event? If yes, what will you be selling, and please provide descriptions.

N/A

If you will not be selling anything, will others at this event be selling items? If yes, please provide details.

N/A

Will you be renting spaces to vendors on City property? If yes, please provide for the type of vendors and your fees.

N/A

Please provide an explanation of vendor space sizes, locations, load-in/load-out details, etc.

N/A

Does this event call for any type of open fire, including for cooking purposes? If so, please describe what fire safety measures you plan on employing associated with this potential hazard? NOTE: a fire permit may be required.

N/A

How do you propose to handle garbage removal?

PAWS will collect and dispose of any and all garbage.

How do you propose to handle parking and how will parking instructions be communicated to vendors, volunteers, service providers, and your customers?

Depot parking areas.

How do you propose to handle security, if needed.

N/A

How do you propose to handle the need for regular and accessible restrooms?

Belfast Rail Trail port-a-potties.

What are your electrical needs, and how will you provide electricity?

N/A

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

Fans; mostly at the start and finish area.

What are your event safety protocols (i.e., weather, injury), and will you have a First Aid tent?

Event will be held rain or shine.  
Extreme medical emergencies will be handled by 911.

Have you spoken to the neighbors in the area of this event regarding traffic, noise, parking etc.? NOTE: You may need to provide parking lot monitors and signage for your event.

N/A

Will any alcohol be served or consumed at this event? If yes, please provide details on who will be providing that service, including their contact information (phone and email). NOTE: Additional permits may be required for your event based on your service provider, their liability insurance coverages, and any existing permits they may have.

N/A

Please attach a map that shows your event's boundaries, how you will set-up your event (vendors, beer/wine garden, restrooms, where activities will be located, your access points, and any other pertinent details).

Are you able to provide a Certificate of Insurance in the amount of \$1,000,000 that also lists the City of Belfast as an additional insured 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; policy to be forwarded, separately.

Who is your insurance agent that will provide the Certificate of Insurance as proof of this policy?

See above.

Who will be in charge of the event and on-site for the majority of the event's duration? Please include cell phone numbers and an email address.

PAWS: Heather Reynolds/ 973-865-5676 / heather@pawsadoption.org  
(RunBelfast: Leonard Kalinowski / 207-505-7434 / leonard\_kalinowski@yahoo.com)

Are you asking the City for any additional services over and above the request to use the facilities you have described above? If so, please be specific. (Examples: barricades, security/street closures, electrical access, etc.)

N/A

Are there any other details you haven't addressed and that you would like to include?

Map attached.  
Insurance Certificate of Liability to be provided separately.

Have you reviewed the specific policies for use of City-owned property, located in Appendix A?



Yes



No

**Department and Services Requested**

|                  |   |
|------------------|---|
| City Manager:    | N/A   |
| Police:          | Continue "gentleman's agreement" to have an available officer on City Point Road. |
| Fire/ Ambulance: | N/A   |
| Parks and Rec.:  | One garbage can with liner (Depot terminus of Rail Trail).                        |
| Public Works:    | N/A   |
| Harbor Master:   | N/A   |
| Other:           | Map attached.<br>Insurance Certificate of Liability to be provided separately.    |

**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 unless an amended form or an addendum is filed for approval by City Council. Any amendments or addenda must be filed more than 60 days prior to the event date.**

I certify that I am at least twenty-one (21) years of age. I have read and fully understand the Belfast Boathouse Rental Agreement and also the rules and regulations for renting the Belfast Boathouse located at 34 Commercial Street in Belfast, Maine. I am an authorized representative of above listed business, organization, or event and will abide by all rules and regulations set forth by this agreement. I understand and fully agree to forfeiture of any or all deposits if I am not in compliance with the terms set forth by this agreement. In signing this form as an individual or as a representative of the above listed business or organization, release the City of Belfast from any and all liability in case of death or injury during the use of the Belfast Boathouse facilities.

SIGNATURE: Heather Reynolds

DATE: March 3, 2025

REVIEW #1: Pamela J. Salokangas

DATE: 3/10/25

REVIEW #2: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVAL: \_\_\_\_\_

DATE: \_\_\_\_\_

A new Certificate of Insurance will be due no later than June 2, 2025; current Certificate of Insurance provided expires on May 1, 2025.

APPENDIX A:  
SPECIFIC POLICIES RELATED TO  
USE OF CITY PARKS AND PROPERTY FOR SPECIAL EVENTS AND FUNDRAISERS

The purpose of this policy is to specify and clarify procedures regarding the use of City parks for special events or fundraising events and to ensure these activities meet the requirements of the City ordinances. **A Special Event or Fundraiser can be defined as any event that exceeds 75 people, and which is open to the general public, and/or where fundraising may occur through an event pre- registration, and/or where donations will be accepted in advance or on-site.**

This policy applies to:

- all City parks and park areas;
- the City pool;
- and for other City-owned property utilized for special events or fundraisers (i.e., sidewalks, streets, city parking lots).

Reservations must be secured for special events/fundraisers AT LEAST 60 days in advance. Some events may require additional lead time and should be discussed in advance. This time frame allows the Department to review requirements with organizers, secure paperwork and deposits, and then forward to City Council for approval for any atypical details or waiver requests.

**NOTE:** Several waterfront parks are also designated as special event spaces since they provide the most space for the larger events held in the City of Belfast. Special requirements are necessary to balance the use at the various City parks and to ensure that the parks are still open to the general public and that parking is available for all events and for general users.

The following types of large group events are subject to the provisions of this policy:

- Community events sponsored by Belfast-based civic or social organizations,
- Fundraising events sponsored by a Belfast-based non-profit organization to benefit a Belfast-based program,
- Special athletic or sporting events by a Belfast-based group,
- Concerts or public performance events at any park,
- Special events at the Belfast Dog Park,
- Other events as determined by the Parks and Recreation Director or the Parks, Trails, and Recreation Committee.

The following rules apply:

- Since each event is somewhat unique, the Director of Parks & Recreation will determine if the planned event shall be covered by this policy.
- Belfast-based groups organizing a large special event/fundraiser will have priority over non-Belfast-based groups.
- Special events/fundraisers are booked on a first-come, first-served basis EXCEPT three annual events with a long event history and schedule—Arts In The Park, Maine Celtic Celebration, and the Belfast Harbor Fest.
- All special events/fundraisers must be reviewed in advance to ensure that they meet this

policy and the City ordinances regarding public safety, alcohol, permitting, etc.

### **Scheduling**

Special Events/Fundraisers can be scheduled up to one (1) year in advance. The appropriate rental form (either Special Event/Facility Request or a Belfast Boathouse Rental Application, or in some cases both forms) must be completed to secure a date. The Parks and Recreation Director will determine when rental deposit, security deposit, final payment, and insurance certificate will be due. The rental date(s) will not be secure until rental deposit and/or full payment (depending on lead time) is paid.

**Reservations must be secured for special events/fundraisers AT LEAST 60 days in advance. In addition, the Director and/or City Manager/City Council may:**

- deny or revoke reservations to any event which is not compatible with the facility or other scheduled events;
- restrict the total number of Special Events/Fundraisers which may be held per year at each park;
- deny or revoke reservations to any event with the potential of overloading park visitor capacity with respect to public safety or facility capacity or parking accommodations;
- suggest alternate locations in order to better accommodate Special Events/Fundraisers with respect to public safety, parking, visitor capacity;
- move activity locations or cancel specific activities if inclement weather has created hazardous conditions or the potential for excessive facility damage;
- all cases of reservation denial or revocation may be appealed to the Belfast City Council at their next regularly-scheduled meeting.

### **Event Planning**

Special event/fundraiser organizers shall meet with the Director at least 60 days prior to the event to review preliminary event plans, determine activity locations in the park, and confirm all operational details. A second meeting 7-10 days prior to the event may also be scheduled. Provisions for inclement weather/heavy rain should be made by the sponsoring group with regard to all event operations (parking areas, activities, food service, etc., to include moving activity locations or canceling specific activities if inclement weather has created hazardous conditions or the potential for excessive facility damage.). The Department Director must approve event details in advance.

### **Tent Policy**

If you intend to erect tents of your own or rented tents from a third-party, you will need to adhere to the following recommendations:

- All tents, no matter the size, should be staked properly to avoid any accidental fly-aways during windy days. Tent stakes should be marked clearly to avoid any tripping hazards.
- Large tents (larger than 20' x 20'/400 sq. ft.) installed without sides do not need any additional inspections or permits; these tents must be staked properly.
- Large tents (larger than 20' x 20'/400 sq. ft.) installed with sides, sides that will be on 100% of the time, fall into the Assembly Use category for the Maine State Fire Marshall's office. These tents would need to have a plan review for egress paths and fire retardation

certification. This would be coordinated well in advance of the event. These tents must also be staked properly.

- Large tents (larger than 20' x 20'/400 sq. ft.) with or without sides should have one (1) fire extinguisher on-hand; large tents (larger than 40' x 40'/1,600 sq. ft) with or without sides should have two (2) fire extinguishers on-hand.
- Tent stakes/support guy wires must be 12' or more from any structures, parking lots, trees, vehicles, signage, etc. Any stakes/support guy wires must be marked well for pedestrians' needs.
- Installation areas must be marked for utilities in advance of any tent installation if there is even the slightest chance that underground utilities are in the area. Utility marking is the sole responsibility of the reservation holder and should only be scheduled once reservation holder has an approved tent location from the Department.
- Additional rental fees may be required if a tent must be installed several days in advance of a special event/fundraiser, and only if the space is available.

### **Park Operations**

Belfast Parks and Recreation is not able to financially assist special event or fundraising events. The Department may assign staff for park maintenance before, during, and after the event (for assistance with trash collection, restroom maintenance, special setups/take downs, facility maintenance, electrical needs), based on the potential number of visitors the event may generate.

The Department will invoice the event sponsors for all expenses incurred that were in excess of the normal level of park operations or that generated overtime. Only Department employees are permitted to operate Department vehicles and equipment. The large event organizers may also be required to provide volunteers to direct event parking and pedestrian access or to provide overflow parking at a non-municipal owned area, and to assist with trash collection duties. Therefore, the organizing group can expect to pay for these functions:

- Permits for alcohol/catering services; these may need to be paid by renter and/or by individual vendors participating in the fundraising or special event being sponsored by renter.
- Extra Department staff: expense depends on event details; an estimate can be provided in advance,
- Repairs to park facilities, as required, and if resulting from the group's use,
- Portable toilet rentals (supplemental) from a private supplier, pending event details,
- Trash dumpsters (supplemental) from a private supplier, pending event details, and
- Additional insurance premiums for coverage of the event with indemnification to the City of Belfast, and, if needed, for any private parking areas near the facility (see below) and/or for a liquor liability endorsement.

### **Insurance**

All rentals that are open to the public except family rentals (non-public) shall provide to the Department, in advance of the event, a Certificate of Insurance which:

- Provides evidence of coverage in both commercial general liability insurance and automobile liability insurance (if applicable) for a minimum coverage amount of \$1,000,000 per occurrence, combined single limit;

- A Certificate of Insurance must include adding the City of Belfast as an additional insured;
- For events that are hosting alcohol-related activities such as a beer garden or wine tasting, the Certificate of Insurance will also need to demonstrate a liquor liability endorsement which may increase the insurance premium.

The minimum coverage amount that is required by the Department may be increased pending the type of event and level of risk or an additional rider may be requested. Food service and liquor operations may require additional permits, and these are typically processed by the Belfast City Clerk's office and approved by the Belfast City Council. Additional insurance coverage for food service (as well as meeting the requirements of the City and state health codes) may be required. In addition, other groups or businesses which use park facilities during special events (i.e., third-party concessionaires like food vendors) must also present in advance to the event organizer a similar Certificate of Insurance for their operations. Please contact the Department regarding specific insurance requirements for the planned event.

### **Parking and Vehicle Access**

Very few of the Special Event areas have their own parking, especially those in the waterfront area. To host an event at Steamboat Landing Park, an event organizer will be required to rent the Belfast Boathouse to secure handicap parking and to have load-in and load-out access.

**Event organizers will be required to follow the soon-to-be-created parking plan during large and multi-day events (as of 2025). Once that parking plan is in place, the Belfast Parks and Recreation Department will update this policy with those details.** Parking is permitted only in designated spaces or areas. No parking on the grass or in driveways is permitted during a large group event, except with the express written permission of the Department. Tasks may also include providing appropriate signage during events, hosting volunteers for parking tasks (see below), and communicating the parking information to patrons.

The organizers should also make arrangements to furnish Parking Guides (volunteer or paid) to safely direct vehicles to the proper spaces, as well as providing safe pedestrian crossings on various roadways around the event site.

- Considerations should be given to making directional and information signs for your event.
- Vehicles parked illegally on City or private property will be ticketed by police and are subject to towing at the owner's expense.
- It is especially important that emergency access remain available at all times during your event, and that the event organizers follow the new event parking plan (2025).
- Vehicular access to any areas off the paved roadways must be approved by the Department in advance, including by event contractors, caterers, concessionaires, event leaders, etc.

**If you plan to submit a request that is outside the boundaries of this policy, please submit it at least 60 days in advance.**



### Facilities Use Request City of Belfast, Maine



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 application is specifically for City property such as waterfront parks, pavilions, streets, sidewalks, etc. This application is NOT for the Belfast Boathouse, but it may be required in addition to the Belfast Boathouse Rental Application if you are planning an event that includes both the Belfast Boathouse and Steamboat Landing Park.

This application must be submitted 60 days or more before the proposed event date. This allows for the application to be reviewed by all departments and to be reviewed and approved by the Belfast City Council.

EVENT NAME: COLD WATER CONNECTIONS

BRIEF EVENT DESCRIPTION: COLD WATER DIP FOR RAISING MONEY FOR REFUGEE PROGRAMS IN MAINE

DATES and TIMES: MARCH 15TH, 2025 @ 10:00AM (10:00-10:30AM)

PROPOSED LOCATIONS/AREAS TO BE USED: BEACH AT BELFAST BOATHOUSE

ORGANIZING GROUP (if applicable): N/A

GROUP REPRESENTATIVE/INDIVIDUAL NAME: COLLIN BREWSTER CUNNING

MAILING ADDRESS: 14 DURHAM CIRCLE, APT. B, BELFAST, ME 04915

PHONE NUMBER: (207) 370-9102 CELL PHONE: SAME

All applications and related documents must be returned to the Belfast Parks and Recreation Office at City Hall, 131 Church Street, Ground Level (drop off at City Clerk's office). Questions? Please call 207- 338-3370 Ext. 127 or parksandrec@cityofbelfast.org.

This is a planning checklist for your benefit as well as the City's. All activities must be included in the event description; anything not included cannot be approved and cannot be added later unless a second or revised application is submitted. Approvals will not be provided to individuals or groups who are uncertain of their plans.

When you are ready to submit your application, please attach maps, additional sheets, event outlines etc. which will help to explain your request. If any of the following questions do NOT apply to your event, simply write N/A (not applicable) in the space provided. Thank you.

Describe in detail the activities within your event and the schedule you are proposing.

PARTICIPANTS (w/ 16 PEOPLE) WILL ARRIVE B/W 9:45-10:00 AM, AT 10:00 AM WE WILL ALL GO IN THE WATER (SOME SUPPORTERS ON BEACH), STAY FOR UP TO 10 MINUTES (MOST WILL STAY FOR LESS), AND THEN GET OUT. THAT'S THE END OF THE EVENT!

Based on the facilities noted above, how do you intend to use the spaces requested?

BEACH WILL BE USED TO HOLD OUR CLOTHES AND TOWELS WHILE WE'RE IN THE WATER, AND THE SUPPORTERS CHEERING US ON.

Are you asking to close off any City Streets? If so, please list by street name (include from where-to-where the street will be blocked, days, times, etc.).

NO.

If yes, who will be managing the street closures?

N/A

How many people do you expect at your event?

B/W 20-30 (ONLY 16-20 PARTICIPATING IN THE DIP)

How many volunteers do you expect at your event?

3-4

Will you be selling things at this event? If yes, what will you be selling, and please provide descriptions.

NO.

If you will not be selling anything, will others at this event be selling items? If yes, please provide details.

NO.

Will you be renting spaces to vendors on City property? If yes, please provide for the type of vendors and your fees.

NO.

Please provide an explanation of vendor space sizes, locations, load-in/load-out details, etc.

N/A

Does this event call for any type of open fire, including for cooking purposes? If so, please describe what fire safety measures you plan on employing associated with this potential hazard? NOTE: a fire permit may be required.

NO

How do you propose to handle garbage removal?

SHOULDN'T BE ANY, BUT I WILL MAKE SURE IT'S CLEAN.

How do you propose to handle parking and how will parking instructions be communicated to vendors, volunteers, service providers, and your customers?

PEOPLE WILL EITHER USE EXISTING PARKING, OR WALK TO THE EVENT FROM NEARBY PARKING.

How do you propose to handle security, if needed.

NOT NEEDED.

How do you propose to handle the need for regular and accessible restrooms?

NOT NEEDED

What are your electrical needs, and how will you provide electricity?

NONE

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

MAYBE 1-2 CHEERS IN SUPPORT OR CELEBRATION.

What are your event safety protocols (i.e., weather, injury), and will you have a First Aid tent?

NO FIRST AID TENT. WE WILL HAVE SUPPORTERS W/ TOWELS AND WARM DRINKS, AND A FORMER NURSE PRESENT, NO PARTICIPANT WILL BE ALLOWED TO STAY IN FOR MORE THAN 15 MIN.

Have you spoken to the neighbors in the area of this event regarding traffic, noise, parking etc.? NOTE: You may need to provide parking lot monitors and signage for your event.

NO. SHOULDN'T BE AFFECTED SIGNIFICANTLY

Will any alcohol be served or consumed at this event? If yes, please provide details on who will be providing that service, including their contact information (phone and email). NOTE: Additional permits may be required for your event based on your service provider, their liability insurance coverages, and any existing permits they may have.

No

Please attach a map that shows your event's boundaries, how you will set-up your event (vendors, beer/wine garden, restrooms, where activities will be located, your access points, and any other pertinent details).

Are you able to provide a Certificate of Insurance in the amount of \$1,000,000 that also lists the City of Belfast as an additional insured 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?

NO

Who is your insurance agent that will provide the Certificate of Insurance as proof of this policy?

N/A

Who will be in charge of the event and on-site for the majority of the event's duration? Please include cell phone numbers and an email address.

MYSELF, COLLIN BREWSTER CUNNING - (207) 370-9102  
CBCUNNING4@GMAIL.COM

Are you asking the City for any additional services over and above the request to use the facilities you have described above? If so, please be specific. (Examples: barricades, security/street closures, electrical access, etc.)

NO

Are there any other details you haven't addressed and that you would like to include?

ALL DIPPERS SIGNED UP WILL BE REQUIRED TO SIGN A WAIVER NOT HOLDING MYSELF OR THE CITY RESPONSIBLE, THAT THEIR ACTIONS ARE BEING TAKEN AT

Have you reviewed the specific policies for use of City-owned property, located in Appendix A? THEIR OWN RISK.

Yes

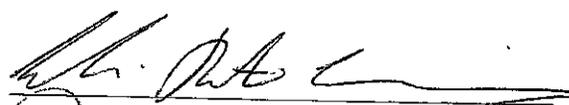
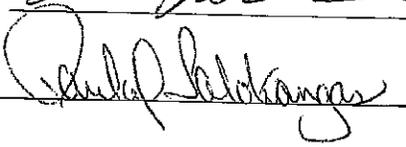
No

**Department and Services Requested**

|                  |     |
|------------------|-----|
| City Manager:    | N/A |
| Police:          | N/A |
| Fire/ Ambulance: | N/A |
| Parks and Rec.:  | N/A |
| Public Works:    | N/A |
| Harbor Master:   | N/A |
| Other:           | N/A |

**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 unless an amended form or an addendum is filed for approval by City Council. Any amendments or addenda must be filed more than 60 days prior to the event date.**

I certify that I am at least twenty-one (21) years of age. I have read and fully understand the Facilities Request Application and also the rules and regulations utilizing Belfast Parks and Recreation's facilities and property. I am an authorized representative of above listed business, organization, or event and will abide by all rules and regulations set forth by this agreement. I understand and fully agree to forfeiture of any or all deposits if I am not in compliance with the terms set forth by this agreement. In signing this form as an individual or as a representative of the above listed business or organization, release the City of Belfast from any and all liability in case of death or injury during the use of any City-owned facility or property.

|            |   |       |           |
|------------|---|-------|-----------|
| SIGNATURE: |  | DATE: | 3/10/2025 |
| REVIEW #1: |  | DATE: | 3/10/2025 |
| REVIEW #2: | _____   | DATE: | _____     |
| APPROVAL:  | _____   | DATE: | _____     |

10.A, B+C



## 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](mailto:planningandcodes@cityofbelfast.org)

March 11, 2025

### NOTE TO BELFAST CITY COUNCIL

MARCH 18, 2025

SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCE AMENDMENTS

TRANSITIONAL HOUSING FACILITY AT 23 MILL LANE,

THE UNITED METHODIST CHURCH

FROM BUB FOURNIER, DIRECTOR OF PLANNING AND CODES DEPARTMENT

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### TRANSITIONAL HOUSING BACKGROUND

At the regular meeting of Jan. 7, 2025, the Belfast City Council discussed a proposed Transitional Housing Facility to be located at 23 Mill Lane, the United Methodist Church. The project's supporters, the Midcoast Maine Homeless Coalition, were given specific questions to address at the Council's next regular meeting on Jan. 21, 2025. At that time, the Council directed staff to begin work on the necessary Ordinance Amendments to facilitate the proposal based on the details of the proposal and the discussion at the two Council meetings.

On Jan. 22, 2025, the Planning Board received the same information that the Council had reviewed the evening before, with the direction of making the necessary changes to the City Code to facilitate the proposed Transitional Housing Facility at 23 Mill Lane. At that meeting, the Board, with assistance from staff, began to look at specific standards that might be applied to such a use. The Board discussed language regarding definitions of the proposed use, as well as uses that may be conflated with the Transitional Housing Facility. The Board reached consensus on most of the standards that staff identified, including the potential requirement of an annual City License for any Transitional Housing Facility.

At a duly noticed public hearing on February 12<sup>th</sup>, 2025, the Planning Board reviewed a more developed draft of Ordinance Amendments on this topic. The Board received written and oral comments from community members in support and opposed to the proposal. The Board, after the public hearing and discussion, directed staff to make final minor adjustments to the draft language and recommended the proposal for City Council adoption unanimously.

The City Council held a First Reading and duly noticed public hearing on these proposed Ordinance Amendments on March 4, 2025 at which time they voted unanimously to move the proposal to a Second Reading and public hearing on March 18<sup>th</sup>, 2025.

The work being contemplated in this particular Ordinance Amendment package involves four different Chapters of the City Code and would allow a Transitional Housing Facility at one specific property, 23 Mill Lane, with Planning Board approval. The proposed amendments to Chapter 66 would define the proposed use. The proposed amendments to Chapter 14 Business would facilitate the annual licensing of any Transitional Housing Facility, including an annual inspection by the Code Enforcement Officer with final approval by the City Council for the license. The proposed amendments to Chapter 72 Housing and Lodging support the licensure and direct any such use to the standards in Chapter 102 as well as the adopted building, plumbing and electrical codes. The proposed amendments to Chapter 102 identify the standards that the Planning Board would apply in their review of any Transitional Housing Facility, incorporate the use into the user-friendly tables with footnotes for each zoning district, and implement a zoning map amendment to identify 23 Mill Lane as a Special Use Area (SUA-3) within the Outside Rural 2 zoning district that may allow such a use.

It's important to remember that a Transitional Housing Facility is not currently mentioned in the City Ordinance and would not be allowed under the current language. The most similar use in the current Ordinance would be a rooming house, and only "owner-occupied" rooming houses are currently allowed anywhere in the City.

The format of the draft language for this amendment package is typical. ~~Blue strikethrough~~ font is text to be deleted from the current Ordinance. **Red** font is new language being proposed. **Black** font is currently existing.

## **SECOND READING AND PUBLIC HEARING**

At the your next City Council meeting, staff would again like to briefly present the draft proposal consisting of Ordinance Amendments regarding a Transitional Housing Facility at 23 Mill Lane. The proposal includes amendments to Chapter 66 Definitions, Chapter 14 Businesses, Chapter 72 Housing and Lodging, Chapter 102 Zoning, and a zoning map amendment. Please note that all property owners within 1,500' of the 23 Mill Lane property were notified directly during the Planning Board process. The notice has also been advertised for two weeks during the Planning Board process, two weeks prior to this First Reading, and one week prior to the upcoming Second Reading at City Council.

I respectfully request that you consider holding a public hearing after the presentation followed by a discussion and possible action. The City Council could potentially adopt, table or amend the proposal immediately following the Second Reading. Only the City Council can adopt any proposed Ordinance Amendments.

*Draft motion: To adopt Ordinance Amendments in Chapter 14 Business, Chapter 66 Definitions, Chapter 72 Housing and Chapter 102 Zoning regarding a Transitional Housing Facility at 23 Mill Lane.*

**Editor's Note:** The City has used the following format to identify the proposed amendments to the City Ordinance. All text shown in **Red Font** is language that is proposed to be added to the Chapter/Ordinance. All text shown in ~~Blue Strike-Through Font~~ is language that is proposed to be deleted from the Chapter/Ordinance. All text shown in **Black Font** is existing language in the Chapter/Ordinance that is not proposed to be either added or deleted.

## CHAPTER 66, GENERAL PROVISIONS

Sec. 66-1 Definitions.

### **TRANSITIONAL HOUSING FACILITY**

**A residential use, in which residents sign leases or occupancy agreements, that provides temporary housing with supportive services to individuals and families experiencing homelessness with the goal of interim stability and support to successfully move to and maintain permanent housing. This definition includes facilities that comply with applicable performance standards in Chapter 102 Article VII Supplementary District Regulations, Division 10 *Transitional Housing Facilities*. This definition does not include an *Emergency Shelter*.**

### **EMERGENCY SHELTER**

**A facility, the primary purpose of which is to provide a temporary shelter for people experiencing homelessness in general and which does not require occupants to sign leases or occupancy agreements.**

### HOTEL

A building in which lodging, or meals and lodging, are transient in nature and offered to the general public for compensation and which ingress and egress to and from the rooms are made primarily through an inside lobby or office and offer no less than four rooms for rent. **This definition does not include a *Transitional Housing Facility* or *Emergency Shelter*.**

### MOTEL

A building or group of buildings in which lodging is transient in nature and offered to the general public for compensation and where entrances to rooms are made directly from the outside of the building and offer no less than four rooms for rent. Motels include terms such as sporting camps and cottages. . **This definition does not include a *Transitional Housing Facility* or *Emergency Shelter*.**

## CHAPTER 14, BUSINESSES

### Article XI Transitional Housing Facility License

#### Division 1 Generally

Sec. 14-390 Reserved.

Sec. 14-391 Purpose of article. The purpose of this article is to establish a procedure and standards for the City to annually review the operations of *Transitional Housing Facilities*. The City finds it is in the public health, safety, and economic welfare to regulate such uses.

Sec. 14-392 Penalty. Any person or entity operating a *Transitional Housing Facility* within the City without the required license shall be subject to a civil penalty of \$100 per day for each day of operation without the required license.

Sec. 14-393 Other applicable codes. Any *Transitional Housing Facility* use within the City shall be subject to all applicable City Ordinances, particularly but not limited to those in this Chapter, Chapter 66 General Provisions, Chapter 72 Housing and Lodging, Chapter 102 Zoning as well as applicable State Laws.

Sec. 11-394 Reserved.

#### Division 2 License

Sec. 14-395 Required; display. An annual license issued by the City shall be required for any *Transitional Housing Facility* that have met the requirements of the zoning regulations (chapter 102) for such use. No person may conduct, control, manage or operate, directly or indirectly, any *Transitional Housing Facility* unless reviewed and licensed as directed by this article for this specific use. Licenses must be displayed in a place readily visible to residents, City officials, or other persons using the licensed facility.

Sec. 14-396 Initial and renewal licenses.

- (a) Initial license. Any person desiring to operate a *Transitional Housing Facility* who is not already licensed by the City to operate such must apply for and obtain an initial license.
- (b) Renewal license. Any person already licensed as a permitted *Transitional Housing Facility* who desires to continue operating beyond the expiration of a license must apply for and obtain a renewal license.

Sec. 14-397 Application. An application for a *Transitional Housing Facility*, initial and renewal, shall be available in the City Clerk's office. The applicant must complete such an application in its entirety, sign it, and submit it to the City Clerk, along with any reasonable documentation that may be required by written application instructions

prepared by the City Clerk and approved by the City Council. The application shall include documentation that the applicant has submitted an application to the City Planning Board to determine compliance with the requirements of the zoning regulations (Chapter 102) for the *Transitional Housing Facility*.

**Sec. 14-398 Term;transfer.** Any *Transitional Housing Facility* license issued for a permitted use initially issued by the City shall be effective for one year from the date of issuance and must be renewed annually. No license is assignable or transferable.

**Sec. 14-398 New license required upon change in operation.** Each license issued under this article is for operation pursuant to the information contained in the application when filed. If the licensee experiences or desires to make any material change in its operations, the licensee must apply for a new initial license. Such change, on the date it occurs, effectively terminates the licensee's authority to continue operating under the licensee's existing license.

**Sec. 14-399 Fees.** Each application for a *Transitional Housing Facility* license, initial or renewal, must be accompanied by an administrative fee in the amount of \$50, or as amended by the City Council. No application will be considered without payment of this fee.

**Sec. 14-400 Issuance.**

- (a) **Initial license.** Upon receipt of a completed application for a *Transitional Housing Facility* license and the required application fee, the City Clerk shall schedule the request for an initial license on the regular agenda of the City Council. All initial licenses shall be approved by the City Council prior to their issuance by the City Clerk.
- (b) **Renewal license.** Upon receipt of a completed application and the required application fee, the City Clerk shall schedule the request for a renewal license under the Consent Agenda of the City Council. The completed application shall include an annual report on the number of residents that may have utilized the facility. All renewal licenses shall be approved by the City Council prior to their issuance by the City Clerk.
- (c) **Standards for issuance.** The City Council shall approve issuance of an initial or renewal *Transitional Housing Facility* license provided the applicant is in compliance with all City zoning regulations (Chapter 102), the technical standards (Chapter 98), and other applicable City ordinances and City land use regulations and state and local health and safety codes and regulations. The City Council shall rely on a written statement from the Code Enforcement Officer, which may be in the form of a Certificate of Occupancy for initial licenses, regarding compliance with Planning Board issued permits and other applicable building, electrical, plumbing, or life safety codes for any *Transitional Housing Facility*.

**Sec. 14-401 Inspection of premises.** The City Code Enforcement Officer shall have the right to enter and inspect the premises of any establishment for which an application for a license as a *Transitional Housing Facility* has been completed and submitted to the City Clerk. Inspections will be based on public health, safety and welfare along with performance requirements identified in any Planning Board issued permits, the adopted Property Maintenance Code, applicable zoning regulations (Chapter 102), plumbing code, electrical code, and building code adopted by the City. Inspection will include, but not be limited to, fire safety, sanitation, water supply and waste disposal. No entry or inspection shall be made without the permission and presence of the owner or the owner's designee. Entry and inspection shall be during business hours, or at a reasonable time.

**Sec. 14-402 Suspension or revocation.** In addition to the remedies provided in sections 14-392 and 14-393, the City Council, upon notice and hearing, for cause, may at any time suspend or revoke a *Transitional Housing Facility* license issued pursuant to this article. Cause shall mean the violation of any license provision or any provision of this article, or any condition causing a threat to the public health, safety, or welfare, including but not necessarily limited to the following: neighborhood disruption, disorderly customers, or excessively loud or unnecessary noise that initiates complaints to or requires a response from police, fire or other City regulatory bodies or employees.

**Sec 14-403-409 Reserved.**

## CHAPTER 72, HOUSING AND LODGING

### Article II. Short-Term Rental Registration

#### Sec. 72-103. Registration Requirements

1. Dwelling units that are required to be registered.
  - (a) Any residential STR dwelling unit located within the bounds of the City of Belfast must register the dwelling unit with the Planning and Codes Department.
  - (b) Any lodging establishment already licensed with the State and/or City is exempt from this provision.
  - (c) Any person renting out their primary residence or a room that is part of their primary residence is exempt from this provision.
  - (d) Any person renting out a residential dwelling unit that is not their primary residence but is located on the same property as their primary residence is required to register the dwelling unit or units.
2. Application required  
The applicant must submit an application to apply for the short-term rental registry. The Planning and Codes Department is responsible for creating the application and may amend the application as needed.
3. Initial and renewal registration
  - (a) Initial registration.  
Any property owner or management company on behalf of the property owner wanting to operate a short-term rental unit must register the short-term rental unit with Code Enforcement Officer before advertising or renting said short-term rental unit.
  - (b) Registration Renewal  
Any property owner or management company on behalf of the property owner already registered as a short-term rental unit who wishes to continue operating beyond the expiration of the registration period must apply for and obtain a registration renewal.
4. Registration time period  
A short-term rental registration is valid for one year from November 1 to October 31 of the following year.

### Article III. Transitional Housing Facilities.

**Sec. 72-110 Generally. Any Transitional Housing Facility in the City shall be licensed pursuant to Chapter 14 Businesses and remain in compliance with all applicable Chapter 102 Zoning and Chapter 74 Buildings and Building Regulations requirements.**

## CHAPTER 102 ZONING

### Article V, District Regulations

#### Division 16. Northwesterly of Bypass and Outside Rural Zoning Districts.

Sec. 102-625. Footnotes to Use Table for Northwesterly of Bypass and Outside Rural zoning districts. The Footnotes in Sec 102-625 apply to the Use Table for the Northwesterly of Bypass and Outside Rural area; reference Sec 102-624, Table of Uses. The Footnotes identify specific provisions that apply to certain uses identified in the Use Table, and are intended to make persons aware of said provisions. The respective Footnotes, however, do not identify all Ordinance standards that may apply to a specific use, and all persons must review all provisions in the City Code of Ordinances to determine the applicability of other requirements. The Footnotes appear next to the information that is subject to the Footnote, and are shown in the Use Table as follows: \*[letter of alphabet, lower case].

**\*[aaa] Reference the Performance Standards for Transitional Housing Facilities identified in Chapter 102, Zoning, Article VII, Supplementary District Regulations, Division 10. Transitional Housing Facilities, as defined by the City Ordinance, are only allowed with Planning Board review on Map 24 Lot 9-C, as part of the Special Use Area 3 (SUA-3) designation for this lot.**

Sec. 102-626 Special Use Areas, Outside Rural-1 and Outside Rural-2 zoning districts. Section 102-626, Special Use Areas (SUA), identifies certain properties located in the Outside Rural-1 or Outside Rural-2 zoning districts that the City has determined qualify to be used for certain potential additional uses compared to the underlying zoning district in which the properties are located. The identified properties were selected for designation as a Special Use Area (SUA) primarily because of the current or past use of the respective properties, and said uses not being a permitted use through-out the entirety of the respective zoning district.

**c) Special Use Area 3. Section 102-624, Table of Uses, identifies the Uses allowed in the Outside Rural-1 and Outside Rural-2 zoning districts, and Section 102-632, Dimensional Tables, identifies the Dimensional Standards that apply to properties, structures and uses in these respective zoning districts. The City hereby designates the following properties located in the Outside Rural-2 (OR-2) zoning district as a 'Special Use Area 3 (SUA-3)'. This designation allows the respective property to be used for any permitted use identified in the Section 102-624, Table of Uses, for the Outside Rural-2 zoning district, provided the use complies with applicable City standards, and to be used for the following additional uses that are identified as a Prohibited Use (NO) in the Table of Uses, again, subject to compliance with applicable City standards. A property owner must obtain a permit from the Planning Board to conduct any of the following uses on the property, or to expand an existing use on the property that is identified in this list of uses. The additional uses (reference Section 102.624, Table of Uses) that apply to the 'Special Use Area 3' (SUA-3) designation are as follows: 32) *Transitional Housing Facility*.**

## **Article VII Supplementary District Regulations**

### **Division 10 Transitional Housing Facilities**

**Sec. 102-1020 Purpose and Applicability.** The purpose of the *Transitional Housing Facility* provisions is to provide standards for this use. The City recognizes the need to provide community members experiencing homelessness with interim stability and support in order to successfully find, move into, and maintain permanent housing. Any *Transitional Housing Facility* in the City must demonstrate compliance with these standards before being issued a use permit by the Planning Board or obtaining a license from the City Council.

**Sec. 102-1021 Standards for Transitional Housing Facilities.** Any proposed *Transitional Housing Facility* in the City shall demonstrate compliance with the following standards and requirements. No such facility shall be approved unless the Planning Board makes an affirmative finding that the proposal is satisfactory regarding the following standards:

- (a) Scaled floor plans of the *Transitional Housing Facility* building shall be submitted for review.
- (b) Bathroom layout and function shall be submitted for review. A *Transitional Housing Facility* is considered a residential use that has specific bathroom requirements identified in the adopted Plumbing Code.
- (c) 24-hour, on-site staff shall be provided for the facility.
- (d) An applicant for a proposed *Transitional Housing Facility* shall submit a copy of an approved agreement to provide support services for residents or shall provide those services within their organization.
- (e) An applicant for a proposed *Transitional Housing Facility* shall submit a Communication Plan for City services and neighbors.
- (f) An applicant for a proposed *Transitional Housing Facility* shall submit a Transportation Plan
- (g) An applicant for a proposed *Transitional Housing Facility* shall submit an Emergency Response and Closure Plan.
- (h) An applicant for a proposed *Transitional Housing Facility* shall submit a Security, Maintenance and Sanitation Plan.
- (i) An applicant for a proposed *Transitional Housing Facility* shall submit Eligibility Requirements, Rules of Conduct, and a Turn Away policy.
- (j) An applicant for a proposed *Transitional Housing Facility* shall submit a copy of applicable State Fire Marshall's Office approvals.
- (k) An Applicant for a proposed *Transitional Housing Facility* shall be licensed by the City before any operations commence.

- (l) Applicants shall submit application materials that address standards in Chapter 90 Site Plan, Chapter 102 Zoning, and Chapter 98 Technical Standards if applicable.

**Sec. 102-1022 through 1029 Reserved.**

## SEC 102-514 USE TABLE - EASTSIDE DISTRICTS

| SECTION 102-514<br>TABLE OF USES, EASTSIDE ZONING DISTRICTS,<br>TYPE OF USE   | SEARSPORT AVENUE<br>COMMERCIAL (SAC) | SEARSPORT AVENUE<br>WATERFRONT -<br>(SAW) | SWAN LAKE AVENUE<br>MIXED USE (SLA-MU) | RESIDENTIAL 5 (RES-<br>5)          | RESIDENTIAL 6 (RES-<br>6) |  |  |
|---|--------------------------------------|---|--|------------------------------------|---------------------------|--|--|
| <b>RESIDENTIAL USES</b>   |                                      |   |  |                                    |                           |  |  |
| 1) Dwelling, single-family  | P-CEO                                | P-CEO                                     | P-CEO                                  | P-CEO                              | P-CEO                     |  |  |
| 2) Dwelling, Accessory dwelling unit; See Footnote *[a] .   | P-CEO *[a]                           | P-CEO *[a]                                | P-CEO *[a]                             | P-CEO *[a]                         | P-CEO *[a]                |  |  |
| 3) Dwelling, two-family.  | P-CEO                                | P-CEO                                     | P-CEO                                  | P-CEO                              | P-CEO                     |  |  |
| 4) Dwelling, Flex Housing.  | P-CEO or P-PBR *[b] & *[c]           | P-CEO or P-PBR *[b] & *[c]                | P-CEO or P-PBR *[b] & *[c]             | P-CEO or P-PBR *[b] & *[kk] & *[c] | NO                        |  |  |
| 5) Dwelling, multi-family (3 or more units in one structure). See Footnote *[c].  | P-PBR *[c] & *[e]                    | P-PBR *[c] & *[e]                         | P-PBR *[c] & *[e]                      | P-PBR *[c] & *[d]                  | NO                        |  |  |
| 6) Dwelling, multi-family in a residential planned unit development. See Footnote *[g]  | P-PBR *[g]                           | P-PBR *[g]                                | P-PBR *[g]                             | P-PBR *[g]                         | NO                        |  |  |
| 7) Residential Planned Unit Development (PUD). See Footnote *[g]  | P-PBR *[g]                           | P-PBR *[g]                                | P-PBR *[g]                             | P-PBR *[g]                         | NO                        |  |  |
| 8) Rural affordable housing development (PUD).  | NO                                   | NO  | NO                                     | NO                                 | NO                        |  |  |
| 9) Manufactured housing on a chassis/mobile home.   | P-CEO                                | P-CEO                                     | P-CEO                                  | P-CEO                              | P-CEO                     |  |  |
| 10) Manufactured housing (units on permanent foundation).   | P-CEO                                | P-CEO                                     | P-CEO                                  | P-CEO                              | P-CEO                     |  |  |
| 11) Manufactured housing community (units on chassis) or mobile home park.  | NO                                   | NO  | P-PBR *[i]                             | NO                                 | NO                        |  |  |
| 12) Accessory residential structures.   | P-CEO                                | P-CEO                                     | P-CEO                                  | P-CEO                              | P-CEO                     |  |  |
| 13) Accessory residential uses.   | P-CEO                                | P-CEO                                     | P-CEO                                  | P-CEO                              | P-CEO                     |  |  |
| 14) Accessory residential uses on the upper stories of nonresidential structures. See Footnote *[j]   | P-CEO or P-PBR *[j]                  | P-CEO or P-PBR *[j]                       | P-CEO or P-PBR *[j]                    | P-CEO or P-PBR *[j]                | P-CEO or P-PBR *[j]       |  |  |
| 15) Yard sales, residential held no more than 10 days in a calendar year.   | P                                    | P   | P                                      | P                                  | P                         |  |  |
| 16) Home occupation class 1: Small scale. See Footnote *[k]   | P *[k]                               | P *[k]                                    | P *[k]                                 | P *[k]                             | P *[k]                    |  |  |
| 17) Home occupation class 2: Mid-scale. See Footnote *[k].  | P-CEO *[k]                           | P-CEO *[k]                                | P-CEO *[k]                             | P-CEO *[k]                         | P-CEO *[k]                |  |  |
| 18) Home occupation class 3: Large scale. See Footnote *[k].  | P-PBR *[k]                           | P-PBR *[k]                                | P-PBR *[k]                             | P-PBR *[k]                         | P-PBR *[k]                |  |  |
| 19) Owner-occupied boarding or owner-occupied lodging house with up to 3 borders or lodgers.  | P-CEO                                | P-CEO                                     | P-CEO                                  | P-CEO                              | P-CEO                     |  |  |
| 20) Owner-occupied boarding or owner-occupied lodging house with 4 or more borders or lodgers.  | P-PBR                                | P-PBR                                     | P-PBR                                  | 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-PBR                              | P-PBR                     |  |  |
| 22) Owner-occupied group home or owner-occupied hospice with a capacity of 9 or more residents.   | P-PBR                                | P-PBR                                     | P-PBR                                  | NO                                 | NO                        |  |  |
| 23) Group home with a capacity of up to 8 residents.  | P-PBR                                | P-PBR                                     | P-PBR                                  | P-PBR                              | P-PBR                     |  |  |
| 24) Group home with a capacity of 9 or more residents.  | P-PBR                                | P-PBR                                     | P-PBR                                  | 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-PBR                              | P-PBR-                    |  |  |

**SEC 102-514 USE TABLE - EASTSIDE DISTRICTS**

| SECTION 102-514<br>TABLE OF USES, EASTSIDE ZONING DISTRICTS,<br>TYPE OF USE   | SEARSPORT AVENUE<br>COMMERCIAL - (SAC) | SEARSPORT AVENUE<br>WATERFRONT -<br>(SAW) | SWAN LAKE AVENUE<br>MIXED USE (SLA-MU) | RESIDENTIAL 5 (RES-<br>5) | RESIDENTIAL 6 (RES-<br>6) |  |  |
|---|--|---|--|---------------------------|---------------------------|--|--|
| 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] | P-PBR                                  | P-PBR                                     | P-PBR                                  | NO                        | NO                        |  |  |
| 27) Bed and breakfast class 1. See Footnote *[1]  | P-PBR *[1]                             | P-PBR *[1]                                | P-PBR *[1]                             | P-PBR *[1]                | P-PBR *[1]                |  |  |
| 28) Bed and breakfast class 2. See Footnote *[1]  | P-PBR *[1]                             | P-PBR *[1]                                | P-PBR *[1]                             | P-PBR *[1]                | P-PBR *[1]                |  |  |
| 29) Bed and breakfast class 3. See Footnote *[1]  | P-PBR *[1]                             | P-PBR *[1]                                | P-PBR *[1]                             | P-PBR *[1]                | P-PBR *[1]                |  |  |
| 30) Bed and breakfast, non-owner occupied. Class 1, 2, or 3 *[1]  | P-PBR *[1]                             | P-PBR *[1]                                | P-PBR *[1]                             | NO                        | NO                        |  |  |
| 31) Emergency Shelter, as defined by City Ordinance   | NO                                     | NO  | NO                                     | NO                        | NO                        |  |  |
| 32) Transitional Housing Facility, as defined by City Ordinance *[aaa]  | NO                                     | NO  | NO                                     | NO                        | NO                        |  |  |
| (Reserved 3433-44)  |  |   |  |                           |                           |  |  |
|   |  |   |  |                           |                           |  |  |
| <b>OFFICE, CHILD CARE, HEALTH CARE &amp; VETERINARY<br/>USES</b>  |  |   |  |                           |                           |  |  |
| 45) Professional offices and health care offices.   | P-PBR *[m] & *[mm]                     | P-PBR *[m] & *[mm]                        | P-PBR *[m]                             | NO                        | NO                        |  |  |
| 46) Health care facilities and hospitals.   | P-PBR *[mm]                            | NO  | NO                                     | NO                        | NO                        |  |  |
| 47) Nursing homes and Long-term care facilities   | P-PBR *[mm]                            | P-PBR *[mm]                               | P-PBR                                  | NO                        | NO                        |  |  |
| 48) Care facility, child care facility serving up to 12 children. [State defined Small Childcare Facility for 3 -12 children] *[vv]   | P-CEO *[k] & *[vv]                     | P-PBR - *[k] & *[vv]                      | P-PBR - *[k] & *[vv]                   | P-PBR - *[k] & *[vv]      | P-PBR - *[k] & *[vv]      |  |  |
| 49) Care facility, child care facility serving more than 12 children. [State defined Child Care Center]. *[vw]  | P-PBR *[mm] & *[vv]                    | P-PBR *[mm] & *[vv]                       | P-PBR *[vv]                            | P-PBR *[vv]               | P-PBR *[vv]               |  |  |
| 50) Care facility, youth and adult.   | P-PBR *[mm]                            | P-PBR *[mm]                               | P-PBR                                  | P-PBR                     | P-PBR                     |  |  |
| 51) Veterinary clinic and veterinary hospital.  | P-PBR *[mm]                            | NO  | P-PBR                                  | NO                        | NO                        |  |  |
| 52) Animal kennel Class 1, includes day-time training facilities.   | NO                                     | NO  | P-PBR *[v]                             | NO                        | NO                        |  |  |
| 53) Animal kennel Class 2.  | P-PBR *[v] & *[mm]                     | NO  | P-PBR *[v]                             | NO                        | NO                        |  |  |
| Reserved 54) - 70)  |  |   |  |                           |                           |  |  |
|   |  |   |  |                           |                           |  |  |
| <b>RETAIL, MOTOR VEHICLE, SERVICES, &amp; REPAIR<br/>USES</b>   |  |   |  |                           |                           |  |  |
| 70) Retail Store, See Footnote *[n] regarding size limits that apply.   | P-PBR *[n] & *[mm]                     | P-PBR *[n] & *[mm]                        | P-PBR *[n]                             | NO                        | NO                        |  |  |
| 71) Shopping centers, including mixed use development (service, retail, restaurant, and/or office in same complex). See Footnote *[o] regarding size limits that apply.   | P-PBR *[o] & *[mm]                     | P-PBR *[o] & *[mm]                        | NO                                     | NO                        | NO                        |  |  |
| 72) Commercial agricultural greenhouse or nursery: Sale of materials, plants or similar items commonly associated with landscaping activities.  | P-PBR *[mm]                            | P-PBR *[mm]                               | P-PBR                                  | NO                        | NO                        |  |  |
| 73) Farmers Market, indoor or outdoor, that may also include food and craft sales.  | P-PBR *[n] & *[mm]                     | P-PBR *[n] & *[mm]                        | P-PBR *[n]                             | NO                        | NO                        |  |  |
| 74) Medical Marijuana caregiver retail stores   | P-PBR *[n] & *[cc] & *[mm]             | P-PBR *[n] & *[cc] & *[mm]                | P-PBR *[n] & *[cc]                     | NO                        | NO                        |  |  |
| 75) Adult Use, Marijuana Retail Store   | NO                                     | NO  | NO                                     | NO                        | NO                        |  |  |

**SEC 102-514 USE TABLE - EASTSIDE DISTRICTS**

|   |   |  |  |                                   |                                   |  |  |
|---|---|--|--|-----------------------------------|-----------------------------------|--|--|
| 76) Convenience stores. See Footnote * [q] regarding size limits that apply.  | P-PBR *[q] & * [mm]                           | NO   | P-PBR *[q]                                     | NO                                | NO                                |  |  |
| <b>SECTION 102-514<br/>TABLE OF USES, EASTSIDE ZONING DISTRICTS,<br/>TYPE OF USE</b>  | <b>SEARSPORT AVENUE<br/>COMMERCIAL- (SAC)</b> | <b>SEARSPORT AVENUE<br/>WATERFRONT -<br/>(SAW)</b> | <b>SWAN LAKE AVENUE<br/>MIXED USE (SLA-MU)</b> | <b>RESIDENTIAL 5 (RES-<br/>5)</b> | <b>RESIDENTIAL 6 (RES-<br/>6)</b> |  |  |
| 77) Redemption Centers for Beverage Containers  | P-PBR *[mm]                                   | P-PBR *[mm]  | P-PBR  | NO                                | NO                                |  |  |
| 78) Motor vehicle, snowmobile, utility-terrain vehicle (UTV) and all-terrain vehicle (ATV) and similar repair business. Reference Footnote * [uu] | P-PBR *[mm] & * [uu]                          | NO   | P-PBR * [uu]                                   | NO                                | NO                                |  |  |
| 79) Motor vehicle fuel sales.   | P-PBR *[mm]                                   | NO   | P-PBR * [w]                                    | NO                                | NO                                |  |  |
| 80) Motor vehicle sales including automobiles, snowmobiles, utility-terrain vehicles (UTV) and all-terrain vehicles (ATV). Primary use.           | P-PBR *[mm]                                   | NO   | P-PBR  | NO                                | NO                                |  |  |
| 81) Motor homes, heavy trucks, and related equipment sales, repairs and services.   | P-PBR *[mm]                                   | NO   | P-PBR  | NO                                | NO                                |  |  |
| 82) Mobile home, manufactured home and modular home sales.  | P-PBR *[mm]                                   | NO   | P-PBR  | NO                                | NO                                |  |  |
| 83) Personal services. See Footnote * [p] regarding size limits that may apply.   | P-PBR * [p] & * [mm]                          | P-PBR * [p] & * [mm]                               | P-PBR * [p]                                    | NO                                | NO                                |  |  |
| 84) Service Business. See Footnote * [xx] regarding size limits that may apply.   | P-PBR * [xx] & * [mm]                         | P-PBR * [xx] & * [mm]                              | P-PBR * [xx]                                   | NO                                | NO                                |  |  |
| 85) Lumber Yard & Building Supply Store. See definition of a Lumber Yard & Building Supply Store in Chapter 66.                                   | P-PBR * [tt] & * [mm]                         | NO   | NO   | NO                                | NO                                |  |  |
| 86) Laundromat  | P-PBR * [mm].<br>If on public sewer           | P-PBR * [mm].<br>If on public sewer                | P-PBR. If on public sewer.                     | NO                                | NO                                |  |  |
| 87) Dry Cleaning (on-site)  | P-PBR * [mm].<br>If on public sewer           | NO   | NO   | NO                                | NO                                |  |  |
| 88) Funeral Home  | P-PBR * [mm]                                  | P-PBR * [mm]                                       | P-PBR  | NO                                | NO                                |  |  |
| 89) Mausoleum/crematory   | NO  | NO   | NO   | NO                                | NO                                |  |  |
| Reserved. 90) - 109)  |   |  |  |                                   |                                   |  |  |
| <b>RESTAURANT &amp; LODGING USES</b>  |   |  |  |                                   |                                   |  |  |
| 110) Hotel and motel.   | P-PBR * [mm]                                  | P-PBR * [mm]                                       | NO   | NO                                | NO                                |  |  |
| 111) Campground excluding Recreation Vehicle (RV) Park.   | P-PBR * [mm]                                  | P-PBR * [mm]                                       | NO   | NO                                | NO                                |  |  |
| 112) Campground, including a Recreation Vehicle (RV) Park and Motor Homes   | P-PBR * [mm]                                  | P-PBR * [mm]                                       | NO   | NO                                | NO                                |  |  |
| 113) Restaurant, fast food.   | P-PBR * [mm]                                  | NO   | NO   | NO                                | NO                                |  |  |
| 114) Restaurant, formula  | P-PBR * [mm]                                  | P-PBR * [mm]                                       | NO   | NO                                | NO                                |  |  |
| 115) Restaurant with indoor seating.  | P-PBR * [mm]                                  | P-PBR * [mm]                                       | P-PBR  | NO                                | NO                                |  |  |
| 116) Restaurant with outdoor seating.   | P-PBR * [mm]                                  | P-PBR * [mm]                                       | P-PBR  | NO                                | NO                                |  |  |
| 117) Restaurant, take out.  | P-PBR * [mm]                                  | P-PBR * [mm]                                       | P-PBR  | NO                                | NO                                |  |  |
| 118) Restaurant with drive through window.  | P-PBR * [mm]                                  | NO   | NO   | NO                                | NO                                |  |  |
| 119) Restaurant, ice cream stand.   | P-PBR * [mm]                                  | P-PBR * [mm]                                       | P-PBR  | NO                                | NO                                |  |  |
| 120) Lobster pound, and accessory fish/seafood processing   | P-PBR * [mm]                                  | P-PBR * [mm]                                       | P-PBR  | NO                                | NO                                |  |  |
| Reserved 121) - 139)  |   |  |  |                                   |                                   |  |  |

**SEC 102-514 USE TABLE - EASTSIDE DISTRICTS**

| SECTION 102-514<br>TABLE OF USES, EASTSIDE ZONING DISTRICTS,<br>TYPE OF USE  |  |   |  |                           |                           |  |
|--|--|---|--|---------------------------|---------------------------|--|
|  | SEARSPORT AVENUE<br>COMMERCIAL - (SAC) | SEARSPORT AVENUE<br>WATERFRONT -<br>(SAW) | SWAN LAKE AVENUE<br>MIXED USE (SLA-MU) | RESIDENTIAL 5 (RES-<br>5) | RESIDENTIAL 6 (RES-<br>6) |  |
| <b>INDUSTRIAL, MANUFACTURING, LABORATORY,<br/>WAREHOUSE, STORAGE &amp; AQUACULTURE</b>   |  |   |  |                           |                           |  |
| 140) Light industrial/Light manufacturing  | P-PBR *[s] &*[mm] &*[vw]               | NO  | P-CEO *[s] &*[vw]                      | NO                        | NO                        |  |
| 141) Manufacturing, processing and industrial activities, including accessory retail sales   | P-PBR *[r] &*[mm] &*[vw]               | NO  | NO                                     | NO                        | NO                        |  |
| 142) Bituminous asphalt plant/mixing operations.   | NO                                     | NO  | NO *[oo] &*[pp]                        | NO                        | NO                        |  |
| 143) Storage, contractor operations including exterior storage of materials and equipment  | P-PBR *[u] &*[mm]                      | NO  | P-PBR *[u]                             | NO                        | NO                        |  |
| 144) Storage facility/warehouse  | P-PBR *[r] &*[mm]                      | NO  | P-PBR *[r]                             | NO                        | NO                        |  |
| 145) Storage, self-storage facility.   | P-PBR *[mm]                            | NO  | P-PBR                                  | NO                        | NO                        |  |
| 146) Storage tanks for petroleum products, including propane for sale.   | NO                                     | NO  | NO                                     | NO                        | NO                        |  |
| 147) Boat building, boat repair, boat retrofitting or boat storage, including allowing limited onsite sales as an accessory use.   | P-PBR *[y] &*[mm]                      | P-PBR *[y] &*[mm]                         | P-CEO *[y]                             | NO                        | NO                        |  |
| 148) Research laboratory.  | P-PBR *[mm]                            | NO  | P-PBR                                  | NO                        | NO                        |  |
| 149) Medical Marijuana testing facilities  | P-PBR *[cc] &*[mm]                     | P-PBR *[cc] &*[mm]                        | P-PBR *[cc]                            | NO                        | NO                        |  |
| 150) Medical Marijuana manufacturing facilities  | P-PBR *[cc] &*[mm]                     | P-PBR *[cc] &*[mm]                        | P-PBR *[cc]                            | NO                        | NO                        |  |
| 151) Adult Use Marijuana Cultivation, Tier 1   | P-CEO *[dd] &*[mm]                     | P-CEO *[dd] &*[mm]                        | P-CEO *[dd]                            | NO                        | NO                        |  |
| 152) Adult Use Marijuana Cultivation, Tier 2   | P-PBR *[dd] &*[mm]                     | P-PBR *[dd] &*[mm]                        | P-PBR *[dd]                            | NO                        | NO                        |  |
| 153) Adult Use Marijuana Cultivation, Tier 3   | P-PBR *[dd] &*[mm]                     | NO  | NO                                     | NO                        | NO                        |  |
| 154) Adult Use Marijuana Cultivation, Tier 4   | P-PBR *[dd] &*[mm]                     | NO  | NO                                     | NO                        | NO                        |  |
| 155) Adult Use, Marijuana Cultivation Nursery  | P-PBR *[dd] &*[mm]                     | NO  | P-PBR *[dd]                            | NO                        | NO                        |  |
| 156) Adult Use, Marijuana Testing Facility   | P-PBR *[dd] &*[mm]                     | P-PBR *[dd] &*[mm]                        | P-PBR *[dd]                            | NO                        | NO                        |  |
| 157) Adult Use, Marijuana Manufacturing Facility   | P-PBR *[dd] &*[mm]                     | P-PBR *[dd] &*[mm]                        | P-PBR *[dd]                            | NO                        | NO                        |  |
| 158) Aquaculture, Land-Based   | NO                                     | NO  | NO                                     | NO                        | NO                        |  |
| 159) Aquaculture, Freshwater   | NO                                     | P-PBR *[mm]                               | NO                                     | NO                        | NO                        |  |
| 160) Aquaculture, Marine   | NO                                     | P-PBR *[mm]                               | NO                                     | NO                        | NO                        |  |
| 161) Aviation and uses accessory to aviation.  | NO                                     | NO  | NO                                     | NO                        | NO                        |  |
| Reserved 162) - 179)   |  |   |  |                           |                           |  |
| <b>AGRICULTURE &amp; NATURAL RESOURCE USES</b>   |  |   |  |                           |                           |  |
| 180) Commercial agricultural, dairy and horticultural activities, including you pick operations. Also reference 181) - 184) below. | P-PBR                                  | P-PBR                                     | P-PBR                                  | P-CEO                     | P-PBR                     |  |
| 181) Farm Stand and/or Small Craft Sales as an Accessory Use to an Agricultural Use  | P-PBR                                  | P-PBR                                     | P-PBR                                  | P-PBR                     | P-PBR                     |  |

**SEC 102-514 USE TABLE - EASTSIDE DISTRICTS**

| SECTION 102-514<br>TABLE OF USES, EASTSIDE ZONING DISTRICTS,<br>TYPE OF USE   | SEARSPORT AVENUE<br>COMMERCIAL- (SAC) | SEARSPORT AVENUE<br>WATERFRONT -<br>(SAW) | SWAN LAKE AVENUE<br>MIXED USE (SLA-MU) | RESIDENTIAL 5 (RES-<br>5) | RESIDENTIAL 6 (RES-<br>6) |  |  |
|---|---------------------------------------|---|--|---------------------------|---------------------------|--|--|
| 182) Commercial Poultry. (Refer to Chap 66, Definition)   | NO                                    | NO  | NO                                     | NO                        | NO                        |  |  |
| 183) Commercial Piggeries. (Refer to Chap 66, Definition)   | 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) | P-PBR                                 | 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                                  | P-CEO                     | P-CEO                     |  |  |
| 186) Slaughterhouse.  | NO                                    | NO  | NO                                     | NO                        | NO                        |  |  |
| 187) Horses and horse barns/Stables.  | P-PBR *[jj]                           | P-PBR *[jj]                               | P-PBR                                  | NO                        | P-PBR                     |  |  |
| 188) Animal breeding, husbandry.  | P-PBR                                 | P-PBR                                     | P-PBR                                  | NO                        | P-PBR                     |  |  |
| 189) Tree farm.(Including on-site sales)  | P-PBR                                 | NO  | P-PBR                                  | NO                        | P-PBR                     |  |  |
| 190) Forestry: Woodlot management and timber harvesting. Reference State Permitting requirements from DEP.  | State                                 | State                                     | State                                  | State                     | State                     |  |  |
| 191) Forestry: Commercial firewood processing.  | P-PBR                                 | NO  | P-PBR                                  | NO                        | NO                        |  |  |
| Reserved 192) - 209)  |                                       |   |  |                           |                           |  |  |
| <b>UTILITIES</b>  |                                       |   |  |                           |                           |  |  |
| 210) Stealth telecommunications facilities.   | P-PBR *[ff]                           | P-PBR *[ff]                               | P-PBR *[ff]                            | P-PBR *[ff]               | P-PBR *[ff]               |  |  |
| 211) Minor telecommunications facilities including co-location on existing structures.  | P-CEO *[ff]                           | P-CEO *[ff]                               | P-CEO *[ff]                            | P-CEO *[ff]               | P-CEO *[ff]               |  |  |
| 212) Telecommunications facilities.   | P-PBR *[ff]                           | NO  | P-PBR *[ff]                            | NO                        | NO *[ll]                  |  |  |
| 213) Small Wireless Facility (as defined by State Statute)  | P                                     | P   | P                                      | P                         | P                         |  |  |
| 214) Essential Services. Also see 215) below.   | P                                     | P   | P                                      | P                         | P                         |  |  |
| 215) Power Generation & Substations, Phase 3 Power Transmission Lines, & natural gas line facilities  | P-PBR *[gg] & *[mm]                   | P-PBR *[gg] & *[mm]                       | P-PBR *[gg]                            | P-PBR *[gg]               | P-PBR *[gg]               |  |  |
| 216) Solar Energy Systems, Large-Scale, ground-mounted.   | P-PBR *[ee]                           | P-PBR *[ee]                               | P-PBR *[ee]                            | P-PBR *[ee]               | P-PBR *[ee]               |  |  |
| 217) Solar Energy Systems, Small-Scale and Medium-Scale, ground-mounted and roof-mounted.   | P-CEO*[ee]                            | P-CEO*[ee]                                | P-CEO*[ee]                             | P-CEO*[ee]                | P-CEO*[ee]                |  |  |
| 218) Solar Energy Systems, Large-Scale, roof-mounted.   | P-CEO*[ee]                            | P-CEO*[ee]                                | P-CEO*[ee]                             | P-CEO*[ee]                | P-CEO*[ee]                |  |  |
| 219) Wind Generation - Turbines (Commercial)  | NO                                    | NO  | NO                                     | NO                        | NO                        |  |  |
| 220) Wind Generation - Turbines (Residential)   | P-CEO                                 | P-CEO                                     | P-CEO                                  | P-CEO                     | P-CEO                     |  |  |
| 221) Hydroelectric Power Generation facilities  | P-PBR*[ss]                            | P-PBR*[ss]                                | P-PBR*[ss]                             | NO                        | NO                        |  |  |
| Reserved 222) - 239)  |                                       |   |  |                           |                           |  |  |
| <b>PUBLIC, SCHOOLS, COMMUNITY FACILITIES,<br/>PERFORMANCE FACILITIES &amp; RECREATION</b>   |                                       |   |  |                           |                           |  |  |
| 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-CEO *[mm]                           | P-CEO *[mm]                               | P-CEO                                  | P-CEO                     | P-CEO                     |  |  |

**SEC 102-514 USE TABLE - EASTSIDE DISTRICTS**

| SECTION 102-514<br>TABLE OF USES, EASTSIDE ZONING DISTRICTS,<br>TYPE OF USE  | SEARSPORT AVENUE<br>COMMERCIAL- (SAC) | SEARSPORT AVENUE<br>WATERFRONT -<br>(SAW) | SWAN LAKE AVENUE<br>MIXED USE (SLA-MU) | RESIDENTIAL 5 (RES-<br>5) | RESIDENTIAL 6 (RES-<br>6) |  |  |
|--|---------------------------------------|---|--|---------------------------|---------------------------|--|--|
| 241) Quasi-public and non-municipal public uses. Reference Footnote *[z] regarding City authority responsible for issuing a permit.  | P-CEO or P-PBR *[z] & *[mm]           | P-CEO or P-PBR *[z] & *[mm]               | P-CEO or P-PBR *[z]                    | P-CEO or P-PBR *[z]       | P-CEO or P-PBR *[z]       |  |  |
| 242) Public park.  | P-CEO                                 | P-CEO                                     | P-CEO                                  | P-CEO                     | P-CEO                     |  |  |
| 243) Public parking facility.  | P-PBR                                 | P-PBR                                     | P-PBR                                  | NO                        | NO                        |  |  |
| 244) School, public  | P-PBR *[mm]                           | P-PBR *[mm]                               | P-PBR                                  | NO                        | P-PBR                     |  |  |
| 245) School, private/parochial/charter.  | P-PBR *[mm]                           | P-PBR *[mm]                               | P-PBR                                  | NO                        | P-PBR                     |  |  |
| 246) Community center.   | P-PBR *[mm]                           | P-PBR *[mm]                               | P-PBR                                  | P-PBR                     | P-PBR                     |  |  |
| 247) Social club.  | P-PBR *[mm]                           | P-PBR *[mm]                               | NO                                     | NO                        | NO                        |  |  |
| 248) Museum.   | P-PBR *[mm]                           | P-PBR *[mm]                               | P-PBR                                  | NO                        | NO                        |  |  |
| 249) Convention center.  | P-PBR *[mm]                           | NO  | NO                                     | NO                        | NO                        |  |  |
| 250) Theater/Performing arts center.   | P-PBR *[mm]                           | P-PBR *[mm]                               | NO                                     | NO                        | NO                        |  |  |
| 251) Theater, outdoor and event facility. Permitted as an accessory use to a residential or agricultural use.  | P-PBR *[mm]                           | NO  | NO                                     | NO                        | NO                        |  |  |
| 252) Recreational facility, indoor (public or private).  | P-PBR *[mm]                           | P-PBR *[mm]                               | P-PBR *[mm]                            | NO                        | NO                        |  |  |
| 253) Recreational facility, outdoor, excluding motorized vehicles.   | P-PBR *[mm]                           | P-PBR *[mm]                               | P-PBR                                  | P-PBR                     | P-PBR                     |  |  |
| 254) Recreational facility, outdoor, including motorized vehicles.   | NO                                    | NO  | NO                                     | NO                        | NO                        |  |  |
| 255) Recreational or community activities.   | P-CEO                                 | P-CEO                                     | P-CEO                                  | P-CEO                     | P-CEO                     |  |  |
| 256) Shooting or rifle range (public allowed).   | NO                                    | NO  | NO                                     | NO                        | NO                        |  |  |
| 257) Drive-in movie theater.   | NO                                    | NO  | NO                                     | NO                        | NO                        |  |  |
| 258) Amusement park.   | NO                                    | NO  | NO                                     | NO                        | NO                        |  |  |
| Reserved 259) - 279)   |                                       |   |  |                           |                           |  |  |
| <b>MISCELLANEOUS USES</b>  |                                       |   |  |                           |                           |  |  |
| 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                     |  |  |
| 281) Accessory non-residential structure if the principal structure was subject to review by the Planning Board.   | P-PBR *[mm]                           | P-PBR *[mm]                               | 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                     |  |  |
| 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 *[mm]                           | P-PBR *[mm]                               | P-PBR                                  | P-PBR                     | P-PBR                     |  |  |
| 284) Marinas and marina related service businesses.  | NO                                    | P-PBR *[mm]                               | NO                                     | NO                        | NO                        |  |  |
| 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.            | NO                                    | P-PBR                                     | P-PBR                                  | NO                        | NO                        |  |  |

**SEC 102-514 USE TABLE - EASTSIDE DISTRICTS**

| SECTION 102-514<br>TABLE OF USES, EASTSIDE ZONING DISTRICTS,<br>TYPE OF USE  | SEARSPORT AVENUE<br>COMMERCIAL- (SAC) | SEARSPORT AVENUE<br>WATERFRONT -<br>(SAW) | SWAN LAKE AVENUE<br>MIXED USE (SLA-MU) | RESIDENTIAL 5 (RES-<br>5) | RESIDENTIAL 6 (RES-<br>6) |  |  |
|--|---------------------------------------|---|--|---------------------------|---------------------------|--|--|
| 286) Water borne transportation and recreation.  | NO                                    | P-PBR                                     | NO                                     | NO                        | NO                        |  |  |
| 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 *[oo] & *[pp]                       | 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.   | P-PBR                                 | NO  | NO *[oo] & *[pp]                       | NO                        | NO                        |  |  |
| 289) Fill activities that involve the addition or removal of at least 25 cubic yards of fill, but less than 100 cubic yards of material.   | P                                     | P   | P                                      | P                         | P                         |  |  |
| 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                     |  |  |
| 291) Septage, storage and spreading.   | NO                                    | NO  | NO                                     | NO                        | NO                        |  |  |
| 292) Junkyards, including auto graveyards.   | NO                                    | NO  | NO                                     | NO                        | NO                        |  |  |
| 293) Significant Groundwater Well  | P-PBR *[hh]                           | P-PBR *[hh]                               | NO                                     | NO                        | NO                        |  |  |
| 294) Significant Water Intake or Significant Water Discharge/Outfall Pipe  | P-PBR *[ii]                           | P-PBR *[ii]                               | P-PBR *[ii]                            | NO                        | NO                        |  |  |
| Reserved 295) - 310)   |                                       |   |  |                           |                           |  |  |
| <b>SPECIAL USES</b>  |                                       |   |  |                           |                           |  |  |
| 311) Special Use Areas   | N/A                                   | N/A                                       | N/A                                    | N/A                       | N/A                       |  |  |
| 312) Special Uses that Require City Review Pursuant to Contract Rezoning   | None                                  | None                                      | None                                   | None                      | None                      |  |  |
| Reserved 313) - 340)   |                                       |   |  |                           |                           |  |  |
| <b>USES SPECIFIC TO CHAPTER 82, SHORELAND *[yy]</b>  |                                       |   |  |                           |                           |  |  |
| 340) Nonintensive recreational uses not requiring structures, such but not limited to hunting, fishing and hiking.   | P                                     | P   | P                                      | P                         | P                         |  |  |
| 341) Motorized vehicular traffic on existing roads and trails.   | P                                     | P   | P                                      | P                         | P                         |  |  |
| 342) Clearing of Vegetation for Development  | P                                     | P   | P                                      | P                         | P                         |  |  |
| 343) Fire Prevention Activities  | P                                     | P   | P                                      | P                         | P                         |  |  |
| 344) Wildlife Management Practices   | P                                     | P   | P                                      | P                         | P                         |  |  |
| 345) Soil and Water Conservation Practices   | P                                     | P   | P                                      | P                         | P                         |  |  |
| 346) Mineral Exploration   | CEO                                   | CEO                                       | CEO                                    | CEO                       | CEO                       |  |  |
| 347) Surveying and Resource Analysis   | P                                     | P   | P                                      | P                         | P                         |  |  |
| 348) Emergency Operations  | P                                     | P   | P                                      | P                         | P                         |  |  |
| 349) Conversion of Seasonal Residences to Year-Round Residences  | LPI (CEO)                             | LPI (CEO)                                 | LPI (CEO)                              | LPI (CEO)                 | LPI (CEO)                 |  |  |
| 350) Service Drops to Allowed Uses   | P                                     | P   | P                                      | P                         | P                         |  |  |
| 351) Private Sewage Disposal Systems of Allowed Uses   | LPI (CEO)                             | LPI (CEO)                                 | LPI (CEO)                              | LPI (CEO)                 | LPI (CEO)                 |  |  |
| 352) Road and Driveway Construction  | CEO                                   | CEO                                       | CEO                                    | CEO                       | CEO                       |  |  |
| 353) Small Nonresidential Facilities for Educational, Scientific, or Nature Interpretation Purposes  | P                                     | P   | P                                      | P                         | P                         |  |  |

## SEC 102-514 USE TABLE - EASTSIDE DISTRICTS

| SECTION 102-514<br>TABLE OF USES, EASTSIDE ZONING DISTRICTS,<br>TYPE OF USE  | SEARSPORT AVENUE<br>COMMERCIAL- (SAC) | SEARSPORT AVENUE<br>WATERFRONT -<br>(SAW) | SWAN LAKE AVENUE<br>MIXED USE (SLA-MU) | RESIDENTIAL 5 (RES-<br>5) | RESIDENTIAL 6 (RES-<br>6) |  |
|--|---------------------------------------|---|--|---------------------------|---------------------------|--|
| <b>NOTES TO TABLE</b>  |                                       |   |  |                           |                           |  |
| Shoreland Zones and Shoreland Uses are not shown. Refer to Chapter 82, Shoreland, for Shoreland Table of Uses  |                                       |   |  |                           |                           |  |
| <b>KEY TO TABLE</b>  |                                       |   |  |                           |                           |  |
| <p><b>P</b> Permitted Use - No Permit Required</p> <p><b>P-CEO</b> Permitted Use that requires CEO Review &amp; Permit</p> <p><b>P-PBR</b> Permitted Use that requires Planning Board review &amp; permit</p> <p><b>SU-CZ</b> Special Use - Contract Rezoning Approval required</p> <p><b>SUA</b> Special Use Area in Outside Rural 1 or Outside Rural 2</p> <p><b>P-LPI</b> Licensed Plumbing Inspector review &amp; permit required</p> <p><b>NO</b> Prohibited Use</p> <p><b>STATE</b> Permit required from State in lieu of City Permit review</p> <p><b>YTBD</b> Yet to Be Determined. City has not yet adopted referenced standards for Certain Uses that are cited.</p> |                                       |   |  |                           |                           |  |
|  |                                       |   |  |                           |                           |  |
|  |                                       |   |  |                           |                           |  |
|  |                                       |   |  |                           |                           |  |

SECTION 102-460 USE TABLE

| SECTION 102-462, TABLE OF USES, INSIDE THE BYPASS ZONING DISTRICTS  | Residential 1 | Residential 2 | Residential 3 | Downtown Commercial | Waterfront Mixed Use 1 | Waterfront Mixed Use 2 |
|---|---------------|---------------|---------------|---------------------|------------------------|------------------------|
| <b>RESIDENTIAL USES *{2}</b>  |               |               |               |                     |                        |                        |
| 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. *[g 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. *[j]  | 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                     |
| <b>31) Emergency Shelter, as defined by City Ordinance</b>  | NO            | NO            | NO            | NO                  | NO                     | NO                     |
| <b>32) Transitional Housing Facility, as defined by City Ordinance *[aaa]</b>   | NO            | NO            | NO            | NO                  | NO                     | NO                     |
| (Reserved 3133-44)  |               |               |               |                     |                        |                        |
| <b>OFFICE, CHILD CARE, HEALTH CARE &amp; VETERINARY USES</b>  |               |               |               |                     |                        |                        |
| 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 12 children. [State defined Small Childcare Facility for 3 - 12 children] *[vv]   | 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]. *[vv]  | 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-CEO *[9]*         | 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)  |               |               |               |                     |                        |                        |
| <b>RETAIL, MOTOR VEHICLE, SERVICES, &amp; REPAIR USES</b>   |               |               |               |                     |                        |                        |
| 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 *[dd]   | NO            | NO            | NO            | NO                  | NO                     | NO                     |
| 76) Convenience stores.   | NO            | NO            | NO            | P-PBR*[8]           | P-PBR                  | P-PBR                  |

SECTION 102-460 USE TABLE

| SECTION 102-462, TABLE OF USES, INSIDE THE BYPASS ZONING DISTRICTS  | Residential 1 | Residential 2 | Residential 3 | Downtown Commercial | Waterfront Mixed Use 1 | Waterfront Mixed Use 2 |
|---|---------------|---------------|---------------|---------------------|------------------------|------------------------|
| 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 102-460 USE TABLE

| SECTION 102-462, TABLE OF USES, INSIDE THE BYPASS ZONING DISTRICTS  | Residential 1 | Residential 2 | Residential 3 | Downtown Commercial | Waterfront Mixed Use 1 | Waterfront Mixed Use 2 |
|---|---------------|---------------|---------------|---------------------|------------------------|------------------------|
| 89) Mausoleum/crematory<br>Reserved. 90) - 109)   | NO            | NO            | NO            | NO                  | NO                     | NO                     |
| <b>RESTAURANT &amp; LODGING USES</b>  |               |               |               |                     |                        |                        |
| 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<br>Reserved 121) - 139)   | NO            | NO            | NO            | NO                  | P-PBR                  | P-PBR                  |
| <b>INDUSTRIAL, MANUFACTURING, LABORATORY, WAREHOUSE, STORAGE &amp; AQUACULTURE</b>  |               |               |               |                     |                        |                        |
| 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.<br>Reserved 162) - 179)   | NO            | NO            | NO            | NO                  | NO                     | NO                     |
| <b>AGRICULTURE &amp; NATURAL RESOURCE USES</b>  |               |               |               |                     |                        |                        |
| 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 (YTB) - 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.<br>Reserved 192) - 209)  | NO            | NO            | NO            | NO                  | NO                     | NO                     |
| <b>UTILITIES</b>  |               |               |               |                     |                        |                        |
| 210) Stealth telecommunications facilities. *[ff]   | P-PBR         | P-PBR         | P-PBR         | P-PBR               | P-PBR                  | P-PBR                  |

SECTION 102-460 USE TABLE

| SECTION 102-462, TABLE OF USES, INSIDE THE BYPASS ZONING DISTRICTS   | Residential 1 | Residential 2 | Residential 3 | Downtown Commercial | Waterfront Mixed Use 1 | Waterfront Mixed Use 2 |
|--|---------------|---------------|---------------|---------------------|------------------------|------------------------|
| 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 102-460 USE TABLE

| SECTION 102-462, TABLE OF USES, INSIDE THE BYPASS ZONING DISTRICTS   | 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)   |               |               |               |                     |                        |                        |
| <b>PUBLIC, SCHOOLS, COMMUNITY FACILITIES, PERFORMANCE FACILITIES &amp; RECREATION</b>  |               |               |               |                     |                        |                        |
| 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]*          | P-PBR                  | P-PBR                  |
| 253) Recreational facility, outdoor, excluding motorized vehicles.   | NO            | NO            | NO            | P-PBR [8]*          | 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)   |               |               |               |                     |                        |                        |
| <b>MISCELLANEOUS USES</b>  |               |               |               |                     |                        |                        |
| 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)   |               |               |               |                     |                        |                        |
| <b>SPECIAL USES</b>  |               |               |               |                     |                        |                        |
| 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)   |               |               |               |                     |                        |                        |
| <b>USES SPECIFIC TO CHAPTER 82, SHORELAND *[yy]</b>  |               |               |               |                     |                        |                        |

SECTION 102-460 USE TABLE

| SECTION 102-462, TABLE OF USES, INSIDE THE BYPASS ZONING DISTRICTS  | Residential 1 | Residential 2 | Residential 3 | Downtown Commercial | Waterfront Mixed Use 1 | Waterfront Mixed Use 2 |
|---|---------------|---------------|---------------|---------------------|------------------------|------------------------|
| 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                                     |               |               |               |                     |                        |                        |
| <b>KEY TO TABLE</b>   |               |               |               |                     |                        |                        |
| 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  |               |               |               |                     |                        |                        |
| Y TBD Yet to Be Determined. City has not yet adopted referenced standards for Certain Uses that are cited.  |               |               |               |                     |                        |                        |

**SEC 102-544. USE TABLE - SOUTHERLY DISTRICTS**

| SECTION 102-544<br>TABLE OF USES, SOUTHERLY ZONING DISTRICTS,<br>TYPE OF USE  | ROUTE ONE SOUTH<br>MIXED USE - (ROS-<br>MU) | ROUTE ONE SOUTH<br>BUSINESS PARK -<br>(ROS-BP) | AIRPORT BUSINESS<br>PARK - (ABP) | LOWER CONGRESS<br>MIXED USE - (LC-MU) | AIRPORT GROWTH -<br>(AG) | RESIDENTIAL 7 -<br>(RES-7) |
|---|---|--|----------------------------------|---------------------------------------|--------------------------|----------------------------|
| <b>RESIDENTIAL USES</b>   |   |  |                                  |                                       |                          |                            |
| 1) Dwelling, single-family  | P-CEO                                       | P-PBR *[r]                                     | NO                               | P-CEO                                 | NO *[h]                  | P-CEO                      |
| 2) Dwelling, Accessory dwelling unit; See Footnote *[a].  | P-CEO *[a]                                  | P-PBR *[a] & *[r]                              | NO                               | P-CEO *[a]                            | NO                       | P-CEO *[a]                 |
| 3) Dwelling, two-family.  | P-CEO                                       | P-PBR - *[r]                                   | NO                               | P-CEO                                 | NO                       | P-CEO                      |
| 4) Dwelling, Flex Housing.  | P-CEO or P-PBR *[b] & *[c]                  | NO   | NO                               | NO                                    | NO                       | P-CEO or P-PBR *[b] & *[c] |
| 5) Dwelling, multi-family (3 or more units in one structure). See Footnote *[c].  | P-PBR *[c] & *[e]                           | P-PBR *[c], *[e] & *[r]                        | NO                               | NO                                    | NO                       | NO                         |
| 6) Dwelling, multi-family in a residential planned unit development. See Footnote *[g]  | P-PBR *[g]                                  | NO   | NO                               | NO                                    | NO                       | P-PBR *[g]                 |
| 7) Residential Planned Unit Development (PUD). See Footnote *[g]  | P-PBR *[g]                                  | NO   | NO                               | NO                                    | NO                       | P-PBR *[g]                 |
| 8) Rural affordable housing development (PUD).  | NO  | NO   | NO                               | NO                                    | NO                       | NO                         |
| 9) Manufactured housing on a chassis/mobile home.   | P-CEO                                       | NO   | NO                               | P-CEO                                 | NO *[h]                  | P-CEO                      |
| 10) Manufactured housing (units on permanent foundation).   | P-CEO                                       | NO   | NO                               | P-CEO                                 | NO *[h]                  | P-CEO                      |
| 11) Manufactured housing community (units on chassis) or mobile home park.  | NO  | NO   | NO                               | NO *[pp]                              | NO                       | NO                         |
| 12) Accessory residential structures.   | P-CEO                                       | P-CEO  | NO                               | P-CEO                                 | NO *[h]                  | P-CEO                      |
| 13) Accessory residential uses.   | P-CEO                                       | NO   | NO                               | P-CEO                                 | NO *[h]                  | P-CEO                      |
| 14) Accessory residential uses on the upper stories of nonresidential structures. See Footnote *[j]   | P-CEO or P-PBR *[j]                         | P-PBR - *[j] & *[r]                            | NO                               | P-CEO or P-PBR *[j]                   | NO                       | P-PBR - *[j]               |
| 15) Yard sales, residential held no more than 10 days in a calendar year.   | P   | NO   | NO                               | P                                     | P *[h]                   | P                          |
| 16) Home occupation class 1: Small scale. See Footnote *[k]   | P *[k]                                      | P-CEO *[k] & *[r]                              | NO                               | P *[k]                                | P *[h] & *[k]            | P *[k]                     |
| 17) Home occupation class 2: Mid-scale. See Footnote *[k].  | P-CEO *[k]                                  | NO   | NO                               | P-CEO *[k]                            | P-CEO *[h] & *[k]        | P-CEO *[k]                 |
| 18) Home occupation class 3: Large scale. See Footnote *[k].  | P-PBR *[k]                                  | NO   | NO                               | P-PBR *[k]                            | P-PBR *[h] & *[k]        | P-PBR *[k]                 |
| 19) Owner-occupied boarding or owner-occupied lodging house with up to 3 borders or lodgers.  | P-CEO                                       | NO   | NO                               | P-CEO                                 | NO                       | P-CEO                      |
| 20) Owner-occupied boarding or owner-occupied lodging house with 4 or more borders or lodgers.  | P-PBR                                       | NO   | NO                               | P-PBR                                 | NO                       | P-PBR                      |
| 21) Owner-occupied group home or owner-occupied hospice with a capacity of up to 8 residents.   | P-PBR                                       | NO   | NO                               | P-PBR                                 | NO                       | P-PBR                      |
| 22) Owner-occupied group home or owner-occupied hospice with a capacity of 9 or more residents.   | P-PBR                                       | NO   | NO                               | NO                                    | NO                       | P-PBR                      |
| 23) Group home with a capacity of up to 8 residents.  | P-PBR                                       | NO   | NO                               | P-PBR                                 | NO                       | P-PBR                      |
| 24) Group home with a capacity of 9 or more residents.  | P-PBR                                       | NO   | NO                               | NO                                    | NO                       | P-PBR                      |
| 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                                       | NO   | NO                               | P-PBR                                 | NO                       | P-PBR                      |

**SEC 102-544. USE TABLE - SOUTHERLY DISTRICTS**

| SECTION 102-544<br>TABLE OF USES, SOUTHERLY ZONING DISTRICTS,<br>TYPE OF USE  | ROUTE ONE SOUTH<br>MIXED USE - (ROS-<br>MU) | ROUTE ONE SOUTH<br>BUSINESS PARK -<br>(ROS-BP) | AIRPORT BUSINESS<br>PARK - (ABP) | LOWER CONGRESS<br>MIXED USE - (LC-MU) | AIRPORT GROWTH -<br>(AG) | RESIDENTIAL 7 -<br>(RES-7) |  |
|---|---|--|----------------------------------|---------------------------------------|--------------------------|----------------------------|--|
| 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] | P-PBR                                       | NO   | NO                               | NO                                    | NO                       | P-PBR                      |  |
| 27) Bed and breakfast class 1. See Footnote *[1]  | P-PBR *[1]                                  | NO   | NO                               | P-PBR *[1]                            | NO                       | P-PBR *[1]                 |  |
| 28) Bed and breakfast class 2. See Footnote *[1]  | P-PBR *[1]                                  | NO   | NO                               | NO                                    | NO                       | P-PBR *[1]                 |  |
| 29) Bed and breakfast class 3. See Footnote *[1]  | P-PBR *[1]                                  | NO   | NO                               | NO                                    | NO                       | P-PBR *[1]                 |  |
| 30) Bed and breakfast, non-owner occupied. Class 1, 2, or 3 *[1]  | P-PBR *[1]                                  | NO   | NO                               | NO                                    | NO                       | P-PBR *[1]                 |  |
| 31) Emergency Shelter, as defined by City Ordinance   | NO  | NO   | NO                               | NO                                    | NO                       | NO                         |  |
| 32) Transitional Housing Facility, as defined by City Ordinance *[aaa]  | NO  | NO   | NO                               | NO                                    | NO                       | NO                         |  |
| (Reserved 3433-44)  |   |  |                                  |                                       |                          |                            |  |
|   |   |  |                                  |                                       |                          |                            |  |
| <b>OFFICE, CHILD CARE, HEALTH CARE &amp; VETERINARY<br/>USES</b>  |   |  |                                  |                                       |                          |                            |  |
| 45) Professional offices and health care offices.   | P-PBR *[m] & *[mm]                          | P-PBR *[m]                                     | P-PBR *[m] & *[nn]               | P-PBR *[m]                            | P-PBR *[m]               | NO                         |  |
| 46) Health care facilities and hospitals.   | P-PBR *[mm]                                 | NO   | NO                               | NO                                    | NO                       | NO                         |  |
| 47) Nursing homes and Long-term care facilities   | P-PBR *[mm]                                 | NO   | NO                               | NO                                    | NO                       | P-PBR                      |  |
| 48) Care facility, child care facility serving up to 12 children. [State defined Small Childcare Facility for 3 -12 children]   | P-CEO *[k] & *[vv]                          | P-PBR - *[k], *[qq] & *[vv]                    | P-CEO *[k] & *[vv]               | P-CEO *[k] & *[vv]                    | PB *[k] & *[vv]          | P-CEO *[k] & *[vv]         |  |
| 49) Care facility, child care facility serving more than 12 children. [State defined Child Care Center].  | P-PBR *[mm] & *[vv]                         | P-PBR - *[qq] & *[vv]                          | P-CEO *[vv]                      | NO                                    | NO                       | P-PBR *[vv]                |  |
| 50) Care facility, youth and adult.   | P-PBR *[mm]                                 | NO   | NO                               | NO                                    | NO                       | P-PBR                      |  |
| 51) Veterinary clinic and veterinary hospital.  | P-PBR *[mm]                                 | NO   | NO                               | P-PBR                                 | NO                       | NO                         |  |
| 52) Animal kennel Class 1, includes day-time training facilities .  | NO  | NO   | NO                               | P-PBR *[v]                            | P-PBR *[v].              | NO                         |  |
| 53) Animal kennel Class 2.  | NO  | NO   | NO                               | P-PBR *[v]                            | P-PBR *[v].              | NO                         |  |
| Reserved 54) - 70)  |   |  |                                  |                                       |                          |                            |  |
|   |   |  |                                  |                                       |                          |                            |  |
| <b>RETAIL, MOTOR VEHICLE, SERVICES, &amp; REPAIR<br/>USES</b>   |   |  |                                  |                                       |                          |                            |  |
| 70) Retail Store. See Footnote *[n] regarding size limits that apply.   | P-PBR *[n] & *[mm]                          | NO   | NO *[oo]                         | NO                                    | NO                       | NO                         |  |
| 71) Shopping centers, including mixed use development (service, retail, restaurant, and/or office in same complex). See Footnote *[o] regarding size limits that apply.   | P-PBR *[o] & *[mm]                          | NO   | NO                               | NO                                    | NO                       | NO                         |  |
| 72) Commercial agricultural greenhouse or nursery: Sale of materials, plants or similar items commonly associated with landscaping activities.  | P-PBR *[mm]                                 | NO   | NO                               | NO                                    | NO                       | NO                         |  |
| 73) Farmers Market, indoor or outdoor, that may also include food and craft sales.  | P-PBR *[n] & *[mm]                          | NO   | NO                               | NO                                    | NO                       | NO                         |  |
| 74) Medical Marijuana caregiver retail stores   | P-PBR *[n] & *[cc] & *[mm]                  | NO   | NO                               | NO                                    | NO                       | NO                         |  |
| 75) Adult Use, Marijuana Retail Store   | NO  | NO   | NO                               | NO                                    | NO                       | NO                         |  |

**SEC 102-544. USE TABLE - SOUTHERLY DISTRICTS**

|  |                                      |  |                               |                                    |                       |                         |  |
|--|--------------------------------------|--|-------------------------------|------------------------------------|-----------------------|-------------------------|--|
| 76) Convenience stores. See Footnote *[q] regarding size limits that apply.  | P-PBR *[q] & *[mm]                   | NO                                       | NO                            | NO                                 | NO                    | NO                      |  |
| <b>SECTION 102-544<br/>TABLE OF USES, SOUTHERLY ZONING DISTRICTS,<br/>TYPE OF USE</b>  |                                      |  |                               |                                    |                       |                         |  |
|  | 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) |  |
| 77) Redemption Centers for Beverage Containers   | P-PBR *[mm]                          | NO                                       | P-CEO                         | P-PBR                              | P-PBR                 | NO                      |  |
| 78) Motor vehicle, snowmobile, utility-terrain vehicle (UTV) and all-terrain vehicle (ATV) and similar repair business. Reference Footnote *[uu] | P-PBR *[mm] & *[uu]                  | NO                                       | P-CEO *[uu]                   | P-PBR *[uu]                        | P-PBR *[uu]           | NO                      |  |
| 79) Motor vehicle fuel sales.  | P-PBR *[mm]                          | NO                                       | NO                            | NO                                 | NO                    | NO                      |  |
| 80) Motor vehicle sales including automobiles, snowmobiles, utility-terrain vehicles (UTV) and all-terrain vehicles (ATV). Primary use.          | P-PBR *[mm]                          | NO                                       | NO                            | P-PBR                              | NO                    | NO                      |  |
| 81) Motor homes, heavy trucks, and related equipment sales, repairs and services.  | P-PBR *[mm]                          | NO                                       | NO                            | P-PBR                              | NO                    | NO                      |  |
| 82) Mobile home, manufactured home and modular home sales.   | P-PBR *[mm]                          | NO                                       | NO                            | P-PBR                              | NO                    | NO                      |  |
| 83) Personal services. See Footnote *[p] regarding size limits that may apply.   | P-PBR *[p] & *[mm]                   | NO                                       | P-CEO *[p]                    | P-PBR *[p]                         | P-PBR *[p]            | NO                      |  |
| 84) Service Business. See Footnote *[xx] regarding size limits that may apply.   | P-PBR *[xx] & *[mm]                  | NO                                       | P-CEO *[xx]                   | P-PBR *[xx]                        | P-PBR *[xx]           | NO                      |  |
| 85) Lumber Yard & Building Supply Store. See definition of a Lumber Yard & Building Supply Store in Chapter 66.                                  | P-PBR *[tt] & *[mm]                  | NO                                       | NO                            | NO                                 | NO                    | NO                      |  |
| 86) Laundromat   | P-PBR *[mm]                          | NO                                       | NO                            | P-PBR *[public sewer only]         | NO                    | NO                      |  |
| 87) Dry Cleaning (on-site)   | P-PBR *[mm]                          | NO                                       | P-PBR *[public sewer only]    | P-PBR *[public sewer only]         | NO                    | NO                      |  |
| 88) Funeral Home   | P-PBR *[mm]                          | NO                                       | NO                            | P-PBR                              | NO                    | P-PBR                   |  |
| 89) Mausoleum/crematory  | NO                                   | NO                                       | NO                            | NO                                 | NO                    | NO                      |  |
| Reserved. 90) - 109)   |                                      |  |                               |                                    |                       |                         |  |
| <b>RESTAURANT &amp; LODGING USES</b>   |                                      |  |                               |                                    |                       |                         |  |
| 110) Hotel and motel.  | P-PBR *[mm]                          | NO                                       | NO                            | NO                                 | NO                    | NO                      |  |
| 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   | P-PBR *[mm]                          | NO                                       | NO                            | NO                                 | NO                    | NO                      |  |
| 115) Restaurant with indoor seating.   | P-PBR *[mm]                          | NO                                       | NO *[kk]                      | NO                                 | NO                    | NO                      |  |
| 116) Restaurant with outdoor seating.  | P-PBR *[mm]                          | NO                                       | NO *[kk]                      | NO                                 | NO                    | NO                      |  |
| 117) Restaurant, take out.   | P-PBR *[mm]                          | NO                                       | NO *[kk]                      | NO                                 | NO                    | NO                      |  |
| 118) Restaurant with drive through window.   | NO                                   | NO                                       | NO                            | NO                                 | NO                    | NO                      |  |
| 119) Restaurant, ice cream stand.  | P-PBR *[mm]                          | NO                                       | NO *[kk]                      | NO                                 | NO                    | NO                      |  |
| 120) Lobster pound, and accessory fish/seafood processing  | P-PBR *[mm]                          | NO                                       | NO *[kk]                      | NO                                 | NO                    | NO                      |  |
| Reserved 121) - 139)   |                                      |  |                               |                                    |                       |                         |  |

**SEC 102-544. USE TABLE - SOUTHERLY DISTRICTS**

| SECTION 102-544<br>TABLE OF USES, SOUTHERLY ZONING DISTRICTS,<br>TYPE OF USE   | ROUTE ONE SOUTH<br>MIXED USE - (ROS-<br>MU) | ROUTE ONE SOUTH<br>BUSINESS PARK -<br>(ROS-BP) | AIRPORT BUSINESS<br>PARK - (ABP)   | LOWER CONGRESS<br>MIXED USE - (LC-MU) | AIRPORT GROWTH -<br>(AG)   | RESIDENTIAL 7 -<br>(RES-7) |  |
|--|---|--|------------------------------------|---------------------------------------|----------------------------|----------------------------|--|
| <b>INDUSTRIAL, MANUFACTURING, LABORATORY,<br/>WAREHOUSE, STORAGE &amp; AQUACULTURE</b>   |   |  |                                    |                                       |                            |                            |  |
| 140) Light industrial/Light manufacturing  | P-PBR *[s] & *[mm] & *[oo] & *[vv]          | P-PBR *[s] & *[oo] & *[vv]                     | P-CEO *[s] & *[kk] & *[oo] & *[vv] | P-PBR *[s] & *[oo] & *[vv]            | P-PBR *[s] & *[oo] & *[vv] | NO                         |  |
| 141) Manufacturing, processing and industrial activities, including accessory retail sales   | NO  | P-PBR *[l] & *[oo]                             | P-CEO *[l] & *[kk] & *[oo]         | NO                                    | NO                         | NO                         |  |
| 142) Bituminous asphalt plant/mixing operations.   | NO  | NO   | NO                                 | NO                                    | NO                         | NO                         |  |
| 143) Storage, contractor operations including exterior storage of materials and equipment  | P-PBR *[u] & *[mm]                          | NO   | P-CEO *[u]                         | P-PBR *[u]                            | P-PBR *[u]                 | NO                         |  |
| 144) Storage facility/warehouse  | P-PBR *[r] & *[mm]                          | P-PBR *[r]                                     | P-CEO *[r] & *[ll]                 | P-PBR *[r]                            | P-PBR *[r]                 | NO                         |  |
| 145) Storage, self-storage facility.   | P-PBR *[mm]                                 | NO   | NO                                 | P-PBR                                 | P-PBR                      | NO                         |  |
| 146) Storage tanks for petroleum products, including propane for sale.   | NO  | NO   | NO                                 | NO *[vw]                              | NO                         | NO                         |  |
| 147) Boat building, boat repair, boat retrofitting or boat storage, including allowing limited onsite sales as an accessory use.   | P-PBR *[y] & *[mm]                          | P-PBR *[y]                                     | P-CEO *[y]                         | P-PBR *[y]                            | P-PBR *[y]                 | NO                         |  |
| 148) Research laboratory.  | P-PBR *[mm]                                 | P-PBR  | P-CEO                              | P-PBR                                 | P-PBR                      | NO                         |  |
| 149) Medical Marijuana testing facilities  | P-PBR *[cc] & *[mm]                         | NO   | P-CEO *[cc]                        | P-PBR *[cc]                           | P-PBR *[cc]                | NO                         |  |
| 150) Medical Marijuana manufacturing facilities  | P-PBR *[cc] & *[mm]                         | NO   | P-CEO *[cc]                        | P-PBR *[cc]                           | P-PBR *[cc]                | NO                         |  |
| 151) Adult Use Marijuana Cultivation, Tier 1   | P-CEO *[dd] & *[mm]                         | NO   | P-CEO *[dd]                        | P-CEO *[dd]                           | P-CEO *[dd]                | NO                         |  |
| 152) Adult Use Marijuana Cultivation, Tier 2   | P-PBR *[dd] & *[mm]                         | NO   | P-PBR *[dd]                        | P-PBR *[dd]                           | P-PBR *[dd]                | NO                         |  |
| 153) Adult Use Marijuana Cultivation, Tier 3   | P-PBR *[dd] & *[mm]                         | NO   | NO                                 | NO                                    | NO                         | NO                         |  |
| 154) Adult Use Marijuana Cultivation, Tier 4   | P-PBR *[dd] & *[mm]                         | NO   | NO                                 | NO                                    | NO                         | NO                         |  |
| 155) Adult Use, Marijuana Cultivation Nursery  | P-PBR *[dd] & *[mm]                         | NO   | P-PBR *[dd]                        | P-PBR *[dd]                           | P-PBR *[dd]                | NO                         |  |
| 156) Adult Use, Marijuana Testing Facility   | P-PBR *[dd] & *[mm]                         | NO   | P-PBR *[dd]                        | P-PBR *[dd]                           | P-PBR *[dd]                | NO                         |  |
| 157) Adult Use, Marijuana Manufacturing Facility   | P-PBR *[dd] & *[mm]                         | NO   | P-PBR *[dd]                        | P-PBR *[dd]                           | P-PBR *[dd]                | NO                         |  |
| 158) Aquaculture, Land-Based   | NO  | P-PBR *[qq]                                    | P-PBR *[qq]                        | NO                                    | NO                         | NO                         |  |
| 159) Aquaculture, Freshwater   | NO  | P-PBR  | NO                                 | NO                                    | NO                         | NO                         |  |
| 160) Aquaculture, Marine   | NO  | NO   | NO                                 | NO                                    | NO                         | P-PBR                      |  |
| 161) Aviation and uses accessory to aviation.  | NO  | NO   | P-CEO                              | P-PBR                                 | P-PBR                      | NO                         |  |
| Reserved 162) - 179)   |   |  |                                    |                                       |                            |                            |  |
|  |   |  |                                    |                                       |                            |                            |  |
| <b>AGRICULTURE &amp; NATURAL RESOURCE USES</b>   |   |  |                                    |                                       |                            |                            |  |
| 180) Commercial agricultural, dairy and horticultural activities, including you pick operations. Also reference 181) - 184) below. | P-CEO                                       | NO   | NO                                 | P-CEO                                 | P-CEO                      | P-CEO                      |  |
| 181) Farm Stand and/or Small Craft Sales as an Accessory Use to an Agricultural Use  | P-CEO                                       | NO   | NO                                 | P-PBR                                 | P-PBR                      | P-PBR                      |  |

**SEC 102-544. USE TABLE - SOUTHERLY DISTRICTS**

| SECTION 102-544<br>TABLE OF USES, SOUTHERLY ZONING DISTRICTS,<br>TYPE OF USE  | ROUTE ONE SOUTH<br>MIXED USE - (ROS-<br>MU) | ROUTE ONE SOUTH<br>BUSINESS PARK -<br>(ROS-BP) | AIRPORT BUSINESS<br>PARK- (ABP) | LOWER CONGRESS<br>MIXED USE - (LC-MU) | AIRPORT GROWTH -<br>(AG) | RESIDENTIAL 7 -<br>(RES-7) |  |
|---|---|--|---------------------------------|---------------------------------------|--------------------------|----------------------------|--|
| 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                                       | NO   | NO                              | P-CEO                                 | P-CEO *[h]               | P-CEO                      |  |
| 186) Slaughterhouse.  | NO  | NO   | NO                              | NO                                    | NO                       | NO                         |  |
| 187) Horses and horse barns/Stables.  | P-CEO                                       | NO   | NO                              | P-CEO                                 | P-CEO                    | P-CEO                      |  |
| 188) Animal breeding, husbandry.  | P-CEO                                       | NO   | NO                              | P-CEO                                 | P-CEO                    | P-CEO                      |  |
| 189) Tree farm.(Including on-site sales)  | NO  | NO   | NO                              | P-CEO                                 | P-CEO                    | NO                         |  |
| 190) Forestry: Woodlot management and timber harvesting. Reference State Permitting requirements from DEP.  | NO  | NO   | NO                              | State                                 | State                    | NO                         |  |
| 191) Forestry: Commercial firewood processing.  | NO  | NO   | NO                              | P-PBR                                 | P-PBR                    | NO                         |  |
| Reserved 192) - 209)  |   |  |                                 |                                       |                          |                            |  |
|   |   |  |                                 |                                       |                          |                            |  |
| <b>UTILITIES</b>  |   |  |                                 |                                       |                          |                            |  |
| 210) Stealth telecommunications facilities.   | P-PBR *[ff]                                 | P-PBR *[ff]                                    | P-PBR *[ff]                     | P-PBR *[ff]                           | P-PBR *[ff]              | P-PBR *[ff]                |  |
| 211) Minor telecommunications facilities including co-location on existing structures.  | P-CEO *[ff]                                 | P-CEO *[ff]                                    | P-CEO *[ff]                     | P-CEO *[ff]                           | P-CEO *[ff]              | P-CEO *[ff]                |  |
| 212) Telecommunications facilities.   | P-PBR *[ff]                                 | P-PBR *[ff]                                    | P-PBR *[ff]                     | P-PBR *[ff]                           | P-PBR *[ff]              | NO                         |  |
| 213) Small Wireless Facility (as defined by State Statute)  | P   | P  | P                               | P                                     | P                        | P                          |  |
| 214) Essential Services. Also see 215) below.   | P   | P  | P                               | P                                     | P                        | P                          |  |
| 215) Power Generation & Substations, Phase 3 Power Transmission Lines, & natural gas line facilities  | P-PBR *[gg] & *[mm]                         | P-PBR *[gg]                                    | P-PBR *[gg]                     | P-PBR *[gg]                           | P-PBR *[gg]              | NO                         |  |
| 216) Solar Energy Systems, Large-Scale, ground-mounted.   | P-PBR *[ee]                                 | P-PBR *[ee]                                    | P-PBR *[ee]                     | P-PBR *[ee]                           | P-PBR *[ee]              | P-PBR *[ee]                |  |
| 217) Solar Energy Systems, Small-Scale and Medium-Scale, ground-mounted and roof-mounted.   | P-CEO*[ee]                                  | P-CEO*[ee]                                     | P-CEO*[ee]                      | P-CEO*[ee]                            | P-CEO*[ee]               | P-CEO*[ee]                 |  |
| 218) Solar Energy Systems, Large-Scale, roof-mounted.   | P-CEO*[ee]                                  | P-CEO*[ee]                                     | P-CEO*[ee]                      | P-CEO*[ee]                            | P-CEO*[ee]               | P-CEO*[ee]                 |  |
| 219) Wind Generation - Turbines (Commercial)  | NO  | NO   | NO                              | NO                                    | NO                       | NO                         |  |
| 220) Wind Generation - Turbines (Residential)   | P-CEO                                       | NO   | NO                              | NO                                    | NO                       | P-CEO                      |  |
| 221) Hydroelectric Power Generation facilities  | NO  | NO   | NO                              | NO                                    | NO                       | NO                         |  |
| Reserved 222) - 239)  |   |  |                                 |                                       |                          |                            |  |
|   |   |  |                                 |                                       |                          |                            |  |
| <b>PUBLIC, SCHOOLS, COMMUNITY FACILITIES,<br/>PERFORMANCE FACILITIES &amp; RECREATION</b>   |   |  |                                 |                                       |                          |                            |  |
| 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-CEO *[nm]                                 | P-CEO  | P-CEO                           | P-CEO                                 | P-CEO                    | P-CEO                      |  |

**SEC 102-544. USE TABLE - SOUTHERLY DISTRICTS**

| SECTION 102-544<br>TABLE OF USES, SOUTHERLY ZONING DISTRICTS,<br>TYPE OF USE  | ROUTE ONE SOUTH<br>MIXED USE - (ROS-<br>MU) | ROUTE ONE SOUTH<br>BUSINESS PARK -<br>(ROS-BP) | AIRPORT BUSINESS<br>PARK- (ABP) | LOWER CONGRESS<br>MIXED USE - (LC-MU) | AIRPORT GROWTH -<br>(AG) | RESIDENTIAL 7 -<br>(RES-7) |  |
|---|---|--|---------------------------------|---------------------------------------|--------------------------|----------------------------|--|
| 241) Quasi-public and non-municipal public uses. Reference Footnote *[z] regarding City authority responsible for issuing a permit.   | P-CEO or P-PBR *[z] & *[mm]                 | P-PBR *[z]                                     | P-CEO *[z]                      | P-CEO or P-PBR *[z]                   | P-CEO or P-PBR *[z]      | P-CEO or P-PBR *[z]        |  |
| 242) Public park.   | P-CEO                                       | P-CEO  | P-CEO                           | P-CEO                                 | P-CEO                    | P-CEO                      |  |
| 243) Public parking facility.   | P-PBR                                       | P-PBR  | P-PBR                           | P-PBR                                 | P-PBR                    | NO                         |  |
| 244) School, public   | P-PBR *[mm]                                 | NO   | NO                              | P-PBR                                 | NO                       | P-PBR                      |  |
| 245) School, private/parochial/charter.   | P-PBR *[mm]                                 | NO   | P-CEO *[ij]                     | P-PBR                                 | NO                       | P-PBR                      |  |
| 246) Community center.  | P-PBR *[mm]                                 | P-PBR  | P-CEO *[ij]                     | P-PBR                                 | P-PBR                    | P-PBR                      |  |
| 247) Social club.   | P-PBR *[mm]                                 | NO   | NO                              | P-PBR                                 | NO                       | NO                         |  |
| 248) Museum.  | P-PBR *[mm]                                 | P-PBR  | NO                              | P-PBR                                 | P-PBR                    | P-PBR                      |  |
| 249) Convention center.   | P-PBR *[mm]                                 | NO   | NO                              | NO                                    | NO                       | NO                         |  |
| 250) Theater/Performing arts center.  | P-PBR *[mm]                                 | NO   | NO                              | P-PBR                                 | NO                       | NO                         |  |
| 251) Theater, outdoor and event facility. Permitted as an accessory use to a residential or agricultural use.   | NO  | NO   | NO                              | NO                                    | NO                       | NO                         |  |
| 252) Recreational facility, indoor (public or private).   | P-PBR *[mm]                                 | NO   | P-CEO *[ij]                     | P-PBR                                 | P-PBR                    | P-PBR                      |  |
| 253) Recreational facility, outdoor, excluding motorized vehicles.  | P-PBR *[mm]                                 | P-PBR  | P-CEO *[ij]                     | P-PBR                                 | P-PBR                    | P-PBR                      |  |
| 254) Recreational facility, outdoor, including motorized vehicles.  | NO  | NO   | NO                              | NO                                    | NO                       | NO                         |  |
| 255) Recreational or community activities.  | P-CEO                                       | P-PBR  | P-CEO *[ij]                     | P-PBR                                 | P-PBR                    | P-PBR                      |  |
| 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                         |  |
| Reserved 259) - 279)  |   |  |                                 |                                       |                          |                            |  |
| <b>MISCELLANEOUS USES</b>   |   |  |                                 |                                       |                          |                            |  |
| 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 *[mm]                                 | P-PBR  | P-CEO                           | 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). *Note - Article IX Nonresidential Development Standards may apply to Permit Application. | P-PBR                                       | P-PBR  | P-CEO                           | P-PBR                                 | P-PBR                    | P-PBR                      |  |
| 284) Marinas and marina related service businesses.   | NO  | NO   | NO                              | NO                                    | NO                       | NO                         |  |
| 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.   | NO  | P-PBR  | NO                              | NO                                    | NO                       | P-PBR                      |  |

**SEC 102-544. USE TABLE - SOUTHERLY DISTRICTS**

| SECTION 102-544<br>TABLE OF USES, SOUTHERLY ZONING DISTRICTS,<br>TYPE OF USE   | ROUTE ONE SOUTH<br>MIXED USE - (ROS-<br>MU) | ROUTE ONE SOUTH<br>BUSINESS PARK -<br>(ROS-BP) | AIRPORT BUSINESS<br>PARK- (ABP) | LOWER CONGRESS<br>MIXED USE - (LC-MU) | AIRPORT GROWTH -<br>(AG) | RESIDENTIAL 7 -<br>(RES-7) |  |
|--|---|--|---------------------------------|---------------------------------------|--------------------------|----------------------------|--|
| 286) Water borne transportation and recreation.  | NO  | NO   | NO                              | NO                                    | NO                       | 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 addition or removal of at least 25 cubic yards of fill, but less than 100 cubic yards of material.   | P   | P  | P                               | P                                     | P                        | P-CEO                      |  |
| 290) Fill activities that involve the addition or removal of 100 cubic yards or more of material.  | P-CEO                                       | P-PBR  | 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  | P-PBR  | NO                              | P-PBR                                 | P-PBR                    | P-PBR                      |  |
| 294) Significant Water Intake or Significant Water Discharge/Outfall Pipe  | NO  | P-PBR  | NO                              | NO                                    | NO                       | P-PBR                      |  |
| Reserved 295) - 310)   |   |  |                                 |                                       |                          |                            |  |
|  |   |  |                                 |                                       |                          |                            |  |
| <b>SPECIAL USES</b>  |   |  |                                 |                                       |                          |                            |  |
| 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   | None  | None   | None                            | None                                  | None                     | None                       |  |
| Reserved 313) - 340)   |   |  |                                 |                                       |                          |                            |  |
|  |   |  |                                 |                                       |                          |                            |  |
| <b>USES SPECIFIC TO CHAPTER 82, SHORELAND *[yy]</b>  |   |  |                                 |                                       |                          |                            |  |
| 340) Nonintensive recreational uses not requiring structures, such but not limited to hunting, fishing and hiking.   | P   | P  | P                               | P                                     | P                        | P                          |  |
| 341) Motorized vehicular traffic on existing roads and trails.   | P   | P  | P                               | P                                     | P                        | P                          |  |
| 342) Clearing of Vegetation for Development  | P   | P  | P                               | P                                     | P                        | P                          |  |
| 343) Fire Prevention Activities  | P   | P  | P                               | P                                     | P                        | P                          |  |
| 344) Wildlife Management Practices   | P   | P  | P                               | P                                     | P                        | P                          |  |
| 345) Soil and Water Conservation Practices   | P   | P  | P                               | P                                     | P                        | P                          |  |
| 346) Mineral Exploration   | CEO   | CEO  | CEO                             | CEO                                   | CEO                      | CEO                        |  |
| 347) Surveying and Resource Analysis   | P   | P  | P                               | P                                     | P                        | P                          |  |
| 348) Emergency Operations  | P   | P  | P                               | P                                     | P                        | P                          |  |
| 349) Conversion of Seasonal Residences to Year-Round Residences  | LPI (CEO)                                   | LPI (CEO)                                      | LPI (CEO)                       | LPI (CEO)                             | LPI (CEO)                | LPI (CEO)                  |  |
| 350) Service Drops to Allowed Uses   | P   | P  | P                               | P                                     | P                        | P                          |  |
| 351) Private Sewage Disposal Systems of Allowed Uses   | LPI (CEO)                                   | LPI (CEO)                                      | LPI (CEO)                       | NO                                    | NO *[zz]                 | LPI (CEO)                  |  |
| 352) Road and Driveway Construction  | CEO   | CEO  | CEO                             | CEO                                   | CEO                      | CEO                        |  |
| 353) Small Nonresidential Facilities for Educational, Scientific, or Nature Interpretation Purposes  | P   | P  | P                               | P                                     | P                        | P                          |  |

**SEC 102-544. USE TABLE - SOUTHERLY DISTRICTS**

| SECTION 102-544<br>TABLE OF USES, SOUTHERLY ZONING DISTRICTS,<br>TYPE OF USE   | ROUTE ONE SOUTH<br>MIXED USE - (ROS-<br>MU)  | ROUTE ONE SOUTH<br>BUSINESS PARK -<br>(ROS-BP) | AIRPORT BUSINESS<br>PARK- (ABP) | LOWER CONGRESS<br>MIXED USE - (LC-MU) | AIRPORT GROWTH -<br>(AG) | RESIDENTIAL 7 -<br>(RES-7) |  |
|--|--|--|---------------------------------|---------------------------------------|--------------------------|----------------------------|--|
| <p align="center"><b>NOTES TO TABLE</b></p> <p>Shoreland Zones and Shoreland Uses are not shown. Refer to Chapter 82, Shoreland, for Shoreland Table of Uses</p> |  |  |                                 |                                       |                          |                            |  |
| <p align="center"><b>KEY TO TABLE</b></p>  |  |  |                                 |                                       |                          |                            |  |
| 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   |  |                                 |                                       |                          |                            |  |
| SU-CZ  | Special Use - Contract Rezoning Approval required  |  |                                 |                                       |                          |                            |  |
| SUA  | Special Use Area in Outside Rural 1 or Outside Rural 2   |  |                                 |                                       |                          |                            |  |
| P-LPI  | Licensed Plumbing Inspector review & permit required   |  |                                 |                                       |                          |                            |  |
| NO   | Prohibited Use   |  |                                 |                                       |                          |                            |  |
| YTBD   | Yet to Be Determined. City has not yet adopted referenced standards for Certain Uses that are cited. |  |                                 |                                       |                          |                            |  |
|  |  |  |                                 |                                       |                          |                            |  |
|  |  |  |                                 |                                       |                          |                            |  |
|  |  |  |                                 |                                       |                          |                            |  |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

| SECTION 102- 604<br>TABLE OF USES, NORTHWEST OF BYPASS AND<br>OUTSIDE RURAL DISTRICTS<br>TYPE OF USE |  | RESIDENTIAL-4<br>(RES-4)          | ROUTE 3 - RURAL<br>(RTE 3-R)      | OUTSIDE RURAL-1<br>(OR-1)         | OUTSIDE RURAL-2<br>(OR-2)         | ROUTE 3<br>COMMERCIAL (RTE<br>3-COM) | OFFICE PARK (OP)                  | ROUTE 137 MIXED<br>USE (RTE 137-MU) |
|--|--|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|--------------------------------------|-----------------------------------|-------------------------------------|
| <b>RESIDENTIAL USES</b>  |  |                                   |                                   |                                   |                                   |                                      |                                   |                                     |
| 1) Dwelling, single-family.  |  | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                                | P-CEO                             | P-CEO                               |
| 2) Dwelling, Accessory dwelling unit; See Footnote *[a].   |  | P-CEO *[a]                           | P-CEO *[a]                        | P-CEO *[a]                          |
| 3) Dwelling, two-family.   |  | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                                | P-CEO                             | P-CEO                               |
| 4) Dwelling, Flex Housing.   |  | P-CEO or P-<br>PBR *[b] &<br>*[c]    | P-CEO or P-<br>PBR *[b] &<br>*[c] | P-CEO or P-<br>PBR *[b] &<br>*[c]   |
| 5) Dwelling, multi-family (3 or more units in one structure). See Footnote *[c].                     |  | P-PBR *[c]<br>& *[e]              | P-PBR *[c]<br>& *[d]              | P-PBR *[c]<br>& *[d]              | P-PBR *[c]<br>& *[d]              | P-PBR *[c]<br>& *[e]                 | P-PBR *[c]<br>& *[e]              | P-PBR *[c]<br>& *[e]                |
| 6) Dwelling, multi-family in a residential planned unit development See Footnotes *[g]               |  | P-PBR *[g]                           | P-PBR *[g]                        | P-PBR *[g]                          |
| 7) Residential Planned unit development (PUD). See Footnote *[g]                                     |  | P-PBR *[g]                           | P-PBR *[g]                        | P-PBR *[g]                          |
| 8) Rural affordable housing development (PUD). See Footnote *[h]                                     |  | P-PBR *[h]                        | P-PBR *[h]                        | P-PBR *[h]                        | P-PBR *[h]                        | NO                                   | NO                                | NO                                  |
| 9) Manufactured housing on a chassis/mobile home.  |  | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                                | P-CEO                             | P-CEO                               |
| 10) Manufactured housing (units on permanent foundation).  |  | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                                | P-CEO                             | P-CEO                               |
| 11) Manufactured housing community (units on chassis) or mobile home park. See Footnote *[i]         |  | P-PBR *[i]                        | NO                                | P-PBR *[i]                        | P-PBR *[i]                        | NO                                   | NO                                | NO                                  |
| 12) Accessory residential structures.  |  | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                                | P-CEO                             | P-CEO                               |
| 13) Accessory residential uses.  |  | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                             | P-CEO                                | P-CEO                             | P-CEO                               |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

| SECTION 102- 604<br>TABLE OF USES, NORTHWEST OF BYPASS AND<br>OUTSIDE RURAL DISTRICTS<br>TYPE OF USE   |  | RESIDENTIAL-4<br>(RES-4) | ROUTE 3 - RURAL<br>(RTE 3-R) | OUTSIDE RURAL-1<br>(OR-1) | OUTSIDE RURAL-2<br>(OR-2) | ROUTE 3 - COMMERCIAL<br>(RTE 3-COM) | OFFICE PARK (OP)     | ROUTE 137 MIXED<br>USE (RTE 137-MU) |
|--|--|--------------------------|------------------------------|---------------------------|---------------------------|-------------------------------------|----------------------|-------------------------------------|
| 14) Accessory residential uses on the upper stories of nonresidential structures. See Footnote *[j]  |  | P-CEO or P-PBR * [j]     | P-CEO or P-PBR * [j]         | P-CEO or P-PBR * [j]      | P-CEO or P-PBR * [j]      | P-CEO or P-PBR * [j]                | P-CEO or P-PBR * [j] | P-CEO or P-PBR * [j]                |
| 15) Yard sales, residential held no more than 10 days in a calendar year.  |  | P                        | P                            | P                         | P                         | P                                   | P                    | P                                   |
| 16) Home occupation class 1: Small scale. See Footnote * [k]   |  | P * [k]                  | P * [k]                      | P * [k]                   | P * [k]                   | P * [k]                             | P * [k]              | P * [k]                             |
| 17) Home occupation class 2: Mid-scale. See Footnote * [k].  |  | P-CEO * [k]              | P-CEO * [k]                  | P-CEO * [k]               | P-CEO * [k]               | P-CEO * [k]                         | P-CEO * [k]          | P-CEO * [k]                         |
| 18) Home occupation class 3: Large scale. See Footnote * [k].  |  | P-PBR * [k]              | P-PBR * [k]                  | P-PBR * [k]               | P-PBR * [k]               | P-PBR * [k]                         | P-PBR * [k]          | P-PBR * [k]                         |
| 19) Owner-occupied boarding or owner-occupied lodging house with up to 3 borders or lodgers.   |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-CEO                               | P-CEO                | P-CEO                               |
| 20) Owner-occupied boarding or owner-occupied lodging house with 4 or more borders or lodgers.   |  | P-PBR                    | P-PBR                        | P-PBR                     | NO                        | P-PBR                               | P-PBR                | P-PBR                               |
| 21) Owner-occupied group home or owner-occupied hospice with a capacity of up to 8 residents.  |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR                               | P-PBR                | P-PBR                               |
| 22) Owner occupied group home or owner-occupied hospice with a capacity of 9 or more residents.  |  | P-PBR                    | NO                           | NO                        | NO                        | P-PBR                               | P-PBR                | P-PBR                               |
| 23) Group home with a capacity of up to 8 residents.   |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR                               | P-PBR                | P-PBR                               |
| 24) Group home with a capacity of 9 or more residents.   |  | P-PBR                    | NO                           | NO                        | NO                        | P-PBR                               | P-PBR                | P-PBR                               |
| 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-PBR                     | P-PBR                               | P-PBR                | P-PBR                               |
| 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].                   |  | P-PBR                    | NO                           | NO                        | NO                        | P-PBR                               | P-PBR                | P-PBR                               |
| 27) Bed and Breakfast, Class 1. See Footnote * [l]   |  | P-PBR * [l]              | P-PBR * [l]                  | P-PBR * [l]               | P-PBR * [l]               | P-PBR * [l]                         | P-PBR * [l]          | P-PBR * [l]                         |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

| SECTION 102- 604<br>TABLE OF USES, NORTHWEST OF BYPASS AND<br>OUTSIDE RURAL DISTRICTS<br>TYPE OF USE                                  |  | RESIDENTIAL- 4<br>(RES-4) | ROUTE 3 - RURAL<br>(RTE 3-R) | OUTSIDE RURAL-1<br>(OR-1) | OUTSIDE RURAL-2<br>(OR-2) | ROUTE 3<br>COMMERCIAL (RTE<br>3-COM) | OFFICE PARK (OP)   | ROUTE 137 MIXED<br>USE (RTE 137-MU) |
|---|--|---------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|--------------------|-------------------------------------|
| 28) Bed and Breakfast, Class 2. See Footnote *[I]   |  | P-PBR *[I]                | P-PBR *[I]                   | P-PBR *[I]                | P-PBR *[I]                | P-PBR *[I]                           | P-PBR *[I]         | P-PBR *[I]                          |
| 29) Bed and Breakfast Class 3. See Footnote *[I]  |  | P-PBR *[I]                | P-PBR *[I]                   | P-PBR *[I]                | P-PBR *[I]                | P-PBR *[I]                           | P-PBR *[I]         | P-PBR *[I]                          |
| 30) Bed and Breakfast, Non-owner Occupied. See Footnote *[I]  |  | P-PBR *[I]                | P-PBR *[I]                   | NO                        | NO                        | P-PBR *[I]                           | P-PBR *[I]         | P-PBR *[I]                          |
| 31) Emergency Shelter, as defined by City Ordinance   |  | NO                        | NO                           | NO                        | NO                        | NO                                   | NO                 | NO                                  |
| 32) Transitional Housing Facility, as defined by City Ordinance *[aaa]  |  | NO                        | NO                           | NO                        | NO *[aaa]                 | NO                                   | NO                 | NO                                  |
| (Reserved 3133-44)  |  |                           |                              |                           |                           |                                      |                    |                                     |
| <b>OFFICE, CHILD CARE, HEALTH CARE &amp; VETERINARY<br/>USES</b>  |  |                           |                              |                           |                           |                                      |                    |                                     |
| 45) Professional offices and health care offices. See Footnote *[m] regarding size standards for a professional office.               |  | P-PBR *[m]                | P-PBR *[m]                   | P-PBR *[m]                | P-PBR *[m]                | P-PBR *[m] & *[mm]                   | P-PBR *[m] & *[mm] | P-PBR *[m] & *[mm]                  |
| 46) Health care facilities and hospitals.   |  | NO                        | NO                           | NO                        | NO                        | P-PBR *[mm]                          | P-PBR *[mm]        | P-PBR *[mm]                         |
| 47) Nursing homes and Long-term care facilities.  |  | P-PBR                     | NO                           | NO                        | NO                        | P-PBR *[mm]                          | P-PBR *[mm]        | P-PBR *[mm]                         |
| 48) Care facility, child care facility serving up to 12 children. [State defined Small Childcare Facility for 3 -12 children]. *[lvv] |  | P-PBR                     | P-PBR                        | P-PBR                     | P-PBR                     | P-CEO                                | P-CEO              | P-CEO                               |
| 49) Care facility, child care facility serving more than 12 children. [State defined Child Care Center]. *[lvv]                       |  | P-PBR                     | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR *[mm]                          | P-PBR *[mm]        | P-PBR *[mm]                         |
| 50) Care facility, youth and adult.   |  | P-PBR                     | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR *[mm]                          | P-PBR *[mm]        | P-PBR *[mm]                         |
| 51) Veterinary clinic and veterinary hospital.  |  | P-PBR                     | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR *[mm]                          | P-PBR *[mm]        | P-PBR *[mm]                         |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

|   | P-PBR * [v]                            | P-PBR * [v]                   |
|---|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--|-------------------------------|
| 52) Animal kennel Class 1, includes day-time training facilities.   |             |             |             |             |             |             |             |             |             |             |             |  |                               |
| <b>SECTION 102- 604</b><br><b>TABLE OF USES, NORTHWEST OF BYPASS AND</b><br><b>OUTSIDE RURAL DISTRICTS</b><br><b>TYPE OF USE</b>  |             |             |             |             |             |             |             |             |             |             |             |  |                               |
| 53) Animal kennel Class 2.<br><br>Reserved 55) 54) - 70)  | P-PBR * [v] |             |             |             |             |             |             |             |             |             |             |  |                               |
|   |             |             |             |             |             |             |             |             |             |             |             |  |                               |
| <b>RETAIL, MOTOR VEHICLE, SERVICES, &amp; REPAIR USES</b>   |             |             |             |             |             |             |             |             |             |             |             |  |                               |
| 70) Retail Store. See Footnote * [n] that identifies size standards that apply to a retail store in the respective zoning districts.  | NO          | P-PBR * [n] & * [mm] & * [ft] & * [mm] | P-PBR * [n] & * [mm]          |
| 71) Shopping centers, including mixed use development (service, retail, restaurant, and/or office in same complex. See Footnote * [o] that identifies size standards that apply to a Shopping Center. | NO          | P-PBR * [o] & * [mm] & * [ft] & * [mm] | P-PBR * [o] & * [mm]          |
| 72) Commercial agricultural greenhouse or nursery: Sale of materials, plants or similar items commonly associated with landscaping activities.  | P-PBR       |             |             |             |             |             |             |             |             |             |             |  | P-PBR * [mm]                  |
| 73) Farmers Market, indoor or outdoor, that may also include food and craft sales.  | P-PBR       |             |             |             |             |             |             |             |             |             |             |  | P-PBR * [n] & * [mm]          |
| 74) Medical Marijuana caregiver retail stores.  | NO          | P-PBR * [n] & * [cc] & * [mm]          | P-PBR * [n] & * [cc] & * [mm] |
| 75) Adult Use, Marijuana Retail Store.  | NO                                     | NO                            |
| 76) Convenience store. Reference Footnote * [q] regarding size standards.   | NO          | P-PBR * [q] & * [mm]                   | P-PBR * [q] & * [mm]          |
| 77) Redemption Centers for Beverage Containers.   | NO          | P-PBR * [mm]                           | P-PBR * [mm]                  |



**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

| SECTION 102- 604<br>TABLE OF USES, NORTHWEST OF BYPASS AND<br>OUTSIDE RURAL DISTRICTS<br>TYPE OF USE          |  | RESIDENTIAL-4<br>(RES-4) | ROUTE 3 - RURAL<br>(RTE 3-R) | OUTSIDE RURAL-1<br>(OR-1) | OUTSIDE RURAL-2<br>(OR-2) | ROUTE 3<br>COMMERCIAL (RTE<br>3-COM) | OFFICE PARK (OP)        | ROUTE 137 MIXED<br>USE (RTE 137-MU) |
|---|--|--------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|-------------------------|-------------------------------------|
| 110) Hotel and motel.   |  | NO                       | NO                           | NO                        | NO                        | P-PBR<br>*[mm]                       | P-PBR<br>*[mm]          | P-PBR<br>*[mm]                      |
| 111) Campground excluding a Recreational Vehicle (RV) Park. Reference Footnote *IX).                          |  | NO                       | P-PBR *IX                    | P-PBR *IX                 | NO                        | NO                                   | NO                      | NO                                  |
| 112) Campground, including a Recreational Vehicle (RV) park and including motor homes. Reference Footnote *IX |  | NO                       | P-PBR *IX                    | P-PBR *IX                 | NO                        | NO                                   | NO                      | NO                                  |
| 113) Restaurant, fast food.   |  | NO                       | NO                           | NO                        | NO                        | P-PBR<br>*[mm] & *[II]               | NO                      | NO                                  |
| 114) Restaurant, formula.   |  | NO                       | NO                           | NO                        | NO                        | P-PBR<br>*[mm] & *[II]               | NO                      | NO                                  |
| 115) Restaurant with indoor seating.  |  | NO                       | NO                           | NO                        | NO                        | P-PBR<br>*[mm] & *[II]<br>& *[SS]    | P-PBR<br>*[mm] & *[II]  | P-PBR<br>*[mm]                      |
| 116) Restaurant with outdoor seating.   |  | NO                       | NO                           | NO                        | NO                        | P-PBR<br>*[mm] & *[II]<br>& *[SS]    | P-PBR<br>*[mm] & *[II]  | P-PBR<br>*[mm]                      |
| 117) Restaurant, take out.  |  | NO                       | NO                           | NO                        | NO                        | P-PBR<br>*[mm] & *[II]               | P-PBR<br>*[mm] & *[II]  | P-PBR<br>*[mm]                      |
| 118) Restaurant with drive through window.  |  | NO                       | NO                           | NO                        | NO                        | P-PBR<br>*[mm] & *[II]               | NO                      | NO                                  |
| 119) Restaurant, ice cream stand.   |  | NO                       | NO                           | NO                        | NO                        | P-PBR<br>*[mm] & *[II]               | P-PBR<br>*[mm] & *[II]  | P-PBR<br>*[mm]                      |
| 120) Lobster pound, and accessory fish/seafood processing.  |  | NO                       | NO                           | NO                        | NO                        | P-PBR<br>*[mm] & *[II]               | P-PBR<br>*[mm] & *[II]  | P-PBR<br>*[mm]                      |
| Reserved 121) - 139).   |  |                          |                              |                           |                           |                                      |                         |                                     |
| <b>INDUSTRIAL, MANUFACTURING, LABORATORY,<br/>WAREHOUSE, STORAGE &amp; AQUACULTURE</b>                        |  |                          |                              |                           |                           |                                      |                         |                                     |
| 140) Light industrial/Light manufacturing. Reference Footnote * [ s ] regarding size standards.               |  | NO                       | P-PBR * [s]                  | P-PBR * [s]               | P-PBR * [s]               | P-PBR * [s]<br>& * [mm]              | P-PBR * [s]<br>& * [mm] | P-PBR * [s]<br>& * [mm]             |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

| SECTION 102- 604<br>TABLE OF USES, NORTHWEST OF BYPASS AND<br>OUTSIDE RURAL DISTRICTS<br>TYPE OF USE   |  | RESIDENTIAL-4<br>(RES-4) | ROUTE 3 - RURAL<br>(RTE 3-R) | OUTSIDE RURAL-1<br>(OR-1) | OUTSIDE RURAL-2<br>(OR-2) | ROUTE 3<br>COMMERCIAL (RTE<br>3-COM) | OFFICE PARK (OP)      | ROUTE 137 MIXED<br>USE (RTE 137-MU) |
|--|--|--------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|-----------------------|-------------------------------------|
| 141) Manufacturing, processing and industrial activities, including retail sales. Reference Footnote "[1]" regarding size standards.                       |  | NO                       | NO                           | NO                        | NO                        | P-PBR "[i] & * [mm]"                 | P-PBR "[i] & * [mm]"  | NO                                  |
| 142) Bituminous asphalt plant/mixing operations.   |  | NO                       | NO                           | NO                        | NO                        | NO                                   | NO                    | NO                                  |
| 143) Contractor operations/storage, including interior and exterior storage of materials and equipment. Reference Footnote "[u]" regarding size standards. |  | P-PBR "[u]"              | P-PBR "[u]"                  | P-PBR "[u]"               | P-PBR "[u]"               | P-PBR "[u]"                          | P-PBR "[u]"           | P-PBR "[u]"                         |
| 144) Storage facility/warehouse. Reference Footnote "[r]" regarding size standards.  |  | P-PBR "[r]"              | P-PBR "[r]"                  | P-PBR "[r]"               | P-PBR "[r]"               | P-PBR "[r] & * [mm]"                 | P-PBR "[r] & * [mm]"  | P-PBR "[r] & * [mm]"                |
| 145) Storage, self-storage facility.   |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR "[mm]"                         | P-PBR "[mm]"          | P-PBR "[mm]"                        |
| 146) Storage tanks for petroleum products, including propane for sale.   |  | NO                       | NO                           | NO                        | NO                        | NO                                   | NO                    | NO                                  |
| 147) Boat building, boat repair, boat retrofitting or boat storage, including allowing limited onsite sales as an accessory use.                           |  | P-PBR "[y]"              | P-PBR "[y]"                  | P-PBR "[y]"               | P-PBR "[y]"               | P-PBR "[y] & * [mm]"                 | NO                    | P-PBR "[y] & * [mm]"                |
| 148) Research laboratory.  |  | NO                       | NO                           | NO                        | NO                        | P-PBR "[mm]"                         | P-PBR "[mm]"          | P-PBR "[mm]"                        |
| 149) Medical Marijuana testing facilities. Reference Footnote "[cc]" regarding standards that apply to a Medical Marijuana facility.                       |  | P-PBR "[cc]"             | P-PBR "[cc]"                 | P-PBR "[cc]"              | P-PBR "[cc]"              | P-PBR "[cc] & * [mm]"                | P-PBR "[cc] & * [mm]" | P-PBR "[cc] & * [mm]"               |
| 150) Medical Marijuana manufacturing facilities. Reference Footnote "[cc]" regarding standards that apply to a Medical Marijuana facility.                 |  | P-PBR "[cc]"             | P-PBR "[cc]"                 | P-PBR "[cc]"              | P-PBR "[cc]"              | P-PBR "[cc] & * [mm]"                | P-PBR "[cc] & * [mm]" | P-PBR "[cc] & * [mm]"               |
| 151) Adult Use Marijuana Cultivation, Tier 1. Reference Footnote "[dd]" regarding standards that apply to an Adult Use Marijuana activity.                 |  | P-CEO "[dd]"             | P-CEO "[dd]"                 | P-CEO "[dd]"              | P-CEO "[dd]"              | P-CEO "[dd]"                         | P-CEO "[dd]"          | P-CEO "[dd]"                        |
| 152) Adult Use Marijuana Cultivation, Tier 2. Reference Footnote "[dd]" regarding standards that apply to an Adult Use Marijuana activity.                 |  | P-PBR "[dd]"             | P-PBR "[dd]"                 | P-PBR "[dd]"              | P-PBR "[dd]"              | P-PBR "[dd] & * [mm]"                | P-PBR "[dd] & * [mm]" | P-PBR "[dd] & * [mm]"               |
| 153) Adult Use Marijuana Cultivation, Tier 3. Reference Footnote "[dd]" regarding standards that apply to an Adult Use Marijuana activity.                 |  | NO                       | NO                           | NO                        | NO                        | NO                                   | NO                    | NO                                  |
| 154) Adult Use Marijuana Cultivation, Tier 4. Reference Footnote "[dd]" regarding standards that apply to an Adult Use Marijuana activity.                 |  | NO                       | NO                           | NO                        | NO                        | NO                                   | NO                    | NO                                  |
| 155) Adult Use, Marijuana Cultivation Nursery. Reference Footnote "[dd]" regarding standards that apply to an Adult Use Marijuana activity.                |  | P-PBR "[dd]"             | P-PBR "[dd]"                 | P-PBR "[dd]"              | P-PBR "[dd]"              | P-PBR "[dd] & * [mm]"                | P-PBR "[dd] & * [mm]" | P-PBR "[dd] & * [mm]"               |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

| SECTION 102- 604<br>TABLE OF USES, NORTHWEST OF BYPASS AND<br>OUTSIDE RURAL DISTRICTS<br>TYPE OF USE   |              | RESIDENTIAL-4<br>(RES-4) | ROUTE 3 - RURAL<br>(RTE 3-R) | OUTSIDE RURAL-1<br>(OR-1) | OUTSIDE RURAL-2<br>(OR-2) | ROUTE 3<br>COMMERCIAL (RTE<br>3-COM) | OFFICE PARK (OP)      | ROUTE 137 MIXED<br>USE (RTE 137-MU) |
|--|--------------|--------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|-----------------------|-------------------------------------|
| 156) Adult Use, Marijuana Testing Facility. Reference Footnote * [dd] regarding standards that apply to an Adult Use Marijuana activity.   | P-PBR * [dd] | P-PBR * [dd]             | P-PBR * [dd]                 | P-PBR * [dd]              | P-PBR * [dd]              | P-PBR * [dd] & * [mm]                | P-PBR * [dd] & * [mm] | P-PBR * [dd] & * [mm]               |
| 157) Adult Use, Marijuana Manufacturing Facility. Reference Footnote * [dd] regarding standards that apply to an Adult Use Marijuana activity.   | P-PBR * [dd] | P-PBR * [dd]             | P-PBR * [dd]                 | P-PBR * [dd]              | P-PBR * [dd]              | P-PBR * [dd] & * [mm]                | P-PBR * [dd] & * [mm] | P-PBR * [dd] & * [mm]               |
| 158) Aquaculture, Land-Based.  | NO           | NO                       | P-PBR                        | NO                        | NO                        | NO                                   | NO                    | NO                                  |
| 159) Aquaculture, Freshwater.  | NO           | NO                       | P-PBR                        | NO                        | NO                        | NO                                   | NO                    | NO                                  |
| 160) Aquaculture, Marine.  | NO           | NO                       | NO                           | NO                        | NO                        | NO                                   | NO                    | NO                                  |
| 161) Aviation and uses accessory to aviation.  | NO           | NO                       | NO                           | NO                        | NO                        | NO                                   | NO                    | NO                                  |
| Reserved 162) - 179).  |              |                          |                              |                           |                           |                                      |                       |                                     |
| <b>AGRICULTURE &amp; NATURAL RESOURCE USES</b>   |              |                          |                              |                           |                           |                                      |                       |                                     |
| 180) Commercial agricultural, dairy and horticultural activities, including you-pick operations. Also reference Uses 181) and 184) below.  | P-PBR        | P-PBR                    | P-PBR                        | P-CEO                     | P-CEO                     | P-PBR                                | P-PBR                 | P-CEO                               |
| 181) Farm Stand and/or Craft Sales as an Accessory Use to an Agricultural Use.   | P-PBR        | P-PBR                    | P-CEO                        | P-CEO                     | P-CEO                     | P-PBR                                | P-PBR                 | P-CEO                               |
| 182) Commercial Poultry. (Refer to Chap 66, Definition).   | NO           | NO                       | P-PBR                        | NO                        | NO                        | NO                                   | NO                    | NO                                  |
| 183) Commercial Piggeries. (Refer to Chap 66, Definition).   | NO           | NO                       | P-PBR                        | 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. (Note: YTBD - Performance Standards have not yet been prepared as of 4-5-22.) | P-PBR        | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR                                | NO                    | P-PBR                               |
| 185) Domestic chickens - Reference City Code of Ordinances, Chapter 10, Animals, Article III, Domesticated Chickens.   | P-CEO        | P                        | P                            | P                         | P                         | P-CEO                                | P-CEO                 | P-CEO                               |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

| SECTION 102- 604<br>TABLE OF USES, NORTHWEST OF BYPASS AND<br>OUTSIDE RURAL DISTRICTS<br>TYPE OF USE  |  | RESIDENTIAL-4<br>(RES-4) | ROUTE 3 - RURAL<br>(RTE 3-R) | OUTSIDE RURAL-1<br>(OR-1) | OUTSIDE RURAL-2<br>(OR-2) | ROUTE 3<br>COMMERCIAL (RTE<br>3-COM) | OFFICE PARK (OP) | ROUTE 137 MIXED<br>USE (RTE 137-MU) |
|---|--|--------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|------------------|-------------------------------------|
| 186) Slaughterhouse.  |  | NO                       | NO                           | P-PBR                     | NO                        | NO                                   | NO               | NO                                  |
| 187) Horses and horse barns/Stables.  |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR                                | P-PBR            | P-PBR                               |
| 188) Animal breeding, husbandry.  |  | P-PBR                    | P-PBR                        | P-CEO                     | P-CEO                     | P-PBR                                | P-PBR            | P-CEO                               |
| 189) Tree farm (Including on-site sales)  |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR                                | P-PBR            | P-PBR                               |
| 190) Forestry: Woodlot management and timber harvesting. Reference State Permitting requirements from DEP.  |  | State                    | State                        | State                     | State                     | State                                | State            | State                               |
| 191) Forestry: Commercial firewood processing.  |  | NO                       | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR<br>*[mm]                       | NO               | P-PBR<br>*[mm]                      |
| Reserved 192) - 209).   |  |                          |                              |                           |                           |                                      |                  |                                     |
|   |  |                          |                              |                           |                           |                                      |                  |                                     |
| <b>UTILITIES</b>  |  |                          |                              |                           |                           |                                      |                  |                                     |
| 210) Stealth telecommunications facilities. Reference Footnote *[ff] regarding standards that apply to a Stealth Telecommunication Facility.  |  | P-PBR *[ff]              | P-PBR *[ff]                  | P-PBR *[ff]               | P-PBR *[ff]               | P-PBR *[ff]                          | P-PBR *[ff]      | P-PBR *[ff]                         |
| 211) Minor telecommunications facilities including co-location on existing structures. Reference Footnote *[ff] regarding standards that apply to a Minor Telecommunication Facility. |  | P-CEO *[ff]              | P-CEO *[ff]                  | P-CEO *[ff]               | P-CEO *[ff]               | P-CEO *[ff]                          | P-CEO *[ff]      | P-CEO *[ff]                         |
| 212) Telecommunications facilities. Reference Footnote *[ff] regarding standards that apply to a Telecommunication Facility.  |  | P-PBR *[ff]              | P-PBR *[ff]                  | P-PBR *[ff]               | P-PBR *[ff]               | P-PBR *[ff]                          | P-PBR *[ff]      | P-PBR *[ff]                         |
| 213) Small Wireless Facility (as defined by State Statute).   |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 214) Essential Services. Also see 215) below.   |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 215) Power Generation & Substations, Phase 3 Power Transmission Lines, & natural gas line facilities. Reference Footnote *[gg] for standards that apply.                              |  | P-PBR *[gg]              | P-PBR *[gg]                  | P-PBR *[gg]               | P-PBR *[gg]               | P-PBR *[mm]                          | P-PBR *[mm]      | P-PBR<br>*[mm]                      |

**SECTION 102- 604**  
**TABLE OF USES, NORTHWEST OF BYPASS AND**  
**OUTSIDE RURAL DISTRICTS**  
**TYPE OF USE**

|  | RESIDENTIAL-4<br>(RES-4) | ROUTE 3 - RURAL<br>(RTE 3-R) | OUTSIDE RURAL-1<br>(OR-1) | OUTSIDE RURAL-2<br>(OR-2) | ROUTE 3<br>COMMERCIAL (RTE<br>3-COM) | OFFICE PARK (OP)    | ROUTE 137 MIXED<br>USE (RTE 137-MU) |
|--|--------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|---------------------|-------------------------------------|
| 216) Solar Energy Systems, Large-Scale, ground-mounted. Reference Footnote *[ee] for standards that apply.                                     | P-PBR *[ee]              | P-PBR *[ee]                  | P-PBR *[ee]               | P-PBR *[ee]               | P-PBR *[ee]                          | P-PBR *[ee]         | P-PBR *[ee]                         |
| 217) Solar Energy Systems, Small-Scale and Medium-Scale, ground-mounted and roof-mounted. Reference Footnote *[ee] for standards that apply.   | P-CEO *[ee]              | P-CEO *[ee]                  | P-CEO *[ee]               | P-CEO *[ee]               | P-CEO *[ee]                          | P-CEO *[ee]         | P-CEO *[ee]                         |
| 218) Solar Energy Systems, Large-Scale, roof-mounted. Reference Footnote *[ee] for standards that apply.                                       | P-CEO *[ee]              | P-CEO *[ee]                  | P-CEO *[ee]               | P-CEO *[ee]               | P-CEO *[ee]                          | P-CEO *[ee]         | P-CEO *[ee]                         |
| 219) Wind Generation - Turbines (Commercial).  | NO                       | NO                           | NO                        | NO                        | NO                                   | NO                  | NO                                  |
| 220) Wind Generation - Turbines (Residential).   | P-CEO                    | P-CEO                        | P-CEO                     | P-CEO                     | P-CEO                                | P-CEO               | P-CEO                               |
| 221) Hydroelectric Power Generation facilities.  | NO                       | NO                           | P-PBR                     | P-PBR                     | P-PBR                                | P-PBR               | P-PBR                               |
| Reserved 222) - 239).  |                          |                              |                           |                           |                                      |                     |                                     |
| <b>PUBLIC, SCHOOLS, COMMUNITY FACILITIES,<br/>PERFORMANCE FACILITIES &amp; RECREATION</b>  |                          |                              |                           |                           |                                      |                     |                                     |
| 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-CEO                    | P-CEO                        | P-CEO                     | P-CEO                     | P-CEO                                | P-CEO               | P-CEO                               |
| 241) Quasi-public and non-municipal public uses. Reference Footnote *[z].  | P-CEO or P-PBR *[z]      | P-CEO or P-PBR *[z]          | P-CEO or P-PBR *[z]       | P-CEO or P-PBR *[z]       | P-CEO or P-PBR *[z]                  | P-CEO or P-PBR *[z] | P-CEO or P-PBR *[z]                 |
| 242) Public park.  | P-CEO                    | P-CEO                        | P-CEO                     | P-CEO                     | P-CEO                                | P-CEO               | P-CEO                               |
| 243) Public parking facility.  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR                                | P-PBR               | P-PBR                               |
| 244) School, public.   | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR *[mm]                          | P-PBR *[mm]         | P-PBR *[mm]                         |
| 245) School, private/parochial/charter.  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR *[mm]                          | P-PBR *[mm]         | P-PBR *[mm]                         |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

| SECTION 102- 604<br>TABLE OF USES, NORTHWEST OF BYPASS AND<br>OUTSIDE RURAL DISTRICTS<br>TYPE OF USE  |  | RESIDENTIAL-4<br>(RES-4) | ROUTE 3 - RURAL<br>(RTE 3-R) | OUTSIDE RURAL-1<br>(OR-1) | OUTSIDE RURAL-2<br>(OR-2) | ROUTE 3<br>COMMERCIAL (RTE<br>3-COM) | OFFICE PARK (OP) | ROUTE 137 MIXED<br>USE (RTE 137-MU) |
|---|--|--------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|------------------|-------------------------------------|
| 246) Community center.  |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR<br>*[mm]                       | P-PBR<br>*[mm]   | P-PBR<br>*[mm]                      |
| 247) Social club.   |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR<br>*[mm]                       | P-PBR<br>*[mm]   | P-PBR<br>*[mm]                      |
| 248) Museum.  |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR<br>*[mm]                       | P-PBR<br>*[mm]   | P-PBR<br>*[mm]                      |
| 249) Convention center.   |  | NO                       | NO                           | NO                        | NO                        | NO                                   | P-PBR<br>*[mm]   | NO                                  |
| 250) Theater/Performing arts center.  |  | NO                       | NO                           | NO                        | NO                        | P-PBR<br>*[mm]                       | P-PBR<br>*[mm]   | P-PBR<br>*[mm]                      |
| 251) Theater, outdoor and event facilities. Permitted as an accessory use to a residential or agricultural use. Reference Footnote "[bb]" regarding this use. |  | P-PBR "[bb]"             | P-PBR "[bb]"                 | P-PBR "[bb]"              | P-PBR "[bb]"              | P-PBR "[bb]"                         | P-PBR "[bb]"     | P-PBR "[bb]"                        |
| 252) Recreational facility, indoor. (public or private).  |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR<br>*[mm]                       | P-PBR<br>*[mm]   | P-PBR<br>*[mm]                      |
| 253) Recreational facility, outdoor, excluding motorized vehicles.  |  | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR<br>*[mm]                       | P-PBR<br>*[mm]   | P-PBR<br>*[mm]                      |
| 254) Recreational facility, outdoor, including motorized vehicles.  |  | NO                       | NO                           | NO                        | NO                        | NO                                   | NO               | NO                                  |
| 255) Recreational or community activities.  |  | P-CEO                    | P-CEO                        | P-CEO                     | P-CEO                     | P-PBR<br>*[mm]                       | P-PBR<br>*[mm]   | P-PBR<br>*[mm]                      |
| 256) Shooting or rifle range (public allowed).  |  | NO                       | NO                           | P-PBR                     | NO                        | NO                                   | NO               | NO                                  |
| 257) Drive-in movie theater.  |  | NO                       | NO                           | NO                        | NO                        | NO                                   | NO               | NO                                  |
| 258) Amusement park.  |  | NO                       | NO                           | NO                        | NO                        | NO                                   | NO               | NO                                  |
| Reserved 259) - 279).   |  |                          |                              |                           |                           |                                      |                  |                                     |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

| SECTION 102- 604<br>TABLE OF USES, NORTHWEST OF BYPASS AND<br>OUTSIDE RURAL DISTRICTS<br>TYPE OF USE  | RESIDENTIAL-4<br>(RES-4) | ROUTE 3 - RURAL<br>(RTE 3-R) | OUTSIDE RURAL-1<br>(OR-1) | OUTSIDE RURAL-2<br>(OR-2) | ROUTE 3<br>COMMERCIAL (RTE<br>3-COM) | OFFICE PARK (OP) | ROUTE 137 MIXED<br>USE (RTE 137-MU) |
|---|--------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|------------------|-------------------------------------|
| <b>MISCELLANEOUS USES</b>   |                          |                              |                           |                           |                                      |                  |                                     |
| 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            | 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            | 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            | P-CEO                               |
| 283) Accessory non-residential uses in which the principal use was subject to review by the Planning Board. (Permitted uses or expansions of legally established nonconforming uses). Note - Article IX Nonresidential Development Standards may apply to a Permit Application. | P-PBR                    | P-PBR                        | P-PBR                     | P-PBR                     | P-PBR                                | P-PBR            | P-PBR                               |
| 284) Marinas and marina related service businesses.   | NO                       | NO                           | NO                        | NO                        | NO                                   | NO               | NO                                  |
| 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.  | NO                       | NO                           | P-PBR                     | NO                        | NO                                   | NO               | NO                                  |
| 286) Water borne transportation and recreation.   | NO                       | NO                           | P-PBR                     | NO                        | NO                                   | NO               | NO                                  |
| 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                       | P-PBR<br>*[pp] & *[aa]       | P-PBR<br>*[aa]            | P-PBR<br>*[aa]            | 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                       | P-PBR<br>*[aa]               | P-PBR<br>*[aa]            | P-PBR<br>*[aa]            | NO                                   | NO               | NO                                  |
| 289) Fill activities that involve the addition or removal of at least 25 cubic yards of fill, but less than 100 cubic yards of material.  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 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            | P-CEO                               |
| 291) Septage, storage and spreading.  | NO                       | NO                           | P-PBR                     | NO                        | NO                                   | NO               | NO                                  |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

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|---|--|--------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|------------------|-------------------------------------|
| 292) Junkyards, including auto graveyards.  |  | NO                       | NO                           | NO [rq]                   | NO                        | NO                                   | NO               | NO                                  |
| 293) Significant Groundwater Well.  |  | NO                       | P-PBR *[hh]                  | P-PBR *[hh]               | NO                        | P-PBR *[hh]                          | NO               | P-PBR *[hh]                         |
| 294) Significant Water Intake or Significant Water Discharge/Outfall Pipe.  |  | NO                       | NO                           | P-PBR *[ij]               | NO                        | NO                                   | P-PBR *[ij]      | P-PBR *[ij]                         |
| Reserved 295) - 310).   |  |                          |                              |                           |                           |                                      |                  |                                     |
| <b>SPECIAL USES &amp; CONTRACT REZONING<br/>AGREEMENTS</b>  |  |                          |                              |                           |                           |                                      |                  |                                     |
| 311) Special Use Areas.   |  | N/A                      | N/A                          | P-PBR *[ij]               | P-PBR *[ij]               | N/A                                  | N/A              | N/A                                 |
| 312) Special Uses that Require City Review Pursuant to Contract Rezoning.   |  | NONE                     | NONE                         | NONE                      | NONE                      | See 312.1)<br>Below                  | NONE             | NONE                                |
| 312.1) Map 5/Lot 23A, DMK Development, October 1, 2019, and subsequent amendments. Contract to allow a Tractor Supply Store. Contract available at Planning and Codes Department. |  | N/A                      | N/A                          | N/A                       | N/A                       | Map 5/Lot<br>23A                     | N/A              | N/A                                 |
| Reserved 313) - 339).   |  |                          |                              |                           |                           |                                      |                  |                                     |
| <b>USES SPECIFIC TO CHAPTER 82, SHORELAND *[yy]</b>   |  |                          |                              |                           |                           |                                      |                  |                                     |
| 340) Nonintensive recreational uses not requiring structures, such but not limited to hunting, fishing and hiking.  |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 341) Motorized vehicular traffic on existing roads and trails.  |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 342) Clearing of Vegetation for Development   |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

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|--|--|--------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|------------------|-------------------------------------|
| 343) Fire Prevention Activities  |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 344) Wildlife Management Practices   |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 345) Soil and Water Conservation Practices   |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 346) Mineral Exploration   |  | CEO                      | CEO                          | CEO                       | CEO                       | CEO                                  | CEO              | CEO                                 |
| 347) Surveying and Resource Analysis   |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 348) Emergency Operations  |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 349) Conversion of Seasonal Residences to Year-Round Residences                                      |  | LPI (CEO)                | LPI (CEO)                    | LPI (CEO)                 | LPI (CEO)                 | LPI (CEO)                            | LPI (CEO)        | LPI (CEO)                           |
| 350) Service Drops to Allowed Uses   |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |
| 351) Private Sewage Disposal Systems of Allowed Uses   |  | LPI (CEO)                | NO                           | LPI (CEO)                 | LPI (CEO)                 | LPI (CEO)                            | LPI (CEO)        | LPI (CEO)                           |
| 352) Road and Driveway Construction  |  | CEO                      | CEO                          | CEO                       | CEO                       | CEO                                  | CEO              | CEO                                 |
| 353) Small Nonresidential Facilities for Educational, Scientific, or Nature Interpretation Purposes  |  | P                        | P                            | P                         | P                         | P                                    | P                | P                                   |

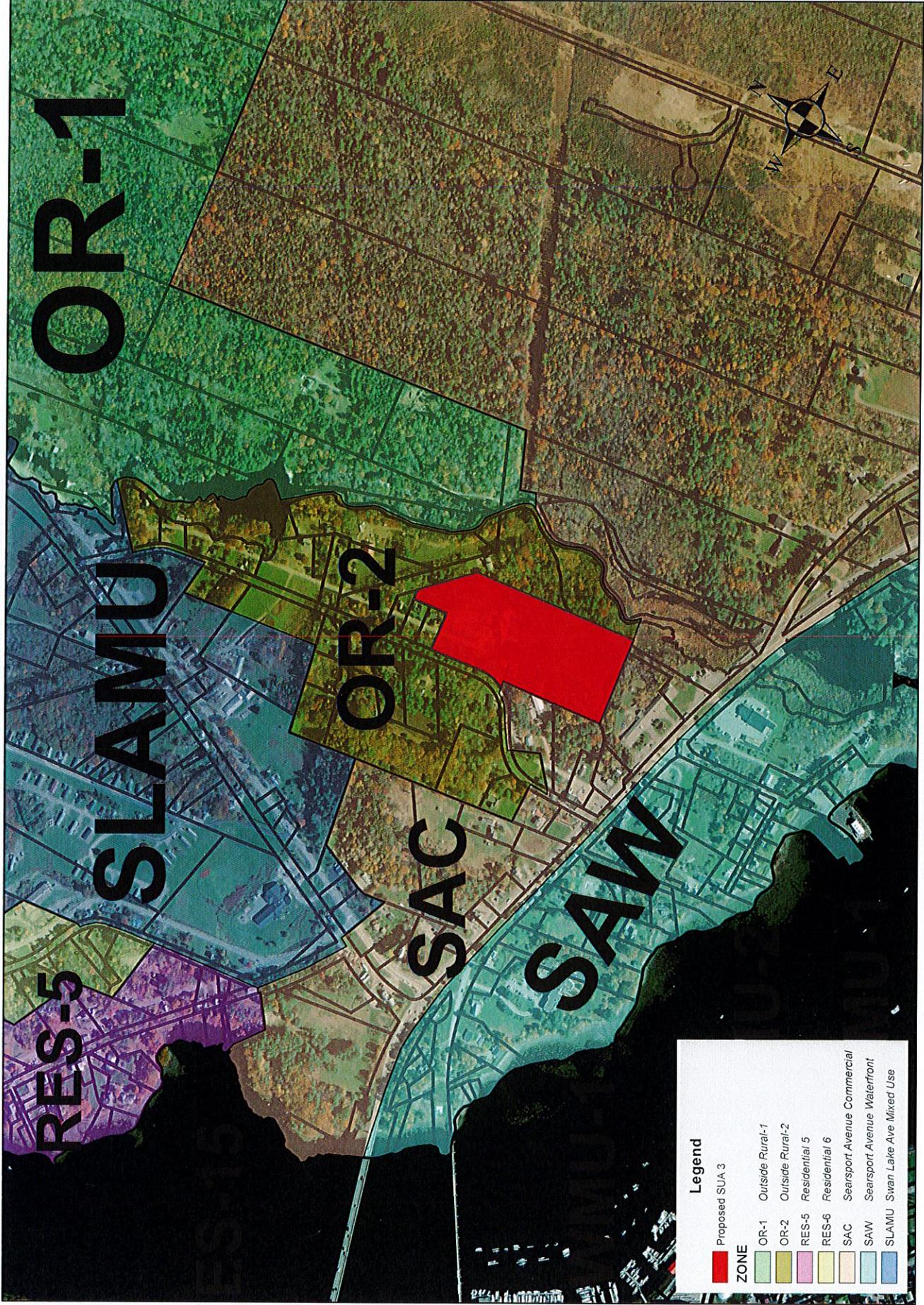
**NOTES TO TABLE**

Refer to Chapter 82, Shoreland, Table of Uses for a complete list of uses allowed in the Shoreland Zone.

**TABLE OF USES - NORTHWEST OF BYPASS OUTSIDE RURAL DISTRICTS**

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|--|--|--------------------------|------------------------------|---------------------------|---------------------------|--------------------------------------|------------------|-------------------------------------|
| 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 |                          |                              |                           |                           |                                      |                  |                                     |
| SU-CZ  | Special Use - Contract Rezoning Approval required          |                          |                              |                           |                           |                                      |                  |                                     |
| SUA  | Special Use Area in Outside Rural 1 or Outside Rural 2     |                          |                              |                           |                           |                                      |                  |                                     |
| P-LPI  | Licensed Plumbing Inspector review & permit required       |                          |                              |                           |                           |                                      |                  |                                     |
| NO   | Prohibited Use   |                          |                              |                           |                           |                                      |                  |                                     |
| State  | Permit required from State Agency in lieu of City Permit   |                          |                              |                           |                           |                                      |                  |                                     |

# PROPOSED SPECIAL USE AREA 3



1,200 600 0 1,200 Feet

February 4, 2025

# CITY OF BELFAST WALDO COUNTY, MAINE PROPOSED SPECIAL USE AREA 3



**Legend**

|       |                           |
|-------|---------------------------|
| ABP   | Arterial Business Park    |
| CC    | Community Commercial      |
| CD    | Community District        |
| CO    | Office                    |
| CP    | Community Professional    |
| CR    | Community Residential     |
| CR2   | Community Residential 2   |
| CR3   | Community Residential 3   |
| CR4   | Community Residential 4   |
| CR5   | Community Residential 5   |
| CR6   | Community Residential 6   |
| CR7   | Community Residential 7   |
| CR8   | Community Residential 8   |
| CR9   | Community Residential 9   |
| CR10  | Community Residential 10  |
| CR11  | Community Residential 11  |
| CR12  | Community Residential 12  |
| CR13  | Community Residential 13  |
| CR14  | Community Residential 14  |
| CR15  | Community Residential 15  |
| CR16  | Community Residential 16  |
| CR17  | Community Residential 17  |
| CR18  | Community Residential 18  |
| CR19  | Community Residential 19  |
| CR20  | Community Residential 20  |
| CR21  | Community Residential 21  |
| CR22  | Community Residential 22  |
| CR23  | Community Residential 23  |
| CR24  | Community Residential 24  |
| CR25  | Community Residential 25  |
| CR26  | Community Residential 26  |
| CR27  | Community Residential 27  |
| CR28  | Community Residential 28  |
| CR29  | Community Residential 29  |
| CR30  | Community Residential 30  |
| CR31  | Community Residential 31  |
| CR32  | Community Residential 32  |
| CR33  | Community Residential 33  |
| CR34  | Community Residential 34  |
| CR35  | Community Residential 35  |
| CR36  | Community Residential 36  |
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| CR93  | Community Residential 93  |
| CR94  | Community Residential 94  |
| CR95  | Community Residential 95  |
| CR96  | Community Residential 96  |
| CR97  | Community Residential 97  |
| CR98  | Community Residential 98  |
| CR99  | Community Residential 99  |
| CR100 | Community Residential 100 |

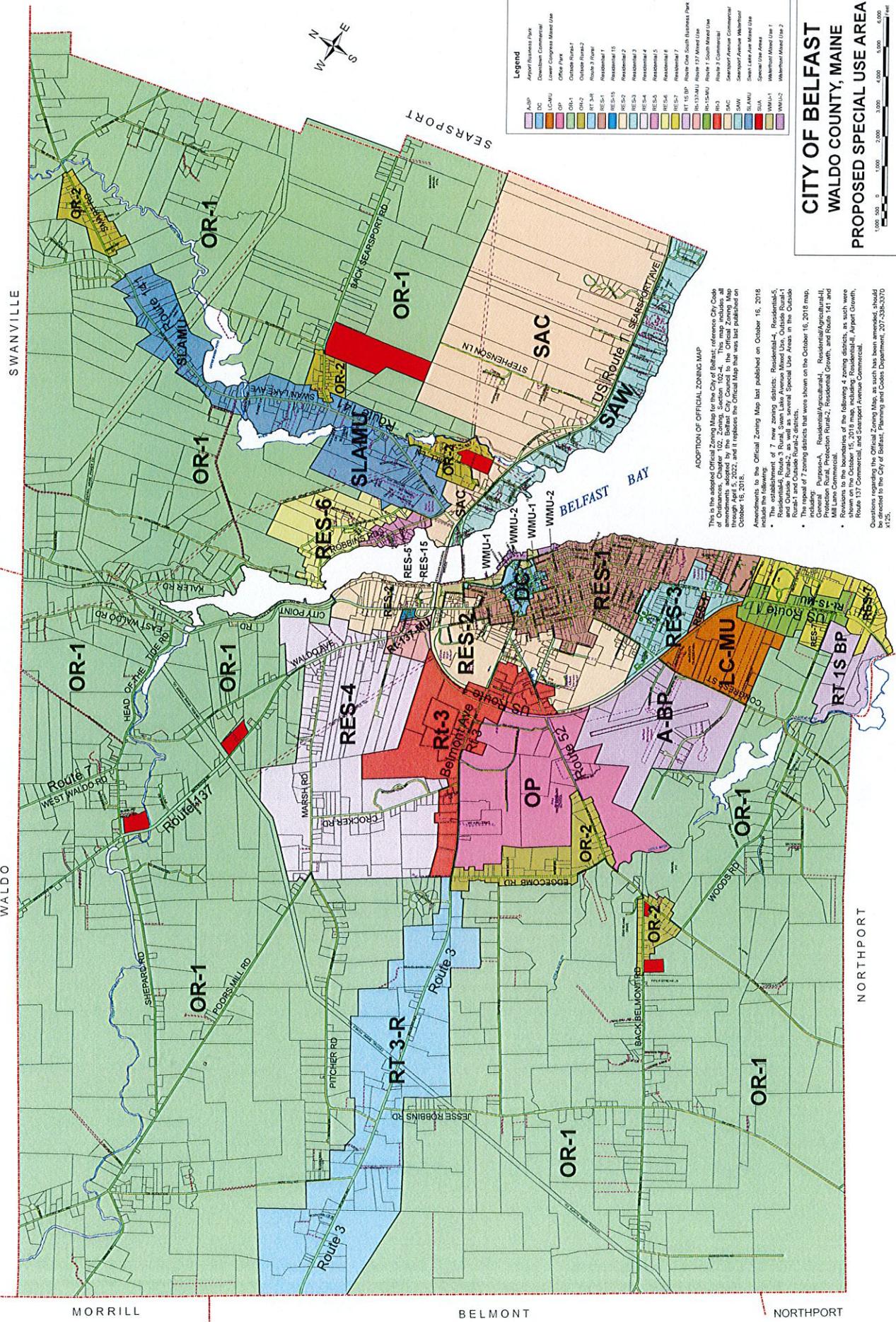
**ADOPTION OF OFFICIAL ZONING MAP**

This is the adopted Official Zoning Map for the City of Belfast, reference City Code Amendments 2017-001 through 2017-005, 2018-001 through 2018-005, 2019-001 through 2019-005, 2020-001 through 2020-005, 2021-001 through 2021-005, 2022-001 through 2022-005, and it replaces the Official Map that was last published on October 16, 2018.

Amendments to the Official Zoning Map last published on October 16, 2018

- The establishment of 7 new zoning districts: Residential-4, Residential-5, Residential-6, Route 3 Rural, Swan Lake Avenue Mixed Use, Outside Rural-1, Outside Rural-2, and Outside Rural-3.
- The repeal of 7 zoning districts that were shown on the October 16, 2018 map, including: Purpose-A, Residential/Agricultural-1, Residential/Agricultural-2, Protection Rural, Protection Rural-2, Residential Growth, and Route 141 and Mill Lane Commercial.
- The repeal of the following 4 zoning districts, as such were shown on the October 16, 2018 map, including: Route 141, Support Urban, Route 137 Commercial, and Searsport Avenue Commercial.

Questions regarding the Official Zoning Map, as such has been amended, should be directed to the City of Belfast, Planning and Codes Department, 207-338-3370 x125.



SWANVILLE  
WALDO  
MORRILL  
BELMONT  
NORTHPORT

## **NOTICE OF PUBLIC HEARING**

### **BELFAST CITY COUNCIL**

## **PROPOSED AMENDMENTS TO CITY CODE OF ORDINANCES**

The Belfast City Council, at its meeting on Tuesday March 18th, 2025, beginning at 7:00 pm in the Belfast City Hall Council Chambers, located at 131 Church Street, Belfast, ME 04915, shall conduct a public hearing and Second Reading on proposed amendments to the City Code of Ordinances, Chapter 14 Businesses, Chapter 66 Definitions, Chapter 72 Housing and Chapter 102 Zoning. The proposed zoning amendments include changes in the City Ordinance to accommodate Planning Board review of a new use, a Transitional Housing Facility, through a Special Use Area designation of 23 Mill Lane, the United Methodist Church, located in the Outside Rural 2 zoning district. The public hearing will be conducted in person at City Hall and can be streamed on the City website at [www.cityofbelfast.org](http://www.cityofbelfast.org).

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 March 18th, 2025, by email to [directorplanning@cityofbelfast.org](mailto:directorplanning@cityofbelfast.org). This is the preferred method to submit comments.
- 2) Submit written comments by 12 noon on March 18th, 2025, by letter to: City of Belfast, Planning and Codes Dept, 131 Church Street, Belfast ME 04915.
- 3) Submit oral comments in person during the public hearing portion of the meeting.

The amendments that the City is considering can be found on the city website, [www.cityofbelfast.org](http://www.cityofbelfast.org), reference Planning and Codes. A copy of the proposed amendments is also available for inspection in the Planning and Codes Department offices during normal business hours, 7:00am – 6:00pm, 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](mailto:directorplanning@cityofbelfast.org).

10.D

Midcoast Maine Homeless Coalition

37 Miller St

Belfast, Maine 04915

[chair@m-m-c-h-c.org](mailto:chair@m-m-c-h-c.org)

3/11/25

City Council members: Brenda Bonneville, Christopher Bitely, Mary Mortier, Paul Dean, Neal Harness

Mayor: Eric Sanders

131 Church St.

Belfast, ME 04915

Dear Mayor and Councilors;

I am writing to request a waiver for the Planning Board Review and advertising fees regarding a plan we will be submitting to Planning Board. The Midcoast Maine Homeless Coalition (MMHC) will be submitting a plan regarding the changes we will be making at the United Methodist Church for our Transitional Housing Project. We are requesting this waiver because we are a new non-profit, 501(C)3, organization with limited private funds. We are currently submitting grants and doing other fundraising activities to increase our funds for this project. Our current finances are targeted for adapting the building to meet building codes, hiring a part-time director, purchasing equipment, liability insurance, etc. The \$500 Review fee would be a financial hardship to our organization. We would appreciate your consideration of waiving the fees related to this review process. Please contact us if you have any questions.

With thanks and sincerity,

Kathy Muzzy

Midcoast Maine Homeless Coalition Board, Chair

10.E,F+G



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](mailto:planningandcodes@cityofbelfast.org)

**MEMO:**

To: Mayor and City Council  
From: Alexandra E. Sykes - City Planner  
CC: Erin Herbig – City Manager; Bub Fournier – Director Planning and Codes, and  
Kathy Givens – Harbor Master  
Date: March 11<sup>th</sup>, 2025  
Re: Second Reading – Proposed Amendments to Chapter 30 Marine Activities

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On February 18<sup>th</sup>, 2025 the Belfast City Council voted 5-0 to proceed with a Second Reading and Public Hearing on Ordinance Amendments regarding the proposed amendments to the City Code of Ordinances, Chapter 30 Marine Activities. Based on the City Councilors comments received at the First Reading, minor language changes were updated in the drafted language of Chapter 30 Marine Activities.

**BACKGROUND INFORMATION**

At the November 16<sup>th</sup>, 2024 City Council Workshop, the Harbor Advisory Committee recommended the Council consider adopting regulations for large passenger vessels that carry 50 or more passengers within the Harbor. The topic was discussed amongst the Council, various stakeholders, and staff during the meeting. As a culmination of the meeting, Council proposed the Harbor Advisory Committee prepare further specificity to their recommendation and present said information to be discussed at a future subsequent regular Council meeting.

During the regular City Council meeting of January 21<sup>st</sup>, 2025, Councilors revisited the topic of defining further regulations in regard to limiting the amount of passengers for large passenger vessels to embark and disembark, including by tender, at the City Landing or other City property or marine facilities. After discussion and consensus by the Council, the Council directed Planning and Codes staff to draft Ordinance language to reflect said recommendations by the Harbor Advisory Committee.

In the documents provided, you will find drafted Ordinance Amendments to Chapter 30 Marine Activities that would modify the allowances for large passenger vessels. The Amendments propose that any marine vessel certified to carry 50 or more passengers shall not be allowed to embark or disembark guest passengers, including by tender, at the City Landing or other City property or marine facilities. The draft Ordinance language for your review is marked up in the typical manner, in which the proposed changes are indicated in red.

Planning and Codes staff ran a public hearing notice for one week in the Midcoast Villager. In addition, mailed notices of this meeting were sent to all property owners in the Waterfront Mixed Use-1 and Waterfront Mixed Use-2 zoning districts as well as other stakeholders, which included local business groups and cruise ship industry contacts.

### **REQUESTED COUNCIL ACTIONS**

I respectfully request the Council to allow Planning and Codes staff to present the proposed Ordinance Amendment incorporating language to modify the allowances for large passenger vessels. In addition, I respectfully request the Council conduct a public hearing. After discussion, I respectfully request the Council consider accepting the Second Reading and consider taking a vote to adopt the proposed Ordinance Amendments to Chapter 30 Marine Activities as presented. The Council has the option to potentially adopt, table, or amend the proposal.

Draft Motion: *The City Council, at its meeting on March 18<sup>th</sup>, 2025 hereby adopts the proposed Ordinance Amendments to Chapter 30 Marine Activities, as such were presented at the March 18<sup>th</sup>, 2025 Second Reading.*

**Format of Amendments.**

All text shown in black font is current text in the adopted City Code of Ordinances, Chapter 58 Traffic and Vehicles. **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. Bold text indicates the specific intersection.

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**ARTICLE II  
Harbors****DIVISION 1  
Generally****Sec. 30-31. Purpose of article. [Ord. No. 55-2003, 6-17-2003]**

This article is established in order to regulate marine activities within the City harbor and waters adjacent to the shoreline of the City in order to ensure safety to persons and property, to promote availability and use of valuable public resources, and to create a fair and efficient framework for the administration of such regulations.

**Sec. 30-32. Definitions. [Ord. No. 55-2003, 6-17-2003; Ord. No. 3-2005, 7-20-2004; Ord. No. 9-2005, § B, 9-6-2005; Ord. of 2-15-2011; Amd. of 5-2-2012; Ord. No. 5-2016, 7-19-2016]**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

to ANCHOR—Shall mean to secure a vessel to the sea floor within a body of water by dropping an anchor(s) or other ground tackle, which is carried aboard a vessel when underway as regular equipment. [Ord. No. 5-2016, 7-19-2016]

AQUACULTURE — The growing or propagation of harvestable freshwater, estuarine, or marine plant or animal species.

BOAT AND VESSEL — Includes boats of all sizes powered by: sail, machinery or hand; floats, rafts, scows, dredges, lobster, crab and shellfish cars, and craft of any kind.

COMMERCIAL — A vessel or mooring activity used in a business, occupation or enterprise from which the owner obtains a substantial portion of his/ her income. Rental moorings are not considered a Commercial use for the purposes of this Chapter. [Ord. No. 40-2016, 3-15-2016]

CONCESSIONS CONTRACT — "Concessions" are defined as all businesses offering for sale to the public goods or services, which advertise or provide information, ticket sales, retail sales, or conduct other such activities within the areas described in subsection [30-126](b) and depicted on appendix A. "Concessions" include, but are not limited to sales of food or goods, motorized or non-motorized watercraft rentals, tours, charters, or sightseeing, overnight or fishing trips. This definition shall not apply to any business which operates exclusively from October 15 through May 15.

FLOATING BUSINESS — A building constructed on a raft or hull that is represented as a place of business, including but not limited to waterborne hotels, restaurants, marinas or marina-related businesses.

HOUSEBOAT — A building constructed on a raft, barge, or hull that is used primarily for single or multifamily habitation: if used for transportation, this use is secondary.

INNER HARBOR BASINS — Commercial user areas designated in the inner harbor to better utilize harbor space by keeping similar vessels moored together.

MOORED FLOAT — Any floating structure not attached to or associated with a pier or wharf, anchored or moored, and used normally for a berth, lobster car, or other approved purpose.

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1. **Editor's Note:** This ordinance repealed and reenacted former Ch. 30, Marine Activities, in its entirety. Former Ch. 30, was adopted 3-21-1995, and amended 7-2-1996 by Ord. No. 1-1996; 4-1-1997 by Ord. No. 37-1997; 7-21-1998 by Ord. No. 9-1998; 9-15-1998 by Ord. No. 17-1998; 12-15-1998 by Ord. No. 44-1998; 5-18-1999 by Ord. No. 67-1999; 4-3-2001 by Ord. No. 55-2001; and 11-6-2002 by Ord. No. 20-2002.

**MOORING** — Any device used by a craft for anchoring purposes and which device is not carried aboard such craft when underway as regular equipment.

**NONRESIDENT COMMERCIAL BUSINESS** — A business that provides marine-related services, including but not limited to construction, service, storage, or maintenance of vessels, mooring inspections, charters, launch services or other services to boaters, such as food or supplies, but does not have its principal place of business within the City of Belfast. In order to receive a mooring permit, a nonresident commercial business shall demonstrate to the satisfaction of the Harbor Master that it requires a mooring as an operational necessity of its business.[Added 3-17-2015]

**NONRESIDENT COMMERCIAL FISHERMAN** — A person who holds a marine license issued by the Department of Marine Resources and who requires use of a moored vessel to earn a substantial portion of his or her income through fishing, but does not occupy a dwelling in the City of Belfast for more than 180 days in a calendar year.[Added 3-17-2015]

**OCCASIONAL USE CONTRACT** — Occasional use of the City-owned dock, launch ramp and breakwater is defined as the commercial operation of a vessel(s) for purposes including but not limited to tours, sightseeing, overnight or fishing trips, cruises or charters (educational, scientific, recreational or otherwise), which meets the following criteria: [Added 3-15-2016]

- (1) The vessel shall not make more than 12 departures from the City-owned dock between May 15 and October 15 of a particular year;
- (2) The vessel and/or its crew or other employees do not have a concessions contract pursuant to subsection (d) of [section 30-126]; and
- (3) The vessel, specifically large passenger vessels, certified to carry 50 or more passengers shall not be allowed to embark or disembark guest passengers, including by tender, at the City Landing or other City property or marine facilities.**
- ~~(3)~~ (4) The vessel has a home port of Belfast, Maine, meaning that:
  - a. The vessel makes the majority of its commercial departures during a given year from Belfast Harbor, including trailered and launched vessels;
  - b. The vessel is documented as a Belfast vessel; or
  - c. The vessel has a mooring, float or slip in Belfast Harbor or its coastal waters.

This definition shall not apply to any business that operates exclusively from October 15 through May 15.

**PRIVATE NONCOMMERCIAL MOORING:** A mooring placed by a vessel owner for his private use including commercial fisherman moorings.

**RENTAL MOORING:** A mooring for which any type of fee is charged in exchange for use rights. [Added 3-15-2016]

**RESIDENT** — A person who occupies a dwelling in the City of Belfast for more than 180 days in a calendar year.

**RESIDENT COMMERCIAL BUSINESS** — A business that has its principal place of business within the City of Belfast and that provides marine-related services, including but not limited to

construction, service, storage, or maintenance of vessels, mooring inspections, charters, launch services, or other services to boaters, such as food or supplies. In order to receive a mooring permit, a resident commercial business shall demonstrate to the satisfaction of the Harbor Master that it requires use of a mooring as an operational necessity of its business.[Added 3-17-2015]

**RESIDENT COMMERCIAL FISHERMAN** — A person who occupies a dwelling in the City of Belfast for more than 180 days in a calendar year, who holds a commercial marine license issued by the Department of Marine Resources, and who requires use of a moored vessel to earn a substantial portion of his or her income through fishing.[Added 3-17-2015]

**SEASONAL RENTAL MOORING:** A mooring used to secure a visiting vessel for no less than two months.

**SERVICE MOORING:** A mooring assigned to a resident or Non-resident Commercial Business and used for the service, support, or temporary mooring of vessels served by the business. [Added 3-15-2016]

**SHOREFRONT OWNER** —

- (1) Persons who, prior to January 1, 1987, owned shore rights of at least 100 feet of frontage regardless of the size of lot, in Belfast Harbor or water adjacent to the shoreline of the City, or
- (2) An owner of the shore rights of a parcel of land with the larger of the minimal buildable lot size in the municipality or 20,000 square feet and, in either case, including 100 feet of shoreline frontage.

**TRANSIENT RENTAL MOORING:** A mooring used to secure a visiting vessel for no more than two weeks.

**VESSEL LENGTH:** The length of a vessel as berthed, measured to include any and all extensions or overhangs from the hull's stem or stern, such as bowsprits, boomkins, rudderposts, booms, davits, outboard motors, swim platforms, or any other extensions from the hull. [Added 3-15-2016]

**WHARF LINE** — A line along the shoreline of Belfast as designated in this chapter and chapter 82, shoreland zoning, that defines the boundary beyond which there shall be no marine construction of a pier, wharf, dock, float or similar structure that is connected to land.

### **Sec. 30-33. Establishment and use of harbor usage fees. [Ord. No. 55-2003, 6-17-2003]**

The City council, upon recommendation by the harbor advisory committee, shall set harbor usage fees to be paid by the owner or master of vessels at all municipal facilities. The fees are to be paid to the City for the harbor advisory committee to use to upgrade, maintain and supervise all municipal facilities. In setting the dockage fees, the following criteria will be used: boat length, dockage duration, and overall cost of upgrading, maintaining and supervising all municipal facilities.

### **Sec. 30-34. Authority to deny access to municipal facilities. [Ord. No. 55-2003, 6-17-2003]**

The Harbor Master may deny access to municipal facilities to a vessel if **it does not meet standards identified in this chapter**, if it is unsafe, or if it emanates obnoxious fumes, fluids, oils and other noxious substances.

City of Belfast, ME

Sec. 30-32

Sec. 30-35

**Sec. 30-35. through Sec. 30-45. (Reserved)**

DIVISION 2  
**Harbor Advisory Committee**

**Sec. 30-46. Membership. [Ord. No. 55-2003, 6-17-2003]**

The harbor advisory committee shall consist of five members and one alternate member, appointed by the City council. Each committee member shall be a resident of the City.

**Sec. 30-47. Term of members. [Ord. No. 55-2003, 6-17-2003]**

The term of office of a member of the harbor advisory committee shall be two years. The terms shall be overlapping so that in any one year no more than three new members are appointed to the committee.

**Sec. 30-48. Officers; records and reports. [Ord. No. 55-2003, 6-17-2003]**

The harbor advisory committee shall annually choose one of its members as chair and a different member as clerk. The clerk shall keep a record of all proceedings and make a report at the close of each year for inclusion in the annual report.

**Sec. 30-49. Compensation of members. [Ord. No. 55-2003, 6-17-2003]**

The members of the harbor advisory committee shall serve without compensation.

**Sec. 30-50. Duties. [Ord. No. 55-2003, 6-17-2003; Ord. No. 3-2005, 7-20-2004]**

The harbor advisory committee, under the general direction of the City council, shall advise the City manager and Harbor Master as to the custody, care and management of the harbor and its facilities, not inconsistent with the duties of the Harbor Master as set forth in City ordinance or by the Maine Revised Statutes, and shall hear appeals in such instances as provided in this article. The committee shall review and provide recommendations to the City planning board regarding shoreland permit applications for uses identified in section 82-31, including participation in the contract rezoning process identified in chapter 82, shoreland zoning, and chapter 102, zoning, article X, division 4.

**Sec. 30-51. Appeals. [Ord. No. 55-2003, 6-17-2003; Ord. No. 9-2005, § B, 9-6-2005]**

- (a) Any person aggrieved directly or indirectly by a decision, order, rule or act, or failure to act of the Harbor Master under this article may appeal such decision, order, rule, act or failure to act to the harbor advisory committee. There is no right to appeal an award or failure to award an application and/or request for a concessions or occasional use contract pursuant to section 30-126. Said decisions of the City council are final. In deciding an appeal, the harbor committee shall hear and approve, or approve with modifications or conditions, or disapprove, the decision, order, rule, act or failure to act of the Harbor Master from which the appeal is taken.
- (b) Such appeals shall be made in writing directed to the chairman of the harbor advisory committee, which shall be received by the City Clerk's office at City hall within five business days of the decision, order, rule, act or failure to act of the Harbor Master from which the

appeal is taken. It must state with specificity the decision, order, rule, act or failure to act from which the appeal is taken and the reason for the appeal. The appeal shall be considered by the harbor advisory committee within 30 days of notification of appeal.

- (c) An appeal may be taken by any party from a decision of the harbor advisory committee to the county superior court in accordance with Rule 80B of the Maine Rules of Civil Procedure. The appeal to superior court from the decision of the harbor advisory committee must be made within 20 days.

**Sec. 30-52. through Sec. 30-70. (Reserved)**

DIVISION 3  
Harbor Master

**Sec. 30-71. Appointment; qualifications; term. [Ord. No. 55-2003, 6-17-2003]**

There shall be appointed by the City council some suitable person, who should live within 30 minutes of the City landing, to act as Harbor Master, who shall serve until a successor has been appointed.

**Sec. 30-72. Powers and duties. [Ord. No. 55-2003, 6-17-2003]**

- (a) The duties and responsibilities of the Harbor Master are prescribed by 38 M.R.S.A. In addition, the Harbor Master, acting under the orders of the City council, shall have full authority in the interpretation and enforcement of all regulations affecting Belfast Harbor and waters adjacent to the shoreline of the City to the fullest extent permitted by law.
- (b) The Harbor Master shall be the overseer of the City's moorings, floats, docks, ramps, breakwater, channels and adjacent municipal property and ensure that their proper maintenance shall be provided for by the public grounds maintenance division upon request from the Harbor Master.
- (c) The Harbor Master shall regularly attend the harbor advisory committee's meetings and inform the committee of his activities, as well as provide such information as may be requested by the committee for the execution of its duties.
- (d) The Harbor Master may utilize the City hall staff and harbor advisory committee for assistance in the administrative aspects of this position.
- (e) The Harbor Master is encouraged to attend both the basic and advanced course of the Harbor Master's Association annual training. The City of Belfast will maintain a membership to the association.

**Sec. 30-73. Compensation. [Ord. No. 55-2003, 6-17-2003]**

The compensation of the harbor master shall be determined by the City council.

**Sec. 30-74. through Sec. 30-90. (Reserved)**

DIVISION 4  
**Belfast Harbor**

**Sec. 30-91. Violations; penalty. [Ord. No. 55-2003, 6-17-2003]**

- (a) If the Harbor Master has probable cause to believe that any provision of division 4 of this article has or may have been violated, the Harbor Master may commence a civil action in the district court by service of a summons in the form of the uniform traffic ticket as provided by 29 M.R.S.A. § 2300. Complaints for filing in the district court may be drawn by the City attorney or by the district attorney's office. For any violations of division 4 of this article, the district court may impose a fine of not less than \$25 and not more than \$200 for each violation. Each day such a violation is continued may be considered a separate offense. Unless otherwise prohibited by state law, all fines collected shall be payable to the City.
- (b) If the Harbor Master shall find provisions other than those in division 4 of this article to be violated, the Harbor Master shall notify the person responsible for the violation, either verbally or in writing, indicating the nature of violation and ordering the action necessary to correct it. The Harbor Master shall maintain a written record of such notices. If the violation causes or threatens to cause property damage, then notification of the violation shall be by the fastest means possible. In this case, if contact with the mooring or boat owner or corrective action cannot be made within 24 hours, the Harbor Master is authorized to take whatever action is necessary, the expense and risk for which shall be borne by the mooring or boat owner. If the mooring or boat owner fails to satisfy all financial obligations arising out of this incident prior to January 1 of the succeeding year, it shall not limit in any way the authority of the Harbor Master to act as provided in 38 M.R.S.A. § 1.
- (c) When the action described in subsection (b) of this section does not result in the correction or abatement of the violation or condition, the City council, upon notice from the Harbor Master or the harbor advisory committee, is hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations, that may be appropriate or necessary to enforce the provisions of this article in the name of the City. In any action in which the City prevails, the City shall be awarded reasonable attorneys' fees and court costs in addition to any other relief to which it may be entitled.

**Sec. 30-92. Harbor limits. (See Appendix B to Ord. No. 55-2003.) [Ord. No. 55-2003, 6-17-2003; Ord. No. 3-2005, 7-20-2004] [Ord. No. 40-2016, 3-15-2016]**

For the purpose of this Article, the harbor limits shall be defined as follows:

- (1) Coastal Harbor. The Coastal Harbor of Belfast shall be defined as an area bounded on the south by a line extending from the Northport/Belfast town line (44 23.647N, 068 59.274W) to the Searsport/Belfast town line (44 25.733N, 068 57.468W) and on the north by a line from point "A" at Steamboat Landing (44 25.510N, 068 59.985W) to point "B" near Goose River (44.25740N, 068 59.525W).
- (2) Outer Harbor. The Outer Harbor of Belfast shall be defined as an area bounded on the south by a line from point "A" at Steamboat Landing to point "B" at Goose River, and on the north by a line on the north side and parallel to the outer section of the breakwater, point "C", (44 25.735N, 069 00.192W) to point "D" (44 25.880N, 068 59.980W) on the eastern shore of the harbor.

- (3) Inner Harbor. The Inner Harbor of Belfast shall be defined as an area bounded on the south by a line on the north side of and parallel to the outer section of the breakwater, point "C", to the eastern shore of the harbor, point "D", and on the north by the northerly face of the Armistice Bridge (44 25.876N, 069 00.597W to 44 25.974N, 069 00.406W).
- (3.5) Bridge Harbor. The Bridge Harbor of Belfast shall be defined as an area bounded on the south by the northerly face of the Armistice Bridge, and on the north by the northerly face of the Veteran's Memorial Bridge, (44 25.976N, 069 00.731W to 44 26.038N, 069 00.478W).
- (4) River Harbor. The River Harbor of Belfast shall be defined as an area bounded on the south by the northerly face of the Veteran's Memorial Bridge, and on the north at the Head of Tide.

**Sec. 30-93. Channel limits. (See Appendix B to Ord. No. 55-2003.) [Ord. No. 55-2003, 6-17-2003; Amd. of 5-2-2012]**

The Belfast Harbor channel shall extend westerly of and northwesterly from a point delineated as (44 N 69 W) near Steels Ledge to a point near the US Rt. 1 bridge where the channel does not exceed a distance of 25 feet [on] either side of the deepest point and extends to the head of tide. (44 N 69 W). A twenty-five-foot buffer area shall be maintained on either side of the channel. A detailed description of the channel location, turning basins, channel buffer, and private aids is attached and can be found in Appendix B.

**Sec. 30-94. Anchorage areas. (see Appendix B-1)**

Three overlaid anchorage areas (A, B and C) are hereby established within the Outer and Coastal Harbors in order to better manage usage of prime mooring and navigation areas and to ensure opportunity for access by all types of harbor users. These anchorage areas are depicted on the map attached as Appendix B-1 to this chapter, which shall be controlling as to the location of the anchorage areas.

**Sec. 30-95. Wharf lines. [Ord. No. 55-2003, 6-17-2003; Ord. No. 3-2005, 7-20-2004]**

A wharf line is established in Belfast Harbor beyond which there shall be no marine construction of piers, wharves, docks, floats, or similar structures connected to the land. No construction within these boundaries shall infringe on or encroach upon any channel located in Belfast Harbor. Wharf lines are further described as follows and are generally depicted on the Official Wharf Line Map:

- (1) Coastal Harbor wharf line. Any point or location not to exceed 300 feet from the normal high water mark.
- (2) Outer Harbor wharf line. Any point or location not to exceed 200 feet from the normal high water mark. Notwithstanding this provision, the City Council shall have the authority to adopt a contract rezoning agreement for a specific property that has shore frontage in the Outer Harbor and that is located in the Waterfront Development Shoreland Zone regarding the specific designation of the wharf line for that property; reference Chapter 102, Zoning, Article X, Contract Rezoning, Division 4, Waterfront Mixed Use1 and Waterfront Mixed Use-2 Zoning Districts and Waterfront Development Shoreland District.
- (3) Inner Harbor wharf line.
  - a. West side of harbor. Any point or location not to exceed 25 feet from the designated channel for Belfast Harbor.
  - b. East side of harbor. Any point or location not to exceed 100 feet from the normal high water mark.
- (3.5) Bridge harbor wharf line.
  - a. West side of harbor. Any point or location that is a minimum of 25 feet from the designated channel of Belfast Harbor.
  - b. East side of harbor. Any point or location that is a minimum of 100 feet from the normal high water mark if the structure is connected to the shore. If the structure is connected to the Armistice Bridge (foot bridge), any point or location that is a minimum of 25 feet from the designated channel of Belfast Harbor.
- (4) River area wharf line. Any point or location not to exceed 100 feet from the normal high water mark.

**Sec. 30-96. Removal of vessels by Harbor Master; abandoned vessels. [Ord. No. 55-2003, 6-17-2003]**

- (a) The Harbor Master is hereby authorized to remove or cause to be removed any vessel or boat from any wharf in Belfast Harbor when so requested by the owner of wharf and whenever the Harbor Master shall deem it necessary, may remove or cause to be removed any vessel, boat or craft which shall anchor or lie contrary to this article, rule, regulation or state statute. Prior to taking such action the Harbor Master shall make a good faith effort to attempt to notify the owner or person having care of the vessel, boat or craft and to order the owner or person to remove the vessel, boat or craft forthwith. If actual notice of the order to remove cannot be provided to the owner or person responsible for the boat in an expeditious fashion, the Harbor Master may remove or cause the removal at the expense of the owner of the vessel. If any person, after having been ordered to comply forthwith, fails to comply, action may be undertaken by the Harbor Master as in other cases where violations occur, as provided in section 30-91.
- (b) No person shall cause to be abandoned any boat, vessel, cradle or craft within the confines of Belfast Harbor or the waters adjacent to the shoreline of the City. Any such objects left in the

confines of the harbor which shall appear to the Harbor Master to have been unattended for a period of 30 days shall be deemed abandoned. The Harbor Master, upon determining such abandonment, may order the last owner, if known, to remove such object within 10 days. If the last owner is unknown or uncertain, or not reasonably available for notification or determination, the Harbor Master shall attach to the abandoned property a notification ordering the object's removal within 10 days. If removal as provided in this section and as may be ordered by the Harbor Master is not accomplished within the ten-day period, the Harbor Master may remove or cause the removal of such object at the expense of the last known owner. If such object or property is not claimed, and removal expenses are not paid by October 10 of each year, the object or property may be sold by the City, and all monies retained from the sale shall inure to the benefit of the City's harbor account.

- (c) Any tender or skiff tied to the City floats that is left sunk or awash for a period exceeding seven days shall be deemed abandoned. The tender or skiff may be impounded by the Harbor Master, and may be disposed of in the same manner as noted in subsection (b) of this section. The City shall not be liable for any damages sustained by an impounded tender or skiff.

**Sec. 30-97. through Sec. 30-110. (Reserved)**

DIVISION 5  
**Harbor Rules and Regulations**

**Sec. 30-111. Operation of vessels. [Ord. No. 55-2003, 6-17-2003]**

Vessels shall be operated in Belfast Harbor in a reasonable manner so as not to endanger persons or property or to cause excessive wash. Within the anchorage or mooring areas, headway speed shall not exceed five knots or such speed as may be necessary for maintaining steerage and control.

**Sec. 30-112. Obedience to Harbor Master. [Ord. No. 55-2003, 6-17-2003]**

No person shall refuse to obey a lawful order of the Harbor Master.

**Sec. 30-113. Anchoring in channel. [Ord. No. 55-2003, 6-17-2003; Amd. of 5-2-2012]**

No vessel shall anchor in a manner so that any portion of the vessel, anchor or line shall lie, at any time, within the boundaries of the channel or any turning basin.

**Sec. 30-114. Control of anchoring by Harbor Master. [Ord. No. 55-2003, 6-17-2003]**

Boats may anchor only in those areas and for the length of time permitted by the Harbor Master.

**Sec. 30-115. Procedure when passenger of vessel is afflicted with contagious disease. [Ord. No. 55-2003, 6-17-2003]**

Whenever a vessel arrives in the Port of Belfast having on board any person afflicted with a contagious disease, the master, commander, or pilot thereof, and the health officer of the City, shall comply with the provisions of the Revised Statutes of Maine.

**Sec. 30-116. Mooring to or injuring buoy or beacon. [Ord. No. 55-2003, 6-17-2003]**

No person shall moor, or cause to be moored, any vessel, boat, scow or raft to any buoy or beacon placed by the City, State of Maine, or a United States government agency in Belfast Harbor, or willfully destroy or injure a buoy or beacon.

**Sec. 30-117. Depositing matter in water. [Ord. No. 55-2003, 6-17-2003]**

No person shall deposit, throw, sweep or cause to be deposited or swept, from any vessel, wharf, dock or other place, into the waters of Belfast Harbor or into the waters adjacent thereto, any gas or oil, or bilge water containing gas or oil, ashes, dirt, stones, gravel, mud, logs, planks, or other substance tending to obstruct the navigation of the waters adjacent thereto, or to shoal the depth of the harbor or pollute the water thereof.

**Sec. 30-118. Discharge of waste, garbage, or refuse. [Ord. No. 55-2003, 6-17-2003]**

No person, firm, corporation, or other legal entity shall discharge, spill, or permit to be discharged sewage, garbage, or other waste material from a watercraft or houseboat, into waters of Belfast Harbor, or on the ice thereof, or on the banks thereof, in such a manner that the same may fall

or be washed into such waters, or in such manner that the drainage therefrom may flow into such waters.

**Sec. 30-119. Noise. [Ord. No. 55-2003, 6-17-2003]**

No person shall cause or allow to be caused an unreasonable noise in the Belfast Harbor.

**Sec. 30-120. Water skiing and related activities. [Ord. No. 55-2003, 6-17-2003]**

No water skiing or related activities shall be permitted within the anchorage or mooring area.

**Sec. 30-121. Cleanup requirements. [Ord. No. 55-2003, 6-17-2003]**

All persons are responsible for promptly cleaning up any spillage or untidiness resulting from their operations.

**Sec. 30-122. Leaving personal property on City property. [Ord. No. 55-2003, 6-17-2003]**

No person shall leave any personal property on any municipal property for a period of time in excess of 24 hours without the permission of the Harbor Master.

**Sec. 30-123. Parking on public landing. [Ord. No. 55-2003, 6-17-2003]**

All persons shall park their cars and trailers when using the public landing in an area set aside and marked by the City in such a manner as to ensure free access to the harbor facilities and boat launch ramp.

**Sec. 30-124. Removal of boat cradles. [Ord. No. 55-2003, 6-17-2003]**

All boat cradles shall be removed from the public premises when not in actual use unless permitted by Harbor Master.

**Sec. 30-125. Repair work. [Ord. No. 55-2003, 6-17-2003]**

Permission of the Harbor Master is required for any repair work on boats at the City-owned floats, pier or adjacent municipal property before such work is started.

**Sec. 30-126. Commercial use of City-owned dock, floats, launch ramp and breakwater. (see Appendix A) [Ord. No. 55-2003, 6-17-2003; Ord. No. 9-2005, § A, 9-6-2005]**

- (a) Statement of purpose. This section is established in furtherance of the purposes of this article as set forth in section 30-31. More specifically, because the City harbor, City-owned dock, floats, launch ramp and breakwater are valuable and finite public resources, the purpose of this section is to regulate the level of commercial activity both within the harbor and on the City-owned dock, floats and breakwater, so as to minimize user conflicts and maximize the efficient use of both the water space and the City-owned waterfront. This section seeks to provide opportunities for both occasional and daily use of the harbor and City-owned dock, floats, launch ramp and breakwater, so as to best take advantage of their economic benefits to the City. This section authorizes the City council, with the input and advice of the

Harbor Master, to maintain and regulate the overall level of activity within these areas so as to prevent overcrowding, clutter, or disorder on the City-owned dock and around the harbor and to promote the safety of the public. The City must balance economic development with sustainable business and therefore limit the number of similar commercial activities making direct use of these areas.

(b) Applicable area. The area to which this section applies is as follows:

- (1) Bounded on the west by Front Street; the south by Heritage Park; the north by property now or formerly occupied by the Weathervane Restaurant; and bounded on the east by the westerly bound of the channel of Belfast Harbor, as depicted on the map attached in Appendix A to this chapter;
- (2) The Thompsons Wharf area;
- (3) The Belfast Boathouse area;
- (4) Heritage Park area; and
- (5) All tidal waterfront property owned by the City of Belfast.

(c) Contract required.

- (1) Commercial activities. No commercial activity meeting the definition of a "concession" or of an "occasional use" under this section may be conducted in the areas described in subsection (b) of this section and depicted on Appendix A, unless the City Council has approved a valid concessions contract or occasional use contract. Commercial fishing operations, divers, marine support services (such as for the tending of moorings and the fueling or maintenance of vessels) and any other operations not meeting the definitions of "concessions" or "occasional use" are not subject to the requirements of this section 30-126.
- (2) Posting or distribution of materials. No person shall post or hand out fliers, notices, pamphlets, brochures or other materials on the City-owned dock, floats or breakwater unless the City council has approved a valid concessions contract pursuant to subsection (d) of this section. Such materials may be placed in the Harbor Master 's office, if space permits in the Harbor Master 's discretion.
- (3) **No vessels, in particular large passenger vessels, certified to carry 50 or more passengers shall be allowed to embark or disembark guest passengers, including by tender, at the City Landing or other City property or marine facilities.**

(d) Concessions.

- (1) Concessions defined. "Concessions" are defined as all businesses offering for sale to the public goods or services, which advertise or provide information, ticket sales, retail sales, or conduct other such activities within the areas described in subsection (b) and depicted on appendix A. "Concessions" include, but are not limited to sales of food or goods, motorized or non-motorized watercraft rentals, tours, charters, or sightseeing, overnight or fishing trips. This definition shall not apply to any business which operates exclusively from October 15 through May 15.
- (2) Concessions contract. No concessions of any kind shall be allowed at the City-owned

dock unless the operator of such concession has first obtained a concessions contract from the City Council, and then only on terms deemed to be in the best interest of the

City. In awarding contracts, the City Council shall consider the purposes of this section as set forth in subsection (a), above, in order to best promote economic development, provide for the safety of the public, and minimize congestion and clutter. Said contracts may vary in scope and form depending on the type of concession.

- a. Form of applications. Applications for concessions contracts shall be made on a form prescribed by the City Council and available at the City Clerk's office or may be obtained from the Harbor Master. Applications shall be submitted on or before October 30 of the year preceding the contract year.
  - b. Applicable fees. Fees for the concessions application shall be determined by the City Council on an annual basis.
  - c. Term of contract. All concessions contracts shall be valid for a term commencing May 15 and terminating October 15 of the year following the submission of the application. Any concession wishing to operate between October 15 and May 15 shall be addressed by the City Council on a case-by-case basis. After an owner has been awarded two consecutive annual contracts, the City Council may consider a longer term, in the best interests of the City of Belfast.
  - d. Number of contracts available. The City Council, in its discretion and with the input and advice of the Harbor Master, shall announce on or about October 30 of each year the number of concessions contracts to be available for the following season. In making its determination as to the number of contracts available, the City Council shall consider the number of applications received and the amount of activity reasonably anticipated in the harbor and shall determine the appropriate level of concessions activity so as to best promote economic development, promote safety, and limit clutter and congestion. Businesses which have held a concessions contract for the prior season may be given priority over new applicants in order to sustain services which appear to be safe, reliable, and economically viable.
  - e. No expectancy. The award of a contract shall not create vested rights or any expectation of a future award of a contract.
- (3) Contract provisions. All concessions shall be subject to the following provisions, and the failure to comply with these provisions may result in the revocation of the concessions contract:
- a. Commercial signage shall be allowed. Signs shall be no larger than three feet by two feet. Only one sign shall be allowed per contract.
  - b. Information tables are allowed, but must be attended at all times tickets are being sold. Information tables shall be no larger than three feet by three feet and tables shall be placed at the Harbor Master's discretion to avoid clutter.
  - c. Brochures or other materials marketing the business may be displayed at the concessions table and/or placed in the Harbor Master's office, but may not be affixed to the dock, wharf or breakwater.
  - d. Concessions must validly maintain all applicable Coast Guard licenses,

inspections, and all other contractual requirements.

- e. Any vessel operator must obey all applicable City, state and federal regulations at all times.
- f. A concessions operator may display one sign on the vessel for the purpose of advertising the vessel.
- g. Vessels must be operated safely at all times. For vessels which reapply after an initial award of a concessions contract, said vessels previous year safety record shall be considered by the City Council.

(e) Occasional use.

(1) Occasional use defined. Occasional use of the City-owned dock, launch ramp and breakwater is defined as the commercial operation of a vessel(s) for purposes including but not limited to tours, sightseeing, overnight or fishing trips, cruises, or charters (educational, scientific, recreational or otherwise), which meets the following criteria:

- a. **With the exception of cruise ships,** ~~The vessel shall not make more than 12 departures from the City-owned dock between May 15 and October 15 of a particular year; with the exception of cruise ships;~~
- b. The vessel and/or its crew or other employees do not have a concessions contract pursuant to subsection (d) of this section; and
- c. **The vessel, specifically large passenger vessels, certified to carry 50 or more passengers shall not be allowed to embark or disembark guest passengers, including by tender, at the City Landing or other City property or marine facilities.**
- ~~e.~~ **d.** With the exception of cruise ships, the vessel has a home port of Belfast, Maine, meaning that:
  - 1. The vessel makes the majority of its commercial departures during a given year from Belfast Harbor, including trailered and launched vessels;
  - 2. The vessel is documented as a Belfast vessel; or
  - 3. The vessel has a mooring, float or slip in Belfast Harbor or its coastal waters.
- ~~e.~~ **e.** This definition shall not apply to any business that operates exclusively from October 15 through May 15.

(2) Occasional use contract. No occasional use of the City-owned dock shall be made unless the operator of the vessel has first obtained an occasional use contract from the City Council. In awarding contracts, the City Council shall consider the purposes of this Section as set forth in subsection (a), above, in order to best promote economic development, provide for the safety of the public, and minimize congestion and clutter. Said contracts may vary in scope and form depending on the type of occasional use. For vessels which reapply after an initial award of an occasional use contract, said vessels previous year safety record shall be considered by the City Council.

(3) Form of applications. Applications for occasional use contracts shall be made on a form

prescribed by the City Council and available at the City Clerk's office or may be obtained from the Harbor Master. Applications shall be submitted on or before October 30 of the year preceding the contract year.

- a. Applicable fees. Fees for the occasional use application shall be determined by the

City Council on an annual basis.

- b. Eligibility criteria. An occasional use contract may only be granted if the applicant meets the definition of an occasional use as defined herein.
- c. Term of contracts. All occasional use contracts shall be in effect for a term commencing May 15 and terminating October 15 of the year following the submission of the application.
- d. Number of contracts available. The City Council, in its discretion and with the input and advice of the Harbor Master, shall set forth on or about October 30 of each year the number of occasional use contracts to be available for the following season. In making its determination as to the number of occasional use contracts available, the City Council shall consider information such as the number of applications received and the amount of other activity expected in the harbor and shall determine the appropriate level of occasional use activity so as to best promote economic development, promote safety, and limit clutter and congestion. Vessels which have held an occasional use contract for the prior season may be given priority over new applicants in order to sustain services which appear to be safe, reliable, and economically viable.
- e. No expectancy. The award of a contract shall not create vested rights or any expectation of a future award of a contract.
- f. Contract provisions. Vessels operating under occasional use contracts shall be subject to the following provisions, and the failure to comply with these provisions may result in the revocation of the occasional use contract:
  1. With the exception of cruise ships, the vessel may make no more than 12 departures from the City-owned dock between May 15 and October 15 of the contract year.
  2. The vessel owner or operator is to schedule all departures and arrivals with the Harbor Master and the Harbor Master shall have sole discretion over the time, place, and manner of the departures and arrivals. Proposed schedules shall be given to the Harbor Master before May 15 of each contract year. Scheduling may be amended by the Harbor Master for emergency situations, the scheduling of cruise ships, yacht clubs, or private reservations. Vessel operators may request schedule changes with sufficient advance notice to the Harbor Master. Occasional use contractors shall not have priority nor a right to overnight dockage.
  3. No signs or other advertising materials shall be placed on the City-owned dock to market the vessel or for any other purpose, nor shall any representative of the business be permitted to use the dock, floats and breakwater for the purposes of advertising, information, ticket sales, or retail sales. Brochures or other materials marketing the business may be placed in the Harbor Master's office if space is available, but may not be affixed to the dock. No sign or other advertising may be placed on the vessel while that vessel is docked.

4. The vessel operation, in the Harbor Master's discretion, shall not directly compete so as to substantially interfere with the economic viability of a vessel then operating under a concessions contract with the City of Belfast.
5. The vessel must validly maintain all applicable Coast Guard licenses and inspections.
6. The vessel operator must obey all City, state and federal regulations at all times.
7. **The vessel, specifically large passenger vessels, certified to carry 50 or more passengers shall not be allowed to embark or disembark guest passengers, including by tender, at the City Landing or other City property or marine facilities.**

**Sec. 30-127. Boats used as tenders. [Ord. No. 55-2003, 6-17-2003; Ord. No. 32-2008, 4-1-2008]**

Boats used as tenders, not to exceed 12 feet under the discretion of the Harbor Master, shall be kept at designated locations only, and shall be properly cared for by the owner. The Harbor Master may order tenders to be relocated or removed in his or her discretion in order to manager space considerations. A tender shall be permitted on the dock only if the vessel served by it is currently located at its mooring. [added 3-15-2016] The tender shall display the owner's mooring number. Aluminum tenders will be berthed in a designated area to avoid damage to other tenders. **A tender from a large passenger vessel certified to carry 50 or more passengers shall not be allowed to embark or disembark guest passengers at the City landing or other City property or marine facilities.**

**Sec. 30-128. Tying up to floats or wharf. [Ord. No. 55-2003, 6-17-2003]**

- (a) Fuel floats. No person shall leave any watercraft tied at the fuel floats of the City for any purpose other than fueling or discharging or loading supplies without the consent of the Harbor Master.
- (b) Launching ramp floats. No person shall leave any watercraft tied at the launching ramp floats of the City for any purpose, including fueling or discharging or loading supplies or passengers, for any longer than necessary to accomplish the required task.
- (c) Other floats; City wharf. At all other floats and the wharf, unattended boats are permitted to tie up for up to one hour or may remain for more extended periods with permission of the Harbor Master.
- (d) Reserved space for City harbor boat. A space at a float shall be designated and reserved for the Harbor Master's boat.

**Sec. 30-129. Swimming and fishing. [Ord. No. 55-2003, 6-17-2003]**

No swimming or fishing of any type shall be allowed from or around any float, dock, wharf or other municipal facility. Fishing from the floats, docks, wharf or other municipal facility may be permitted by the Harbor Master only.

**Sec. 30-130. Houseboats and floating businesses. [Ord. No. 55-2003, 6-17-2003]**

(a) Policies.

- (1) Belfast Harbor considers that placement of houseboats and floating businesses in tidal waters is a low priority use of any coastal water body and is acceptable only in limited numbers and in specific areas. Houseboats and floating businesses are not classified as water-dependent, since it is not their primary purpose to serve as a means of on-water transportation, recreation or commercial fishing.

- (2) A house boat or floating business is considered a boat or vessel and must meet all applicable state and Coast Guard standards and regulations.
- (b) Prohibitions.
- (1) Houseboats and floating businesses are prohibited from mooring or anchoring in all tidal waters of Belfast Harbor unless within the boundaries of a marina.
  - (2) Discharge of sanitary sewage into tidal waters from houseboats or floating businesses using marina facilities by devices other than those approved by the Coast Guard is prohibited. Houseboats and floating businesses shall tie into a marina holding tank or pump-out facilities where available.

**Sec. 30-131. Marine construction permitting process. [Ord. No. 55-2003, 6-17-2003]**

- (a) Permit approval requirement. No piers, wharves, bulkheads, breakwaters, marine railways, floats, or other structure shall be installed, constructed, repaired, enlarged or improved except upon approval and issuance of a permit in accordance with section 30-131.
- (b) Procedure for permit.
- (1) Any construction, repair, renovation, or improvement of a pier, wharf, breakwater, or bulkhead shall require a written application to the code enforcement officer of the City of Belfast. Written application shall include the following information:
    - a. Evidence of submission of application for applicable state licenses, permits, and approvals.
    - b. Evidence of submission of application for applicable Army Corps of Engineers licenses, permits, and approvals.
    - c. A scale plan of the proposed project at a scale no smaller than one inch to 20 feet. The plan shall depict, as a minimum, the following:
      1. The length and width of the proposed project.
      2. Height of the structures in the project above mean high water and above mean low water.
      3. The wharf line, mean high water and mean low water.
      4. Side property lines as extended from the upland across the shores and flats.
  - (2) A permit under this section shall not be issued by the City of Belfast until all applicable state licenses, permits, and approvals and federal licenses, permits, and approvals and local approvals under this section have been received.
  - (3) The code enforcement officer shall review the application for compliance with subsection (1) above and the applicable requirements of the City of Belfast Zoning Ordinance. In the event the code enforcement officer determines the application is complete, then the application, together with related documents, shall be dated and forwarded within five business days to the harbor advisory committee. The harbor

- advisory committee shall review the application by the next regularly scheduled meeting. The review and comments of the harbor advisory committee shall be in writing, shall state the reasons for the comments, and shall be forwarded to the planning board for their review and action within five business days of their meeting at which the project was reviewed.
- (4) Upon receipt of the review and comments of the harbor advisory committee, the planning board (after a public hearing) shall either approve, approve with conditions, or disapprove the proposed project, in accordance with the standards of [division 5] of this chapter.
- a. If disapproved, the disapproval shall be in writing and shall include the reasons for disapproval.
  - b. If approved, the approval shall be in writing and shall not be effective until approval by the planning board under site plan review.
- (5) The harbor advisory committee shall also review the project in accordance with the following standards. Generally, the proposed project will not hinder navigation and it will not hinder future development. Specifically, the proposed project will not:
- a. Encroach into, interfere with, or pose a hazard to navigational channels. Specifically, no project will extend within 25 feet of the established channels.
  - b. Interfere with access to and from existing mooring and berthing areas for both commercial and recreational uses.
  - c. Displace or eliminate existing mooring and berthing areas, both public and private, commercial and recreational.
  - d. Interfere with public access to and use of the harbor's waters, including public rights-of-way and public and private launching ramps and related facilities.
  - e. Extend outside of the wharf line, established in section 30-95.
  - f. Interfere with, or pose a hazard to navigation, in relation to either obscuring visibility or displaying distracting lights.
- (6) Construction of approved projects shall commence within six months from the date of issuance of the permit by the planning board and shall be completed within two years from the date of issuance of said permit.
- (7) The decision of the planning board concerning issuance or denial of the permit may be appealed to the Superior Court by the aggrieved party within 30 days of the date of decision and in accordance with Rule 80B of the Maine Rules of Civil Procedure.
- (8) Notwithstanding the above provisions of section 30-131, normal and emergency maintenance and repair of piers and wharves, such as piling, decking, or underpinning replacement, which does not require Department of Environmental Protection and/or U.S. Army Corps of Engineers permits or licenses, shall not require a permit under this chapter. The person causing emergency maintenance or repairs shall take photographs

of that maintenance or repair both before and after the completion of work. Such photographs shall be submitted to the Harbor Master and retained as a permanent record.

**Sec. 30-132. Harbor Advisory Committee review of shoreland permit applications. [Ord. No. 3-2005, 7-20-2004]**

The Belfast Harbor Advisory Committee shall participate in the administrative process regarding the following shoreland permit applications:

- (1) A pier, dock, wharf, bridge, or other structure and use extending over or below the normal high water line of a river or salt-water body or the upland edge of a coastal wetland;
- (2) A marina; and
- (3) Aquaculture operations located in Belfast Harbor that are subject to regulation pursuant to Chapter 82, Shoreland.

The Harbor Advisory Committee's review of such permits shall occur in accordance with City Code of Ordinances, Chapter 82, Shoreland, Section 82-54, procedure for permits issued by Planning Board. The Committee shall make a recommendation to the Planning Board regarding a project's compliance with standards identified in Chapter 82, Shoreland, Article V, Land Use Standards, Division 3, Section 82-204. Certain aquaculture operations in Belfast Harbor are also subject to standards identified in Chapter 82, Shoreland, Article V, Land Use Standards, Division 21, Marine Aquaculture Operations.

The Harbor Advisory Committee, per the procedures and requirements established in Chapter 82, Shoreland, and Chapter 102, Zoning, Article X, Contract Rezoning, Division 4, Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts and Waterfront Development Shoreland District, shall participate in the review of an application to use contract rezoning.

**Sec. 30-133. Permitting of moorings.**

Installation of private, non-commercial moorings is subject to approval by the Harbor Master. Installation of commercial or service moorings is subject to the approval of the Harbor Master and the U.S. Army Corps of Engineers.

Sec. 30-134. *S e r v i c e m o o r i n g s .* The installation and use of service moorings is subject to the approval of the Harbor Master and the U.S. Army Corps of Engineers. The Harbor Master may allow the temporary use of City-owned moorings as service moorings during non-peak harbor usage periods, without the need for separate approval. No service mooring shall be occupied by the same vessel for more than two weeks without prior approval by the Harbor Master.

Sec. 30-135. *R e n t a l m o o r i n g s .* Rental moorings shall not be installed or rented without prior approval from the U.S. Army Corps of Engineers and the Harbor Master. This includes moorings offered by marinas for transient or seasonal rental and moorings controlled by yacht clubs is the annual membership fee includes a club-controlled mooring.

No seasonal rental moorings shall be permitted in Anchorage A. Seasonal rental moorings to be located elsewhere shall require approval by the U. S. Army Corps of Engineers and the Harbor Master. The number of commercial or rental moorings will be determined and/or limited by the

Harbor Master, in consideration of any limitations imposed by this Ordinance as well as navigational and safety considerations.

The Harbor Master shall not permit the maintenance of transient rental moorings unless the applicant can demonstrate the ability to provide adequate services to support the rental use, as follows:

- a. The mooring owner shall have the capacity to manage bookings and collect rental monies.
- b. The mooring owner shall be a commercial marine enterprise located in the City of Belfast or have a contracted relationship with a marine enterprise located in the City of Belfast, which has the capacity to perform maintenance, service and repair of boats, as well as towing, moving and tie-up of vessels.
- c. The mooring owner shall have a designated person or person(s) responsible for ensuring the safe use and timely turnover of rental moorings.

**through Sec. 30-150. (Reserved)**

DIVISION 6  
Moorings

**Sec. 30-151. Authority of Harbor Master. [Ord. No. 55-2003, 6-17-2003]**

The Harbor Master shall have absolute authority over all moorings and mooring locations in accordance with the terms of this article and the laws of the state.

**Sec. 30-152. Term of mooring permits; registration fee. [Ord. No. 55-2003, 6-17-2003; Ord. of 2-15-2011]**

Mooring permits for Belfast Harbor or the waters adjacent to the shoreline of the City shall be issued for one year at a time and there shall be a yearly registration fee recommended by the harbor advisory committee and approved by the City council.

**Sec. 30-153. Shorefront Owner.**

It is the intent to give priority as required by state laws under 38 M.R.S.A to shorefront owners with 100 feet of frontage or more. This does not apply to Federal Navigation Project areas in Belfast Harbor or water adjacent to the shoreline of the City may apply for a temporary mooring assignment adjoining their lot, provided that the location of such mooring would not interfere with a mooring assigned to a shorefront owner defined above. The purpose of this provision is to allow the placement of moorings to lot owners adjoining Belfast Harbor or waters adjacent to the shoreline of the City with less than 100 feet of frontage, so long as these moorings can be accommodated based upon the swing of the boat on the mooring and adjoining properties.

**Sec. 30-154. Priority for assignment of moorings. [Ord. No. 55-2003, 6-17-2003; Ord. of 2-15-2011]**

- (a) Priority for assignment of mooring locations in Belfast Harbor shall be in accordance with the following priority guidelines, with the exception of moorings located within the Federal Navigation Project and the Inner Harbor:
- (1) Shorefront owners
  - (2) City-owned mooring
  - (3) Commercial fishermen
  - (4) Other Commercial Businesses
  - (5) All other vessel owners
  - (6) Secondary or subsequent moorings (see Section 30-157)
- (b) Mooring sites in the Inner Harbor shall be assigned by the following priority guidelines as space allows:
- (1) Shorefront owner
  - (2) City-owned mooring

- (3) Resident Commercial Fisherman
  - (4) Resident Commercial Business
  - (5) Non-Resident Commercial Fisherman
  - (6) Non-Resident Commercial Business
  - (7) Other
  - (8) Secondary or subsequent moorings (see Section 30-157)
- (c) Moorings located within the Federal Navigation Project shall be treated in accordance with federal regulations as open to all on equal terms.

**Sec. 30-155. Dating of applications. [Ord. No. 55-2003, 6-17-2003]**

Applications for moorings shall be dated upon receipt by the City.

**Sec. 30-156. Limit on moorings; waiting lists. [Ord. No. 55-2003, 6-17-2003; Ord. No. 32-2008, 4-1-2008; Amd. of 5-2-2012]**

- (a) Limit on Inner Harbor moorings. In recognition of the need to promote safety and convenient passage in the inner harbor, the total number of moorings located within the inner harbor at any time shall not exceed the number of moorings located within the inner harbor as of the date of enactment of this subsection.
- (b) Limit on Anchorage A moorings. There will be no separate waiting list for new or relocated moorings in Anchorage A; moorings within Anchorage A will be assigned from the Outer Harbor waiting list according to the priorities established in Sec. 30-153. However, the Harbor Master shall select names from the waiting list to provide, to the closest extent practicable, that 30% of all assigned mooring locations in Anchorage A are occupied by Commercial and municipal users, and that 70% of all assigned mooring locations in Anchorage A are occupied by Non-commercial users.
- (c) Waiting list for moorings. All mooring and moored float sites shall be under the direct control of the Harbor Master and assigned by him/her on a first-come-first-served basis to qualified applicants for mooring sites. If the Harbor Master receives more applications for mooring sites than there are available mooring spaces, the Harbor Master shall establish mooring waiting lists in accordance with the priorities established in section 30-154 and consistent with the provisions of Title 38 M.R.S.A. § 7-A. Separate waiting lists shall be maintained for the coastal, outer and inner harbors. Applicants shall be identified on the waiting lists by date of receipt of the application. An applicant may elect to refuse a location offered and remain on the waiting list, in which case the next applicant on the list shall be selected. The waiting lists shall be posted at City hall and at the public landing. Payment of an annual fee is required to remain on these lists, which payment must be made by the date shown on the permit renewal application.

Allocation to non-residents. If there are applicants who are non-residents who wish to moor a vessel, the principal use of which is noncommercial, and less than 10% of the moorings are currently assigned to persons fitting this description, the next mooring available shall be assigned to the first such person on the list. If there are applicants who are nonresidents who wish to moor a vessel, the principal use of which is commercial, and less than 10%

of the assigned moorings are currently assigned to persons fitting this description, the next mooring available shall be assigned to the first such person on the list. If both nonresident noncommercial and nonresident commercial assignments are below 10% and there are both types of applicants on the waiting list, the available space shall be assigned to an applicant in the category that is the furthest below 10%.

- (d) Assignment of mooring rights to those on waiting lists. The Harbor Master shall, in his or her discretion and in accordance with the assignment priorities identified in this article and under state law, assign moorings as they become available to the first person on the waiting list for a new or relocated mooring in that area of the harbor. Residency of the applicant shall not be considered in taking names from the waiting list(s) except as provided above.

**Sec. 30-157. Secondary or subsequent moorings. [Ord. No. 55-2003, 6-17-2003]**

Applications concerning a second or subsequent to be held by one person, entity or household shall be handled by the Harbor Master, who shall consider each application and limit moorings to the number of boats owned and registered to the owner's name. Second or subsequent moorings shall be assigned only if mooring space is available and there are no remaining names on the relevant waiting list. Second or subsequent moorings shall be assigned in accordance with the priorities established in Section 30-153, but only upon a showing that the number of moorings requested is required as an operational necessity of the business or entity. No such showing shall be required for City-owned moorings.

**Sec. 30-157.5. Registration information. (See Appendix C to Ord. No. 55-2003.) [Ord. No. 55-2003, 6-17-2003]**

The Harbor Master shall register all moorings with a completed mooring application including the following information: boat name, state or federal registration number, vessel identification and the name and address of the primary boat owner.

**Sec. 30-158. Denial of application. [Ord. No. 55-2003, 6-17-2003; Ord. No. 35-2006, 4-18-2006]**

The Harbor Master may deny an application because of insufficient information on the mooring registration application, failure to provide the required registration fee, failure to pay excise tax on the registered or documented vessel, or other reasons as specified by the harbor advisory committee. The Harbor Master may defer an application because of insufficient space for the desired mooring location or because of reasons specified by the Harbor Master.

**Sec. 30-158.5 Winter mooring. [Ord. No. 5-2016, 7-19-2016]**

With the exception of working Commercial Vessels moored in the Inner Harbor area, no moorings shall be occupied and no vessels shall be anchored in Belfast Harbor during the winter mooring period from November 1 to March 31, without advance approval by the Harbor Master. The Harbor Master will grant approval for use of moorings and anchorages outside the Inner Harbor during the winter mooring period only if the boat owner can demonstrate that : (i) the vessel to be moored or anchored is seaworthy; (ii) the mooring or anchoring gear is adequate to withstand ice and other adverse winter conditions; and (iii) the vessel owner has adequate access to the vessel in winter conditions in the event of an emergency.

**Sec. 30-159. Assignment of locations. [Ord. No. 55-2003, 6-17-2003]**

The Harbor Master shall annually assign locations to each mooring with the guidance of the mooring plan and ensure its placement is in the correct location. All moorings not located in the correct location shall be moved by the owner at his expense in accordance with the instruction of the Harbor Master. In the event of the failure of the owner to comply with these instructions, the Harbor Master shall move or remove the improperly located moorings, and the cost of this shall be borne by the owner of the mooring.

**Sec. 30-160. Log of assignments. [Ord. No. 55-2003, 6-17-2003]**

The Harbor Master shall keep a log of the assignment of moorings and submit this log to the harbor advisory committee annually on or before November 1 of each year.

**Sec. 30-161. Moving mooring or buoy; transfer of use of mooring. [Ord. No. 55-2003, 6-17-2003]**

No person shall place, alter or shift a mooring or buoy of any type within the boundaries of Belfast Harbor or the waters adjacent to the shoreline of the City without the written permission of the Harbor Master. The assignment or use of a mooring location shall not be transferable, except that, upon the death of the assignee, that location may be transferred to a member of the assignee's immediate family, only if the mooring assignment was and will be used for commercial fishing purposes (38 M.R.S.A. § 3-A).

**Sec. 30-162. Size of moored vessel. [Ord. No. 55-2003, 6-17-2003; Amd. of 5-2-2012]**

The Harbor Master shall be promptly notified by the owner of the mooring of a proposed change in the size of the vessel that is to be registered to a mooring. A change in size of the vessel may require a change of location and/or upgrading of the mooring.

No vessel exceeding 40 feet in overall length shall be allowed on a single point mooring within the inner harbor. Vessels exceeding 40 feet in overall length shall be placed on moored floats or in slips. No vessels over 50' in overall length shall be moored within the limits of Anchorage A, except City-owned moorings.

**Sec. 30-163. Use by non-registered vessel. [Ord. No. 55-2003, 6-17-2003; Ord. No. 32-2008, 4-1-2008; Amd. of 5-2-2012]**

The Harbor Master shall be promptly notified if a mooring is to be used for a vessel not registered to it. The Harbor Master may allow incidental use of a mooring, for a period of no more than 14 days per season and provided that the mooring owner receives no fee for the use. A vessel not registered to a specific mooring may not exceed 14 days of use per season on any mooring other than a designated seasonal rental mooring. Moorings in the inner harbor or in Anchorage A shall not be used by any vessel not registered to that mooring unless specifically designated as a rental or service mooring at the time of application and approved as such by the Harbor Master and, if necessary, the U.S. Army Corps of Engineers.

**Sec. 30-164. Suspension or termination of mooring assignment. [Ord. No. 55-2003, 6-17-2003; Amd. of 5-2-2012; amended 3-17-2015]**

The Harbor Master may suspend or terminate the mooring assignment of any mooring owner for noncompliance with the application rules, construction standards or marking standards, or failure to comply with any order of the Harbor Master given according to the provisions of this article.

All mooring and moored float permit holders with sites located in the Inner Harbor and Anchorage A and whose moorings/moored floats are not used as permitted at least 50% of the time for three consecutive months during the calendar year may have their mooring/moored float deemed abandoned and removed by the City. All mooring and moored float permit holders with sites located in the outer and coastal harbors, whose moorings/moored floats are not used as permitted at least every two years, may have their mooring/moored float deemed abandoned and removed by the City. The Harbor Master may grant exceptions to this section either upon advance request or on appeal made within 30 days of issuance of the written notice of abandonment. Such requests shall be granted only upon proof of extenuating circumstances such as selling the boat, inability to use the boat, or other reasonable unforeseen situations, and upon a showing of definite intent to use the mooring as provided herein. In the event any exceptions are made to this section, all fees and inspections must remain current.

**Sec. 30-165. Placing more than one craft at mooring. [Ord. No. 55-2003, 6-17-2003]**

No person shall permit or place more than one vessel at a mooring unless such vessel does not interfere with adjacent moorings and anchorages or other navigational conditions or exceed the limits of the weight of the mooring as determined by the Harbor Master with the exception of boats moored to floats.

**Sec. 30-166. Numbering and marking. [Ord. No. 55-2003, 6-17-2003; Ord. No. 32-2008, 4-1-2008]**

All moorings shall be numbered as assigned by the Harbor Master. The numbers shall be of adequate size to read easily. They shall be placed on a floatable, visible, and Coast Guard approved type buoy attached to the mooring. For all new or replacement mooring buoys as of January 1, 2001: To avoid mistaking mooring buoys for aids to navigation or regulatory markers,

they shall be colored white with a single blue horizontal band clearly visible above the water line. Pole moorings shall not be permitted for use in the harbor. All winter buoys shall be visible at all times and of adequate size to clearly read required mooring number. All winter buoys are to be replaced by proper mooring buoys no later than June 1.

**Sec. 30-167. Design standards. [Ord. No. 55-2003, 6-17-2003; Ord. No. 32-2008, 4-1-2008; Amd. of 5-2-2012]**

- (a) Standards for areas of Belfast Harbor other than, the inner harbor.
  - (1) All new moorings constructed or installed after the date of this amendment shall have

granite block anchors and steel staples, of sufficient weight to hold the vessel for which they are to be used. All staples shall have a minimum diameter of one inch. Refer to minimum standards. All moorings shall be approved by the Harbor Master. Boat and/or mooring owners may be liable for any damage caused by faulty, inadequate, or improperly placed moorings. The safe, serviceable condition and adequate size of all mooring equipment is the direct and ultimate responsibility of the mooring permit holder. The prudent seaman rule shall apply. The City of Belfast is not liable for any damage inflicted if a minimum standard mooring fails. Minimum standards below are for fair weather only. **[Amended 8-6-2019]**

- (2) Hand-mixed concrete blocks, old engine blocks and other miscellaneous weighted objects are not acceptable as mooring anchors in Belfast Harbor.
- (3) The moorings shall have heavy steel bottom chain of a minimum as stated in standards.
- (4) The minimum mooring scope shall be approximately two times the water depth at mean high water. Total scope shall include bottom chain and lighter gauge top chain with a minimum diameter, as stated in standards, each of which shall consist of approximately 1/2 of the total length.
- (5) Each mooring must have at least one swivel at the connection either between the top chain and mooring buoy or between the heavy bottom chain and the top chain. All swivels and shackles must be appropriate size for the chain size.
- (6) Pennants [pendants] connecting the mooring buoy to the moored boat shall be fastened to the top chain or top swivel and shall consist of nylon, or other appropriate pendant line equal in length up to 1/2 the length of the boat. Refer to minimum standards.
- (7) Despite the dimension standards established in this section, any part of a mooring showing excessive or obvious wear or any mooring which does not meet the Harbor Master's approval shall not be permitted.
- (8) Minimum standards: **[Amended 8-6-2019]**

| Length of Vessel<br>(in feet) | Granite<br>(in pounds) | Top Chain | Bottom Chain                | Pendant |
|-------------------------------|------------------------|-----------|-----------------------------|---------|
| 0—9                           | 500                    | 3/8       | Under 20 feet with approval | 1/2     |
| 10—19                         | 1,000                  | 3/8       | 7/16                        | 5/8     |
| 20—30                         | 1,500                  | 1/2       | 5/8                         | 3/4     |
| 31—35                         | 2,000                  | 1/2       | 5/8                         | 3/4     |
| 36—40                         | 2,500                  | 1/2       | 3/4                         | 1       |
| 41—50                         | 3,000                  | 1/2       | 7/8                         | 1       |

51 and over with approval

- (9) When foul weather is forecast, vessel and mooring owners may take reasonable actions to protect their vessels, including lengthening the pendant beyond the scope provided above. All such actions are subject to direction and modification by the Harbor Master in the interest of protecting neighboring vessels and property.

(b) Inner harbor design standards.

- (1) All new moorings constructed or installed after the date of this amendment shall consist of granite block anchors and steel staples, of sufficient weight to hold the vessel for which they are to be used. Staples shall have a minimum diameter of one inch. Refer to minimum standards. All moorings shall be approved by the Harbor Master. Boat and/or mooring owners may be liable for any damage caused by faulty, inadequate, or improperly placed moorings. The safe serviceable condition and adequate size of all mooring equipment is the direct and ultimate responsibility of the mooring permit holder. The prudent seaman rule shall apply. The City of Belfast is not liable for any damage inflicted if a minimum standard mooring fails. Minimum standards below are for fair weather only. **[Amended 8-6-2019]**
- (2) Hand-mixed concrete blocks, old engine blocks and other miscellaneous weighted objects are not acceptable as mooring anchors in Belfast Inner Harbor. Mushroom anchors shall not be used as mooring anchors.
- (3) The moorings shall have heavy steel bottom chain of a minimum as stated in standards.
- (4) The minimum mooring scope shall be approximately 1 1/2 times the water depth at mean high water. Total scope shall include bottom chain and lighter gauge top chain with a minimum diameter, as stated in standards, each of which shall consist of approximately 1/2 of the total length.
- (5) Each mooring must have at least one swivel at the connection either between the top chain and mooring buoy or between the heavy bottom chain and the top chain. All swivels and shackles must be appropriate size for the chain size.
- (6) Pennants [pendants] connecting the mooring buoy to the moored boat shall be fastened to the top chain or top swivel and shall consist of nylon, or other appropriate pendant line equal in length up to 1/2 the length of the vessel. Refer to minimum standards.
- (7) Despite the dimension standards established in this section, any part of a mooring showing excessive or obvious wear or any mooring which does not meet the Harbor Master 's approval shall not be permitted.
- (8) Minimum standards for inner harbor:

| Length of Vessel<br>(in feet) | Granite or Equiv.<br>(no mushrooms) | Top Chain | Bottom Chain | Pendant |
|-------------------------------|-------------------------------------|-----------|--------------|---------|
| 0—9                           | 500                                 | 3/8       | 5/8          | 1/2     |
| 10—19                         | 1,000                               | 1/2       | 5/8          | 5/8     |
| 20—30                         | 2,000                               | 1/2       | 3/4          | 3/4     |
| 31—35                         | 2,500                               | 1/2       | 1 inch       | 7/8     |
| 36—40                         | 3,000                               | 1/2       | 1 inch       | 1       |

- (9) When foul weather is forecast, vessel and mooring owners may take reasonable actions to protect their vessels, including lengthening the pendant beyond the scope provided above. All such actions are subject to direction and modification by the Harbor Master in

the interest of protecting neighboring vessels and property.

**Sec. 30-168. Inspections. (See Appendix D to Ord. No. 55-2003). [Ord. No. 55-2003, 6-17-2003]**

- (a) The Harbor Master or an appointed deputy shall inspect and approve or be otherwise satisfied that each mooring is in safe condition before it is placed in the anchorage.
- (b) Every two calendar years a mooring shall either be lifted by or at the expense of the owner and inspected at the direction of the Harbor Master or an appointed deputy or be inspected at the owner's expense by a diver at the direction of the Harbor Master or an appointed deputy. A mooring shall be removed if any maintenance or improvements noted by the inspector are not met to the Harbor Master's satisfaction within a reasonable period of time.
- (c) The Harbor Master shall maintain a file on each mooring listing the date of the last inspection and the name of the person who last inspected it.

**Sec. 30-169. Relocation due to dredging. [Ord. No. 55-2003, 6-17-2003]**

The moving or relocation of any mooring as a result of dredging of Belfast Harbor will be completed at the owner's expense.

**Sec. 30-170. Removal by City. [Ord. No. 55-2003, 6-17-2003]**

All moorings removed because of nonpayment, or for any other reason, shall be stored in an area south of the breakwater. If not removed within 60 days, they will become the property of the City. If the mooring owner still wants a mooring location, the owner must pay the mooring fee, the late payment fee, and the cost of removal of the mooring and cost of placing the mooring in the new location.

**Sec. 30-172. through Sec. 30-190. (Reserved)**

DIVISION 7  
Moored Floats

**Sec. 30-191. Maximum size; approval of plans. [Ord. No. 55-2003, 6-17-2003]**

The size of a moored float is not to exceed eight feet by 30 feet without approval of the Harbor Master. Plans for construction of the float are to be submitted and approved by the Harbor Master.

**Sec. 30-192. Position. [Ord. No. 55-2003, 6-17-2003]**

A moored float shall be moored or anchored so as to stay in line with the current or in such a manner that would not create a navigational hazard.

**Sec. 30-193. Permits. [Ord. No. 55-2003, 6-17-2003]**

Moored floats are to have appropriate U.S. Army Corps of Engineers, City, or any other required permits.

**Sec. 30-194. Applicability of mooring regulations. [Ord. No. 55-2003, 6-17-2003]**

Moored floats, whether commercial, rental, or private, are to be regulated in the same manner as permitted moorings in this article, and by federal or state law.

**Sec. 30-195. Fees. [Ord. No. 55-2003, 6-17-2003]**

Moored float fees will be established annually by the City council, pursuant to section 30-221(a), on a per-structure basis, regardless of whether the use is for commercial, rental, or private purposes.

**Sec. 30-196. Assignment of locations. [Ord. No. 55-2003, 6-17-2003; Amd. of 5-2-2012]**

Moored float locations will be assigned by the Harbor Master in accordance with predetermined areas which the Harbor Master has identified as appropriate for moored float locations, and, within those areas, to a specific location requested by the applicant, or to the closest such location that is appropriate for the applicant's use and otherwise permissible under this article. Moored floats in the inner harbor shall be placed along the easterly edge of the channel buffer if space is available. No moored floats or structures shall be allowed within the twenty-five-foot buffer to the channel. Permits will not be granted for floats if the placement of the moored float interferes with navigation of other vessels or interferes with the use of other mooring sites by vessels with permits, or if the placement of such a float is inconsistent with space management of the harbor.

**Sec. 30-197. Navigational hazards and unsafe floats. [Ord. No. 55-2003, 6-17-2003]**

If a moored float creates a navigational hazard or is considered to have the potential to become a navigational hazard, or is not considered to be a sound or safe berth by structural failure or damage if the float is left in during winter months and ices up, etc., the Harbor Master may require the float not to be used or to be immediately removed by the individual the moored float is permitted to. If the float is not removed, the Harbor Master may remove it at the owner's expense.

**Sec. 30-198. through Sec. 30-220. (Reserved)**

DIVISION 8

Fees

**Sec. 30-221. Establishment; use. (See Appendix E) [Ord. No. 55-2003, 6-17-2003]**

- (a) The City council, at its last meeting in December of each year, or at such time as the council may designate, shall establish or amend the schedule of user fees for the City facilities and the harbor. The schedule of fees shall include but not be limited to the following:
- (1) Mooring fees.
  - (2) Dinghy fees.
  - (3) Public float fees, i.e., fees for overnight dockage, water, and electricity.
  - (4) Launching fees.
  - (5) Change of mooring list fees.
  - (6) Miscellaneous service fees.
- (b) The schedule shall include the billing date and the due date for payment of fees in full. Nonpayment of fees shall result in exclusion of the user who failed to pay the fee from the harbor facilities for which payment was required. All fees paid to the City are to be returned to the harbor account for upgrading and maintaining the harbor facilities.

**Sec. 30-222. Payment of permit fees. [Ord. No. 55-2003, 6-17-2003]**

Statements for mooring permit renewals are to be mailed by April 1 and will be due and payable by May 1 of each year, with no second notices being mailed. A late payment fee will be charged after May 1. After May 30, loss of privilege will occur.

**Sec. 30-223. Harbor usage fees. [Ord. No. 55-2003, 6-17-2003]**

See Appendix F to Ord. No. 55-2003.<sup>2</sup>

**Sec. 30-224. through Sec. 30-249. (Reserved)**

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2. Editor's Note: Said Appendix F and any amendments thereto are on file in the City offices.

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

The Belfast City Council at its meeting of Tuesday, March 18th, 2025, beginning at 7:00 P.M. or as soon as practical thereafter, shall conduct a Second Reading and an accompanying Public Hearing on proposed amendments to the City Code of Ordinances, Chapter 30 Marine Activities. The public hearing will be conducted in person at City Hall and can be streamed on the City website at [www.cityofbelfast.org](http://www.cityofbelfast.org).

The City Council is considering proposed amendments to Chapter 30 Marine Activities that would modify the allowances for large passenger vessels. The Amendments propose that any marine vessel certified to carry 50 or more passengers shall not be allowed to embark or disembark guest passengers, including by tender, at the City Landing or other City property or marine facilities. After a Second Reading and Public Hearing, the Council will discuss the proposed amendments and may consider options for moving forward. The Council has the authority to approve or deny the Ordinance Amendments to Chapter 30 Marine Activities at the March 18th Second Reading.

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

- 1) Submit written comments by 12 noon on March 18th, 2025 by email to [directorplanning@cityofbelfast.org](mailto:directorplanning@cityofbelfast.org). This is the preferred method to submit comments.
- 2) Submit written comments by 12 noon on March 18th, 2025 by letter to: City of Belfast, Planning and Codes Dept, 131 Church Street, Belfast ME 04915.
- 3) Submit oral comments in person during the public hearing portion of the meeting.

The complete text of amendments the Board is considering can be found on the city website, [www.cityofbelfast.org](http://www.cityofbelfast.org), reference Planning and Codes. A copy of the proposed amendments is also available for inspection in the Planning and Codes Department offices during normal business hours, 7:00am – 6:00pm, 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](mailto:directorplanning@cityofbelfast.org).

10.H



CITY OF BELFAST, MAINE 04915  
131 Church Street

PLANNING AND CODE DEPARTMENT

Phone: (207) 338-3370 ext. 125

Fax: (207) 338-2419

Email:

[planningandcodes@cityofbelfast.org](mailto:planningandcodes@cityofbelfast.org)

MEMORANDUM

DATE: March 11, 2025

TO: Belfast Mayor and City Council, City Manager Erin Herbig

FROM: Bub Fournier, Planning and Codes Director and Alexandra Sykes, City Planner

RE: Draft documents for City Council consideration for Curbside Belfast summer program 2025

**Background Information:** The Belfast City Council first approved the Curbside Belfast program in 2020 as a response to the Covid-19 pandemic. The program enables businesses in the City's downtown area to utilize City-owned outdoor space for their purposes. The Planning and Codes Department, Public Works Department, City Manager's Office, Our Town Belfast and various businesses have carried out the program, refining it to meet the needs of the community. The program continues to activate the vibrant downtown community and has been a widely celebrated addition to our downtown. In 2025, there are several minor changes being proposed for the program since last summer, some of which were already incorporated in the Winter 2024-2025 season. Draft summer program applications and other support materials are enclosed for City Council consideration.

Curbside Belfast 2025 is designed as an opportunity for restaurants to utilize up to 400sqft of City property for additional outdoor areas for their customers. The program retains the Use Permit, annual Curbside License, and an annual Curbside Lease Agreement with the City of Belfast. The program requires approval and signatures from a City Councilor, the City Manager, the City Clerk, and the Code Enforcement Officer. The summer program runs from May 1st to October 31st, in keeping with the City's seasonal off-street parking schedule. The program only applies to extensions of use for City controlled on-street parking spots.

In 2024, businesses utilizing the program were expected to be open 4 out of 7 days per week, adhere to basic design and life-safety requirements, and comply with accessibility requirements. The fee for the permit, license and lease for the 6-month Summer period in 2024 was \$250. The fee for the Winter 2024-2025 season was changed to \$400 following Council discussion ahead of that season, with the intent stated at that time to increase to \$750 for Summer 2025.

Another minor change to the program included the requirement to be open 5 out of 7 days per week for at least 6 hours per day. At a meeting on Feb. 27, 2025, with City Planning and Codes staff, past participants and stakeholders, some past participants indicated that this requirement means they will not be able to participate. However, the requirement has been kept in the draft language proposal.

Staff have incorporated other suggestions from the meeting in February 2025 such as reflective markings for traffic safety during low visibility and encouraging participants to allow public use of Curbside spaces when not open for business. After hearing from participants, staff suggest the Council also consider allowing businesses to close their Curbside area for business during extreme temperature events such as above 85 degrees in summer or below 20 degrees in winter. Staff also incorporated a requirement to complete installation of Curbside spaces by May 15, 2025 so that participants can be ready for the season.

The Belfast Planning and Codes Department has facilitated permitting for the City's Curbside outdoor dining program since its inception in 2020. The program has been a great success and a welcome addition to the streetscape in Downtown Belfast.

I am enclosing draft application documents for the 2025 Summer Curbside Belfast program, so that a discussion can occur, and a direction may be chosen for this year's season. New language is marked in **red** and deletions are marked in **blue strikethrough**.

**Requested Action:** I request that the City Council discuss the 2025 Curbside Belfast program and direct staff to generate appropriate permitting documents to facilitate the program.



## **DRAFT**

### **Design Requirements for Curbside Belfast Outdoor Seating Areas**

The Curbside Belfast outdoor space program will be launched in Spring 2025 for the sixth year. As the Downtown Belfast community prepares for the busy warmer seasons, the City of Belfast is looking forward to this ongoing annual outdoor seating program that permits businesses to utilize adjacent outdoor space. Businesses are encouraged to be expressive and have fun with this opportunity. Keeping these outdoor areas looking good is a great benefit to our Downtown and adds to the vibrant energy that is part of first impressions for visitors of the city. Design requirements for the Curbside Belfast program are listed below so that we can continue to keep Belfast looking good as we carry the new program into this season.

- 1) Continuous opaque walls taller than 42" that block views are prohibited. Individual elements such as posts, plantings, lighting etc. may be taller.
- 2) Green elements, or other enhancements such as flowers, shrubs or artwork must be incorporated into the design. No traffic safety features such as barricades or cones shall be on display without decorative enhancements. **Reflective elements for traffic safety shall be incorporated for times of low visibility.**
- 3) A visually penetrable barrier around the perimeter of the space, such as a guard or handrail, must be incorporated into the design.
- 4) All spaces shall be constructed of high-quality, durable, **non-reflective**, and aesthetically-pleasing materials. Outdoor areas shall not be unsightly. Painted or stainless metal, finished woods, and other materials intended for outdoor use are all allowable.
- 5) Adding overhead weather and sun protection to your space is permitted so that your services will not be weather dependent.
- 6) Artwork can enhance the attractiveness of your space and create identity for your business.
- 7) Outdoor spaces shall be kept simple, free of clutter, and well maintained to provide an inviting space that will welcome customers and enhance our lively downtown. No waste receptacles or unused equipment/materials shall be located in the outdoor areas.

**DRAFT**  
**Curbside 2025 Code Considerations**  
**Considerations for Converting Outdoor Spaces into**  
**Temporary Seating Spaces**

These considerations are meant to supplement – not replace – any state, county, local health and safety laws, rules, and regulations with which businesses must comply.

**TEMPORARY VS. PERMANENT**

While the intent of this guidance is to address temporary seating areas, it is necessary to clearly define the time period that any associated structures will be set in place, and not just used. The International Building Code (IBC) clearly requires that temporary structures are only to be erected for a period of less than 180 days per Section 3103. Further, temporary tents, umbrella structures and other membrane structures must comply with NFPA 1, 101, & 701 and again be erected for a period of less than 180 days. If these structures, including tents and other membrane structures, are to be erected for a period of 180 days or greater, they are not temporary structures and must comply with the IBC, NFPA, and all other applicable codes and standards as referenced. With the specific time periods given above it is also important to note that under IBC Section 108 the building official is authorized to grant extensions for demonstrated cause. Local building, flood, and shoreland permitting are still required.

**LOCATION**

1. Temporary outdoor seating should be located so as not to negatively impact the existing accessible parking spaces or accessible routes.
2. Temporary outdoor seating areas should be separated from designated food and beverage pick-up locations.
3. Temporary outdoor seating should be separated from adjacent automobile travel lanes by an approved barrier or adequate separation distance.
4. Access to fire hydrants, fire department connections for automatic sprinkler systems, and entrances and exits of all buildings cannot be obstructed at any time by barriers or seating.

**ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY**

State and local permits may be required for encroachment onto a public right-of-way. In addition, depending on the proposed new layout, construction documents may be required to be submitted for the Code Officer's review and approval. The construction documents should include a site plan indicating the location and quantity of the temporary outdoor seating and information delineating the means of egress and the projected total occupant load.

Chapter 32 of the International Building Code (IBC) covers temporary and permanent encroachments into public right of ways.

**OCCUPANT LOADS AND MEANS OF EGRESS**

The overall occupant load of both existing and the proposed new seating areas, along with the use of temporary or permanent structures, must be taken into consideration when evaluating the overall effect on fire safety, means of egress, accessibility, light, ventilation, bathroom and sanitary requirements.

Chapter 10 of the IBC addresses occupant loads for areas having fixed seating and areas without fixed seating

**ACCESSIBILITY**

Section 1009 of the IBC requires accessible means of egress.

Section 1104 of the IBC requires that at least one accessible route connect accessible buildings, facilities, elements and spaces on the same site.

Section 1105 of the IBC requires at least 60% of all public entrances to be accessible. Section 1108.2.9 specifies that dining and drinking areas, whether interior or exterior must be accessible and on an accessible route with some given exceptions. Further where dining surfaces are provided for the consumption of food or drink at least 5%, but not less than one must be accessible,

# DRAFT

## Curbside 2025 Code Considerations

### **WEATHER RESISTANCE**

Consideration should be given to limiting the size of canopies, umbrellas or awnings. All of these structures should be provided with an adequate means to resist wind, rain or other similar loads.

### **FIRE PREVENTION**

Fire ratings and protective measures are important, as the associated requirements are typically based on the risk associated with the building's occupancy and use. Expanding or adding outdoor seating areas can sometimes present an increased challenge. If the outdoor seating areas include awnings, canopies, umbrellas, marquees or tents on sidewalks, parking lots or green spaces, consideration should be given to the following:

1. The combustibility rating of the materials used should be evaluated and approved for the intended use. Both permanent and temporary tents and membrane structures must comply with flame propagation performance, including required labeling, and a certification affidavit per NFPA 701
2. The spacing between temporary tents or membrane structures must further comply with NFPA 1 and 101 which requires that these structures be at least 10 feet from other buildings, other tents or membrane structures, parked vehicles or internal combustion engines with some given exceptions.
3. Approved portable fire extinguishers should be provided and placed in locations approved by the fire code official.

### **PLUMBING, MECHANICAL, FUEL GAS AND ELECTRICAL SYSTEMS**

Existing plumbing, mechanical and electrical system designs may not be adequate for added outdoor seating in some cases. While in general, outdoor seating is being used to offset reduced occupant loads within existing structures, the overall occupant load of both existing and proposed outdoor seating areas must be taken into consideration and its effect on light, ventilation, bathrooms and sanitary requirements.

#### **Plumbing**

Where the toilet rooms provided in an existing structure will serve the anticipated occupant load of both the indoor spaces and proposed outdoor seating areas:

1. UPC Table 422.1 requires seasonal outdoor seating and entertainment areas to be included when determining the minimum number of toilet facilities required.
2. Travel distance should be considered.

#### **Mechanical and Fuel Gas**

Proposed designs for temporary climate control of the outdoor spaces should meet the minimum requirements of the International Mechanical Code (IMC), NFPA 54, and NFPA 1. All equipment and appliances must be listed and labeled for the intended use and installed in accordance with the codes and the installation instructions.

#### **Permanent tents and membrane structures.**

1. Heating and cooking equipment, including related components, must be installed per the International Mechanical Code (IMC), NFPA 54 and approved by the building and code official. Gas, liquid and solid fuel burning equipment that is designed to be vented must be vented to outdoor air per the IMC and NFPA. Where vents or flues are installed, all portions of the tent or membrane structure must be no less than 12 inches away from any flue or vent.
2. Cooking and heating equipment must be located at least 10 feet from exits or combustible materials.
3. Designated "cooking-only" tents, with sidewalls or drops, must be separated by other tents or membrane structures by no less than 20 feet.
4. Electrical heating and cooking appliances must comply with NFPA 70.
5. LP-gas storage, handling and use along with the use of LP-gas equipment must comply with NFPA 54

#### **Electrical**

## DRAFT

### Curbside 2025 Code Considerations

1. When connected to public utility power or generator sources, outdoor seating areas or temporary tent and membrane structures will need to comply with NFPA 70.
2. NFPA 101 requires exit signage for temporary tents or membrane structures where an exit serves an occupant load of 50 or more. Further, these exit signs are required to be internally illuminated or externally illuminated. Where the exit signs are externally illuminated two separate circuits, one of which must be separate from all other circuits, is required for occupant loads of 300 or less. Two separate sources of power, one being an approved emergency system must be provided where the occupant load exceeds 300.
3. NFPA 101 requires means of egress illumination with a light intensity of not less than 1 foot candle at the floor level for temporary tents and membrane structures while occupied. Further this means of egress illumination must be supplied from a separate circuit or source of power.
4. NFPA requires generators or other internal combustion power sources to be separated from tent or membrane structures by a minimum of 20 feet and isolated from the public with fencing or an enclosure.



# **DRAFT**

## **CURBSIDE BELFAST 2025 OUTDOOR SEATING PERMIT APPLICATION**

### **1: INTRODUCTION**

Consistent with the City of Belfast's efforts to assist downtown businesses navigating options for outdoor spaces and to maintain a vibrant downtown area, Curbside Belfast is returning with the following permitting options.

The City of Belfast is excited to offer an Extension of Use Permit and Curbside license available to businesses that are located within Belfast's downtown. Extension of Use Permits are required for qualification of the program. All Curbside licenses issued will be effective beginning Wednesday, May 1st, 2025. The 2025 Curbside Belfast Program will run from May 1st through Oct. 31 following the seasonal on-street parking schedule.

Fees for the 2025 Curbside Belfast program are summarized below:

Combined expansion of use permit fee, seasonal Curbside license fee similar to lunch wagon or victualer's, and the lease fees for City space for this summer season will be **\$750.00. (Council expressed intent to increase fees to from \$400 in 2024 to this amount for the 2025 summer season, although this amount has not been approved for the upcoming season yet).**

### **2: REQUIREMENTS**

The Curbside Belfast program will be available to businesses in the Downtown Commercial and Waterfront Mixed Use 1 and 2 zoning districts only. For this program, businesses may only utilize public space immediately adjacent to their property. Expansions of Use on private property are not eligible for the program.

All Outdoor areas must:

- Only occupy the portion of abutting public property which least infringes on public use, passage, and traffic as determined by, and at the complete discretion of, the City of Belfast. **No more than 400 sqft may be utilized for the program. This typically involves impacting (2) parking spaces (Curbside sites in angled parking areas may be allowed to infringe on one additional space to provide a rectangular shaped Curbside area.)**
- Outdoor spaces must be open for business **5 out of 7 days per week and a minimum of 6 hours per day (up from 4 out of 7 days with no hourly**

**requirement in summer 2024). The City encourages Curbside participants to consider making Curbside areas available for public use when not open for business to increase street level vibrancy Downtown. During extreme weather events above 85 degrees, Summer 2025 participants will be allowed to be closed.**

- Be as continuous as possible by locating the outdoor area in a single portion of an establishment's frontage and not extend in front of an adjoining establishment without written permission from the neighboring property owner.
- Not encroach, impede or obstruct a public walkway. A safe path must be maintained at all times of at least 3 feet in width to allow for pedestrian movement.
- Not block building entrances, accessible parking spaces, firetruck access, dumpster access, and any furniture or fixtures related to outdoor areas must remain completely unobstructed.
- Be located on a smooth surface, compliant with accessibility and life safety codes.
- Use physical barriers (i.e., fences, barricades, etc.) to visually distinguish the boundary of the outdoor area. **A reflective element shall be incorporated into barriers for times of low visibility.**
- Use non-permanent structures which can be removed, however, structures will be allowed to be left in place until the expiration of the permit, including overnight and on days when a business is closed.
- Provide lighting and comply with the electrical code (NEC). Consumer-grade extension cords cannot be used to deliver electricity to an outside area; establishments wishing to extend electricity to an outside area are strongly recommended to consult with a licensed electrician.
- **Installation of any permitted Curbside spaces must be completed by May 15th, 2025 in order to be ready for the season. Any new applicants during the season will have two weeks from the date of approval to get set up.**

On-premise expansions of use will need traditional permitting and do not require a Curbside Belfast license from the City. If an establishment already has its own adjacent side and/or rear areas, they may apply for expansions of use through traditional permitting paths. Please contact the City's Planning and Codes Department for more information at 207-338-3370 X125.

All improvements (i.e., furniture, fixtures) used in the outdoor area must be temporary in nature and there shall be no penetration of public surfaces.

The City of Belfast will be placing traffic barriers along public streets for increased safety. Please refer to Design Requirements for details about enhancing aesthetics of these safety features **and see above for reflective material requirements.**

All outdoor areas shall be under the responsible direction and control of the licensee as identified in this application.

A license, if granted, will only be valid during the hours of 6:00am to 10:00pm each day, Sunday through Saturday, and shall expire after October 31, 2024, unless renewed.

The establishment must comply with all applicable city, state, and federal laws and regulations, including the Americans with Disabilities Act.

### **3: INSURANCE AND LIABILITY (PLEASE CONSULT WITH YOUR INSURANCE CARRIER REGARDING THE FOLLOWING ITEMS)**

The establishment understands and expressly assumes all the risk of operating and conducting business under this permit.

As a condition of being granted this license, during the term of this license, the licensee shall defend, indemnify, save and hold the City of Belfast, and its inhabitants, officers, employees and agents completely harmless from and against any and all liabilities, losses, suits, claims, costs, expenses, judgments, fines or demands arising by reason of injury to or death of, or asserted by, any person or persons, including the permittee's agents, clients, invitees or employees, or damage to any property, including all reasonable costs for investigation and defense thereof (including but not limited to attorney's fees, court costs, and expert witness fees), of any nature whatsoever arising out of or incident to this permit and/or the use, occupancy, conduct, or management of the demised premises or the acts or omissions of the permittee's officers, clients, agents, employees, contractors, subcontractors, licensees, or invitees, except to the extent such injury, death, or damage is caused by the negligent acts or omissions of the City, its agents, employees, clients or invitees. The licensee shall give to the City reasonable notice of any such claim or actions. The licensee shall also use counsel reasonably acceptable to the City in carrying out its obligations under this article.

The licensee further expressly agrees that it will defend, indemnify, save and hold the City of Belfast harmless from any and all claims made or asserted by the licensee's agents, servants or employees arising out of the licensee's activities under this license. For this purpose, the licensee hereby expressly waives any and all immunity it may have under Maine's Workers Compensation Act in regard to such claims made or asserted against the City by the licensee's agents or employees. For this purpose, the licensee further expressly waives any charitable immunity it may have under applicable law as to any and all claims of any person made or asserted against the City arising out of the licensee's use and occupancy of the demised premises or other activity of the licensee under this license.

The indemnification provided under this section shall extend to and include any and all costs incurred by the City to answer, investigate, defend and settle all such claims, including but not limited to the City's costs for attorney's fees, expert and other witness fees, the cost of investigators, and payment in full of any and all judgments rendered in favor of the licensee's agents, invitees, licensees, clients, servants or employees against the City in regard to claims made or asserted by such persons.

In exercising the rights granted under this license, the licensee shall at all times be regarded as an independent entity conducting its own business and operations and shall not at any time act, hold itself out or purport to act as an agent, contractor, co-partner, joint venture or employee of the City.

The licensee, during the entire term of this license shall maintain, at its sole expense, insurance in the type and amount shown below with companies authorized to do business in the State of Maine for the protection of the City of Belfast against any and all liability, including wrongful death, against all claims, losses, costs or expenses arising out of injuries to persons whether or not employed by the licensee or damage to property whether resulting from acts, omissions, negligence or otherwise of the licensee, its directors, officers, clients, employees and agents and arising from the licensee's use of the demised premises or any part or portion thereof: 1) commercial general liability insurance with a minimum limit of \$1,000,000 combined single limit per occurrence and \$2,000,000 in the aggregate; and 2) workers compensation and employers liability insurance with a minimum limit of \$500,000 per occurrence.

The licensee shall cause to be furnished to the City, at the time of execution of this license, evidence in the form of certificates of insurance of the existence in force of the insurance required hereunder. Said certificates shall name the City as an additional insured and loss payee. The licensee shall

cause to be furnished to the City replacement certificates of insurance whenever the insurance policies are renewed. The City shall be notified prior to any changes or discontinuances of coverage.

The City agrees to promptly notify the licensee in writing of the existence or filing of any claim, demand or action arising out of an occurrence covered hereunder of which the City has knowledge, and to cooperate with the licensee in the investigation and defense thereof.

The minimum insurance coverage required under this article shall be deemed to be automatically adjusted whenever the Maine State Legislature shall increase the City's maximum liability beyond such minimums for personal injury, wrongful death or property damage claims brought under the Maine Tort Claims Act. In the event of such an increase, the minimum insurance coverage required shall be no less than the amounts required herein or no less than the City's maximum liability for such claims under the Maine Tort Claims Act, whichever is greater.

#### **4: ENFORCEMENT**

The rights and duties granted herein shall be under the supervision and control of the City of Belfast's Code Enforcement Officer and the City of Belfast's Chief of Police. For this program, extension of use permits are reviewed by the Code Enforcement Officer. All Curbside Belfast participants must meet all applicable codes and State laws. Applicants must remain in compliance with details of permit application while in operation. In the event of a breach of this license by licensee, the City may, for the first breach, issue a verbal warning to Licensee; in the event of a second breach the City may terminate this License.

Notwithstanding these provisions regarding penalties for breaches or any other provision of this license, in the event that the City, in its sole discretion, determines that further use of the premises under this license is not in the best interests of the City, the rights granted herein may be suspended or terminated upon 24 hours written notice to the licensee.

At the end of the term of this license, or if this license is suspended or terminated, all fencing, tables, seating, or equipment must be removed from any City of Belfast public walkway or public area. The City may move or remove any of said items if they are not removed before the end of the term of this license or before the 24-hour notice period expires.

**5: APPLICATION (ALL RESPONSES ARE REQUIRED):**

Legal Name: \_\_\_\_\_

DBA Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_ Belfast, ME 04915

Mailing Address: \_\_\_\_\_  
Street/PO Box City State Zip

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email address: \_\_\_\_\_

Name, address, telephone number of Property Owner (if property is rented or leased, need a copy of rental agreement / lease):

Which hours do you plan to have these additional areas open (no earlier than 6:00am, and no later than 10:00pm): \_\_\_\_\_

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**For extension of License on Premise**

License # (if requesting extension of liquor license): \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Reason for Request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

On the following page, sketch out your plan for your outdoor area. In your sketch you must include and clearly indicate the relative locations of the following components:

- existing dimensions and seating capacity of your business.
- parking spaces, public walkways, and/or adjacent areas that you are looking to utilize; Please indicate contiguous and non-contiguous space you plan to use.
- path(s) through your area(s) that will allow for pedestrian traffic.
- arrangement of Curbside tables and other structures which have proper spacing.
- barriers to be used and how their appearance will be enhanced.
- awnings, umbrellas, and/or other rain- and sun-shielding devices to be used (optional).
- lights or lighting systems to be used.
- reflectors to be used.

For extension of use on premises, traditional permitting will be required.

Please contact the City of Belfast Planning and Codes Department for further assistance at 207-338-3370 X125.

\_\_\_\_\_  
Signature of Owner/Corporate Officer

\_\_\_\_\_  
Printed Name of Owner/Corporate Officer

**EXTENSION AREA PREMISE DIAGRAMS**

In an effort to clearly define your extension please draw a diagram below that will include the area you want for a Curbside license. Diagrams should be submitted on this form or attached and should be as accurate as possible. Be sure to label the areas of your diagram including methods of monitoring and containment of certain area which you are requesting approval from the Division of liquor consumptions.

## **6: SUBMISSION OF YOUR COMPLETED APPLICATION**

When completed, please submit your application via regular mail or via e-mail to:

Belfast Planning and Codes Department  
Belfast City Hall  
131 Church Street  
Belfast, Maine 04915  
[planningandcodes@cityofbelfast.org](mailto:planningandcodes@cityofbelfast.org)

You can also submit an application electronically via the City's online permitting portal:  
<https://belfast.portal.iworq.net/portalthome/belfast>

10.I



## CITY OF BELFAST

City Hall  
131 Church Street  
Belfast, Maine 04915

Joellyn Warren  
Deputy Economic Development Director

E-mail: [deputyecondev@cityofbelfast.org](mailto:deputyecondev@cityofbelfast.org)  
Phone: (207) 338-3370, extension 124

TO: Honorable Mayor Eric Sanders, Belfast City Councilors, and City Manager Erin Herbig

FROM: Joellyn Warren, Deputy Economic Development Director

DATE: March 11, 2025

RE: Approval to submit Letter of Intent to the Community Enterprise (CE) Program fund to implement a business façade improvement program to prevent or eliminate slum or blighting conditions consistent with eligible activities found in the CDBG Program Statement.

The Maine Community Enterprise Grant (CE) Program is a program under the Community Development Block Grant Program, Office of Community Development. The CE Program provides grant funds to municipalities to assist in business façade programs and to make streetscape improvements in downtown and village areas. Assistance to businesses may be in the form of grants or loans at the discretion of the community.

The City has successfully implemented façade improvement programs in the past with funding in 2013, 2020, and 2021 from the CDBG Community Enterprise Program fund. Funds from this program resulted in one-time grants to building owners to make exterior improvements for 10 buildings downtown. Buildings that received prior funding are not eligible for additional grants; however, the City has a list of building owners that were interested in the program but were not funded due to lack of funds.

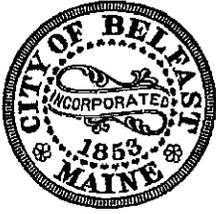
Like prior program years, the City of Belfast intends to use 90% of the total grant amount requested, or \$90,000.00, to provide 5 businesses façade grants of \$18,000.00 each. Each of these facade grants will be matched with \$5,000.00 in cash from each participating business or property owner, for total matching funds of \$25,000.00, which is equal to 25% of the grant award. The remaining 10% of the total grant amount requested, or \$10,000.00, will be used to hire qualified administrative services to implement this grant effectively and efficiently.

The program selection process consists of three phases: a Letter of Intent, an application phase, and a project development phase. The Letter of Intent illustrates community need, estimated budget and verification of CDBG National Objective. Once the City receives a notice to apply, staff will return to the City Council for approval to submit the full application by the grant deadline on April 11, 2025.

At this time, the Deputy Economic Development Director requests that the City Council take the following actions:

- 1) Approve the submission of Letter of Intent to the Office of Community Development Community Enterprise Grant (CE) Program, and to Authorize the City Manager to sign all paperwork related to and necessary for the submission of this request.

10.J



## CITY OF BELFAST

City Hall  
131 Church Street  
Belfast, Maine 04915

Thomas Kittredge  
Economic Development Director

E-mail: [economicdevelopment@cityofbelfast.org](mailto:economicdevelopment@cityofbelfast.org)  
Phone: (207) 338-3370, extension 116

**From:** Thomas Kittredge, Economic Development Director

**To:** Mayor Eric Sanders, City Councilor Chris Bitely, City Councilor Brenda Bonneville, City Councilor Paul Dean, City Councilor Neal Harkness, City Councilor Mary Mortier, Deputy City Manager Manda Cushman, and City Manager Erin Herbig

**For:** Belfast City Council Meeting of March 18<sup>th</sup>, 2025

**Regarding:** Request by the Economic Development Director to have the City Council finalize a ranked list of Fiscal Year 2026 Congressional Earmark Requests and authorize applications for them to be submitted.

After a hiatus of more than a decade, Congress reinstated, in 2021, directed spending programs, more commonly referred to as *earmarks*. The City of Belfast has applied for earmarks during the previous four cycles. The City of Belfast was fortunate to be awarded two earmarks in federal fiscal year 2022 (a \$1,000,000 earmark for sewer line replacements and a \$972,000 earmark for street improvements), one earmark in federal fiscal year 2023 (a \$1,500,000 earmark for a new public safety building), and one earmark in federal fiscal year 2024 (a \$963,000 earmark for police department equipment). The City of Belfast was not successful in securing any earmarks in the most recent federal fiscal year (2025) cycle, however.

City personnel are planning for the possibility that there will be an earmark application process in federal fiscal year 2026, which could be opening in the very near future (based on previous cycles' deadlines). If the City of Belfast wishes to take advantage of this new cycle of funding for earmarks, it must develop a ranked list of requests that City personnel can write applications for and submit.

For reference, the following was the ranked list of earmark requests that were submitted during the past cycle:

- 1) Retrofitting of Former Waldo County Superior Court Building: conducting of an energy audit; installation of VRF heat pumps, LED lighting, insulation, air quality system, full-size elevator, and an enclosed ADA-compliant bridge to connect the building to Belfast City Hall. (This request was submitted to the Agriculture, Food and Drug Administration and Rural Development appropriations bill, Rural Development, Community Facilities grants account.)
- 2) CSO Improvements: phase 2 of planned CSO improvements, focusing on pipe removals, repairs, relocations, and associated construction. (This request was submitted to the Interior, Environment, and Related Agencies appropriations bill, Environmental Protection Agency, Water and Wastewater Infrastructure, State and Tribal Assistance Grants account.) (This request was combined with item 4 into a single request for submission.)
- 3) Public Safety Building Additional Funding: additional funding for a new Public Safety Building [This request was submitted to the Agriculture, Food and Drug Administration and Rural Development appropriations bill, Rural Development, Community Facilities grants account.]
- 4) Pump Station Telemetry Improvements: installation of telemetry improvements at pump stations to improve emergency alarm notification, a MEDEP-required upgrade. (This request was submitted to the Interior, Environment, and Related Agencies appropriations bill, Environmental Protection Agency, Water and Wastewater Infrastructure, State and Tribal Assistance Grants account.) (This request was combined with item 2 into a single request for submission.)

One other request that was considered last year but was ultimately not selected for submission was the following:

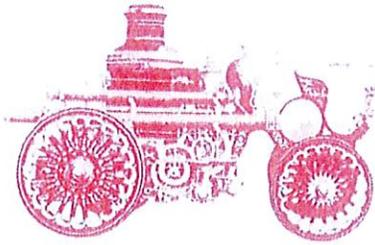
Swan Lake Avenue Improvements: extension of the sidewalk along Swan Lake Avenue from East Belfast Elementary School to the intersection of Alberta Way. [This request would have been submitted to the Transportation, Housing and Urban Development, and Related Agencies appropriations bill, Housing and Urban Development Economic Development Initiatives account.]

City personnel would recommend, based on the actual previous earmark awards, that the City submit no fewer than two but no more than four earmark requests. City personnel would be responsible for arriving at the specific amount to be requested for each earmark, informed by the previous actual earmark awards to municipalities in Maine (overall award amounts, award amounts from specific appropriations bills and accounts, and award amounts for similar projects).

**At this time, the Economic Development Director requests that the City Council take the following actions:**

- 1) Finalize a ranked list of fiscal year 2026 earmark requests, for which the City of Belfast will submit applications to the offices of Senator Susan Collins, Senator Angus King, and Representative Jared Golden; and**
- 2) Authorize the City Manager to sign any and all paperwork related to and necessary for the submission of these requests.**

10.K



*Belfast Fire & Ambulance Department*  
*131 Church Street • Belfast, Maine 01015*  
*Phone 338-3302*

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March 3, 2025

Honorable Mayor Sanders  
Belfast City Councilors  
City Mgr. Herbig

Re; Acceptance of \$1,000.00 Donation to the Belfast Fire Department

The Reny's Foundation has graciously donated \$1,000.00 to the Belfast Fire Department. With your acceptance of this donation, I would recommend a deposit into the Jaws of Life account (1-2100-00) to apply towards the purchase of rescue equipment in the future.

Thank you to the Reny Charitable Foundation for this donation and support for the community.

Thank you,  
Patrick Richards  
Fire Chief/Ambulance Director

10. L

**From:** Amanda Evans <[amanda@sassmm.org](mailto:amanda@sassmm.org)>  
**Sent:** Tuesday, March 4, 2025 3:07 PM  
**To:** Erin Herbig <[citymanager@cityofbelfast.org](mailto:citymanager@cityofbelfast.org)>  
**Subject:** Sexual Assault Awareness Month

Hello Erin,

My name is Amanda, I am the Rural Services Coordinator for Sexual Assault Support Services of Midcoast Maine, serving Waldo and Knox Counties.

As you may or may not know, April is Sexual Assault Awareness month and Child Abuse Awareness Month. My team and I have been throwing around some ideas for raising awareness during April. We have a couple of ideas that I would like to run by you and see what your thoughts are.

For Sexual Assault Awareness we would like to place teal ribbons with laminated cards that have information about services for those who have experienced sexual violence around the town of Belfast on trees and/or poles.

For Child Abuse Awareness our Children's Advocacy Center staff would like to place groups of pinwheels along with an explanation of what they stand for in a few areas.

We would set everything up in the beginning of April and take it all down at the end of April/beginning of May.

Is that something that would be allowed? Would we need to reach out to anyone else? Any other thoughts?

Thank you for taking the time to read my email and consider my ideas.  
I hope to hear from you soon.

Thank you,  
Amanda