

**CITY OF BELFAST CITY COUNCIL
PUBLIC HEARING - SECOND READING
PROPOSED AMENDMENTS - CITY CODE OF ORDINANCES
CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS
DIVISION 12. OFFICE PARK ZONING DISTRICT (Newly Proposed)
DIVISION 25. OFFICE PARK ZONING DISTRICT (Proposed Deletion)
TUESDAY, APRIL 2, 2019 7:00 PM
COUNCIL CHAMBERS - BELFAST CITY HALL**

Notes to Public

1) Background Information and Explanation of Proposed Amendments

The City of Belfast is considering amendments to the Office Park zoning district. The amendments involve two actions: 1) Consideration of the amendments being proposed for a new division, Division 12, Office Park District, that includes a new format for these Ordinance standards; and 2) Consideration of eliminating the existing Ordinance provisions for the Office Park District, Division 25 in the Code of Ordinances. The main amendments that are being considered and why they are being considered are outlined below:

- a) A proposal to allow certain small retail uses on several properties in the Office Park zone that are located westerly of the Hutchinson Center on Route 3. This amendment was prompted by a request from Habitat for Humanity to operate a Restore store (retail use) on a property located at 92 Belmont Avenue, Map 5, Lot 31-B. The proposed amendments also would require a retail use in this area to satisfy several additional performance standard requirements, including: an increase in the amount of front setback for any building, 70 ft compared to the standard 35 feet; an increase in the amount of front landscaped bufferyard, 60 feet compared to the standard 30 feet; an increase in the amount of landscaping in the front bufferyard; and the building must have a barn or farmhouse appearance.
- b) A proposal to allow restaurants (excluding fast food) on nearly all properties in the zoning district, provided the restaurant is connected to public sewer. This amendment was recommended by the Planning Board and is not in response to any specific proposal.
- c) A proposal to eliminate the current requirement that multi-family housing can only occur in a planned unit development (PUD). The proposal would allow multi-family housing through-out the zoning district. The Planning Board and Council are interested in creating more options for the development of multi-family housing, and view the PUD requirement as an impediment to this interest.
- d) A proposal to eliminate the larger retail option, store up to 75,000 square feet in size, now allowed for the property located at 147 Lincolnville Avenue, Map 5, Lot 7; a provision that was initially adopted in August 2001. This is a unique provision in the Ordinance that applied specifically to this property. The Planning Board found that allowing a retail store of this size would be dissimilar to other uses on Lincolnville Avenue, and noted that soil conditions on this property likely would preclude this intensity of development.

- e) The amendments also involve reformatting the existing Ordinance provisions by converting such to a common Table of Uses and common Table of Dimensional Standards. The Council and Planning Board started the process of changing Zoning District standards to this approach for the Inside the Bypass area, and viewed the currently proposed amendments as a good opportunity to do the same for the Office Park District.
- f) If the newly proposed amendments, Division 12, are adopted, the current standards for the Office Park zoning district that are identified in Division 25 would concurrently be repealed.

2) Planning Board Review of Proposed Amendments

The Planning Board began working on the amendments in this proposal associated with multi-family housing in 2017, including meeting jointly with the City Council, and began working on the other provisions in the summer of 2018. In November 2018, the Board identified a draft of the proposed amendments, and on December 13, 2018, it conducted a public hearing on its proposal. The Board, at a subsequent workshop, made revisions to its proposed amendments, and then voted to recommend such to the City Council.

3) City Council Review and Public Hearings and How to Offer Public Comment

The City Council conducted the First Reading of the proposed amendments at its meeting of February 19, 2019, and conducted a public hearing on the same date. The Council, at this meeting, accepted the language (for Second Reading) in the proposed amendments and requested that the Code and Planning Department reformat the amendments using a common Table of Uses and common Table of Dimensional Standards. The Council, at its meeting of March 19, reviewed and accepted the reformatted approach for the amendments, and scheduled the Second Reading and accompanying public hearing on the amendments for its meeting of April 2, 2019. The Council, following the Second Reading, has the authority to adopt the amendments as presented, to reject the amendments as presented, to make changes to the proposed amendments, or to table action on the proposed amendments.

The public may offer comment to the City Council that will be considered as part of the April 2 public hearing process in one of three ways:

- You can attend the April 2 public hearing and offer verbal comment to the City Council at the hearing.
- You can submit comment in writing to: Wayne Marshall, Code and Planning Dept, City of Belfast, 131 Church St, Belfast, ME, 04915. All written comment must be received by the April 2 public hearing.
- You can submit comment via email to: **public@cityofbelfast.org**. All email comment must be submitted by 3:30 pm on April 2 so that copies can be produced for that evening's Council meeting.

All comment that is submitted in writing or via email will be provided to the City Council at or before the hearing. The City Council gives equal consideration to all forms of comment offered by the public.

Questions regarding the proposed Ordinance amendments should be directed to Wayne Marshall, Director, Code & Planning, at 338-1417 x 125 or at wmarshall@cityofbelfast.org. The complete text of the Ordinance amendments can be viewed on the City website, cityofbelfast.org; reference Planning and Codes, Office Park Amendments. A copy of the proposal also is available for public inspection during normal business hours at the Department's offices in Belfast City Hall; 8:00 am - 5:00 pm, Monday - Friday.

4) Format of Ordinance Amendments.

All text for the newly proposed Division for the Office Park zoning district, Division 12, is new language. Thus, the City is using standard black font text to identify the proposed amendments.

All text for the current Office Park zoning district identified in the City Code of Ordinances, Chapter 102, Zoning, Article V, District Regulations, Division 25, Office Park zoning district, is proposed to be repealed in its entirety. Thus, all text shown for Division 25 is shown in ~~strike-through black font~~.

TEXT OF PROPOSED AMENDMENTS
CITY CODE OF ORDINANCES
CHAPTER 102, ZONING
ARTICLE V, DISTRICT REGULATIONS
DIVISION 25, OFFICE PARK ZONING DISTRICT

The text of amendments proposed to be added and deleted from the Ordinance are included on the following pages.

CHAPTER 102, ZONING

ARTICLE V, DISTRICT REGULATIONS

DIVISION 12. TABLE OF USES - OFFICE PARK DISTRICT

SECTION 102-541. Introduction to Use Table

The Table of Uses in this Section, 102-543, identifies uses that are permitted in the Office Park zoning district, as such is shown on the Official Zoning Map adopted by the City Council. This Table of Uses was adopted by the City Council at its meeting of -----, 2019. The City Council, in adopting this Table of Uses, concurrently repealed all provisions of the Article V, District Regulations, Division 25, Office Park District standards.

Section 102-544 identifies Footnotes to the Use Table. The Footnotes identify additional requirements that apply to certain uses identified in the Use Table, and are more fully described in Section 102-544. Footnotes are identified in the Table of Uses by the following designation: * [number]. Footnote number 4 applies to a specific property, Map 5, Lot 31, as such was depicted on the City of Belfast Tax Assessor maps that were in effect on August 21, 2001; a property that is identified on the City Tax Assessor maps that were in effect on April 1, 2019 as being a part of Map 5, Lot 26.

Section 102-542. Standards That Apply To Uses Identified On Use Table.

The standards identified in this Section universally apply to uses identified in the Use Table.

a) Applicability of Shoreland Zoning and floodplain regulations.

Provisions of Chapter 82, pertaining to Shoreland Zoning, and Chapter 78, pertaining to Floodplains, may apply in the Office Park District. See the adopted Shoreland map and the adopted FIRM Flood maps.

b) Performance standards for residential uses.

All residential uses proposed in the Office Park District shall comply with the Article IX, Performance Standards, Division 2, Environmental Standards, and applicable requirements of the Article VIII, Supplementary District Regulations. A proposal to establish a detached accessory dwelling unit to a single family residence shall comply with standards identified in Article IX, Performance Standards, Division 6, Supplemental performance standards for an accessory dwelling unit in a detached structure.

c) Performance standards for nonresidential uses.

All nonresidential uses proposed in the Office Park District shall comply with the Article IX, Performance Standards, Division 5, Nonresidential Development Performance Standards, and if applicable, shall comply with Supplemental Performance Standards

identified in this Division. A nonresidential use does not need to comply with performance standard requirements identified in Article IX, Performance Standards, Division 2, Environmental Standards.

d) Residential Planned Unit Development, Cluster Housing Development and Nonresidential Planned Unit Development.

A property that is developed as a residential planned unit development, cluster housing development, or nonresidential planned unit development shall be subject to review by the Planning Board pursuant to Chapter 90, Site Plan and Chapter 94, Subdivision (not codified), and shall comply with requirements identified in Chapter 102, Zoning, Article VI, Residential Planned Unit Development, Cluster Housing Development, and Nonresidential Planned Unit Development.

e) Prohibited Uses.

Only those uses specifically listed as permitted uses requiring Code Enforcement Officer review or permitted use requiring Planning Board review are allowed within the Office Park district. All other uses are prohibited.

SECTION 102-543 Use Table (See Attached)

Section 102-543 Table of Uses

Key to Table of Uses

P means permitted with no permit required from CEO or Planning Board

NO means that the identified use is a prohibited use

P-CEO means use is permitted subject to permit issued by CEO

P-PBR means use is permitted subject to permit issued by Planning Board

If an identified use includes an *[footnote in brackets], consult the Footnotes for the Table of Uses

Shoreland Zone Use Identified in Chapter 82, Shoreland .

YTBD means Yet to Be Determined; City has not yet identified all standards for this use

TYPE OF USE	OFFICE PARK						
1) Dwelling, single-family	P-CEO						
2) Accessory dwelling unit to a Single-family residential unit in a detached Accessory Structure	P-CEO						
3) Dwelling, two-family.	P-CEO						
4) Dwelling, multi-family (3 or more units in one structure).	P-PBR						
5) Dwelling, multi-family in a residential planned unit development.	P-PBR						
6) Planned unit development (PUD), residential.	P-PBR						
7) Rural affordable housing development PUD.	NO						
8) Cluster housing development Open space subdivision PUD.	P-PBR						
9) Manufactured housing on a chassis/mobile home.	P-CEO*[1]						
10) Manufactured housing (units on permanent foundation).	P-CEO*[1]						
11) Manufactured housing community (units on chassis) or mobile home park.	NO						
12) Accessory residential structures.	P-CEO						
13) Accessory residential uses.	P-CEO						
14) Accessory non-residential structures.	P-PBR						
15) Accessory non-residential uses.	P-PBR						
16) Accessory residential uses on the upper stories of commercial and office buildings.	P-PBR						
17) Yard sales, residential held no more than 10 days in a calendar year.	P-CEO						
18) Home occupation class 1: Small scale.	P-CEO						
19) Home occupation class 2: Mid-scale.	P-CEO						
20) Home occupation class 3: Large scale.	P-CEO						
21) Owner occupied boarding or owner occupied lodging house with up to 3 borders or lodgers.	P-CEO						
22) Owner occupied boarding or owner occupied lodging house with 4 or more borders or lodgers.	P-PBR						
23) Owner occupied group home or owner occupied hospice with a capacity of up to 8 residents.	P-PBR						
24) Owner occupied group home or owner occupied hospice with a capacity of 9 or more residents.	P-PBR						
25) Group home with a capacity of up to 8 residents.	P-PBR						
26) Group home with a capacity of 9 or more residents.	P-PBR						
27) Up to 6 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						
28) Seven 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						
29) Nursing home/Nursing center/Nursing facility.	P-PBR						
30) Bed and breakfast class 1.	P-CEO						
31) Bed and breakfast class 2.	P-CEO						
32) Bed and breakfast class 3.	P-CEO						
33) Bed and breakfast, non-owner occupied.	P-CEO						
34) Hotel and motel.	NO						
35) Convention center.	P-PBR						
36) Campground excluding Recreation Vehicle (RV) Park.	NO						
37) Recreation Vehicle (RV) park including motor homes.	NO						
38) Cemetery.	NO						
39) Church, religious facility.	P-PBR						

Section 102-543 Table of Uses

40) Community center.	P-PBR								
41) Social club.	P-PBR								
42) Care facility, child care facility serving up to 12 children. [State defined Small Childcare Facility for 3 -12 children]	P-PBR								
43) Care facility, child care facility serving more than 12 children. [State defined Child Care Center]	P-PBR								
44) Care facility, youth and adult.	P-PBR								
45) School, private/parochial.	P-PBR								
46) School, public/charter.	P-PBR								
47) Dance studio.	P-PBR								
48) Fitness center.	P-PBR								
49) Recreational facility, indoor.	P-PBR								
50) Recreational facility, outdoor excluding motorized vehicles.	P-PBR								
51) 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								
52) Museum.	P-PBR								
53) Shooting or rifle range.	NO								
54) Parking facility.	P-PBR								
55) Public park.	P-CEO								
56) Theater/Performing arts center.	P-PBR								
57) Drive-in movie theater.	NO								
58) Theater, outdoor.	P-PBR								
59) Quasi-public and non-municipal public uses.	P-PBR								
60) Recreational or community activities.	P-PBR								
61) Amusement park.	NO								
62) Motor vehicle repair with a maximum of three vehicles offered for sale on the property as an accessory use.	NO								
63) Motor vehicle repair with a maximum of six vehicles offered for sale on the property as an accessory use.	NO								
64) Motor vehicle repair business.	NO								
65) Motor vehicle fuel sales.	NO								
66) Motor vehicle sales including automobiles, snowmobiles, utility-terrain vehicles (UTV) and all-terrain vehicles (ATV).	NO								
67) Recreational vehicle sales, motor homes, heavy trucks, and related equipment sales, repairs and services.	NO								
68) Mobile home, manufactured home and modular home sales.	NO								
69) Restaurant, fast food.	NO								
70) Restaurant, formula	NO								
71) Restaurant, indoor seating	P-PBR*[2]								
72) Restaurant with outdoor seating.	P-PBR*[2]								
73) Restaurant, take out.	P-PBR*[2]								
74) Restaurant with drive through window.	NO								
75) Restaurant, ice cream stand.	NO								
76) Funeral home/mortuary.	NO								
77) Dry cleaner or Laundromat.	NO								
78) Personal services.	P-PBR								
79) Professional offices.	P-PBR								
80) Retail stores, both a single retail store (use) and a structure in which a retail store (use) or stores are located, that are greater than 40,000 square feet in size, but less than 75,000 square feet in size.	P-PBR*[3]								
81) Retail stores, small-scale, up to 20,000 square feet in size.	P-PBR*[3]								
82) Retail stores, mid-scale, between 20,001 and 39,999 square feet in size.	P-PBR*[3]								
83) Shopping centers, including mixed use development (service, general merchandise clothing and grocery retail, building supply, restaurant, and/or office in the same complex), provided that no structure in the shopping center is greater than 75,000 square feet, and provided that the gross floor area of all structures is less than 150,000 square feet.	P-PBR*[3]								
84) Shopping centers, including mixed use development (service, retail, restaurant, and/or office in same complex), provided that no single shopping center structure in which a retail store is located is greater than 40,000 square feet, but less than 75,000 square feet in size.	P-PBR*[3]								
85) Convenience stores up to 5,000 square feet in size.	NO								
86) Convenience stores, greater than 5,000 square feet in size.	NO								
87) Redemption centers for beverage containers.	NO								
88) Planned unit development, non-residential.	P-PBR								
89) Light industrial/Light manufacturing.	P-PBR								
90) Manufacturing, processing and industrial activities, including accessory retail.	NO								
91) Bituminous asphalt plant/mixing operations.	NO								
92) Storage, commercial exterior.	P-PBR								
93) Research laboratory.	P-PBR								
94) Storage, self-storage facility.	P-PBR								
95) Storage tanks for petroleum products, including propane for sale.	NO								
96) Storage, facility/warehouse.	P-PBR								

Section 102-543 Table of Uses

97) Septage, storage and spreading.	NO						
98) Junkyards, including auto graveyards.	NO						
99) Health care facilities/offices.	P-PBR						
100) Health services.	P-PBR						
101) Hospital.	P-PBR						
102) Aquaculture, land based.	NO						
103) Boat building/repair/retrofitting/storage that includes onsite sales.	NO						
104) Commercial storage of boats.	NO						
105) Lobster pound and fish/seafood processing.	NO						
106) Marinas and marina related service businesses.	NO						
107) Docks, floats and similar uses that occur below the normal high water mark.	NO						
108) Water borne transportation and recreation.	NO						
109) Commercial agricultural, dairy and horticultural activities.	P-CEO						
110) Commercial Poultry.	NO						
111) Non-commercial domestic chicken raising.	P						
112) Slaughterhouse.	NO						
113) Horses and horse barns/Stables.	P-CEO						
114) Animal breeding, husbandry.	P-CEO						
115) Craft sales.	P-PBR						
116) Farm stand.	P-PBR						
117) Farmers Market including food and craft sales.	P-PBR						
118) 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						
119) 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						
120) Fill activities that exceed 25 cubic yards.	P-CEO						
121) Commercial agricultural greenhouse or nursery: Sale of materials, plants or similar items commonly associated with landscaping activities.	P-PBR						
122) Tree farm.	P-PBR						
123) Animal kennel Class 1.	P-PBR						
124) Animal kennel Class 2.	P-PBR						
125) Veterinary clinic and veterinary hospital.	P-PBR						
126) Forestry: Woodlot management and timber harvesting.	NO						
127) Forestry: Commercial firewood processing.	NO						
128) Hydropower generation.	NO						
129) Aviation and uses accessory to aviation.	NO						
130) Stealth telecommunications facilities.	P-CEO						
131) Minor telecommunications facilities (TO BE DEFINED) including co-location on existing structures.	P-PBR						
132) Telecommunications facilities.	NO						
133) Essential Services	P-CEO						
134) Medical Marijuana caregiver retail stores	P-PBR						
135) Medical Marijuana manufacturing facilities	P-PBR						
136) Medical Marijuana testing facilities	P-PBR						
137) Significant Groundwater Wells	NO						
138) Map 5, Lot 31, Specific Use Requirements	P-PBR*[4]						

SECTION 102-544. Footnotes to Use Table

The Footnotes identified below apply to the Use Table identified in Section 102-543. The respective footnote identifies additional requirements that apply to the use identified in the Use Table. The footnotes are identified in the Use Table by the following designation: * [number of footnote].

Footnote 1: A manufactured housing unit shall only be permitted if it is located 500 or more feet from the centerline of Belmont Avenue (Route 3) or Lincolnville Avenue (Route 52).

Footnote 2: An indoor seating restaurant, outdoor seating restaurant or take-out restaurant must be connected to public sewer to be considered a permitted use.

Footnote 3: The following standards shall apply to the size of a general merchandise, clothing or grocery retail use or building supply retail use in the Office Park zoning district.

- a) A general merchandise, clothing, or grocery retail use or building supply retail use shall be a permitted use on Map 5, Lot 5 and Lot 7, (as such were depicted on the City Tax Assessor Maps in effect on April 1, 2018), subject to the following standards: no single retail use is greater than 4,000 square feet in size, there is a maximum of three retail uses in any single structure, there is a maximum of one structure in which any retail use occurs located on a single property, and the retail use can comply with the Nonresidential Development Standards for the Office Park District identified in Article IX of this Chapter. Other uses permitted in the District may occur on either of the above two properties in addition to (in combination with) an allowed retail use.
- b) A general merchandise, clothing, or grocery retail use or building supply retail use shall be a permitted use on the following properties, Map 5, Lot 29, 29-B, and 31-B (as such were depicted on the City Tax Assessor Maps that were in effect on April 1, 2018), subject to the following standards: there shall be no more than one retail use located on a property, the retail use is located in a structure that is a maximum of 6,000 square feet in size, the retail use may have an accessory structure that is a maximum of 2,000 square feet in size, the retail use and any other use on the property shall comply with the supplemental performance standards identified in Section 102-545, and the retail use and any other use on the property shall comply with applicable Nonresidential Development Standards for the Office Park District identified in Article IX of this Chapter. Other uses permitted in the District may occur on any of the above three properties in addition (in combination with) to an allowed retail uses.
- c) A general merchandise, clothing, or grocery retail use or building supply retail use shall be a permitted use on the following properties, Map 5, Lot 1 (as such was depicted on the City Tax Assessor Maps in effect on April 1, 2018) and the portion of Map 5, Lot 26, (as such was depicted on the Tax Assessor Maps in effect on April 1, 2018) that excludes the portion of said lot that was depicted as Map 5, Lot 31 on the Tax Assessor Maps in effect on April 21, 2001, subject to the following standards: any single retail use shall be a maximum of 75,000 square feet in size and the retail use shall comply with the Nonresidential

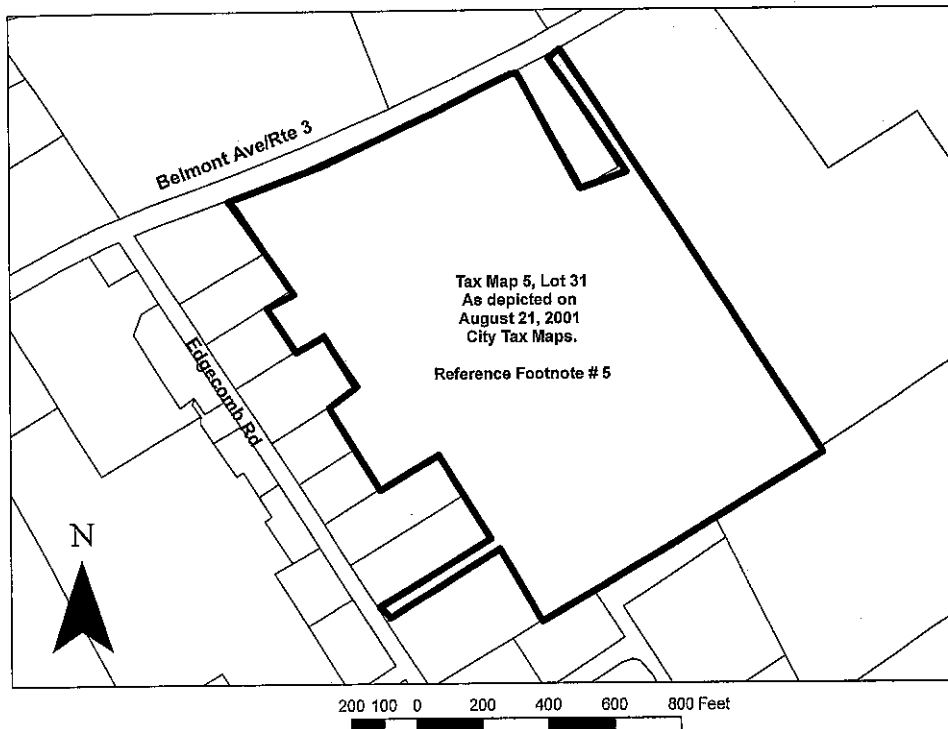
Development Standards for the Office Park District identified in Article IX of this Chapter. Other uses permitted in the District may occur on any of the above three properties in addition (in combination with) to an allowed retail uses.

Footnote 4: Footnote 4 applies only to Map 5, Lot 31, as depicted on the tax maps in effect on August 21, 2001; reference map below. This lot is depicted on the April 1, 2019 Tax Maps as being part of Map 5, Lot 26.

The owner of Map 5, Lot 31, shall develop this property as a planned unit development. This property may be developed for any permitted use identified in the Table of Uses that applies to the Office Park District, reference Section 102-543, except the following: a general merchandise, clothing, or grocery retail use; a building supply retail use; or a restaurant.

A project that involves only nonresidential development shall be exempt from compliance with the planned unit development standard identified in Article VI of this Chapter regarding the provision of open space. In lieu of this standard, a nonresidential development project shall be required to reserve a minimum of 10 percent of the site as permanent open space. The performance standards for the Office Park District shall apply to a planned unit development proposal considered under this section, and all primary access to this property shall occur via a curb cut and access road located on Route 3. Only an emergency access shall be allowed from this property to Edgecomb Road.

Footnote # 4. Tax Map 5, Lot 31



Sec. 102-545. Supplemental Performance Standards that apply to certain retail and restaurant uses on properties identified as Map 5, Lot 29, 29-B and 31-B.

The Section 102-543 Table of Uses, Use 81), as defined by Section 102-544, Footnote 3, b), identifies certain retail uses, that can occur on the following properties, Map 5, Lot 29, 29-B and 31-B. The Table of Uses also identifies several types of restaurants that can occur in the Office Park zoning district, reference Use 71), 72) and 73), as defined by Section 102-544, Footnote 2). The above identified retail uses [reference Use 81] and restaurant uses [reference Use 71), 72) and 73)], that may be proposed to occur on Map 5, Lot 29, 29-B and 31-B, shall satisfy the following supplemental performance standards in addition to the Nonresidential Development Standards identified in Article IX of this Chapter for the Office Park District.

- a. Amount of front setback for structures. The minimum amount of front structure setback for any structure shall be no less than 70 feet. This setback amount shall supersede the amount of front structure setback identified in Sec. 102-778(c)(1).
- b. Amount of front bufferyard. The minimum amount of front bufferyard shall be no less than 60 feet. This bufferyard amount shall supersede the amount of front bufferyard identified in Sec. 102-1302(a).
- c. Amount of planting requirements for nonresidential uses. Plantings in the front bufferyard area shall provide effective and good quality screening, buffering and landscaping for the buildings and parking areas on the property, so that the appearance of the buildings and parking areas are effectively 'broken-up'. The plantings shall include trees, shrubs and other vegetation that exceed the amount of planting required in Sec. 102-1303. An applicant may use berms, fencing and other methods to supplement the plantings and to assist in achieving the intent of this Subsection. An applicant shall present a planting plan that clearly depicts how the proposed plantings and other measures will achieve the purposes of this Subsection. This planting requirement shall supersede the planting requirement identified in Sec. 102-1303.
- d. Nonresidential structural design requirements. All buildings shall be constructed to resemble farm-house or barn construction. The main showroom building for Perry's Furniture depicts the type of construction that would satisfy this requirement. This building design requirement shall supersede the requirements identified in Sec. 102-1305.

CHAPTER 102, ZONING

ARTICLE V, DISTRICT REGULATIONS - OFFICE PARK DISTRICT

DIVISION 12. DIMENSIONAL STANDARDS TABLE

SECTION 102-551 Introduction to Dimensional Standard Table

The Dimensional Table in this Section, 102-553, identifies dimensional standards that apply to permitted uses and properties located in the Office Park zoning district, as such is shown on the Official Zoning Map adopted by the City Council. This Dimensional Table was adopted by the City Council at its meeting of ----, 2019. The City Council, in adopting this Dimensional Table, concurrently repealed all provisions of the Article V, District Regulations, Division 25, Office Park District standards.

Section 102-554 identifies Footnotes to the Dimensional Table. The Footnotes identify additional requirements that apply to certain properties and standards identified in the Dimensional Table, and are more fully described in Section 102-544. Footnotes are identified in the Dimensional Table by the following designation: * [number].

Section 102-552. Standards that Universally Apply to the Dimensional Table.

The standards identified in this Section shall universally apply to the standards identified in the Dimensional Table, Section 102-553.

- a) The date of record for determining if a lot complies with minimum lot size requirements identified in the Dimensional Table is August 21, 2001, which is the date that the City initially adopted the Office Park zoning district. A lot that was established prior to this date that does not satisfy minimum lot size requirements identified in the Dimensional Table shall be considered a nonconforming lot of record and may be developed for uses identified in the Use Table subject to the following standards:
 - 1) A property that is developed for a multi-family housing project shall satisfy the minimum lot size requirement identified in Section 102-553, Dimensional Table, Subsection 1, Minimum Lot Size Requirement, Paragraphs i. and j, and shall satisfy the density standard identified in Subsection 6, Density Standard, Paragraphs g. and h.
 - 2) A property that is developed for a non-residential use shall satisfy the minimum lot size requirement identified in Section 102-553, Dimensional Table, Subsection 1, Minimum Lot Size Requirement, Paragraphs k., l., and m.
- b) If a lot (property) is occupied by one or more types of residential use, the total size (area) of the lot shall be no less than the amount of square feet needed to satisfy the minimum lot size requirement for each of the respective uses on the lot and the amount of residential use on the lot shall comply with residential density standards. The total size of such a lot involves only the amount of area (square feet); it does not require an increase in the amount of lot frontage.

- c) If a lot (property) is occupied by a nonresidential use and one or more types of residential use, the size (area) of the lot, in total, shall satisfy the minimum lot size (area) requirement for the nonresidential use, and the minimum lot size requirement and accompanying density standards requirement for the respective residential uses. The total size of such a lot involves only the amount of area (square feet); it does not require an increase in the amount of lot frontage.
- d) A property that has a nonconforming amount of road frontage may be developed, provided the property can obtain any required traffic or road opening permit from the City or the State Maine Department of Transportation.
- e) A residential structure that was constructed on or before August 21, 2001 that does not conform with structure setback requirements shall be considered a nonconforming structure of record with respect to setbacks. Said residential structure may continue and may expand, subject to requirements of Article III, Nonconformance, of this Chapter.
- f) A non-residential structure that was constructed on or before August 21, 2001 that does not conform with structure setback requirements shall be considered a nonconforming structure of record with respect to setbacks. Said non-residential structure may expand. Any expansion in the nonconforming setback area shall comply with the following requirements:
 - 1) the amount of expansion in the nonconforming setback area is limited to 30 percent of the total amount of area located in the respective nonconforming setback area;
 - 2) none of the expansion in the nonconforming setback area shall be any closer to a lot line than the existing nonconforming structure setback; and
 - 3) the Planning Board finds that the applicant has taken reasonable measures to comply with structure setback requirements.
- g) A property that is developed as a planned unit development or cluster housing development shall be subject to review by the Planning Board pursuant to Chapter 90, Site Plan and Chapter 94, Subdivision (not codified), and shall comply with requirements identified in Chapter 102, Zoning, Article VI, Residential Planned Unit Development and Cluster Housing Development.
- h) All setbacks shall be measured from the property line, and the applicant shall be responsible for verifying that all setback requirements are met. The applicant, Code Enforcement Officer or Planning Board, may use a MDOT or City road layout or right-of-way, a property deed or similar information to determine the minimum amount of setback required. The Code Enforcement Officer or Planning Board, however, may require the applicant to provide a survey to identify property lines and setback requirements if either deems that a survey is necessary to verify the applicant's representations.

Section 102-553. Dimensional Table. (See Attached).

Section 102-554. Footnotes to Dimensional Standard Chart.

The Footnotes identified below apply to the Dimensional Standard Table in Section 102-553. The respective footnote identifies additional requirements that apply to the standard identified in the Dimensional Standard Table. The footnotes are identified in the Dimensional Standard Table by the following designation: * [number].

Footnote *[1]. The minimum lot size for any multi-family residential use shall comply with both the minimum lot size standard and density standard requirement identified in the Dimensional Standard Table.

Footnote *[2]. The amount of front setback for a general merchandise, grocery or clothing retail store, a building supply retail store, or a restaurant, that is located on the following properties Map 5, Lots 29, 29-B and 31-B, shall comply with the front setback for structures identified in Section 102-545 (Use Table Standards).

Footnote *[3]. In a Planned Unit Development in which all dwelling units are connected to public sewer, and all uses on the property are a single family residence, a single family residence with a detached accessory dwelling structure, or a two family residence, the minimum lot size identified in the Dimensional Table for 1. a), b) e) and f) may be decreased from 14,520 square feet to 10,000 square feet, and the density standard for said uses identified in 6. a), c) and e) can similarly be decreased from 14,520 square feet to 10,000 square feet. A property that is developed as a Planned Unit Development or Cluster Housing Development shall comply with all standards identified in Chapter 102, Zoning, Article VI, Residential Planned Unit Development, Cluster Housing Development and Nonresidential Planned Unit Development, and shall require Planning Board review pursuant to Chapter 90, Site Plan and Chapter 94, Subdivision (non-codified).

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 12, DIMENSIONAL STANDARDS, SECTION 102-553 DIMENSIONAL CHART

DIMENSIONAL STANDARD	OFFICE PARK	
1) <u>MINIMUM LOT SIZE</u>		
a. Minimum Lot Size, Single Family Residential, Public Sewer, with or without detached accessory dwelling unit.	14,520 sq ft *[3]	
b. Minimum Lot Size, Single Family Residential, Back Lot, Public Sewer, with or without detached accessory dwelling unit.	14,520 sq ft *[3]	
c. Minimum Lot Size, Single Family Residential, Subsurface System, with or without detached accessory dwelling unit.	21,780 sq ft	
d. Minimum Lot Size, Single Family Residential, Back Lot, Subsurface System, with or without detached accessory dwelling unit.	21,780 sq ft	
e. Minimum Lot Size, Two Family Residential, Public Sewer	14,520 sq ft *[3]	
f. Minimum Lot Size, Two Family Residential, Back Lot, Public Sewer	14,520 sq ft *[3]	

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

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 12, DIMENSIONAL STANDARDS, SECTION 102-553 DIMENSIONAL CHART

g. Minimum Lot Size, Two-Family Residential, Subsurface System	21,780 sq ft	
h. Minimum Lot Size, Two-Family Residential, Back Lot, Subsurface System	21,780 sq ft	
i. Minimum Lot Size, Mult-Family Residential, Public Sewer	21,780 sq ft*[1]	
j. Minimum Lot Size, Mult-Family Residential, Subsurface System	43,560 sq ft *[1]	
k. Minimum Lot Size, Non-Residential, Public Sewer	43,560 sq ft	
l. Minimum Lot Size, Non-Residential (No Frontage), Public Sewer	43,560 sq ft	
m. Minimum Lot Size, Non-Residential, Subsurface System	43,560 sq ft	

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

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 12, DIMENSIONAL STANDARDS, SECTION 102-553 DIMENSIONAL CHART

DIMENSIONAL STANDARD	OFFICE PARK	
2) <u>MINIMUM STREET FRONTAGE FOR A LOT</u>		
a. Minimum Street Frontage - Residential	150 ft	
b. Minimum Street Frontage - Non-Residential	200 ft	
c. Minimum Width Lot - Back Lot - Residential	150 ft	
d. Minimum Width Lot - Back Lot - Non-Residential	200 ft	

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

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 12, DIMENSIONAL STANDARDS, SECTION 102-553 DIMENSIONAL CHART

DIMENSIONAL STANDARD	OFFICE PARK	
3) <u>MINIMUM FRONT SETBACK FOR A STRUCTURE</u>		
a. Front Setback, Structure- Residential (Primary Structure), Single Family, Two-Family and Single Family with Detached Accessory Dwelling Unit.	25 ft	
b. Front Setback, Structure- Residential, Multi-Family (Primary Structure)	50 ft	
c. Front Setback, Structure- Residential (Accessory Structure), Single Family, Two-Family and Single Family with Detached Accessory Dwelling Unit.	25 ft	
d. Front Setback, Structure - Residential, Multi-Family (Accessory Structure)	50 ft	
e. Front Setback, Structure - Nonresidential (Primary Structure)	Structure Size In Square Feet Less Than 5,000 sf - 30 ft 5,001 - 15,000 sf - 40 ft 15,001 - 30,000 sf - 50 ft 30,001 - 50,000 sf - 75 ft 50,001 - 75,000 sf - 100 ft Greater than 75,000 sf - 125 ft Also See Footnote *[2]	

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

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 12, DIMENSIONAL STANDARDS, SECTION 102-553 DIMENSIONAL CHART

f. Front Setback, Structure - Nonresidential (Accessory Structure)	Same Front Setback Requirement as Primary Structure Also See Footnote *[2]	
DIMENSIONAL STANDARD	OFFICE PARK	
<u>4) MINIMUM SIDE SETBACK FOR A STRUCTURE</u>		
a. Side Setback- Residential - Primary Structure	25 feet	
b. Side Setback - Residential - Accessory Structure	25 feet	
c. Side Setback- Non-Residential - Primary & Accessory Structures, provided the property abuts another property(ies) that is located in the Office Park Zoning District	Structure Size In Square Feet Less Than 5,000 sf - 15 feet 5,001 - 15,000 sf - 20 feet 15,001 - 30,000 sf - 25 feet 30,001 - 50,000 sf - 40 feet 50,001 - 75,000 sf - 45 feet Greater Than 75,000 sf - 50 feet	
d. Side Setback- Non-Residential -Primary & Accessory Structures, if the property does not abut another property that is located in the Office Park Zoning District	Structure Size In Square Feet Less Than 5,000 sf - 35 feet 5,001 - 15,000 sf - 40 feet 15,001 - 30,000 sf - 50 feet 30,001 - 50,000 sf - 60 feet 50,001 - 75,000 sf - 80 feet Greater Than 75,000 sf - 100 feet	

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

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 12, DIMENSIONAL STANDARDS, SECTION 102-553 DIMENSIONAL CHART

DIMENSIONAL STANDARD	OFFICE PARK	
5) <u>MINIMUM REAR SETBACK FOR A STRUCTURE</u>		
a. Rear Setback - Residential - Primary Structure	25 feet	
b. Rear Setback - Residential - Accessory Structure	25 feet	
c. Rear Setback - Nonresidential - Primary & Accessory Structures - provided the property abuts another property(ies) that is located in the Office Park Zoning District	Structure Size In Square Feet Less Than 5,000 sf - 15 feet 5,001 - 15,000 sf - 20 feet 15,001 - 30,000 sf - 25 feet 30,001 - 50,000 sf - 40 feet 50,001 - 75,000 sf - 45 feet Greater Than 75,000 sf - 50 feet	
d. Rear Setback - Nonresidential - Primary & Accessory Structures if the property does not abut another property that is located In the Office Park Zoning District	Structure Size In Square Feet Less Than 5,000 sf - 35 feet 5,001 - 15,000 sf - 40 feet 15,001 - 30,000 sf - 50 feet 30,001 - 50,000 sf - 60 feet 50,001 - 75,000 sf - 80 feet Greater Than 75,000 sf - 100 feet	

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

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 12, DIMENSIONAL STANDARDS, SECTION 102-553 DIMENSIONAL CHART

DIMENSIONAL STANDARD	OFFICE PARK	
6) <u>DENSITY STANDARD (Number of Units/Size of Lot)</u>		
a. Single Family Residential (Public Sewer)	14,520 sq ft *[3]	
b. Single Family Residential (Subsurface System)	21,780 sq ft	
c. Single Family Residential with One Accessory Detached Dwelling Unit (Public Sewer)	14,520 sq ft *[3]	
d. Single Family Residential with One Accessory Detached Dwelling Unit, (Subsurface System)	21,780 sq ft	
e. Two-Family Residential, Public Sewer	14,520 sq ft *[3]	
f. Two-Family Residential, Subsurface System	21,780 sq ft	
g. Multi-Family Residential, Public Sewer	21,780 sq ft minimum lot size (net acreage). This size of lot (net acre) can allow 6 multi-family dwelling units in one or more multi-family structures. Each additional multi-family unit requires 1,500 square feet of net acreage.	
h. Multi-Family Residential, Subsurface System	43,560 sq ft minimum lot size (net acreage). This size of lot (net acre) can allow 4 multi-family dwelling units in one or more multi-family structures. Each additional multi-family unit requires 7,500 square feet of net acreage.	

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

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 12, DIMENSIONAL STANDARDS, SECTION 102-553 DIMENSIONAL CHART

DIMENSIONAL STANDARD	OFFICE PARK	
7) <u>MAXIMUM LOT COVERAGE</u>		
a. Maximum Lot Coverage - Residential (Impervious Surface Ratio); Single Family, Two-Family & Detached Accessory Dwelling Units	None	
b. Maximum Lot Coverage - Residential (Structure Coverage)	None	
c. Maximum Lot Coverage - Nonresidential (Impervious Surface Ratio) - Standard for New Nonresidential Construction, including Multi-Family Housing, on a Vacant Lot	None	
d. Maximum Lot Coverage - Nonresidential (Impervious Surface Ratio) - Standard for Nonresidential Construction, including Multi-Family Housing, on an Existing Lot Developed for a Nonresidential Use	None	
e. Maximum Lot Coverage - Nonresidential (Structure Coverage)	None	

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

CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 12, DIMENSIONAL STANDARDS, SECTION 102-553 DIMENSIONAL CHART

DIMENSIONAL STANDARD	OFFICE PARK	
8) <u>MAXIMUM STRUCTURE HEIGHT</u>		
a. Maximum Height, Residential, Single Family and Two- Family and Detached Accessory Dwelling Unit - Non-Shoreland Area	38 Feet	
b. Maximum Height, Multi-Family Residential	45 feet	
c. Maximum Height, All Residential Uses - Shoreland	Refer to Chapter 82, Shoreland and refer to height standard for respective Shoreland District	
d. Maximum Height, Nonresidential - Non-Shoreland Areas	a). 45 feet for a non-residential structure located within 200 feet of Route 3 or Lincolnville Avenue. b). 60 feet for a non-residential structure located 201 feet or more from Route 3 or Lincolnville Avenue.	
e. Maximum Height, Nonresidential - Shoreland Areas	Refer to Chapter 82, Shoreland and refer to height standard for respective Shoreland District	

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

NOTES TO PUBLIC:

- 1) **NOTE # 1:** The City of Belfast City Council, at its meeting of April 2, 2019, is considering the Second Reading and potential adoption of amendments to Chapter 102, Zoning regarding the Office Park zoning district. The proposed amendments would result in creating a new Division in Article V, District Regulations, for the Office Park zoning district; Division 12. The amendments incorporate a new format for the standards that apply to the Office Park District by establishing a common Table of Uses and a common Table of Dimensional Standards. If the proposed amendments are adopted, the City would concurrently repeal the current standards that apply to the Office Park zoning district; Division 25, Office Park District, in Article V.

- 2) **NOTE # 2:** All of the current language for Division 25, Office Park District is proposed to be deleted and repealed. All language proposed to be repealed is identified in ~~strike-through black font~~. All new language is identified in **Red font**.

**CITY CODE OF ORDINANCES
CHAPTER 102. ZONING.
ARTICLE V. DISTRICT REGULATIONS
DIVISION 25. OFFICE PARK DISTRICT**

DIVISION 25. OFFICE PARK DISTRICT.

Division 25, Office Park District, was repealed in its entirety by the City Council at its meeting of -----, 2019. Division 25 was replaced by Division 12, Office Park District.

~~Sec. 102-773. Permitted uses requiring code enforcement officer review. [Ord. of 10-29-2007(1)]~~

~~The City code enforcement officer shall review and make decisions regarding applications for a use permit for the following types of uses in the Office Park District:~~

- ~~(1) Residential, single-family and duplex. Manufactured housing units may be permitted only if they are located 500 feet or more from the centerline of Route 3 or Route 52.~~
- ~~(2) Yard sales are permitted as an accessory use for a residence on no more than 10 days in any calendar year.~~
- ~~(3) Home occupations (expanded definition).~~
- ~~(4) Bed and breakfast, including class 1, class 2 and class 3.~~
- ~~(5) Essential services.~~
- ~~(6) Municipal uses deemed necessary by the City Council, but prior to taking action thereon, the council shall hold a public hearing for which 10 days public notice shall be given.~~
- ~~(7) Public park.~~
- ~~(8) Raising crops or keeping farm animals as an accessory use to a use permitted in the Office Park District. This excludes a commercial piggery, raising poultry for commercial uses, and slaughterhouses.~~
- ~~(9) Accessory structures and accessory uses for principal uses and principal structures for which the CEO can issue a permit.~~

**~~Sec. 102-774. Permitted use requiring Planning Board review.
[Ord. of 10-29-2007(1)]~~**

~~The City Planning Board shall review and make decisions regarding applications for the following types of uses in the Office Park District:~~

- ~~(1) Small scale professional offices, offices and office complexes.~~
- ~~(2) Large scale professional offices, offices and office complexes.~~
- ~~(3) Health care facilities and offices.~~
- ~~(4) Multifamily housing, provided it is located in a planned unit development.~~
- ~~(5) Congregate care housing.~~

- ~~(6) Group homes and similar residentially oriented living/care facilities.~~
- ~~(7) Planned unit development, residential and nonresidential.~~
- ~~(8) Non-municipal public and quasi-public uses.~~
- ~~(9) School, day nursery, institution of an educational, religious, philanthropic, fraternal, political or social nature; including as an accessory use to a permitted activity.~~
- ~~(10) Light industry.~~
- ~~(11) Small scale general merchandise, clothing, grocery or building supply retail uses, provided no single retail use is greater than 4,000 square feet for each use, and there is a maximum of three retail uses in any structure. Such uses shall be permitted in that section of the Office Park District located easterly of the southwesterly boundary of a property identified as Map 5, Lot 7, as such is shown on the October 2007 City Tax Assessor Maps, and a projection of a line that extends from the northwesterly corner of said lot, until such line intersects with the centerline of the Crocker Road right-of-way, and shall be prohibited in that section of the Office Park District located westerly of said line.~~
- ~~(12) Indoor recreational activities and facilities.~~
- ~~(13) Outdoor recreational activities and facilities, excluding shooting ranges.~~
- ~~(14) Stealth telecommunications facilities.~~

**~~Sec. 102-775. Special uses requiring Planning Board review.
[Ord. of 10-29-2007(1)]~~**

- ~~(a) An applicant who owns a minimum of 25 acres of land may request that the City allow a general merchandise, clothing, grocery or building supply retail use greater than the size limits identified in 102-774(11), provided the total gross floor area of all structures is less than 75,000 square feet, and provided that the property is located in that section of the Office Park zone located easterly of the southwesterly boundary of a property identified as Map 5, Lot 7, as such is shown on the October 2007 City Tax Assessor Maps, and a projection of a line that extends from the northwesterly corner of said lot, until such line intersects with the centerline of the Crocker Road right-of-way, and shall be prohibited in that section of the Office Park District located westerly of said line. The City may consider an application subject~~

~~to requirements of Chapter 102, Article X, Contract Rezoning, Division 2. An applicant is exempt from requirements to prepare the comprehensive economic and community impact study identified in these standards.~~

- ~~(b) The owner of the property identified on the City official tax maps as Map 5, Lot 31, on August 21, 2001, or to any property that may be joined with this property (Map 5, Lot 31) to create a single parcel on or after August 21, 2001, shall develop this property as a planned unit development. This property may be developed for any uses identified in the Office Park District, sections 102-773 and 102-774 (Note: retail uses identified in section 102-775 are prohibited on this property).~~

~~A project that involves only nonresidential development shall be exempt from compliance with planned unit development standard in subsection 102-804(6) regarding the provision of open space. In lieu of this standard, a nonresidential development project shall be required to reserve a minimum of 10% of the site as permanent open space, or to contribute a proportional amount to the development of off-site public open space or parks. This open space area may include, but is not limited to any side and rear buffer yard areas required by this chapter. The performance standards for the Office Park District shall apply to a planned unit development proposal considered under this section, and all primary access to this property shall occur via a curb cut and access road located on Route 3. Only an emergency access shall be allowed from this property to Edgecomb Road.~~

~~Sec. 102-776. Prohibited uses. [Ord. of 10-29-2007(1)]~~

~~Only those uses specifically listed as permitted uses requiring code enforcement officer review or permitted use requiring Planning Board review are allowed within the Office Park District. All other uses are prohibited.~~

~~Sec. 102-777. Applicability of shoreland zoning and floodplain regulations. [Ord. of 10-29-2007(1)]~~

~~Provisions of chapter 82, pertaining to shoreland zoning, and chapter 78, article II, pertaining to floodplains, may apply in the Office Park District. See the shoreland map and FIRM flood maps.~~

~~Sec. 102-778. Dimensional and density standards. [Ord. of 10-29-2007(1)]~~

- (a) ~~Minimum lot size requirement. The minimum size lot for any lot created on or after August 21, 2001, that is used for a nonresidential use shall be one acre (43,560 square feet). A lot created before August 21, 2001, that is less than one acre in size, that is proposed to be used for a nonresidential use, shall be considered a nonconforming lot of record, and shall be considered a buildable lot.~~

~~The minimum size lot for any lot created on or after August 21, 2001, that is used for a residential use shall be 14,520 square feet in size (one-third acre) if on public sewer, and 21,780 square feet (1/2 acre) if not on public sewer. A lot created before August 21, 2001, that is proposed to be used for a residential use and that is less than the above minimum lot size shall be considered a nonconforming lot of record, and shall be considered a buildable lot.~~

- (b) ~~Minimum frontage requirement. The minimum amount of frontage for a lot created on or after August 21, 2001, that is proposed to be used for a nonresidential use shall be 200 feet. A lot created before August 21, 2001, that is proposed to be used for a nonresidential use that has less than the required amount of frontage, shall be considered a nonconforming lot of record, and shall be considered a buildable lot.~~

~~The minimum amount of frontage for a lot created on or after August 21, 2001, that is proposed to be used for a residential use shall be 150 feet. A lot created before August 21, 2001, that is proposed to be used for a residential use that has less than the required amount of frontage shall be considered a nonconforming lot of record, and shall be considered a buildable lot.~~

- (c) ~~Minimum front setback requirement for structures.~~

- (1) ~~Any new nonresidential structure or expansion of an existing nonresidential structure that is built on or after August 21, 2001, that has frontage on Route 3/Belmont Avenue, shall comply with the following minimum front setback requirements for structures:~~

Structure Size	Amount of Front Setback
(in square feet)	(in feet)
Less than 5,000	30
5,001—15,000	40
15,001—30,000	50

Structure Size (in square feet)	Amount of Front Setback (in feet)
30,001—50,000	75
50,001—75,000	100
Greater than 75,000	125

- ~~(2) Any new nonresidential structure or expansion of an existing nonresidential structure that is built on or after August 21, 2001, that has frontage on any road other than Route 3/ Belmont Avenue shall have a minimum front setback of 25 feet.~~
- ~~(3) The minimum front setback for a single-family or two-family residential use shall be 25 feet. The minimum front setback for a multifamily housing project shall be 50 feet.~~
- ~~(4) Any existing structure that does not satisfy the minimum front setback requirement shall not expand any closer to the front lot line than the existing structure. Further, any expansion shall comply with the front setback requirement established in this chapter to the maximum extent practical as determined by the Planning Board.~~
- ~~(5) The amount of the front setback for a structure shall be measured from the property line, and the applicant shall be responsible for verifying that all setback requirements are met. The applicant, code enforcement officer, or Planning Board may use a MDOT or City road layout or right-of-way, a property deed, or similar information to determine the minimum amount of setback required. The code enforcement officer or Planning Board, however, may require the applicant to provide a survey to identify property lines and setback requirements if either deems that a survey is necessary to verify the applicant's representations.~~

~~(d) Minimum side and rear setback requirement for structures.~~

- ~~(1) Any new nonresidential structure or expansion of an existing nonresidential structure that is built on or after August 21, 2001, and that directly abuts a property or properties located in any zoning district other than the Office Park District shall comply with the following minimum side and rear setback requirements for structures:~~

Structure Size (in square feet)	Amount of Side and Rear Setback (in feet)
Less than 5,000	35
5,001—15,000	40
15,001—30,000	50
30,001—50,000	60
50,001—75,000	80
Greater than 75,000	100

- ~~(2) Any new nonresidential structure or expansion of an existing nonresidential structure that is built on or after August 21, 2001, and that abuts only other properties located in the Office Park District shall comply with the following minimum side and rear setback requirements for structures:~~

Structure Size (in square feet)	Amount of Side and Rear Setback (in feet)
Less than 5,000	15
5,001—15,000	20
15,001—30,000	25
30,001—50,000	40
50,001—75,000	45
Greater than 75,000	50

- ~~(3) Any new residential structure or expansion of an existing residential structure that is built on or after August 21, 2001, shall provide a minimum side and rear structure setback of 25 feet.~~
- ~~(4) Any expansion of an existing structure that does not conform to these minimum side or rear setback requirements shall not expand any closer to the side or rear setback line than the existing structure. Further, any expansion shall comply with the side or rear setback requirement established in this chapter to the maximum extent practical, as determined by the Planning Board.~~
- ~~(5) The amount of the side and rear setback for a structure shall be measured from the property line, and the applicant shall~~

~~be responsible for verifying that all setback requirements are met. The applicant, code enforcement officer, or Planning Board may use a MDOT or City road layout or right-of-way, a property deed, or similar information to determine the minimum amount of setback required. The code enforcement officer or Planning Board, however, may require the applicant to provide a survey to identify property lines and setback requirements if either deems that a survey is necessary to verify the applicant's representations.~~

- ~~(e) Structure height. The maximum height of any structure located within 200 feet of Route 3/Belmont Avenue or Route 52/Lincolnvile Avenue shall be 45 feet. The maximum height of any structure located more than 200 feet from these roads or located elsewhere in the Office Park District shall be 60 feet.~~
- ~~(f) Density standard. The following density standards shall apply to all residential uses. These density standards are subject to modification in accordance with the planned unit development standards identified in subsection (g).~~

~~**Type of Use — Sewer**~~

~~Single-family — One unit in one structure per 14,520 square feet~~

~~Two-family — Two units in one structure per 14, 520 square feet~~

~~Multifamily — Three units in one structure per 21,780 square feet and an additional 7,260 square feet for each additional unit~~

~~**Type of Use — Subsurface Wastewater Disposal**~~

~~Single-family — One unit in one structure per 21,780 square feet~~

~~Two-family — Two units in one structure per 43,560 square feet~~

~~Multifamily — Prohibited as a new use established on or after August 21, 2001~~

- ~~(g) Residential or nonresidential planned unit development. In the case of a residential or nonresidential planned unit development the standards referenced in (f) above, may be modified in accordance with the special provisions of article VI of this chapter. In addition, planned unit developments shall be reviewed under the subdivision ordinance.~~

~~The following maximum density standards shall apply to a residential planned unit development:~~

~~**Type of Use Sewer**~~

~~Single-family One unit in one structure per 10,000 square feet~~

~~Two-family Two units in one structure per 15,000 square feet~~

~~Multifamily Four units in one structure per 21,780 square feet and an additional 5,445 square feet for each additional unit~~

~~**Type of Use Subsurface Wastewater Disposal**~~

~~Single-family One unit in one structure per 20,000 square feet~~

~~Two-family Two units in one structure per 30,000 square feet~~

~~Multifamily Prohibited as a new use established on or after August 21, 2001~~

~~**Sec. 102-779. Performance standards. [Ord. of 10-29-2007(1)]**~~

~~All nonresidential uses proposed in the Office Park District, except those subject to subsection 102-775(a) review, shall comply with the article IX, division 5 nonresidential development performance standards. All residential uses proposed in the Office Park District shall comply with the article VIII, divisions 2 and 3, and article IX, division 2 performance standards.~~