

**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- 2) **NOTE # 2:** All of the current language for Division 25, Office Park District is proposed to be deleted and repealed. All language proposed to be repealed is identified in ~~strike-through black font~~.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**Division 25, Office Park District, was repealed in its entirety by the City Council at its meeting of April 2, 2019.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:~~

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

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

- ~~(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:~~

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

- ~~(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:~~

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

- ~~(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/Lincolnvill 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.~~