

**NOTE TO GENERAL CODE**  
**From Wayne Marshall, Project Planner**  
**February, 2022**

Insert language in Code as described in this amendment

---

**Amendments to the City of Belfast Ordinance, Chapter 102, Zoning**  
**Article IX, Performance Standards**  
**Division 4, Nonresidential Development Standards**

**Editor's Note:** The proposed amendment affects a very specific parking standard that applies to a hotel and that are identified in the Chapter 102, Zoning, Nonresidential Development Standards for many of the commercial zoning districts in the Route 1, Route 137, Route 52 and Swan Lake Avenue (Route 141) areas.

All text shown in black font is current text in the adopted City Code of Ordinances, Chapter 102, Zoning. All text shown in **red and bold font** is new language that is proposed to be added to Chapter 102, and all text shown in ~~blue and strike-through font~~ is language that is proposed to be deleted from Chapter 102. (See attached text of adopted amendments)

**First Reading: September 19, 2017**

**Second Reading: October 3, 2017**

---

Signature

Date

## **CHAPTER 102, ZONING**

### **ARTICLE IX, Performance Standards, Division 4, Nonresidential Development Standards, Route 1 South Commercial, Searsport Avenue Commercial, Searsport Avenue Waterfront, Route 141 and Mill Lane Commercial, and Route 137 Commercial District**

#### **Sec. 102-1251 Parking areas – Amount and layout of parking. [Ord. No. 79-2001, 6-5-2001]**

A nonresidential use shall provide an adequate amount of parking for the proposed use; reference chapter 98, article VIII, to determine the minimum amount of parking required. The design and layout of the parking area shall be harmonious to the use, structures and site and, if practical, to abutting uses, structures and sites. The City encourages creativity in the design of all parking areas to enhance how the site functions, to reduce the total amount of area devoted to parking, to reduce the scale and bulk of parking areas, to encourage joint use parking between adjacent sites, and to enhance the appearance of the site, particularly the view of the site from the respective main public road corridor. The design and layout of the parking area shall conform to the following standards:

- (1) The design and layout of the parking area shall ensure that the parking areas are adequately separated from the site entrances so that none of the vehicles that are entering the site queue into an adjacent public street. The site entrance shall be separated from the parking area for a minimum of 20 feet. This may require the use of islands, curbing, walkways, ditching, berms or similar measures to separate the parking areas from the site entrances.
- (2) A use that requires 40 or less parking spaces may locate a maximum of 10 spaces to the front of the building, provided that the following standards are met:
  - a. The 10 (or less) parking spaces are well oriented in relation to the site;
  - b. There is a pedestrian walkway that connects these parking spaces to the structure; and
  - c. There is an appropriately landscaped green strip of no less than four feet located between this parking area and the structure.

All other parking shall be located to the side or rear of the structure. If applicable, this standard also is subject to the requirements of subsection(3).

- (3) Notwithstanding the provisions of subsection (2), a use that has frontage on Route 1, Route 137 or Route 141, and that requires 40 or less parking spaces, may locate a maximum of 10 spaces in the area between the structure and the respective road identified above, regardless

of the street or interior access road to which the structure is oriented. All other parking spaces shall be located in an area that is not located between the structure and the respective road identified above.

- (4) A use that requires 41 or more parking spaces may locate a maximum of 20% of the parking spaces directly in front of the structure (corners of the main facade) in the area between the street/access drive on which the structure fronts and the structure. Further, a maximum of 20% of the remaining parking spaces may be located between the street/access drive and the structure (beyond the corners of the main facade) and to the side of the structure in the area that would be considered the front yard. A parking layout that locates parking in either of these two areas must satisfy the following standards:
- a. The parking spaces shall be well oriented to the site;
  - b. There shall be a pedestrian access way between the structure and the parking areas;
  - c. There shall be an appropriately landscaped green strip that is preferably 10 feet but no less than four feet in width located between the structure and the parking area;
  - d. The use of parking cells to break up the parking areas; and
  - e. The use of berms, landscaping or similarly acceptable amenities to effectively screen the parking in the area between the structure and **the respective main road on which the building fronts, Route 1, Route 141 or Route 137** ~~either Route 3/Main Street or Lincolnville Avenue~~, regardless of the orientation of the building.

All other parking shall be located to the side or rear of the structure. If applicable, this standard also is subject to the requirements of subsection (5).

- (5) Notwithstanding the provisions of subsection (4), a use that has frontage on Route 1, Route 137 or Route 141, and that requires 40 or more parking spaces, may locate a maximum of 20% of the parking spaces in the area between the structure and the respective road identified above, regardless of the street or interior access road to which the structure is oriented. All other parking spaces shall be located in an area that is not located between the structure and the respective road identified above.
- (6) Notwithstanding the provisions of subsections (2)-(5), the code enforcement officer or the planning board may allow a use that has special customer service demands, such as but not limited to a lumber yard **or a hotel**, to locate a greater percentage of the parking to the front of the structure, including the area between the structure and Route 1, Route 137 or Route 141. The code enforcement officer or the planning board must make a finding that the specific needs of this use require that a greater percentage of the parking spaces be located to the front of the structure, and that locating spaces to the front of the structure does not **adversely affect** ~~cause a concern with~~ internal circulation on the site. The code enforcement officer or the board may require compensatory measures, such as but not limited to, additional landscaping, berms, fencing, or similar amenities, as a condition of allowing a greater percentage of the parking to occur to the front of the building.

- (7) Any new nonresidential structure that is built on or after August 19, 2001, that is located in the Searsport Avenue Waterfront District shall comply with the parking standards identified in subsections (2)-(6), unless the code enforcement officer or the planning board makes a finding that a greater amount of parking may be located in front of the structure, pursuant to section 102-1276, to allow for the preservation of public views of the water. The code enforcement officer or the planning board may allow up to 100% of the parking in the Searsport Avenue Waterfront District to be located to the front of the building if the code enforcement officer or the board finds that this parking layout will allow public views of the water.
- (8) Uses that require a significant amount of parking, more than 75 vehicles, shall use parking cells to assist in managing the visual impact and scale of the parking areas. The code enforcement officer or the planning board shall use the following guidelines to implement this provision:
  - a. Each parking cell should contain no more than 70-100 parking spaces;
  - b. The maximum length of any parking row should not exceed 225 feet;
  - c. Landscaping of the parking cells shall comply with requirements of section 102-1252, landscaping requirements for parking areas; and
  - d. The layout of the parking cells shall be served by well-defined internal circulation routes for vehicles and pedestrians.
- (9) All parking lots in excess of 10 spaces shall be paved, unless the code enforcement officer or planning board authorizes the use of gravel for the surface of the parking areas. In allowing the use of a gravel parking area, the board shall make a finding that environmental factors, aesthetic concerns, and/or the nature of customer parking (for example, the amount of turnover in parking spaces and the frequency of use of the parking areas), warrants the