

Section 400 Definitions

Manufactured Housing: Manufactured housing shall be defined according to 30-A, M.R.S.A. § 4358, as amended from time to time. See Performance Standards, section 6098.

~~**Mobile Home:** Mobile Home shall be defined according to 30-A, M.R.S.A. § 4358, as amended from time to time. See Performance Standards, section 608.~~

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504 Zoning Districts

1. Rural Zone.

a. Purpose.

Limited Residential Area. Legal nonconforming home occupations and commercial activities in the rural zone are grandfathered for their present use. Forestry, agricultural activities and residential uses except for mobile home parks are allowed in the rural zone. Excessive growth and sprawl should be discouraged in the rural zone.

b. Permitted Uses.

- Accessory Dwelling Unit
- Agriculture
- Boarding Stable
- Cemetery
- Commercial Tower
- Community Living Facility
- Condominium
- Contractor's Yard
- Day Care Facility
- Duplex
- Essential Services
- Home Occupation
- Individual Private Campsite
- Manufactured Housing
- Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
- ~~Mobile Home~~
- Multi-family Dwelling
- Municipal Facility
- Place of Worship
- Public Facility
- Residential Dwelling Unit
- School
- Seasonal Dwelling
- Solar Energy System, Accessory
- Solar Farm, Medium
- Solar Farm, Large
- Timber Harvesting
- Yard Sale

c. Prohibited Uses

- i. All uses not specifically noted as permitted in Section 504.1.b. are prohibited without an amendment to this ordinance. In addition, any uses prohibited in the Naples Shoreland Zoning Ordinance are not

permitted in the Rural Zone District if the use is also located within the Shoreland Zoning Overlay District.

d. Dimensional Standards.

i. Minimum Lot Size: 40,000 sq ft

- The minimum lot size is for the first single-family dwelling unit, with each additional single-family dwelling unit requiring an additional 40,000 sq ft.

ii. Net residential density:

- Duplex Dwelling: 30,000 sq ft per dwelling unit
- Multi-family Dwelling: 20,000 sq ft per unit, plus 10,000 sq ft per unit for common space (including roads)

iii. Minimum Road Frontage: 100 ft per lot

iv. Setbacks:

- Minimum Front Setback measured from the right-of-way: 20 ft
- Minimum Side and Rear Setback: 20 ft

v. Maximum Height: 55 ft

vi. Back Lots – does not apply to subdivisions approved after 1986 a.

- Access via Right-of-Way: 20 ft minimum in width
- Minimum Setbacks: 20 ft
- Maximum Height: 55 ft

vii. District Standards.

- [Reserved]

2. Critical Rural Zone.

a. Purpose.

Conservation land and easements, parks, critical habitat areas, significant wetlands and stream protection areas, lake and stream setbacks as shown on Shoreland Zoning Map, State of Maine Critical Wildlife Area Map, 100-year Floodplain Map (F.E.M.A.), National Wetlands Inventory Map, State, Regional and Local Public Land Trust Maps: this area shall remain undeveloped and not allow residential or commercial uses except for non-profit non-residential facilities. Legal nonconforming home occupations and commercial activities in the critical rural zone are grandfathered for their present use. Campgrounds are prohibited in the Critical Rural zoning district.

b. Permitted Uses.

- Essential Services
- Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
- Municipal Facility
- Place of Worship
- Timber Harvesting

c. Prohibited Uses

- i. All uses not specifically noted as permitted in Section 504.2.b. are prohibited without an amendment to this ordinance. In addition, any uses prohibited in the Naples Shoreland Zoning Ordinance are not

permitted in the Critical Rural Zone District if the use is also located within the Shoreland Zoning Overlay District.

d. Dimensional Standards.

- i. Minimum Lot Size: 60,000 sq ft
- ii. Minimum Road Frontage: 100 ft per lot
- iii. Setbacks:
 - o Minimum Front Setback measured from the right-of-way: 20 ft
 - o Minimum Side and Rear Setback: 20 ft
- iv. Maximum Height: 55 ft
- v. Back Lots – does not apply to subdivisions approved after 1986
 - o Access via Right-of-Way: 20 ft minimum in width
 - o Minimum Setbacks: 20 ft
 - o Maximum Height: 55 ft
- vi. District Standards.
 - o [Reserved]

3. Commercial Zone.

a. Purpose.

The area where future commercial development outside of the village district shall take place. Legal nonconforming home occupations and commercial activities in the commercial zone are grandfathered for their present use. Residential use, except for mobile home parks, will be allowed in the Commercial zoning district. All commercial uses or services must meet the land area of the minimum lot size for a single-family residence.

b. Permitted Uses.

- Accessory Dwelling Unit
- Adult Entertainment Establishment (subject to the provisions of Section 601)
- Agriculture
- Amusement Facility
- Automobile Sales
- Automotive Repair Services and Garages
- Bed and Breakfast
- Boarding and Lodging Facility
- Boarding Stable
- Campground
- Cemetery
- Commercial School
- Commercial Tower
- Community Garden
- Community Living Facility
- Condominium
- Contractor's Yard
- Convalescent or Rest Home
- Day Care Facility
- Drive-through Facility
- Duplex
- Essential Services
- Flea Market
- Home Occupation
- Hotel
- Individual Private Campsite
- Library
- Light Manufacturing (subject to the limitations set forth in Section 508)
- Lumber Yard
- Kennel
- Manufactured Housing
- Marina

- Marine Sales and Service
- Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
- ~~Mobile Home~~
- Mobile Vendor
- Multi-family Dwelling
- Municipal Facility
- Museum
- Nursing Home
- Personal Services
- Place of Worship
- Private Utility Substation
- Professional Office
- Public Facility
- Recreational Facility, Indoor
- Recreational Facility, Outdoor
- Recreational Facility, Public
- Residential Dwelling Unit
- Residential Institution
- Restaurant
- Retail Use
- Sanitary Facilities
- Sawmill
- School
- Seasonal Dwelling
- Service Business
- Small Engine Repair
- Solar Energy System, Accessory
- Solar Farm, Medium
- Solar Farm, Large
- Timber Harvesting
- Veterinary Clinic
- Wholesale Sales
- Yard Sale

c. Prohibited Uses

- i. All uses not specifically noted as permitted in Section 504.3.b. are prohibited without an amendment to this ordinance. In addition, any uses prohibited in the Naples Shoreland Zoning Ordinance are not permitted in the Commercial Zone District if the use is also located within the Shoreland Zoning Overlay District.

d. Dimensional Standards.

- i. Minimum Lot Size: 40,000 sq ft

- The minimum lot size is for the first single-family dwelling unit, with each additional single-family dwelling unit requiring an additional 40,000 sq ft.
- ii. Net residential density:
 - Duplex Dwelling: 30,000 sq ft per dwelling unit
 - Multi-family Dwelling: 20,000 sq ft per unit, plus 10,000 sq ft per unit for common space (including roads). In addition to the requirements and regulations set forth in this ordinance, Multi-Family Dwelling developments designated as affordable housing and intended to meet the requirements of Title 30-A MRSA § 4364 are eligible for a density bonus. Refer to Section 611.11 for the affordable housing designation criteria and the associated density bonus.
- iii. Minimum Road Frontage: 100 ft per lot
- iv. Setbacks:
 - Minimum Front Setback measured from the right-of-way: 20 ft
 - Minimum Side and Rear Setback: 20 ft
- v. Maximum Height: 55 ft
- vi. Back Lots – does not apply to subdivisions approved after 1986 a.
 - Access via Right-of-Way: 20 ft minimum in width
 - Minimum Setbacks: 20 ft
 - Maximum Height: 55 ft
- vii. District Standards
 - When the installation of a sidewalk is not practical at the time of application, the applicant may enter into an agreement with the Town opting to escrow the total cost of materials and installation in the name of the Town of Naples and as agreed to by the Road Commissioner. Escrowed funds would then be used at the Town's discretion for a future sidewalk installation when and where it may be more practical for the Town's needs. The agreement and escrow would satisfy the sidewalk construction requirement for development application approval.

4. Residential Growth Zone.

a. Purpose.

The area of the town where residential growth shall be encouraged. Legal nonconforming home occupations and commercial activities in the residential growth zone are grandfathered for their present use. The area will allow all types of residential development including mobile home parks.

b. Permitted Uses.

- Accessory Dwelling Unit
- Agriculture
- Bed and Breakfast
- Boarding and Lodging Facility
- Cemetery
- Commercial Tower
- Community Living Facility
- Community Garden
- Condominium
- Convalescent or Rest Home
- Day Care Facility
- Duplex
- Essential Services
- Home Occupation
- Individual Private Campsite
- Library
- Manufactured Housing
- Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
- **Mobile Home**
- Mobile Home Park
- Multi-family Dwelling
- Municipal Facility
- Museum
- Nursing Home
- Place of Worship
- Public Facility
- Residential Dwelling Unit
- Residential Institution
- School
- Seasonal Dwelling
- Solar Energy System, Accessory
- Timber Harvesting
- Yard Sale

c. Prohibited Uses

- i. All uses not specifically noted as permitted in Section 504.4.b. are prohibited without an amendment to this ordinance. In addition, any

uses prohibited in the Naples Shoreland Zoning Ordinance are not permitted in the Residential Zone District if the use is also located within the Shoreland Zoning Overlay District.

- d. Dimensional Standards.
 - i. Minimum Lot Size: 40,000 sq ft
 - o The minimum lot size is for the first single-family dwelling unit, with each additional single-family dwelling unit requiring an additional 40,000 sq ft.
 - ii. Net residential density:
 - o Duplex Dwelling: 30,000 sq ft per dwelling unit
 - o Multi-family Dwelling: 20,000 sq ft per unit, plus 10,000 sq ft per unit for common space (including roads). In addition to the requirements and regulations set forth in this ordinance, Multi-Family Dwelling developments designated as affordable housing and intended to meet the requirements of Title 30-A MRSA § 4364 are eligible for a density bonus. Refer to Section 611.11 for the affordable housing designation criteria and the associated density bonus.
 - iii. Minimum Road Frontage: 100 ft per lot
 - iv. Setbacks:
 - o Minimum Front Setback measured from the right-of-way: 20 ft
 - o Minimum Side and Rear Setback: 20 ft
 - v. Maximum Height: 55 ft
 - vi. Back Lots – does not apply to subdivisions approved after 1986 a.
 - o Access via Right-of-Way: 20 ft minimum in width
 - o Minimum Setbacks: 20 ft

Maximum Height: 55 ft

6. Village District Zone.

a. Purpose.

The Village District area shall be a mixed residential, commercial and municipal service area. Legal nonconforming home occupations and commercial activities in the village district zone are grandfathered for their present use. Architectural design matching the historical character and small-town image of the area shall be applied to all new construction and maintenance of existing buildings.

b. Permitted Uses.

i. Residential Uses:

- o Single family detached dwellings, which may include manufactured housing, ~~but shall not include mobile homes or doublewides.~~
- o Two family dwellings ~~which may include manufactured housing, but shall not include mobile homes or doublewides.~~

- Multi-family dwellings ~~which may include manufactured housing but shall not include mobile homes or doublewides.~~
- ii. Commercial Uses:
 - Retail businesses, street vendors with less than 64 square feet of sales area, pushcarts, service businesses, and professional offices.
 - Municipal and Other Governmental Uses
 - Institutional Uses
- iii. Mixed Uses Including Home Occupations:
 - Residential use and non-residential use are permitted on the same lot in the Village District (this includes only those uses otherwise allowed in the Village District).
 - Accessory Dwelling Unit
 - Amusement Facility
 - Aquaculture
 - Bed and Breakfast
 - Boarding and Lodging Facility
 - Cemetery
 - Community Living Facility
 - Condominium
 - Day Care Facility
 - Duplex
 - Essential Services
 - Governmental Facility
 - Home Occupation
 - Hotel
 - Library
 - Manufactured Housing
 - Marina
 - Marine Sales and Service
 - Medical Marijuana Registered Caregiver (subject to Section 614)
 - Multi-family Dwelling
 - Municipal Facility
 - Museum
 - Place of Worship
 - Professional Office
 - Public Facility
 - Residential Dwelling Unit
 - Residential Institution
 - Restaurant
 - Retail Use
 - Sanitary Facilities
 - Seasonal Dwelling
 - Solar Energy System, Accessory

- Timber Harvesting
- Veterinary Clinic
- Yard Sale

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