

Contents

Section 100 — General	5
101 Title	5
102 Authority	5
103 Purpose	5
104 Applicability	6
105 Conflicts with Other Ordinances	6
106 Validity and Severability	6
107 Amendments	6
Section 200 Administration	7
201 Administrative Bodies and Personnel	7
202 Permits Required	7
203 Permit Applications	7
204 Procedure for Administering Permits	8
205 Expiration of Permits	8
206 Installation of Public Utility Service	8
207 Enforcement Procedure	8
208 Appeals	10
209 Administrative Appeal Procedures	10
210 Variance appeals process	11
Section 300 Nonconforming Provisions	14
301 General Provisions	14
302 Nonconforming Structures	14
303 Nonconforming Uses	15
304 Nonconforming Lots of Record	16
Section 400 Definitions	18
Section 500 Zoning Districts	34
501 Establishment of Zoning Districts	34
502 Establishment of an Official Zoning Map	34
503 Zoning District Boundaries	34
504 Zoning Districts	35
505 Existing Commercial Activities outside the commercial area	45
506 Compliance	45
507 Accessory Dwelling Units Apartment	45

Commented [JT1]: This is new language as of October 2023

508	Limited Allowance of Light Manufacturing in Commercial District	47
Section 600 Performance Standards		51
601	Adult Entertainment Establishments	51
602	[RESERVED SECTION for Automotive Repair Services and Garages]	52
603	Back lots	53
604	Contractor's Yard	53
605	[RESERVED SECTION for Event Center]	53
606	Frontage	54
607	Home Occupation	55
608	Individual Private Campsites	58
609	Manufactured Housing, Mobile Homes and Mobile Home Parks	58
610	[RESERVED SECTION for Mineral Extraction]	58
611	Multi-Family Dwelling	59
612	[RESERVED FOR Recreational Facilities]	59
613	Drive-through Facility	59
614	Medical Marijuana Registered Caregiver	60
615	Solar Energy Systems and Solar Farms	60
Section 700 Signs		63
701	Purpose	63
702	Applicability	63
703	Sign Permits	63
704	Maximum Sign Area	64
705	Exempt Signs	64
706	Prohibited Signs	64
706	Permits Procedure	65
707	Pre-existing Nonconforming Signs	66
708	Abandoned Signs	67
709	Village District Sign Standards	67
710	Commercial and Light Industrial District Sign Standards	68
711	Reserved	69
712	Illumination of Signs	69
713	General Sign Standards	70
714	Enforcement	70
715	Appeals; Variances	71
716	Miscellaneous	71

Section 800 Street Vendor	72
801 Purpose	72
802 Definitions	72
803 Insurance and Indemnification required	73
804 Licenses	73
805 Mobile Vendors on Public Property	74
806 Mobile Vendors on private property	76
807 Artists	76
808 Ice Cream Trucks	77
809 Prohibited operations	77
809 Application	78
810 License and appeal procedures	78
811 Occupancy of publicly owned or controlled lands	79
812 Festivals and Special Events	80
813 Farmers' Market	80
814 Prohibitions	81
815 Fees for Street Occupancy	81
816 Enforcement and penalties	81
817 Penalties	82
818 Appeals	82
819 Severability	83
820 Inconsistency	83
821 Repeal of Street Vendor Ordinance	83
822 Effective Date	83
Section 900 Site Plan Review	84
901 Purpose	84
902 Applicability	84
903 General Provisions	87
904 General Regulations	87
905 Waivers	88
906 Administration	88
907 Submission Requirements – Site Plan Review	90
908 Criteria and Standards	93
909 Expiration of Approval	100
910 Appeals	100
Section 1000 Subdivision	101

|

1001 Purpose and Review Criteria.....101

1002 Authority and Administration102

1003 Preapplication.....104

1004 Review Procedure and Submissions for Minor Subdivision.....105

1005 Review Procedure and Submissions for Major Subdivision, Preliminary Plan107

1006 Review Procedures and Submissions for Major Subdivision, Final Plan.....111

1007 General Requirements.....113

1008 Design Standards.....116

1009 Performance Guarantee and Post Approval Activities.....121

1010 Final Approval and Filing.....125

1011 Enforcement.....126

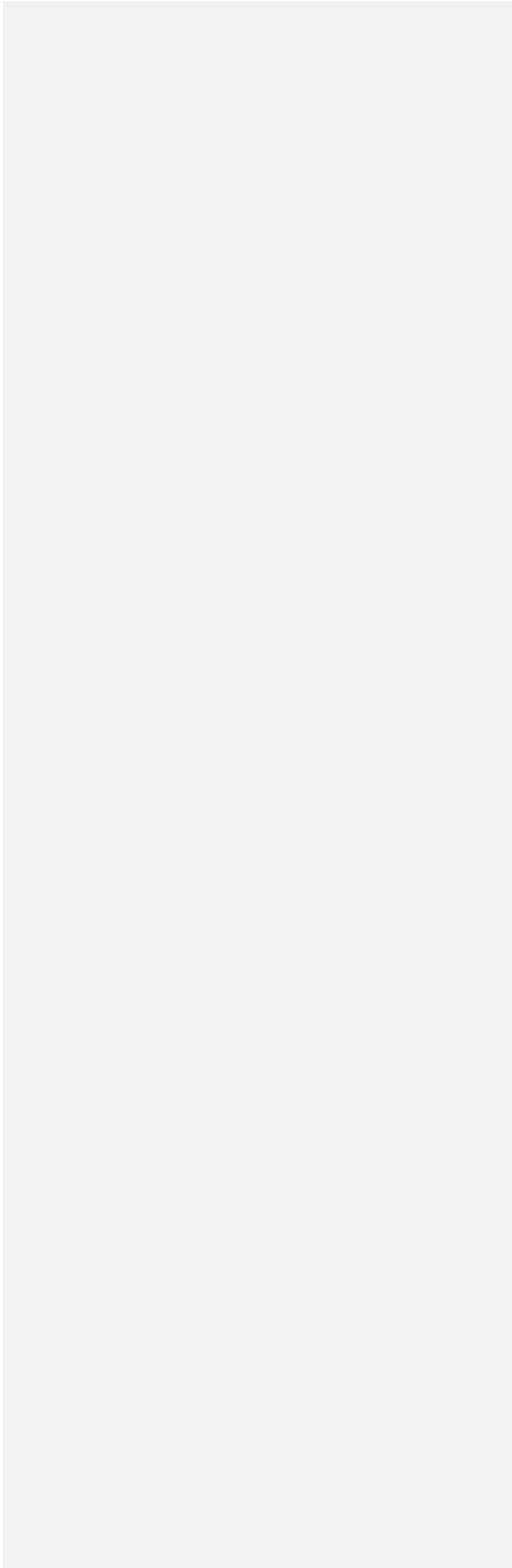
1012 Appeals.....126

Appendix A: Design and Construction Standards for Streets127

Appendix B: Geometric Standards, Streets – Minimum Requirements131

Appendix C: Sample Plan Examples13

DRAFT



504 Zoning Districts

1. Rural Area.

a. Purpose.

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

b. Permitted Uses.

1. Accessory ~~Dwelling Units~~ ~~Apartment~~
2. Agriculture
3. Boarding Stable
4. Cemetery
5. Commercial Tower
6. Community Living Facility
7. Contractor's Yard
8. Day Care Facility
9. Duplex
10. Essential Services
11. Home Occupation
12. Individual Private Campsite
13. Manufactured Housing
14. Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
15. Mineral Exploration
16. Mobile Home
17. Multi-family Dwelling
18. Municipal Facility
19. Place of Worship
20. Public Facility
21. Residential Dwelling Unit
22. School
23. Seasonal Dwelling
24. Solar Energy System, Accessory
25. Solar Farm, Medium

Commented [JT2]: This is new language as of October 2023

Town of Naples Land Use Ordinance
Amended June 14, 2023

- 26. Solar Farm, Large
- 27. Timber Harvesting
- 28. Yard Sale

c. Dimensional Standards.

- 1. Minimum Lot Size: 40,000 sq ft
- 2. Net residential density:
 - a. Duplex Dwelling: 30,000 sq ft per dwelling unit
 - b. Multi-family Dwelling: 20,000 sq ft per unit, plus 10,000 sq ft per unit for common space (including roads)
- 3. Minimum Road Frontage: 100 ft
- 4. Setbacks:
 - a. Minimum Front Setback measured from the right-of-way: 20 ft
 - b. Minimum Side and Rear Setback: 20 ft
 - c. The Code Enforcement Officer may allow for reductions from the Minimum Front, Side and Rear Setback requirements as set forth in Section 208.2 and 208.3.
- 5. Maximum Height: 55 ft
- 6. Back Lots – does not apply to subdivisions approved after 1986 a.
 - Access via Right-of-Way: 20 ft minimum in width
 - b. Minimum Setbacks: 20 ft c.
 - Maximum Height: 55 ft

d. District Standards.

- 1. [Reserved]
- 2. Critical Rural Area.

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. Campgrounds are prohibited in the Critical Rural zoning district.

b. Permitted Uses.

- 1. Essential Services
- 2. Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
- 3. Municipal Facility
- 4. Place of Worship
- 5. Public Facility

6. Timber Harvesting

c. Dimensional Standards.

1. Minimum Lot Size: 60,000 sq ft
2. Minimum Road Frontage: 100 ft
3. Setbacks:
 - a. Minimum Front Setback measured from the right-of-way 20 ft
 - b. Minimum Side and Rear Setback: 20 ft
 - c. The Code Enforcement Officer may allow for reductions from the Minimum Front, Side and Rear Setback requirements as set forth in Section 208.2 and 208.3.
4. Maximum Height: 55 ft
5. Back Lots – does not apply to subdivisions approved after 1986
 - a. Access via Right-of-Way: 20 ft minimum in width
 - b. Minimum Setbacks: 20 ft
 - c. Maximum Height: 55 ft

d. District Standards.

1. [Reserved]

3. Commercial Area.

a. Purpose.

The area where future commercial development outside of the village district shall take place. 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.

1. Accessory ~~Dwelling Units Apartment~~
2. Adult Entertainment Establishment (subject to the provisions of Section 601)
3. Agriculture
4. Amusement Facility
5. Automobile Sales
6. Automotive Repair Services and Garages
7. Bed and Breakfast
8. Boarding and Lodging Facility
9. Boarding Stable
10. Campground
11. Cemetery

Commented [JT3]: This is new language as of October 2023

Town of Naples Land Use Ordinance
Amended June 14, 2023

12. Commercial School
13. Commercial Tower
14. Community Garden
15. Community Living Facility
16. Contractor's Yard
17. Convalescent or Rest Home
18. Day Care Facility
19. Duplex
20. Essential Services
21. Flea Market
22. Home Occupation
23. Hotel
24. Individual Private Campsite
25. Library
26. Light Manufacturing (subject to the limitations set forth in Section 508)

Town of Naples Land Use Ordinance
Amended June 14, 2023

27. Kennel
28. Manufactured Housing
29. Marina
30. Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
31. Mineral Exploration
32. Mineral Extraction
33. Mobile Home
34. Mobile Vendor
35. Multi-family Dwelling
36. Municipal Facility
37. Museum
38. Nursing Home
39. Personal Services
40. Place of Worship
41. Private Utility Substation
42. Public Facility
43. Recreational Facility, Indoor
44. Recreational Facility, Outdoor
45. Recreational Facility, Public
46. Residential Dwelling Unit
47. Residential Institution
48. Restaurant
49. Retail Use
50. School
51. Seasonal Dwelling
52. Service Business
53. Solar Energy System, Accessory
54. Solar Farm, Medium
55. Solar Farm, Large
56. Timber Harvesting
57. Wholesale Sales
58. Yard Sale

c. Dimensional Standards.

1. Minimum Lot Size: 40,000 sq ft
2. Net residential density:

Town of Naples Land Use Ordinance
Amended June 14, 2023

- a. Duplex Dwelling: 30,000 sq ft per dwelling unit
 - b. Multi-family Dwelling: 20,000 sq ft per unit, plus 10,000 sq ft per unit for common space (including roads)
 3. Minimum Road Frontage: 100 ft
 4. Setbacks:
 - a. Minimum Front Setback measured from the right-of-way: 20 ft
 - b. Minimum Side and Rear Setback: 20 ft
 - c. The Code Enforcement Officer may allow for reductions from the Minimum Front, Side and Rear Setback requirements as set forth in Section 208.2 and 208.3.
 5. Maximum Height: 55 ft
 6. Back Lots – does not apply to subdivisions approved after 1986 a. Access via Right-of-Way: 20 ft minimum in width b. Minimum Setbacks: 20 ft c. Maximum Height: 55 ft
- d. District Standards
1. 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 Area.
- a. Purpose.
The area of the town where residential growth shall be encouraged. The area will allow all types of residential development including mobile home parks.
 - b. Permitted Uses.
 1. Accessory ~~Dwelling Units Apartment~~
 2. Agriculture
 3. Bed and Breakfast
 4. Boarding and Lodging Facility
 5. Cemetery
 6. Commercial Tower
 7. Community Living Facility
 8. Community Garden
 9. Convalescent or Rest Home
 10. Day Care Facility
 11. Duplex

Commented [JT4]: This is new language as of October 2023

Town of Naples Land Use Ordinance
Amended June 14, 2023

12. Essential Services
13. Home Occupation
14. Individual Private Campsite
15. Library
16. Manufactured Housing
17. Medical Marijuana Registered Caregiver (subject to the provisions of Section 614)
18. Mineral Exploration
19. Mobile Home
20. Mobile Home Park
21. Multi-family Dwelling
22. Municipal Facility
23. Museum
24. Nursing Home
25. Place of Worship
26. Public Facility
27. Residential Dwelling Unit
28. Residential Institution
29. School
30. Seasonal Dwelling
31. Solar Energy System, Accessory
32. Solar Farm, Medium
33. Timber Harvesting
34. Yard Sale

c. Dimensional Standards.

1. Minimum Lot Size: 40,000 sq ft
2. Net residential density:
 - a. Duplex Dwelling: 30,000 sq ft per dwelling unit
 - b. Multi-family Dwelling: 20,000 sq ft per unit, plus 10,000 sq ft per unit for common space (including roads)
3. Minimum Road Frontage: 100 ft
4. Setbacks:
 - a. Minimum Front Setback measured from the right-of-way: 20 ft b.
Minimum Side and Rear Setback: 20 ft
 - c. The Code Enforcement Officer may allow for reductions from the Minimum Front, Side and Rear Setback requirements as set forth in Section 208.2 and 208.3.

Town of Naples Land Use Ordinance
Amended June 14, 2023

- 5. Maximum Height: 55 ft
- 6. Back Lots – does not apply to subdivisions approved after 1986 a.
Access via Right-of-Way: 20 ft minimum in width b.
Minimum Setbacks: 20 ft c.
Maximum Height: 55 ft

5. Village District Area.

a. Purpose.

The Village District area shall be a mixed residential, commercial and municipal service area. 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. Campgrounds, Flea Markets, and Gas Stations are prohibited in the Village Zoning District.

b. Permitted Uses.

1. Residential Uses:

- a. Single family detached dwellings, which may include manufactured housing, but shall not include mobile homes or doublewides.
- b. Two family dwellings which may include manufactured housing, but shall not include mobile homes or doublewides.
- c. Multi-family dwellings which may include manufactured housing but shall not include mobile homes or doublewides.

2. Commercial Uses:

- a. Retail businesses, street vendors with less than 64 square feet of sales area, pushcarts, service businesses, and professional offices.

3. Municipal and Other Governmental Uses

4. Institutional Uses

5. Mixed Uses Including Home Occupations:

- a. 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).

6. Accessory ~~Apartment~~ Dwelling Units

7. Amusement Facility

8. Aquaculture

9. Bed and Breakfast

10. Boarding and Lodging Facility

11. Cemetery

12. Community Living Facility

13. Day Care Facility

Commented [JT5]: This is new language as of October 2023

Town of Naples Land Use Ordinance
Amended June 14, 2023

14. Duplex
 15. Essential Services
 16. Governmental Facility
 17. Home Occupation
 18. Hotel
 19. Library
 20. Manufactured Housing
 21. Marina
 22. Medical Marijuana Registered Caregiver (subject to Section 614)
 23. Mineral Exploration
 24. Multi-family Dwelling
 25. Municipal Facility
 26. Museum
 27. Place of Worship
 28. Public Facility
 29. Residential Dwelling Unit
 30. Restaurant
 31. Retail Use
 32. Seasonal Dwelling
 33. Solar Energy System, Accessory
 34. Timber Harvesting
 35. Yard Sale
- c. Prohibited Uses
1. All uses not specifically permitted in 504.5.b are prohibited. In addition, commercial towers, new and used motor vehicle sales, unlicensed massage businesses, street vendors utilizing more than 64 square feet of sales area, and any uses prohibited in the Naples Shoreland Zoning Section 15 G are not permitted in the Village District.
- d. Dimensional Standards. The following space and bulk standards shall apply in the Village District:
1. Minimum Lot Size
 - a. Lots without access to public water and sewer: 40,000 sq ft b. Lots served by public water and sewer: 15,000 sq ft
 2. Setbacks:
 - a. Minimum Front Setback measured from the right-of-way: 20 ft
 - b. Minimum Side and Rear Setbacks: 20 ft

Town of Naples Land Use Ordinance
Amended June 14, 2023

- c. The Code Enforcement Officer may allow for reductions from the Minimum Front, Side and Rear Setback requirements as set forth in Section 208.2 and 208.3.

3. Minimum Road Frontage: 100 ft

4. Maximum Height: 55 ft

5. Maximum building coverage: 50%

6. Maximum impervious area: 75%

6. Causeway Overlay District. a.

Purpose.

The Causeway Overlay District shall be a mix of commercial uses on the ground level and residential and/or commercial uses on upper levels. The Causeway Overlay District overlays the Shoreland Zoning Limited Commercial District, as shown on the Official Shoreland Zoning Map.

b. See the Naples Shoreland Zoning Ordinance for Permitted Uses, Dimensional Standards and District Standards

