

Ch 19 Clarifying Edit Project

Definitions Comparison Table

November 9, 2022, Rev 1/12/2023

The following table provides a comparison of Zoning definitions in the currently adopted Ch 19 Zoning Ordinance (in the left column) and the proposed CH 19 Clarifying edit (in the right column). As part of the Clarifying Edit project, current terms were extensively reviewed for consistency with state law, state shoreland zoning, state building and floodplain codes, and local practice. Some terms were revised or eliminated based on recommendation from legal counsel including the definitions “family” (revised) and “sole source pharmacy” (eliminated). Similar definitions for things that are treated as the same in practice were consolidated and clarified e.g., “water dependent” and “marine dependent” uses in Waterfront zones. Definitions were edited to be more timeless such as “automobile repair” and “social services”. Terms that were included in Chapter 19 but not currently defined now have definitions for example “restaurant” and “school”. Some current definitions included standards such as a size limit or number of parking spaces e.g. “accessory apartment” and “home occupation”. In these cases, the standards were moved from the definition and inserted with other standards in the Land Use section.

	Current Definition	Proposed Definition
Sec. 19-302	Handicap Ramp. A "Handicap Ramp" is a ramp with a running slope greater than 1:20, designed and constructed solely for the purpose of	Accessible ramp: a ramp with a running slope greater than 1:20, designed and constructed solely for the purpose of allowing safe access to

Current Definition

allowing safe access to buildings by people who are unable to use stairs. Such ramps, along with necessary attached landings, railings and curbsings shall be constructed in such a way that those using the structure for its intended purpose shall not be in danger of injury. Any part of a handicap ramp which extends into the yard requirements of this Chapter shall be limited in size to the minimum dimensions required by the Building Code or other regulations. Eff: 10/10/90

Proposed Definition

buildings by people who are unable to use stairs. Such ramps, along with necessary attached landings, railings and curbsings shall be constructed in such a way that those using the structure for its intended purpose shall not be in danger of injury. Any part of a handicap ramp which extends into the yard requirements of this Chapter shall be limited in size to the minimum dimensions required by the Building Code or other regulations.

Sec. 19-302

Accessory Apartment: A second dwelling unit within or attached to a single-family residence. The accessory apartment shall not be considered an additional dwelling unit for purposes of the minimum lot size zoning standards. The accessory apartment will be approved only if the applicant has demonstrated that the proposed unit meets the following criteria: a. The principal dwelling unit and the accessory apartment shall remain under common ownership and one of the units shall be owner-occupied at all times. b. The accessory apartment shall not alter the basic character of the principal dwelling unit as a single-family dwelling. c. Off-street parking for both units must be provided with two (2) on-site spaces for the principal dwelling unit and one (1) on-site space for the accessory apartment. Impervious surface area of the driveways shall be

Accessory dwelling unit: a second dwelling unit located within or attached to a single-family dwelling or in an accessory structure located on the same lot. The accessory dwelling unit shall not be considered an additional dwelling unit for purposes of the minimum lot size zoning standards, and also is subject to the land use standards of Sec. 19-206.6.A

removes the standards from the definition, puts them with other standards in the land use section

Current Definition

minimized to the greatest extent practical and still meet the parking requirements. Eff: 7/9/14

d. The accessory apartment shall include its own kitchen, three (3) fixture bath, and no more than one (1) bedroom. The floor area of the apartment must be at least four hundred and twenty-five (425) square feet. The floor area of the apartment cannot exceed eight hundred (800) square feet or fifty (50) percent of the floor area of the principal dwelling unit, whichever is less, except in such cases where this value is less than four hundred twenty-five (425) square feet, in which cases the floor area of the apartment must be between four hundred twenty-five (425) and four hundred fifty (450) square feet.

e. The accessory apartment shall comply with all applicable codes and ordinances, including building and energy standards that apply to the principal dwelling unit.

Proposed Definition

Sec.19-304.17SZ

Accessory structure or use - a use or structure which is incidental and subordinate to the principal use or structure. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof or a common wall is considered part of the principal structure.

Accessory structure or use: a use or structure which is subordinate and customarily incidental to the principal use or structure located on the same lot. Accessory uses, when aggregated, shall not subordinate the principal use of the lot.

Simplified the definition

Current Definition

Proposed Definition

Sec. 19-302

Adult Amusement Store. Any establishment having as a portion of its stock in trade, whether for sale, rental, or other use, or that derives any revenue from the sale, rental, or other use of, any “sexual device,” or any live or filmed, animated, printed, or digitized depiction or description of “specified sexual activity” or “specified anatomical area;” provided however that an establishment that sells any “sexual device” or sells or rents any filmed, animated, printed, or digitized depiction or description of any “specified sexual activity” or “specified anatomical area” and whose inventory for such purposes does not exceed 10% of total inventory wholesale value or generate in excess of 10% of the revenue of the establishment shall not constitute an “adult amusement store.” For the purposes of this definition, a “sexual device” shall mean a device or object the primary purpose of which is to provide direct sexual stimulation to male or female genitals or anus, but shall not include a device primarily intended for preventing pregnancy or for protection against sexually transmitted diseases; “specified sexual activity” shall mean any sexual act including intercourse or other sexual contact as defined under Maine law, masturbation, sodomy, fondling or touching of human genitals, pubic region, breast, buttocks, or anus, or any depiction of human genitals in a state of sexual stimulation or arousal; and

Adult amusement store: any establishment having as a portion of its stock in trade, whether for sale, rental, or other use, or that derives any revenue from the sale, rental, or other use of, any sexual device” intended to provide direct physical stimulation, or any live or filmed, animated, printed, or digitized depiction or description of either a “sexual act or sexual contact as defined in MSRA 17-A § 251 and as amended from time to time provided however that such an establishment whose inventory for such purposes does not exceed 10% of total inventory wholesale value or generate in excess of 10% of the revenue of the establishment shall not constitute an “adult amusement store.”

more concise language; replacement of definitions with a reference to State definitions of “sexual act” and “sexual contact

Current Definition

Proposed Definition

“specified anatomical area” shall mean less than completely and opaquely covered human genitals, pubic region, female breast below a point immediately above the top of the areola, buttocks, or anus not depicted for a legitimate medical, educational, or scientific purpose. Eff: 10/01/14

Sec. 19-302	Agricultural Market. A facility used for retail marketing of agricultural output of local farms. In addition, such use shall permit retail sales of articles of home and farm manufactured products such as jams and jellies, maple products, cheese, cider, herbs/spices, baked goods, wreathes and flower arrangements as well as soaps, candles, pottery and similar products. Eff: 10/09/13	Agricultural market: a facility or event used primarily for retail marketing of agricultural output of local farms, including retail sales of articles made with local agricultural output, such as jams and jellies, maple products, cheese, cider, herbs/spices, baked goods, wreaths, flower arrangements, soaps, and candles.	These types of markets are allowed in residential districts where retail is not allowed
Sec.19-304.17SZ	Agriculture - the production, keeping or maintenance for sale or lease, of plants and/or animals, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green-house products. Agriculture does not include forest management and timber harvesting activities.	Agricultural products - plants: plants and their products that are useful to humans and including, but not limited to, forages and sod crops, grains and feed crops, and fruits, berries, vegetables, flowers, seeds, grasses and other similar products, or any other plant, or plant products that supply humans with food, or plant-based fiber. "agricultural products - plants" does not include trees grown and harvested for forest products. Farm stands are allowed as an accessory use. Agricultural products - animals: animals and their products that are useful to humans including, but not limited to, forages, grains and	this revised definition uses language from the State definition of “agriculture”, except that it is split into two definitions (plants, animals) because in Rockland, some Districts allow one and not the other

Current Definition

Proposed Definition

feed crops, dairy and dairy products, poultry and poultry products, manure and compost, or any other animal or animal products that supply humans with food, feed, fiber or fur. Farm stands are allowed as an accessory use.

Sec.19-304TAO	Aggrieved party - an owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance; a person whose land abuts land for which a permit or variance has been granted; or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such permit or variance.	Aggrieved party: an owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance; a person whose land abuts land for which a permit or variance has been granted, or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such permit or variance.	
Sec.19-304TAO	Alley or Alleyway: a private or public passage or way which (i) is less than the usual width of a street or road; (ii) may be open to but is not designed primarily for vehicular traffic; (iii) intersects or opens onto a road or street; and is primarily used for the ingress or egress or convenience of two or more owners of abutting real properties, giving access to the rear of lots or buildings	Alley or Alleyway: a private or public passage or way which (i) is less than the usual width of a street or road; (ii) may be open to but is not designed primarily for vehicular traffic; (iii) intersects or opens onto a road or street; and is primarily used for the ingress or egress or convenience of two or more owners of abutting real properties, giving access to the rear of lots or buildings.	
	Alter: That which is rebuilt, reconstructed, rehabilitated, restored, removed, or demolished. Eff: 01/10/18	Alter: That which is rebuilt, reconstructed, rehabilitated, restored, removed, or demolished.	Format change only
Sec. 19-304 SZ	Aquaculture - the growing or propagation of harvestable freshwater, estuarine, or marine plant or animal species.	Aquaculture: the growing or propagation of harvestable freshwater, estuarine, or marine plant or animal species	Format change only
	Art Galleries	Art Gallery: an establishment or building for the display or sale of visual art	Currently no definition,

Current Definition

Proposed Definition

			matches current practice
	Athletic fields	Athletic fields: land prepared for playing outdoor sports such as but not limited to baseball, soccer, field hockey, lacrosse, and track.	currently no definition
Sec. 19-302	Automobile Body Shops. Any premises where motor vehicle repair activities such as motor vehicle painting and body and fender work is conducted.	Automobile - body shops: any premises where automobile body and frame repair activities such as painting, collision repair, and body and fender work is conducted.	uses the word automobile more consistently
Sec. 19-302	Auto dealership existing	Automobile - dealership existing since <i>insert date</i>: - a business establishment that sells or leases new or used automobiles. Automobile repair and necessary warranty work is allowed as an accessory use.	currently no definition, consistent with what happens in practice
Sec. 19-302	Automobile repair. The maintenance and repair of motor vehicles, including such activities as engine overhauls and tune-ups, transmission and drive train repairs, exhaust system repairs, carburetor cleaning, brake work, glass replacement, and incidental motor vehicle services including oil changes, lubrication, tire repairs, sales, mounting, and rotations, and alignments, including Automobile Service Stations. Automobile repair shall not include activities performed at automobile body shops. Eff: 05/11/16.	Automobile - repair: the maintenance and repair of automobiles, excluding activities performed at automobile body shops.	use automobile consistently, simplify definition to be timeless
Sec. 19-302	Automobile Sales, Small-Scale Used. Any facility where twelve (12) or fewer vehicles are kept on premises for sale.	Automobile - sales, small-scale used: any facility where twelve (12) or fewer automobiles are kept on premises for sale. Automobile	No change. consistent with

Current Definition

Proposed Definition

		repair necessary in preparation of sale is allowed as an accessory use.	what happens in practice
		Bank: a financial institution that accepts deposits from the public while simultaneously making loans.	New definition
	Basement - any portion of a structure with a floor-to-ceiling height of 6 feet or more and having more than 50% of its volume below the existing ground level.	Basement: any portion of a structure with a floor-to-ceiling height of 6 feet or more and having more than 50% of its volume below the existing ground level.	Format change only
	Eating and drinking places	Bar: An establishment primarily devoted to the serving of alcoholic beverages and in which the service of food is incidental to the consumption of such beverages.	Currently no definition, this use has been interpreted as more or a bar than a restaurant
Sec. 19-302	Bed and Breakfast Establishments. Except as permitted pursuant to Ch. 11, Art. II, Sec. 11-210(2), the following definition shall apply: a. Any dwelling in which two (2) or more bedrooms for transient lodging or boarding and lodging are provided and offered to one or more persons or families by the owner for compensation for less than one week. Except as otherwise provided, this property shall also be the full-time, permanent residence of its owner during periods of operation. There shall be no provisions for cooking in any individual guest room. The maximum guest occupancy shall be 16 / night. b. No food or drink of any kind shall be sold to the general public.	Bed and breakfast establishments: any dwelling in which two (2) or more bedrooms for transient lodging or boarding and lodging are provided and offered to one or more natural persons by the owner for compensation for less than one week, except as permitted pursuant to Ch. 11, Art. II, Sec. 11-210(2), and subject to the land use standards of Sec 19-206.6.B	removes the standards from the definition, puts them with the land use section includes the reference to the section

Current Definition

Proposed Definition

c. For a Bed and Breakfast in a residential zone, no more than eight (8) rooms may be rented unless the property has multiple buildings existing prior to April 10, 2002. In that case, additional rooms may be rented in the additional building or buildings up to a total of twelve (12) rooms on the property. The expansion must be made wholly within the building existing as of April 10, 2002. Unless presented together initially, each multiple existing building being opened as a Bed and Breakfast Inn will require its own Site Plan Review and approval from the Planning Commission. Eff: 05/11/16

Sec.19-304.17SZ	Boat launching facility: a facility designed primarily for the launching and landing of watercraft, and which may include an access ramp, docking area, and parking spaces for vehicles and trailers.	Boat launching facility: a facility designed primarily for the launching and landing of watercraft, and which may include an access ramp, docking area, and parking spaces for vehicles and trailers.	Format change only
	Boat storage	Boat storage: a yard, place or structure where boats/ships are stored.	Currently no definition, allows indoor and outdoor storage of boats is boat repair and construction allowed in other places Added to match current practice

Current Definition

Proposed Definition

Building coverage:

Structure coverage: maximum area of a lot that is permitted to be covered by buildings or structures, which is measured by dividing the total area of building footprints (as measured from the outside ground wall and floor wall lines) of all principal and accessory structures by the total lot area.

moved to new Sec. 19-207 Dimensional Stndrs

Sec. 19-302	Bulk storage for petroleum products		Deleted - No definition needed
Sec. 19-302	Café incidental to retail	Café incidental to retail: an area within a retail establishment where patrons can consume beverages, snacks and sandwiches, but which is incidental and subordinate to the retail business. An incidental retail café may provide no more than 10 total seats for customers within the retail establishment. There shall be no drive-through windows associated with an incidental retail café	Currently not defined, definition created from land use description, deleted no alcohol, no entertainment
Sec.19-304.17SZ	Campground - any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles or other shelters.	Campground: any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles or other shelters.	format change only
Sec. 19-302	Car Wash. Any area or building with equipment for washing cars, trucks, and/or other motor vehicles. Eff: 05/11/16	Car wash: any area or building with equipment for washing cars, trucks, and/or other motor vehicles.	format change only
	Canopy: the more or less continuous cover formed by tree crowns in a wooded area.	Canopy: the more or less continuous cover formed by tree crowns in a wooded area.	Format change only
	Cemeteries	Cemetery: a burial ground for people. For the purposes of this document, crematoria are not	currently no definition,

Current Definition

Proposed Definition

	Current Definition	Proposed Definition	
Sec. 19-302	<p>Clinic. An establishment primarily engaged in the provision of personal health services on an outpatient basis ranging from prevention, diagnosis and treatment, or rehabilitation services provided by physicians, dentists, nurses, and other health personnel as well as the provision of medical testing and analysis-services, including human health services, but excludes sole source pharmacy. It is the intention of the City Council that this ordinance amendment shall apply to applications pending or permitted on or after November 29, 2004. Eff: 01/12/05</p>	<p>allowed in cemeteries or considered to be an accessory use to a cemetery.</p> <p>Clinic: an establishment primarily engaged in the provision of personal health services on an outpatient basis ranging from prevention, diagnosis and treatment, or rehabilitation services provided by physicians, dentists, nurses, and other health personnel, as well as the provision of medical testing and analysis-services, including human health services.</p>	<p>prohibition of crematoria added</p> <p>Deleted reference to "Sole Source Pharmacy" as recommended by legal counsel.</p>
Sec.19-306CH	<p>Clustered Housing Subdivisions . A residential development design that contains attached or detached single-family dwelling units that are constructed in clusters so as to reduce the land consumed by the dwelling units in the subdivision and to increase land conserved within the subdivision as open space. Clustered Housing Subdivisions permit reduced lot sizes, road frontage, and setbacks. The area of the required open space in the RR-1 and RR-2 Districts shall be 40%. In all other Districts the required open space shall be 50% of the total land area of the parcel being subdivided. Eff: 11/13/20</p>	<p>Clustered housing subdivisions: a residential development design that contains attached or detached single-family dwelling units that are constructed in clusters so as to reduce the land consumed by the dwelling units in the subdivision and to increase land conserved within the subdivision as open space. Clustered Housing Subdivisions permit reduced lot sizes, road frontage, and setbacks.</p>	<p>Open space % added to space and bulk standards</p>

Current Definition

Proposed Definition

Sec.19-304.17SZ	<p>Coastal wetland - all tidal and subtidal lands; all lands with vegetation present that is tolerant of salt water and occurs primarily in a salt water or estuarine habitat; and any swamp, marsh, bog, beach, flat or other contiguous low land that is subject to tidal action during the highest tide level for the year in which an activity is proposed as identified in tide tables published by the National Ocean Service. Coastal wetlands may include portions of coastal sand dunes. NOTE: All areas below the maximum spring tide level are coastal wetlands. These areas may consist of rocky ledges, sand and cobble beaches, mud flats, etc., in addition to salt marshes and salt meadows.</p>	<p>Coastal wetland: all tidal and subtidal lands; all lands with vegetation present that is tolerant of salt water and occurs primarily in a salt water or estuarine habitat; and any swamp, marsh, bog, beach, flat or other contiguous low land that is subject to tidal action during the highest tide level for the year in which an activity is proposed, as identified in tide tables published by the National Ocean Service. Coastal wetlands may include portions of coastal sand dunes. NOTE: All areas below the maximum spring tide level are coastal wetlands. These areas may consist of rocky ledges, sand and cobble beaches, mud flats, etc., in addition to salt marshes and salt meadows.</p>	Format change only
Sec. 19-304.22WF	<p>Commercial Fishing. Attempting to catch fish or other marine animals with the intent of disposing of them for profit or trade in commercial channels and does not include subsistence fishing for personal use, sport fishing or charter boat fishing.</p>	<p>Commercial fishing: harvesting or processing, or both, of wild marine organisms with the intent of disposing of them for profit or trade, not including subsistence fishing for personal use or charter boat fishing.</p>	Revised to include state definition
Sec.19-304SZ	<p>Commercial use - the use of lands, buildings, or structures, other than a "home occupation," defined below, the intent and result of which activity is the production of income from the buying and selling of goods and/or services, exclusive of rental of residential buildings and/or dwelling units.</p>	<p>Commercial use: the use of lands, buildings, or structures, other than a "home occupation," with the intent and result of which activity is the production of income from the buying and selling of goods and/or services, exclusive of rental of residential buildings and/or dwelling units.</p>	format change only
Sec. 19-302	<p>Community and Civic Buildings and Uses. A facility for a public purpose, such as an auditorium, library, museum, or government</p>	<p>Community and civic structure: a facility for a public purpose, such as an auditorium, library, or government building.</p>	Merges "public facility" and "community and

Current Definition

Proposed Definition

building, which is operated by a non-profit organization or a governmental agency.

civic buildings and uses”. Deleted museums and who owns or leases a facility and uses`

	Corner Lot, and/or Through Lot: A lot that abuts more than one street. Front setbacks apply to those lot lines abutting streets, side setbacks apply to the other lot lines. Corner lots have no rear setback.	Corner Lot, and/or through lot: a lot that abuts more than one street. Front setbacks apply to those lot lines abutting streets, side setbacks apply to the other lot lines. Corner lots have no rear setback.	Format change only
	Day care center	Daycare center: facilities licensed by the State of Maine for the care of thirteen (13) or more children under the age of 13.	Currently no definition, uses State definition
Sec. 19-302	Daycare Business. A facility in which more than three (3) clients at one time receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day. Eff: 11/13/09	Daycare business: a facility in which more than three (3) clients at one time receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day.	format change only
Sec. 19-302	Daycare Home, Small. A daycare business in which not more than three (3) clients at one time receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) within a dwelling unit. A <i>small daycare home</i> shall not be regulated as a home occupation. Eff: 11/13/09	Daycare home, small: a daycare business in which not more than three (3) clients at one time receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) within a dwelling unit. A small daycare home is accessory to a dwelling unit and shall not be regulated as a home occupation.	Added: allowed as accessory to a dwelling unit
	Daycare Home. A daycare business in which more than three (3), but not more than twelve (12), clients at one time receive care,	Daycare home: a daycare business in which more than three (3), but not more than twelve (12), clients at one time receive care,	Format change only

Current Definition

Proposed Definition

	<p>maintenance, and supervision by other than their relative(s) or legal guardian(s) within a dwelling unit. Eff: 11/13/09</p>	<p>maintenance, and supervision by other than their relative(s) or legal guardian(s) within a dwelling unit.</p>	
<p>Sec.19-304.17SZ</p>	<p>Dimensional requirements - numerical standards relating to spatial relationships including but not limited to setback, lot area, shore frontage and height.</p>	<p>Dimensional requirements: numerical standards relating to spatial relationships including but not limited to setback, lot area, shore frontage and height.</p>	<p>Format change only</p>
<p>Sec.19-304.17SZ</p>	<p>Disability - any disability, infirmity, malformation, disfigurement, congenital defect or mental condition caused by bodily injury, accident, disease, birth defect, environmental conditions or illness; and also includes the physical or mental condition of a person which constitutes a substantial handicap as determined by a physician or in the case of mental handicap, by a psychiatrist or psychologist, as well as any other health or sensory impairment which requires special education, vocational rehabilitation or related services.</p>	<p>Disability: A physical or mental impairment that substantially limits major life activities, significantly impairs physical or mental health, or requires special education, vocational rehabilitation or related services as further defined by 5 M.R.S. 4553-A as amended from time to time.</p>	<p>State definition</p>
<p>Sec. 19-302</p>	<p>Distribution Businesses</p>	<p>Distribution facility: a structure used for the receiving and shipping of goods and articles where goods are received and redirected for delivery to the ultimate customer at remote locations.</p>	<p>Currently not defined</p>
<p>Sec.19-304.17SZ</p>	<p>Driveway: a vehicular access-way less than five hundred (500) feet in length serving two single-family dwellings or one two-family dwelling, or less.</p>	<p>Driveway (in shoreland areas) a vehicular access-way less than five hundred (500) feet in length serving two single-family dwellings or one two-family dwelling, or less.</p>	<p>Format change only</p>
		<p>Dwelling of historical or cultural significance: Historically or culturally</p>	<p>New definition added 1/10/22</p>

Current Definition

Proposed Definition

significant dwelling used as a museum, archive, office space, or similar function which is directly related to the promotion and preservation of the historical or cultural legacy of the property. A historically or culturally significant dwelling is one that has a particular historic, architectural, or archaeological significance to Rockland, the State of Maine and/or the United States relating to its cultural, social, economic, political, or architectural heritage, or which is associated with historic persons, important events or themes in local, state, or national history, as determined by the Planning Board. Concurrent residential occupancy is allowed but not required. There may be up to three (3) onsite employees. Hours of operation shall be limited to between 8 a.m. and 6 p.m.

<p>Sec. 19-302</p>	<p>Dwelling, Multi-Family. The use, for zoning purposes, of each dwelling unit in a multi-family structure by its owner or the owner’s tenant as a residence for one person or a family for a term of at least one month, including apartment houses and apartment hotels, but excluding boarding houses, inns, lodging houses, hotels, motels, and short term rentals. Eff: 05/11/16</p>	<p>Dwelling, multi-family: residential structure containing three (3) or more residential dwelling units for a term of at least one month, including apartment houses and apartment hotels, but excluding boarding houses, inns, lodging houses, hotels, motels, and short-term rentals.</p>	<p>merges similar definitions, removes ownership clause and who can live there (person or family) without making a policy change</p>
<p>Sec. 19-302</p>	<p>Dwelling, One-Family or Dwelling, Single-Family: The use, for zoning purposes, of a</p>	<p>Dwelling -- single-family: a structure containing not more than one (1) dwelling unit</p>	<p>simplified title</p>

Current Definition

Proposed Definition

single-family structure by its owner or the owner’s tenant as a residence for a person or a family for a term of at least one month, except as otherwise provided under Title 30-A, Maine Revised Statutes, Section 4357-A – Community Living Arrangements, as amended. Eff: 05/11/16

and used by its owner or the owner’s tenant as a residence for a natural person or a family for a term of at least one month. A community living arrangement is deemed a single-family dwelling as defined in, 30-A, Maine Revised Statutes, Section 4357-A – Community Living Arrangements, as amended from time to time

Sec. 19-302	Dwelling, two-family: a residential structure including two dwelling units.	Dwelling - two-family: a residential structure including two dwelling units.	Format change only
Sec. 19-302	Dwelling unit: a room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family at a time, and containing kitchen facilities, sleeping and toilet facilities. The term shall include mobile homes and rental units that contain kitchen facilities, sleeping, and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units.	Dwelling unit: a room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family, and containing kitchen facilities, sleeping and toilet facilities. The term shall include mobile homes and rental units that contain kitchen facilities, sleeping, and toilet facilities, regardless of the time-period rented. Recreational vehicles are not residential dwelling units.	Removed “one family at a time – not necessary
Sec.19-304.17SZ	Emergency operations – operations conducted for the public health, safety or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings, property and livestock from the threat of destruction or injury.	Emergency operations: operations conducted for the public health, safety or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings, property and livestock from the threat of destruction or injury.	Format change only
Sec. 19-302	Community-Based Renewable Energy Project. An electricity generating facility that generates electricity from an eligible renewable resource	Energy facility - community-based renewable energy project: an electricity generating facility that generates electricity from an eligible	Clarified title

Current Definition

Proposed Definition

as defined in 35-M.R.S §3210 at least 51% of which is owned by one or more qualifying local owners. Eff: 08/10/16.

renewable resource as defined in 35-M.R.S §3210 at least 51% of which is owned by one or more qualifying local owners

Sec. 19-302

Distributed Power Generation Facility.

Electric power generation equipment, including power generation equipment with thermal energy recovery, which is designed and will be operated to provide or to offset the base or peak power consumed at the site where the power generation equipment is located, or the base or peak power consumed at other sites either in Rockland or in an adjacent municipality that are under the same or affiliated ownership as the site where the power generation equipment is located. At least 50% of the thermal energy must be consumed at the site where the power generation equipment is located or at other sites that are under the same or affiliated ownership as the site where the power generation equipment is located. The remainder of the thermal energy may be distributed to third parties under contract. Eff: 08/10/16 [4]

Energy facility - distributed power storage:

electric power storage equipment, which is designed and will be operated to provide or to offset the base or peak power consumed at the site where the power generation equipment is located, or the base or peak power consumed at other sites either in Rockland or in an adjacent municipality.

changes this definition to storage only, the intent is the same to provide a means to offset peak consumption. Semitrailers filled with batteries are becoming more common and are used to store power for high peak demands, should be reviewed by the Energy Committee

Sec. 19-302

Grid-Scale Power Generation Facility. Any electrical power generation facility that is designed or will be operated to sell either base load or the peak demand electricity generated under one or more power purchase agreement(s) or other contractual arrangements for consumption by others via

Energy facility – grid-scale power generation facility: any electrical power generation facility that is designed or will be operated to sell either base load or the peak demand electricity generated under one or more power purchase agreement(s) or other contractual arrangements for consumption by others via

Subject to land use standards, proposed land use standards should be reviewed by the

Current Definition

Proposed Definition

	the local utility and/or the ISO New England, Inc.-managed transmission and distribution systems, not including a Distributed Power Generation Facility. Eff: 08/10/16	the local utility and/or the ISO New England, Inc. managed transmission and distribution systems. Subject to the land use standards of Sec. 19-206.6.H	Comp Plan Committee
Sec. 19-302	Micro Community-Based Renewable Energy Project. A community-based renewable energy project, consisting of photovoltaic solar systems of not more than 10 kilowatts, and any other projects having a capacity equal to or less than 1 kilowatt. Eff: 08/12/20	Energy facility – micro community-based renewable: a community-based renewable energy project, consisting of photovoltaic solar systems of not more than 10 kilowatts, and any other renewable energy projects having a capacity equal to or less than 1 kilowatt.	Title changed only, all energy uses will be grouped together in land use table, should be reviewed by the Committee
	Farm equipment sales	Equipment sales and service: a business selling and servicing farm, landscaping, and construction equipment such as backhoes, cranes, bulldozers, excavators, tractors and accessory time saving attachments and other similar equipment and vehicles.	Currently no definition, definition to match existing uses listed as a permitted or conditional use, but no definition
Sec. 19-302	Public Utility. “Public Utility” includes facilities such as, but not limited to substations, pumping stations, sewer treatment facilities, water treatment facilities, transmission lines, pipelines, studios, transmitters, receivers, and other buildings, structures or uses necessary or accessory to the operation, or conduct of activities regulated by the Public Utilities Board and businesses or activities which are not so regulated but which provide a public service to	Essential services (in non-shoreland areas): gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, broadband and other data transmission, poles and related equipment; gas, oil, water, slurry or other similar pipelines; cable television, municipal sewage lines, collection or supply systems; and associated storage tanks. Such	Proposed definition is more encompassing, sewer systems aren’t regulated by the PUC

Current Definition

Proposed Definition

the City of Rockland, including voice, image or data transmission, radio, television and cable television that are available for use by the general public. For purposes of this Ordinance, Public Utilities do not include Telecommunications Towers. Eff: 04/01/20.

systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, service drops or buildings necessary for furnishing services, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include Telecommunication Towers.

Sec.19-304.17SZ

Essential services – gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

Essential services (in shoreland areas): gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; cable television, municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

Essential services are a little different in shoreland areas; therefore, two definitions are proposed. This definition is recognized state-wide. Merges several definitions regarding utilities, shoreland zoning definitions are recognized state-wide

Sec.19-304.17SZ

Expansion of a structure (in shoreland areas): an increase in the floor area or volume of a structure, including all extensions such as, but not limited to: attached decks, garages, porches and greenhouses.

Current Definition

Proposed Definition

<p>Sec.19-304.17SZ</p>	<p>Expansion of use – the addition of one or more months to a use’s operating season; or the use of more floor area or ground area devoted to a particular use.</p>	<p>Expansion of use: the addition of one or more months to a use’s operating season; or the use of more floor area or ground area devoted to a particular use.</p>	<p>Format change only</p>
<p>Sec. 19-302</p>	<p>Family. Two or more persons related by blood, marriage, civil union, or adoption who reside together as a single housekeeping unit, sharing common kitchen and bathroom facilities. A “family” for zoning purposes may also consist of (1) two or more persons related by blood, marriage, civil union, or adoption and no more than three additional persons who are not so related, or (2) no more than four unrelated persons, who occupy a dwelling unit as a single housekeeping unit, sharing common kitchen and bathroom facilities. Eff: 05/11/16; Amended 4/10/19</p>	<p>Family: one natural person, or a group of two or more natural persons living together as a single housekeeping unit, sharing common kitchen and bathroom facilities. For the purposes of this definition, no more than five unrelated natural persons may occupy a dwelling unit as a single housekeeping unit.</p>	<p>Distribution is more likely with the increase of online sales.</p> <p>See legal opinion on definition of family</p>
<p>Sec. 19-302</p>	<p>Farm Stand. A temporary or permanent structure used for the display and sale of agricultural related products where at least 85% of the products offered for sale were either produced on the property on which the farm stand is located or on land in the Rural Residential 2 Zone farmed by the owner of the farm stand. Eff: 10/09/13.</p>	<p>Farm stand: a temporary or permanent structure used for the display and sale of agriculture related products where at least 85% of the products offered for sale were either produced on the property on which the farm stand is located.</p>	<p>Removed reference to RR2 district. Any agricultural use is allowed a farm stand as an accessory use.</p>
	<p>Fence: an enclosing structure about a field or other space, or about any object, composed of wood, iron or other material, and intended to prevent intrusion from without or straying from within.</p>	<p>Fence: an enclosing structure about a field or other space, or about any object, composed of wood, iron or other material, and intended to prevent intrusion from without or straying from within.</p>	<p>Format change only</p>

Current Definition

Proposed Definition

Flag Lot - A lot located generally to the rear of another lot, but with a narrow access portion of the lot extending to the public street. The narrow access portion of the lot and the interior portion of the lot shall be in common ownership or permanently deeded right of way, and shall be suitable for ingress and egress. Flag lots shall not be required to meet minimum street frontage. Eff: 07/14/10

Flag lot: a lot located generally to the rear of another lot, but with owned or deeded access suitable for ingress and egress extending to a street. Flag lots shall not be required to meet minimum street frontage and are subject to the land use standards of Sec. 19-206.6.C.

Clarified language

Sec.19-304.17SZ

Floodway - the channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation by more than one foot in height.

Floodway: the channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by more than a designated height.

Revised to be consistent with FEMA rules

Sec.19-304.17SZ

Floor area - the sum of the horizontal areas of the floor(s) of a structure enclosed by exterior walls, plus the horizontal area of any unenclosed portions of a structure such as porches and decks.

Floor area (in shoreland areas): the sum of the horizontal areas of the floor(s) of a structure enclosed by exterior walls, plus the horizontal area of any unenclosed portions of a structure such as porches and decks.

Floor area is different in shoreland areas. Floor area requirements have been removed from Ordinances Should this be non-shoreland also (rear setback exception

Food pantries

Food pantry: a facility where food is distributed typically at no cost to natural persons and families.

Currently not defined

Current Definition

Proposed Definition

<p>Sec. 19-302</p>	<p>Food Wagon. A stand, trailer, or other small mobile structure outfitted for selling or for serving light meals and snacks to the public. The term “food wagon” does not include push carts that are removed daily or vehicles selling food from the street in accordance with Chapter 15, Article I, Section 15-109. Eff: 3/11/15</p>	<p>Food wagon: a stand, trailer, vehicle, or other small mobile structure outfitted for selling or for serving light meals and snacks to the public subject to the standards of Sec. 19-301-6. The term “food wagon” does not include push carts that are removed daily or vehicles selling food from the street in accordance with Chapter 15, Article I, Section 15-109.</p>	<p>Revised references</p>
	<p>Forested wetland - a freshwater wetland dominated by woody vegetation that is six (6) meters tall (approximately twenty (20) feet) or taller.</p>	<p>Forested wetland: a freshwater wetland dominated by woody vegetation that is six (6) meters tall (approximately twenty (20) feet) or taller.</p>	<p>Title format only</p>
	<p>Foundation - the supporting substructure of a building or other structure, excluding wooden sills and post supports, but including basements, slabs, frostwalls, or other base consisting of concrete, block, brick or similar material.</p>	<p>Foundation: the supporting substructure of a building or other structure, excluding wooden sills and post supports, but including basements, slabs, frost walls, or other base consisting of concrete, block, brick or similar material.</p>	<p>Format change only</p>
	<p>Fowl. "Fowl" means any large, edible bird, including chickens, turkeys, and game birds, but excluding pigeons and birds commonly kept as household pets.</p>	<p>Fowl: any large, edible bird, including chickens, turkeys, and game birds, but excluding pigeons and birds commonly kept as household pets.</p>	<p>Format change only</p>
	<p>Service clubs and fraternal or veterans organizations</p>	<p>Fraternal and service organizations: a group of people formally organized for a common interest with regular meetings and formal written membership requirements. The serving of alcohol, providing of entertainment, preparation and serving of food are typical activities. Sleeping quarters are not considered an accessory use.</p>	<p>Definition added</p>

Current Definition

Proposed Definition

Freshwater wetland - freshwater swamps, marshes, bogs and similar areas, other than forested wetlands, which are:

1. Of ten or more contiguous acres; or of less than 10 contiguous acres and adjacent to a surface water body, excluding any river, stream or brook, such that in a natural state, the combined surface area is in excess of 10 acres; and
2. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition

Freshwater wetland: freshwater swamps, marshes, bogs and similar areas, other than forested wetlands, which are:

1. Of ten or more contiguous acres; or of less than 10 contiguous acres and adjacent to a surface water body, excluding any river, stream or brook, such that in a natural state, the combined surface area is in excess of 10 acres; and
2. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

Format change only

Frontage. Frontage, as used in this Article, is that portion of a lot which extends along a public street. Only one (1) side of a lot that extends along more than one (1) street shall be considered frontage for the purpose of frontage requirements in this Article. Eff: 2/10/90

Definition deleted – replaced with “Frontage, Street

Frontage, Street: That continuous portion of a lot along one (1) street. The minimum street frontage dimension shall be maintained as far back as the front setback requirement for a structure. Eff: 05/10/06

Frontage, Street: that continuous portion of a lot along one (1) street.

frontage” includes state and private roads moved to new Sec. 19-

Current Definition

Proposed Definition

207 Dimensional Standards

<p>Sec.19-304.17SZ</p>	<p>Functionally water-dependent uses - those uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal or inland waters and that cannot be located away from these waters. The uses include, but are not limited to commercial and recreational fishing and boating facilities, excluding recreational boat storage buildings, finfish and shellfish processing, fish storage and retail and wholesale fish marketing facilities, waterfront dock and port facilities, shipyards and boat building facilities, marinas, navigation aids, basins and channels, retaining walls, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or processing water that cannot reasonably be located or operated at an inland site, and uses that primarily provide general public access to coastal or inland waters.</p>	<p>Functionally water-dependent uses: those uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal or inland waters and that cannot be located away from these waters. The uses include, but are not limited to commercial and recreational fishing and boating facilities,(excluding recreational boat storage buildings), finfish and shellfish processing, fish storage and retail and wholesale fish marketing facilities, waterfront dock and port facilities, shipyards and boat building facilities, marinas, navigation aids, basins and channels retaining walls, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or processing water that cannot reasonably be located or operated at an inland site, and uses that primarily provide general public access to coastal or inland waters.</p>	<p>This use also replaces “marine dependent use”</p>
<p>Sec. 19-302</p>	<p>Funeral homes</p>	<p>Funeral home: an establishment with facilities for the preparation of the dead for burial or cremation, for the viewing of the body and for funerals.</p>	<p>currently no definition,</p>
<p>Sec. 19-304SZ</p>	<p>Golf courses parks, playgrounds</p>	<p>Golf course: a tract of land laid out with at least nine (9) holes for playing a game of golf and improved with tees, greens, fairways and hazards, excluding miniature golf, and golf driving ranges. A golf course may include a</p>	<p>definition reflects current accessory uses at existing golf courses</p>

Current Definition

Proposed Definition

clubhouse with a restaurant), retail sales of golf clothing and equipment, shelters, and other accessory uses typically associated with a golf course.

Sec. 19-304SZ	Great pond - any inland body of water which in a natural state has a surface area in excess of ten acres, and any inland body of water artificially formed or increased which has a surface area in excess of thirty (30) acres except for the purposes of this Ordinance, where the artificially formed or increased inland body of water is completely surrounded by land held by a single owner,	Great pond: any inland body of water which in a natural state has a surface area in excess of ten acres, and any inland body of water artificially formed or increased which has a surface area in excess of thirty (30) acres except for the purposes of this Ordinance, where the artificially formed or increased inland body of water is completely surrounded by land held by a single owner,	Format change only
Sec. 19-304SZ	Great pond classified GPA: any great pond classified GPA, pursuant to 38 M.R.S. § 465-A(4-A). This classification includes some, but not all impoundments of rivers that are defined as great ponds.	Great pond classified GPA: any great pond classified GPA, pursuant to 38 M.R.S. § 465-A(4-A). This classification includes some, but not all impoundments of rivers that are defined as great ponds.	Format change only
Sec. 19-304SZ	Ground cover – small plants, fallen leaves, needles and twigs, and the partially decayed organic matter of the forest floor.	Ground cover – small plants, fallen leaves, needles and twigs, and the partially decayed organic matter of the forest floor.	Format change only
Sec. 19-304SZ	Half Story. "Half Story" means that portion of a building immediately beneath a sloping roof and in which is less than four (4) feet vertically between the floor and the intersections of the bottoms of the rafters at the plate with the interior faces of the walls. A half story may be as completely used for any purpose as a full story.	Half story: that portion of a building immediately beneath a sloping roof and in which is less than four (4) feet vertically between the floor and the intersections of the bottoms of the rafters at the plate with the interior faces of the walls. A half story may be as completely used for any purpose as a full story.	Format change only
Sec. 19-304SZ	Height of a structure (shoreland areas): the vertical distance between the mean original (prior to construction) grade at the downhill	Height of a structure (shoreland areas): the vertical distance between the mean original (prior to construction) grade at the downhill	Moved to Sec. 19-207

Current Definition

Proposed Definition

	Current Definition	Proposed Definition	
	side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area.	side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area.	Dimensional Standards
Sec.19-302	Home Occupation Level 1 shall have no visible outdoor evidence of the occupational use. Occupations might include the offices and workspace for resident authors, people involved with telecommunications, computer programming, single-pupil instruction or the like. There shall be no employees outside the immediate family-in-residence, no face-to-face sales or services conducted on the premises except for single-pupil instruction. Single-pupil instruction shall be limited to 9 a.m. to 5 p.m. Any deliveries shall be made by mail, UPS, or similar services. Noise limitations contained in Sec. 19-316.D. pertaining to residential zones shall apply. No signs are allowed. Eff: 05/10/06; Amended 12/13/06, 10/10/1	Home occupation level 1: shall have no visible outdoor evidence of the occupational use. Such occupations may include the offices and workspace for professionals who live on site and who do not regularly see clients on site and subject to the land use standards, Sec. 19-206.6.D	Removes the standards from the definition, puts them with the land use section 19-206
Sec.19-302	Home Occupation Level 2 shall have very low impacts. Occupations might include any uses allowed in Home Occupation Level 1 as well as the offices of a single physician, realtor, insurance broker, accountant, artist, beautician, lawyer, or other professional. There may be one (1) onsite employee from outside of the immediate family-in-residence. Noise limitations contained in Sec. 19-316.D. pertaining to residential zones shall apply. The home occupation shall be limited to twenty	Home occupation level 2: shall have very low impacts. Such occupations may include any uses allowed in Home Occupation Level 1 as well as small scale offices of professionals who serve clients on site one at a time; such offices may include no more than one onsite employee who does not also live onsite. Subject to the land use standards of Sec. 19-206.6.E	Removes the standards from the definition, puts them with the land use section 19-206

Current Definition

(20) percent of the combined floor area of the principal and accessory structures. Hours of operation shall be limited to 9 a.m. to 5 p.m. No more than three (3) parking spaces dedicated to the home occupation shall be allowed. Employee parking shall be provided onsite only. Lighting and fencing shall be residential in character. No outdoor storage shall be allowed. Clients may come to the home for face-to-face interaction, however, only incidental sales shall be allowed. Deliveries shall be made by mail, UPS, or similar services. One (1) sign not exceeding four (4) square feet shall be allowed. One (1) commercially registered vehicle, related to the home occupation, with a Gross Vehicle Weight Rating or Gross Combination Weight Rating not exceeding seven thousand (7,000) pounds shall be allowed onsite, including for example a van, minivan, SUV, pickup truck, small utility trailer or the like. Eff: 05/10/06; Amended 11/10/06, 10/10/12

Proposed Definition

Sec.19-302

Home Occupation Level 3 shall have moderate impacts of use. Occupations might include any uses allowed in Home Occupation Levels 1 and 2 as well as a daycare home, tradesmen shops, studios, or minor repair excluding motor vehicle repair. There may be up to three (3) onsite employees from outside the immediate family-in-residence. Noise limitations contained in Sec. 19-316.D. pertaining to

Home occupation level 3: business operations on a residential property with moderate impacts of use. Such occupations may include any uses allowed in Home Occupation Levels 1 and 2 as well as a daycare home, trades services, studios, or minor repair excluding motor vehicle repair, and subject to the land use standards of Sec. 19-206.6.F.

Removes the standards from the definition, puts them with the land use section 19-206

Current Definition

residential zones shall apply. The home occupation shall be limited to thirty (30) percent of the combined floor area of the principal and accessory structures. Hours of operation shall be limited to 8 a.m. to 6 p.m. Hours of operation shall not apply to daycare homes except that the use of exterior play areas associated with daycare homes shall be limited to 8 a.m. to 6 p.m. No more than six (6) parking spaces shall be allowed and they shall be dedicated to the home occupation. Lighting and fencing shall be residential in character. Employee parking shall be provided onsite only. Clients may come to the home for face-to-face interaction, however, except for items produced as part of the home occupation, only incidental sales shall be allowed. One (1) sign not exceeding four (4) square feet shall be allowed. Outdoor storage is restricted to small areas that are screened so that the materials stored are not visible from other lots or roadways. Two (2) commercially registered vehicles related to the home occupation shall be allowed onsite: one (1) with a Gross Vehicle Weight Rating or Gross Combination Weight Rating not exceeding seven thousand (7,000) pounds and the other commercially registered vehicle with a Gross Vehicle Weight Rating or Gross Combination Weight Rating not exceeding ten thousand (10,000) pounds. Vehicles include for example a van, minivan,

Proposed Definition

Current Definition

Proposed Definition

SUV, pickup truck, small utility trailer or the like. Eff: 05/10/06; Amended 11/10/06, 11/13/09, 10/10/12

Sec. 19-302	Home Occupations: The purpose of the home occupation provisions is to allow the conduct of those businesses that are compatible with the zones in which they are allowed. A permit is required for a home occupation. Home occupations are limited to those uses that may be conducted within a residential dwelling or accessory structure without substantially changing the appearance or condition of the residence or accessory structure. Home occupations shall be situated in the dwelling in which the proprietor of the business resides or in a building accessory thereto and located on the same lot. Eff: 05/10/06	Home occupation: An occupation or profession which is primarily conducted in a residential structure or property. A permit is required for a home occupation. Home occupations are limited to those uses that may be conducted within a residential dwelling or accessory structure without substantially changing the appearance or condition of the residence or accessory structure. Home occupations shall be situated in the dwelling in which the proprietor of the business resides or in a building accessory thereto and located on the same lot.	Format change and re-arranged
Sec. 19-302	Hotel: A commercial establishment offering sleeping accommodations for seventeen (17) or more travelers and others on a transient or semi-permanent basis, sometimes including varying levels of accessory services for occupants and/or the general public such as restaurants, shops, and meeting rooms. Eff: 05/11/16	Hotel: A commercial establishment offering sleeping accommodations for a fee for seventeen (17) or more travelers and others on a transient or semi-permanent basis, sometimes including varying levels of accessory services for occupants and/or the general public such as restaurants, shops, and meeting rooms.	Added “for a fee” to distinguish from other types of transient housing. the definition of hotel is broad enough to include motel
Sec. 19-304SZ	Increase in nonconformity of a structure - any change in a structure or property which causes further deviation from the dimensional standard(s) creating the nonconformity such as,	Increase in nonconformity of a structure (in shoreland areas): any change in a structure or property which causes further deviation from the dimensional standard(s) creating the	Format change only

Current Definition

but not limited to, reduction in water body, tributary stream or wetland setback distance, increase in lot coverage, or increase in height of a structure. Property changes or structure expansions which either meet the dimensional standard or which cause no further increase in the linear extent of nonconformance of the existing structure shall not be considered to increase nonconformity. For example, there is no increase in nonconformity with the setback requirement for water bodies, wetlands, or tributary streams if the expansion extends no further into the required setback area than does any portion of the existing nonconforming structure. Hence, a structure may be expanded laterally provided that the expansion extends no closer to the water body, tributary stream, or wetland than the closest portion of the existing structure from that water body, tributary stream, or wetland. Included in this allowance are expansions which in-fill irregularly shaped structures.

Proposed Definition

nonconformity such as, but not limited to, reduction in water body, tributary stream or wetland setback distance, increase in lot coverage, or increase in height of a structure. Property changes or structure expansions which either meet the dimensional standard or which cause no further increase in the linear extent of nonconformance of the existing structure shall not be considered to increase nonconformity. For example, there is no increase in nonconformity with the setback requirement for water bodies, wetlands, or tributary streams if the expansion extends no further into the required setback area than does any portion of the existing nonconforming structure. Hence, a structure may be expanded laterally provided that the expansion extends no closer to the water body, tributary stream, or wetland than the closest portion of the existing structure from that water body, tributary stream, or wetland. Included in this allowance are expansions which in-fill irregularly shaped structures.

Sec. 19-304SZ

Individual private campsite - an area of land which is not associated with a campground, but which is developed for repeated camping by only one group not to exceed ten (10) individuals and which involves site improvements which may include but not be

Individual private campsite: an area of land which is not associated with a campground, but which is developed for repeated camping by only one group not to exceed ten (10) individuals and which involves site improvements which may include but not be

Format change only

Current Definition

Proposed Definition

limited to a gravel pad, parking area, fire place, or tent platform.

limited to a gravel pad, parking area, fire place, or tent platform.

Sec. 19-304SZ	Industrial - The assembling, fabrication, finishing, manufacturing, packaging or processing of goods, or the extraction of minerals.	Industrial (in shoreland areas): The assembling, fabrication, finishing, manufacturing, packaging or processing of goods, or the extraction of minerals.	Format change only
Sec. 19-304.17SZ	Licensed forester: a forester licensed under 32 M.R.S. Chapter 76.	Licensed forester: a forester licensed under 32 M.R.S. Chapter 76.	Format change only
Sec. 19-304.17SZ	Institutional: a non-profit or quasi-public use, or institution such as a church, library, public or private school, hospital, or municipally owned or operated building, structure or land used for public purposes.	Institutional: a non-profit or quasi-public use, or institution such as a church, library, public or private school, hospital, or municipally owned or operated building, structure or land used for public purposes.	Format change only
Sec. 19-302	Kitchen Facility(ies). "Kitchen Facility," both in its singular or plural form, shall mean an area that contains any, some, or all of the following facilities for food preparation, storage, and/or sanitation: a stove, oven, convection oven, microwave, hotplate or other cooking or food warming equipment; any size refrigerator or freezer; and/or any type of sink, including a bar sink or wet-bar but not including a bathroom sink. Eff: 05/11/16	Kitchen facility: an area that contains any, some, or all of the following facilities for food preparation, storage, and/or sanitation: a stove, oven, convection oven, microwave, hotplate or other cooking or food warming equipment; any size refrigerator or freezer; and/or any type of sink, including a bar sink or wet bar but not including a bathroom sink.	
Sec. 19-304.17SZ	Licensed Forester: - a forester licensed under 32 M.R.S. Chapter 76.	Licensed Forester: - a forester licensed under 32 M.R.S. Chapter 76.	Format change only
Sec. 19-302	Light Assembly. The assembly, packaging, or processing of finished products which is part of an allowed use and performed predominantly by hand and the accessory equipment thereto. Eff: 01/13/99	Light assembly: the assembly, packaging, or processing of finished products which is performed predominantly by hand and the accessory equipment thereto.	Deleted "which is part of an allowed use. Can be its own use.

Current Definition

Light Industrial Uses. Industrial activities involving the manufacturing, fabricating, packaging, processing, or assembly of finished products from previously prepared materials, including by way of example: wholesale bakery products, bottling, printing and publishing and allied industries, pharmaceutical preparations, machine shops, precision tools and instruments, watch-making, musical instruments, toys and sporting goods, pottery and ceramics using only previously pulverized clay, wood products, jewelry, assembly of electrical or electronic components, canteen services, tool and die shops. Light industrial uses shall not include the processing of raw materials or salvaging operations. The processing and packaging of food for off premises consumption shall also be allowed.

Proposed Definition

Light industrial: industrial activities involving the manufacturing, fabricating, packaging, processing, or assembly of component parts or finished products from previously prepared materials. Light industrial uses may include machine shops and metal fabrication but shall not include the processing of raw materials or salvaging operations. This use may include ancillary sales of products manufactured on-site. Light industry is capable of operating in such a manner as to control the external effects of the manufacturing processes, and meet the performance standards of Sec. 19-302.

Deleted
“including by
example”

Sec. 19-302

Lodging, Rooming, or Boarding House: A building other than single-, two-, or multi-family structure in which a licensed operator provides, for a fee, sleeping accommodations for sixteen (16) or fewer persons on either a transient or permanent basis, with or without meals served to occupants only, but without separate kitchen facilities for individual occupants; provided however that the building may include a separate, additional dwelling unit occupied by the owner or manager that

Lodging, permanent and temporary - independent: A structure other than single-, two-, or multi-family structure in which, for a fee, provides independent living sleeping accommodations for sixteen (16) or fewer natural persons on either a transient or permanent basis, with or without meals served to occupants only, but without separate kitchen facilities for individual occupants, such as boarding houses and congregate housing. The building may include a separate, additional

to make a distinction between the different existing uses, by having one type that offers services or supervision and another than is independent.

Current Definition

includes kitchen facilities for such owner or manager's personal use. Eff: 05/11/16

And

Congregate Housing not defined DT C1 WF3A

Proposed Definition

dwelling unit occupied by the owner or manager that includes kitchen facilities for such owner or manager's personal use.

Lodging, permanent and temporary - with services: A building structure other than single-, two-, or multi-family structure in which a State of Maine licensed operator provides living sleeping accommodations and services such as housekeeping, personal care, transportation, therapeutic, supervision for sixteen (16) or fewer natural persons on either a temporary or permanent basis. Meals and/or common kitchen facilities are provided. An additional dwelling unit occupied by the owner, manager or supervisor that includes kitchen facilities is allowed as an accessory use.

Services are "non-medical"

Sec. 19-302

Lot: "Lot" means a parcel of land, not divided by streets, which is devoted or to be devoted to a particular use and occupied or capable of being occupied by a building and its accessory buildings together, including any required open space. Eff: 2/10/90. A lot shall have frontage on a public street, with exceptions for back lots and flag lots, as noted in the definitions for those types of lots. Eff: 05/10/06. Structures to be used for commercial or industrial purposes shall be built only on lots with frontage on a public street, nor shall a change of use be granted allowing a single-

Lot: a parcel of land, not divided by streets, which is devoted or to be devoted to a particular use and occupied or capable of being occupied by a structure and its accessory structures together, including any required open space.

Current Definition

family dwelling served only by a right-of-way to be converted to commercial or industrial use. This prohibition shall not apply to dwellings in which a home occupation or profession, as defined above, is carried out. Eff: 8/9/95. Land within the lines of a public road or private road or right-of way shall not be counted as part of a lot for the purpose of meeting the area requirements of this Article even though fee title may be in the owner of the lot. No person shall reduce the size of a lot upon which structures served by subsurface waste disposal systems are located to a size or frontage less than allowed in the applicable zone under this Article. Contiguous lots in the same ownership shall be considered as one lot. Wherever possible, newly created lots should be rectangular in shape, with side lot lines perpendicular to the street. Eff: 05/10/06

Proposed Definition

SZ	Lot area - The area of land enclosed within the boundary lines of a lot, minus land below the normal high-water line of a water body or upland edge of a wetland and areas beneath roads serving more than two lots.	Lot area (in shoreland areas): The area of land enclosed within the boundary lines of a lot, minus land below the normal high-water line of a water body or upland edge of a wetland and areas beneath roads serving more than two lots.	moved to new Sec. 19-207 Dimensional Standards
		Lot area (in non-shoreland areas): The area of land enclosed within the boundary lines of a lot	Supports lot area/du. moved to new Sec. 19-207 Dimensional Standards

Current Definition

Proposed Definition

Sec.19-304.17SZ	Lot Coverage. That portion of the lot that is covered by buildings, structures, and built improvements on the ground surface such as paving, driveways, parking areas, walkways and other improvements similar in nature.	Lot coverage: that portion of the lot that is covered by structures, and other impervious surfaces such as paving, driveways, parking areas, walkways and other improvements similar in nature.	moved to new Sec. 19-207 Dimensional Standards
Sec. 19-302	Lot Line: A line that forms a boundary of a property dividing one lot from another, or from a street or water body or other public space. Eff: 05/10/06	Lot line: a line that forms a boundary of a property dividing one lot from another, or from a street or water body or other public space.	moved to new Sec. 19-207 Dimensional Standards
Sec. 19-305.A.1	Manufactured Housing. "Manufactured housing" shall mean a structural unit or units designed for occupancy, and constructed off-site and then transported by the use of its own chassis, or placed on an independent chassis, to a building site. The term shall include any type of building which is constructed off-site and then transported to a building site where it is utilized for housing and may be purchased or sold by a dealer in the interim. For purposes of this section, three types of manufactured housing are included. They are: Eff: 09/09/20 (1) Those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the US Department of Housing and Urban Development standards, meaning structures, transportable in one or more	Manufactured housing: Consistent with M.S.R.A 30-A, §4358 as amended from time to time. A structural unit or units designed for occupancy and constructed in a manufacturing facility and transported by the use of its own chassis, or an independent chassis, to a building site. The term shall include any type of building that is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. For the purposes of this section, 2 types of manufactured housing are included. Those two types are: 1. Newer mobile homes: Those units constructed after June 15, 1976, commonly called "newer mobile homes," that the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures transportable in one or	Revised based on advice of Legal Counsel to be consistent with state law.

Current Definition

sections, which, in the traveling mode, are fourteen (14) body feet or more in width and are seven hundred fifty (750) or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air-conditioning and electrical systems contained therein; except that the term shall include any structure which meets all the requirements of this paragraph, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the US Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, US Code, Title 42, Section 5401 et seq.; and (2) Those units commonly called "modular homes," which the manufacturer certifies are constructed in compliance with the state's Manufactured Housing Act and regulations, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air-conditioning or electrical systems

Proposed Definition

more sections, that in the traveling mode are 14 body feet or more in width and are 750 or more square feet, and that are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities including the plumbing, heating, air conditioning or electrical systems contained in the unit.

(a) This term also includes any structure that meets all the requirements of this subparagraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et seq.

2. Modular homes: Those units commonly called "modular homes" that the manufacturer certifies are constructed in compliance with [Title 10, chapter 951](#), and rules adopted under that chapter, meaning structures, transportable in one or more sections, that are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air-

Current Definition

Proposed Definition

contained herein. When assembled on a site, the modular home must be seven hundred and fifty (750) or more square feet. Eff: 09/09/20
 (3) Those units commonly called “tiny houses” as defined below, that are constructed in compliance with the Maine Uniform Building Code and Energy Code MUBEC. Eff: 09/09/20

conditioning or electrical systems contained in the unit.

See also definition for Tiny Home in this column.

Sec. 19-302	<p>Marijuana: the leaves, stems, flowers and seeds of a marijuana plant, whether growing or not. "Marijuana" includes marijuana concentrate but does not include industrial hemp as defined in 7 M.R.S. §2231(1) or a marijuana product. Eff: 04/08/20.</p>	<p>Cannabis: the leaves, stems, flowers and seeds of a Cannabis plant, whether growing or not. “Cannabis” includes concentrate but does not include industrial hemp as defined in 7 M.R.S §2231(1) or a Cannabis product.</p>	<p>Change term from “Marijuana” to “Cannabis” consistent with state law</p>
Sec. 19-302	<p>Cultivation or cultivate: the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale. "Cultivation" or "cultivate" does not include manufacturing, testing or marijuana extraction. Eff: 04/08/20</p>	<p>Cannabis - cultivation or cultivate: the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of Cannabis for use or sale. "Cultivation" or "cultivate" does not include manufacturing, testing or Cannabis extraction.</p>	<p>Title change</p>
Sec. 19-302	<p>Marijuana extraction. Marijuana extraction means the process of extracting marijuana with solvents or gases. Eff: 01/10/18</p>	<p>Cannabis- extraction: Cannabis extraction means the process of extracting Cannabis with solvents or gases.</p>	<p>format change only, all Cannabis uses will be grouped together in land use table</p>
Sec. 19-302	<p>Caregiver Retail Store: a store that has attributes generally associated with retail stores, including, but not limited to a fixed</p>	<p>Cannabis medical - caregiver retail store: A store that has attributes generally associated with retail stores, including, but not limited to a</p>	<p>format change only, all Cannabis uses</p>

Current Definition

Proposed Definition

location, a sign, regular business hours, accessibility to the public and sales of goods or services directly to a consumer, and that is used by a registered caregiver to offer marijuana plants or harvested marijuana for sale to qualifying patients. Eff: 04/08/20.

fixed location, a sign, regular business hours, accessibility to the public and sales of goods or services directly to a consumer, and that is used by a registered caregiver to offer Cannabis plants or harvested Cannabis for sale to qualifying patients.

will be grouped together in land use table

Sec. 19-302

Medical marijuana caregiver. A person or an assistant of that person that provides care for a qualifying patient in accordance with applicable state law. Eff: 11/09/18

Cannabis medical - caregiver: A natural person or an assistant of that natural person that provides care for a qualifying patient in accordance with applicable state law.

format change only, all Cannabis uses will be grouped together in land use table

Sec. 19-302

Medical Marijuana Cultivation Facility: A facility used for cultivation, processing, storage, and/or distribution of medical marijuana at a location which is not the registered caregiver's primary residence. A medical marijuana cultivation facility shall be considered a commercial use. Eff: 04/08/20.

Cannabis medical - cultivation facility: A facility used for cultivation, processing, storage, and/or distribution of medical Cannabis at a location which is not the registered caregiver's primary residence. A medical Cannabis cultivation facility shall be considered a commercial use.

format change only, all Cannabis uses will be grouped together in land use table

Sec. 19-302

Medical Marijuana Manufacturing Facility: a registered tier 1 or tier 2 manufacturing facility or a person authorized to engage in marijuana extraction under section 2423-F. Eff: 04/08/20.

Cannabis medical - manufacturing facility: a registered tier 1 or tier 2 manufacturing facility or a natural person authorized to engage in Cannabis extraction under section 2423-F.

format change only, all Cannabis uses will be grouped together in land use table

Sec. 19-302

Registered Caregiver: A person or an assistant of that person that provides care for a qualifying patient and is registered with the State of Maine in accordance with 22 M.R.S. §2425-A. Eff: 04/08/20.

Cannabis, medical - registered caregiver: A person or an assistant of that person that provides care for a qualifying patient and is registered with the State of Maine in accordance with 22 M.R.S. §2425-A.

Title change

Current Definition

Proposed Definition

Sec. 19-302	Registered Dispensary or Dispensary: an entity registered under section 2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to qualifying patients and the caregivers of those patients. Eff: 04/08/20.	Cannabis, medical – registered dispensary: an entity registered under section 2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses Cannabis or related supplies and educational materials to qualifying patients and the caregivers of those patients.	
Sec. 19-302	Medical Marijuana testing facility: a public or private laboratory that: A. Is authorized in accordance with section 2423-A, subsection 10 to analyze contaminants in and the potency and cannabinoid profile of samples; and [2017, c. 447, §2 (AMD); 2017, c. 452, §3 (AMD).] B. Is accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the department. Eff: 04/08/20.	Cannabis medical - testing facility: A public or private laboratory that: A. Is authorized in accordance with section 2423-A, subsection 10 to analyze contaminants in and the potency and cannabinoid profile of samples; and [2017, c. 447, §2 (AMD); 2017, c. 452, §3 (AMD).] B. Is accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the department.	format change only, all Cannabis uses will be grouped together in land use table
Sec. 19-302	Medical Marijuana: Marijuana that is acquired, possessed, cultivated, manufactured, used, delivered, transferred or transported to a qualifying patient for medical use. Eff: 04/08/20.	Cannabis medical: Cannabis that is acquired, possessed, cultivated, manufactured, used, delivered, transferred or transported to a qualifying patient for medical use.	format change only, all Cannabis uses will be grouped together in land use table
Sec. 19-302	Adult Use Marijuana Cultivation Facility: a facility licensed to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to products manufacturing facilities, to marijuana	Cannabis, adult use - cultivation facility: A facility licensed to purchase Cannabis plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use Cannabis; to sell adult use Cannabis to products manufacturing facilities, to Cannabis stores and	format change only, all Cannabis uses will be grouped together in land use table

Current Definition

Proposed Definition

stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to marijuana stores. Eff: 04/08/20.

to other cultivation facilities; and to sell Cannabis plants and seeds to other cultivation facilities and immature Cannabis plants and seedlings to Cannabis stores.

Sec. 19-302	Manufacturing or manufacture: the production, blending, infusing, compounding or other preparation of marijuana and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing" or "manufacture" does not include cultivation or testing. Eff: 04/08/20.	Cannabis, adult use - manufacturing or manufacture: the production, blending, infusing, compounding or other preparation of Cannabis and Cannabis products, including, but not limited to, Cannabis extraction or preparation by means of chemical synthesis. "Manufacturing" or "manufacture" does not include cultivation or testing.	format change only, all Cannabis uses will be grouped together in land use table
Sec. 19-302	Adult Use Marijuana Products Manufacturing Facility: a facility licensed under this chapter to purchase adult use marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities. Eff: 04/08/20.	Cannabis, adult use - products manufacturing facility: a facility licensed under this chapter to purchase adult use Cannabis from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use Cannabis and adult use Cannabis products; and to sell adult use Cannabis and adult use Cannabis products to Cannabis stores and to other products manufacturing facilities.	format change only, all Cannabis uses will be grouped together in land use table
Sec. 19-302	Adult Use Marijuana Store: a facility licensed under this chapter to purchase adult use marijuana, immature marijuana plants and seedlings from a cultivation facility, to purchase adult use marijuana and adult use marijuana products from a products manufacturing facility and to sell adult use marijuana, adult use	Cannabis, adult use - store: a facility licensed under this chapter to purchase adult use Cannabis, immature Cannabis plants and seedlings from a cultivation facility, to purchase adult use Cannabis and adult use Cannabis products from a products manufacturing facility and to sell adult use Cannabis, adult use	format change only, all Cannabis uses will be grouped together in land use table

Current Definition

Proposed Definition

	marijuana products, immature marijuana plants and seedlings to consumers. Eff: 04/08/20.	Cannabis products, immature Cannabis plants and seedlings to consumers.	
Sec. 19-302	Adult Use Marijuana Testing Facility: a facility licensed under this chapter to develop, research and test marijuana, marijuana products and other substances. Eff: 04/08/20.	Cannabis, adult use - testing facility: a facility licensed under this chapter to develop, research and test Cannabis, Cannabis products and other substances.	format change only, all Cannabis uses will be grouped together in land use table
Sec. 19-302	Adult Use Marijuana: marijuana cultivated, manufactured, tested, distributed or sold by an adult use marijuana business. Eff: 04/08/2	Cannabis, adult use: Cannabis cultivated, manufactured, tested, distributed or sold by an adult use Cannabis business.	format change only, all Cannabis uses will be grouped together in land use table
Sec. 19-302	Marijuana Business: Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Testing Facility, Registered Dispensary, Registered Caregiver Retail Store, Adult Use Marijuana Cultivation Facility, Adult Use Marijuana Products Manufacturing Facility, Adult Use Testing Facility, or Adult Use Marijuana Store licensed under this Ordinance. Eff: 04/08/20.	Cannabis, medical - business: medical Cannabis Cultivation Facility, Medical Cannabis Manufacturing Facility, Medical Cannabis Testing Facility, Registered Dispensary, Registered Caregiver Retail Store, Adult Use Cannabis Cultivation Facility, Adult Use Cannabis Products Manufacturing Facility, Adult Use Testing Facility, or Adult Use Cannabis Store licensed under this Ordinance.	format change only, all Cannabis uses will be grouped together in land use table
Sec. 19-302	Marijuana home cultivation. Cultivation of medical marijuana by a qualifying patient or marijuana for personal adult use by a person 21 years of age or older at their own residence or a medical marijuana caregiver at their own primary year-round residence for use by a qualifying patient. Marijuana extraction using	Cannabis, medical - home cultivation: cultivation of medical Cannabis by a qualifying patient or Cannabis for personal adult use by a natural person 21 years of age or older at their own residence or a medical Cannabis caregiver at their own primary year-round residence for use by a qualifying patient. Cannabis extraction	format change only, all Cannabis uses will be grouped together in land use table

Current Definition

Proposed Definition

butane is prohibited. Medical marijuana home cultivation shall be considered an accessory use. Eff: 04/08/20.

using butane is prohibited. Medical Cannabis home cultivation shall be considered an accessory use.

Sec.19-304.17SZ

Marina - a business establishment having frontage on navigable water and, as its principal use, providing for hire offshore moorings or docking facilities for boats, and which may also provide accessory services such as boat and related sales, boat repair and construction, indoor and outdoor storage of boats and marine equipment, bait and tackle shops and marine fuel service facilities.

Marina: a business establishment having frontage on navigable water and, as its principal use, providing for hire offshore moorings or docking facilities for boats, and which may also provide accessory services such as boat and related sales, boat repair and construction, indoor and outdoor storage of boats and marine equipment, bait and tackle shops and marine fuel service facilities.

format change only

Sec. 19-304.22WF

Marine Dependent/Related Industrial Uses. Those marine dependent uses that are heavier industrial uses such as manufacturing, fabricating, wholesaling or warehousing including but not limited to: Finfish and shellfish buying stations primarily engaged in wholesale trade; finfish and shellfish offloading, processing, packing and packaging, and distribution; bait buying, selling, and storage facilities; piers, docks, wharves serving commercial fishing and cargo-carrying boats and vessels; custom fabrication; maintenance and repair of commercial fishing boat equipment, excluding manufacturing for wholesale distribution; shipbuilding, boat building, and facilities for construction, maintenance and repair of vessels; boat storage and marine repair facilities; marine cargo handling facilities for dredging, pier

Change Marine Dependent/Related Industrial Uses and Marine Dependent/Related Commercial Uses, consolidate as Functionally water dependent uses proposed for a more

Current Definition

construction, marine salvage, and other related marine construction operations; boat and vessel fueling and bunkering; tugboat, fireboat, pilot boat and similar services; of facilities for pollution control, oil spill clean-up and servicing of marine sanitation services and ice-making devices; publicly-owned intermodal transportation facilities primarily for vessels with regularly scheduled destination service; cold storage facilities which provide for, and give preference to, fisheries related storage, warehousing and storage of goods arriving by, or awaiting shipment via, water-borne cargo carriers, facilities for combined marine and general construction provided that the business is primarily a marine contractor or that the primary use of the site is for the marine segment of the contractor's business; fabrication of marine goods, exclusive of fishing boat equipment, provided that a location on the water is essential for production. Eff: 11/11/94

Proposed Definition

Sec. 19-304.22WF

Educational Institutions. Any educational institution, part of the function of which is marine related or marine dependent education

Marine educational institutions: any educational institution, part of the function of which is marine related or marine dependent education.

name changed to make it clear these are marine focused education facilities consistent with what happens in practice

Current Definition

Proposed Definition

Sec.19-304TAO	Maritime Facility: of or relating to marine shipping and commerce or marine navigation, including but not limited to marinas, functionally water-dependent uses, stevedoring companies; chandlers; warehouses for seafaring vessels or products shipped on such vessels; ship building and repair firms; importers/exporters; and pilot associations.	Maritime facility: of or relating to marine shipping and commerce or marine navigation, including but not limited to marinas, functionally water-dependent uses, stevedoring companies; chandlers; warehouses for seafaring vessels or products shipped on such vessels; ship building and repair firms, importers/exporters; and pilot associations.	Format change only
Sec.19-304.17SZ	Market value - the estimated price a property will bring in the open market and under prevailing market conditions in a sale between a willing seller and a willing buyer, both conversant with the property and with prevailing general price levels.	Market value: the estimated price a property will bring in the open market and under prevailing market conditions in a sale between a willing seller and a willing buyer, both conversant with the property and with prevailing general price levels.	format change only
Sec. 19-302	Measurement: The distance from a building to a lot line is always measured in right angles to such line. A basement or cellar shall not be counted as a story for the purpose of height measurement.	Measurement: the distance from a building to a lot line is always measured in right angles to such line. A basement or cellar shall not be counted as a story for the purpose of height measurement.	format change only
Sec.19-304.17SZ	Mineral exploration - hand sampling, test boring, or other methods of determining the nature or extent of mineral resources which create minimal disturbance to the land and which include reasonable measures to restore the land to its original condition.	Mineral exploration: Hand sampling, test boring, or other methods of determining the nature or extent of mineral resources which create minimal disturbance to the land and which include reasonable measures to restore the land to its original condition.	format change only
Sec.19-304.17SZ	Mineral extraction - any operation within any twelve (12) month period which removes more than one hundred (100) cubic yards of soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location and	Mineral extraction(in shoreland areas): any operation within any twelve (12) month period which removes more than one hundred (100) cubic yards of soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its	format change only

Current Definition

Proposed Definition

	to transport the product removed, away from the extraction site	natural location and to transport the product removed, away from the extraction site.	
Sec.19-304.17SZ	Minimum lot width - the closest distance between the side lot lines of a lot. When only two lot lines extend into the shoreland zone, both lot lines shall be considered to be side lot lines.	Minimum lot width (in shoreland areas): the closest distance between the side lot lines of a lot. When only two lot lines extend into the shoreland zone, both lot lines shall be considered to be side lot lines.	format change only
Sec. 19-305	Mixed-Use Development. A development in which residential uses are included with other non-residential uses allowed in that specific zone and are contained on a single parcel of land or within a single building. The intent of the mixed-use development provision (or allowance) is to increase the economic viability of a project by allowing a residential component to be included in a development plan whose other components are non-residential uses permitted in that zone. An example would be a marina complex which includes a ships chandlery, a restaurant, and dwelling units. The residential uses shall not exceed 60% of the volume of floor area of the building or the total area of the development, whichever is greater.	Mixed-use development – marine: a development in which residential uses are included with other non-residential uses allowed in that specific zone and are contained on a single parcel of land or within a single building. The residential uses shall not exceed 60% of the volume of floor area of the building or the total area of the development, whichever is greater.	more concise definition for waterfront districts
Sec.19-305MH	Mobile Home Park. "Mobile Home Park" shall mean a contiguous parcel of land designed for the location of two (2) or more older mobile homes, trailers, or manufactured homes, which is licensed as a mobile home park by the Maine Department of Business Regulation and reviewed by the Planning Board under Sections	Mobile home park: A contiguous parcel of land under unified ownership approved by the municipality for the placement of three (3) or more manufactured homes, and subject to the Land Use Standards of Sec. 19-206.6.G.7.	Revised to fit with definition of Manufactured Home as per Legal Counsel. In B District-

Current Definition

Proposed Definition

16-101 through 16-110 of the Ordinance. Eff:
11/12/88

change term
from “Trailer
Park” to “Mobile
Home Park”

Mobile home park lot: means the area of land on which an individual home is situated within a mobile home park and which is reserved for use by the occupants of that home. A municipality may require a lot to be designated on a mobile home park plan.

Added for clarity as per Legal Counsel. To distinguish “Lot” as generally applied from lots within mobile home parks

Mural: or work of visual art that otherwise meets the definition of “sign” in this Section that is created by an artist; and does not contain the name of, nor directly advertise the thing, person, business, activity or place upon which it is attached or otherwise affixed, or advertise any other thing, person, business, activity or place; and does not contain a logo or trademarked symbol; and does not contain a picture, symbol or device of any kind that relates to a commercial business, product or service offered on the premises where it is located.

Currently not defined except for sign section

Museum

Museum: a building in which objects of historical, scientific, artistic, or cultural interest are stored and exhibited.

currently no definition

Sec.19-304.17SZ **Native** – indigenous to the local forests.

Native: indigenous to the local forests.

format change only

Current Definition

Proposed Definition

Current Definition	Proposed Definition	New definition to be included in def of person which includes corporations
Neighborhood Amusement Center	Natural person: a human individual	currently no definition, matches existing uses, A footnote in the Inad use table limits this use to 1,000 sf.
Neighborhood Retail Establishment. An establishment in a Neighborhood Commercial Zone that occupies less than 2,000 square feet of total floor space, of which at least sixty percent (60%) is dedicated to retail sales of groceries and within which no alcoholic beverages are consumed.	Neighborhood - retail: a retail establishment offering a limited line of groceries and household items, sixty percent (60%) of floor area is dedicated to retail sales of groceries. On-site consumption of alcoholic beverages is prohibited.	Slight wording change to take out sf limitation, added as a footnote"neighborhood commercial zone" not necessary
Sec.19-304.17SZ	Non-conforming condition: non-conforming lot, structure or use which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendment took effect.	Non-conforming condition: non-conforming lot, structure or use which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendment took effect.
Sec.19-304.17SZ	Non-conforming lot - a single lot of record which, at the effective date of adoption or amendment of this Ordinance, does not meet	Non-conforming lot: a single lot of record which, at the effective date of adoption or amendment of this Ordinance, does not meet
		Current SZ definition 1/26/2015

Current Definition

Proposed Definition

the area, frontage, or width requirements of the district in which it is located.

the area, frontage, or width requirements of the district in which it is located.

Sec.19-304.17SZ	Non-conforming structure - a structure which does not meet any one or more of the following dimensional requirements; setback, height, or lot coverage, but which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.	Non-conforming structure: a structure which does not meet any one or more of the following dimensional requirements; setback, height, lot coverage or footprint, but which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.	Current SZ definition 1/26/2015
Sec.19-304.17SZ	Non-conforming use - use of buildings, structures, premises, land or parts thereof which is not allowed in the district in which it is situated, but which is allowed to remain solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect	Non-conforming use: use of buildings, structures, premises, land or parts thereof which is not allowed in the district in which it is situated, but which is allowed to remain solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.	Current SZ definition 1/26/2015
Sec.19-304.17SZ	Normal high-water line (non-tidal waters) - that line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. Areas contiguous with rivers and great ponds that support non-forested wetland vegetation and hydric soils and that are at the same or lower elevation as the water level of the river or great pond during the period of normal high-water are considered part of the river or great pond. NOTE: Adjacent to tidal waters, setbacks are	Normal high-water line (in non-tidal shoreland area waters): that line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. Areas contiguous with rivers and great ponds that support non-forested wetland vegetation and hydric soils and that are at the same or lower elevation as the water level of the river or great pond during the period of normal high-water are considered part of the river or great pond. NOTE: Adjacent to tidal waters, setbacks are	format change only

Current Definition

Proposed Definition

	measured from the upland edge of the “coastal wetland.”	measured from the upland edge of the “coastal wetland.”	
Sec 19-302	Nurseries and greenhouses	Nurseries and greenhouses: a place where plants are grown for transplanting, for use as stock or grafting, or for sale. Greenhouses are structures designed to allow natural light and are used for tender plants or to extend the growing season. Nurseries are shaded or exposed outdoor areas.	currently no definition
Sec 19-302	Office building: A building used for the providing of business services, financial services, human health services, professional services or social services.	Office: an establishment that engages in the processing, manipulation, or application of business information or professional expertise, which may or may not offer services to the public. An office is not materially involved in the fabricating, assembling, warehousing or on-site sales of physical products for the retail or wholesale market, nor engaged in the repair of products	Combines business, financial, and professional services. Those definitions will be deleted
Sec 19-302	Commercial outdoor recreational uses	Outdoor recreation: a place designed and equipped for the conduct of outdoor sports and/or leisure time activities such as mini-golf, disc golf, batting cages, bumper boats, and golf driving ranges, but excluding campgrounds, outdoor amusement centers, spectator sports facilities, racetracks or other similar facilities. Accessory buildings that are necessary for storage, and the safe and secure operation of the outdoor recreation use are allowed.	Currently no definition; revised term
	Outdoor sales or display	Outdoor sales or display: the keeping of goods and/or materials outside that are for sale to the	currently no defined;

Current Definition

Proposed Definition

		public or that display products outdoors that are sold inside are allowed as an accessory use to a retail use. This definition does not apply to the sales or displays of automobiles.	included to make a distinction from Outdoor storage
	Outdoor storage	Outdoor storage: the keeping of goods and/or materials in the same place for more than 24 hours that are not for sale to the public, including, but not limited to: landscaping materials, construction materials. This definition does not include boat storage.	currently not defined, but the practice is prohibited in several Districts
	Parking Facility. A parking lot or structure. Eff: 05/2/21	Parking facility: a parking lot or parking structure for motor vehicles.	definitions approved by TC on 3/8/21
	Parking Structure. A multi-level structure containing vehicular parking, in which at least one level is used primarily for the purpose of storing motor vehicles, and which does not necessarily have enclosing walls. Eff: 05/12/21	Parking structure: a multi-level structure containing vehicular parking in which at least one level is used primarily for the purpose of storing motor vehicles, and which does not necessarily have enclosing walls.	definitions approved by TC on 3/8/21
Sec. 19-302	Parking Lot. A "Parking Lot" is a parcel of land designed for the parking of motor vehicles and for such accessory uses as are for the immediate comfort and convenience of motorists, not including, a trailer camp.	Parking lot: a "Parking lot" is a parcel of land designed for the parking of motor vehicles at surface level and for such accessory uses as are for the immediate comfort and convenience of motorists, not including, a trailer camp.	includes change approved by TC on 3/8/21
Sec.19-304.17SZ	Person - an individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two or more individuals having a joint or common interest, or other legal entity.	Person: an individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two or more individuals having a joint or common interest, or other legal entity. Also see definition of "natural person"	Added natural person
	Piers, docks, and wharves that are temporary		Delete, limitation of

Current Definition

Proposed Definition

			temporary included in def below
Sec.19-304.17SZ	Piers, docks, wharves, bridges and other structures and uses extending over or beyond the normal high-water line or within a wetland. Temporary: Structures which remain in or over the water for less than seven (7) months in any period of twelve (12) consecutive months. Permanent: Structures which remain in or over the water for seven (7) months or more in any period of twelve (12) consecutive months.	Piers, docks, wharves, bridges and other structures and uses extending over or beyond the normal high-water line or within a wetland: temporary: structures which remain in or over the water for less than seven (7) months in any period of twelve (12) consecutive months. Permanent: Structures which remain in or over the water for seven (7) months or more in any period of twelve (12) consecutive months.	Adds temporary limitation
Sec.19-304.17SZ	Principal use - a use other than one which is wholly incidental or accessory to another use on the same premises.	Principal use: the main or primary use conducted on a lot or located within a building or structure, as distinguished from a use which is wholly incidental or accessory.	Definition updated
Sec. 19-302	Processing. "Processing" means that phase of a manufacturing operation which produces a chemical or physical change in a raw material to enable that material to be used to manufacture a finished product. In certain instances, processing and manufacturing may be synonymous.	Processing: that phase of a manufacturing operation which produces a chemical or physical change in a raw material to enable that material to be used to manufacture a finished product. In certain instances, processing and manufacturing may be synonymous	Format change only
Sec. 19-304.22WF	Public Open Space. An area on a particular site, dedicated, granted or covenanted for the express use of the general public. This area shall be construed and maintained by the property owner in a condition which allows for easy access and use.	Public access or open space: an area on a particular site, dedicated, granted or covenanted for the express use of the general public.	Adds access to the definition

Current Definition

Proposed Definition

<p>Sec.19-304.17SZ</p>	<p>Recent floodplain soils - the following soil series as described and identified by the National Cooperative Soil Survey:</p> <p>Fryeburg Hadley Limerick Lovewell Medomak Ondawa Alluvial Cornish Charles Podunk Rumney Saco Suncook Sunday Winooski</p>	<p>Recent floodplain soils: the following soil series as described and identified by the National Cooperative Soil Survey:</p> <p>Fryeburg Hadley Limerick Lovewell Medomak Ondawa Alluvial Cornish Charles Podunk Rumney Saco Suncook Winooski Sunday</p>	<p>format change only</p>
	<p>Theater and other places of entertainment</p>	<p>Recreation/entertainment facility – indoor: a facility for spectator and participatory uses conducted within an enclosed building including, but not limited to movie theaters, live performance venues, night clubs, indoor sports arenas, bowling alleys, skating centers, physical adventure game facilities, and pool halls.</p>	<p>New definition</p>
<p>Sec.19-304.17SZ</p>	<p>Recreational facility - a place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, excluding boat launching facilities.</p>	<p>Recreational facility (in shoreland areas): a place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, excluding boat launching facilities.</p>	<p>format change only</p>
<p>Sec.19-304.17SZ</p>	<p>Recreational vehicle - a vehicle or an attachment to a vehicle designed to be towed and designed for temporary sleeping or living quarters for one or more persons, and which may include a pick-up camper, travel trailer, tent trailer, camp trailer, and motor home. In order to be considered as a vehicle and not as a structure, the unit must remain with its tires on</p>	<p>Recreational vehicle (in shoreland areas): a vehicle or an attachment to a vehicle designed to be towed and designed for temporary sleeping or living quarters for one or more natural persons, and which may include a pick-up camper, travel trailer, tent trailer, camp trailer, and motor home. In order to be considered as a vehicle and not as a structure, the unit must remain with its tires on the</p>	<p>format change only</p>

Current Definition

Proposed Definition

	the ground and must be registered with the State Division of Motor Vehicles.	ground and must be registered with the State Division of Motor Vehicles.	
	Religious institutions, meetings of church organizations	Religious institution: a building or portion of a building used for religious worship, and education for all ages including, but not limited to, churches, synagogues, masjids, mosques, and other places of worship.	currently no definition, typical definition
Sec.19-304.17SZ	Replacement system - a system intended to replace: 1.) an existing system which is either malfunctioning or being upgraded with no significant change of design flow or use of the structure, or 2.) any existing overboard wastewater discharge.	Replacement system (in shoreland area): a sub-surface wastewater disposal system intended to replace: 1.) an existing system which is either malfunctioning or being upgraded with no significant change of design flow or use of the structure, or 2.) any existing overboard wastewater discharge.	format change only
	Research and development	Research and Development: the process and activity of obtaining new knowledge that can be used to create new technology, products, services or systems for use or for sale.	currently no definition, typical definition
	Residence Quarters. those quarters on a business premises where the proprietor or caretaker and members of his or her family reside as their principal residence for the purpose of carrying out the duties of the caretaker or business proprietor.	Residence quarters: residential quarters on a business premises where the proprietor or caretaker and members of his or her family reside as their principal residence for the purpose of carrying out the duties of the caretaker or business proprietor.	Format change only
Sec. 19-302	Assisted Living Facility. A residential facility consisting of dwelling units occupied by elderly or disabled persons in buildings that include a common dining area, where licensed assisted living services are provided to such occupants as needed, irrespective of the level of licensure obtained by the service provider. Assisted	Residential care - assisted living facility: a residential facility consisting of dwelling units occupied by seniors and/or natural persons with disabilities in buildings that include a common dining area, where licensed assisted living services are provided to such occupants as needed, irrespective of the level of licensure	changed the title name so that similar uses would group together in land use tables

Current Definition

living services may include, without limitation, housing, on-site assistance with activities of daily living, personal supervision, protection from environmental hazards, diet and nutritional care, food preparation, supervision and assistance in the administration of medications, diversional or motivational activities, bathing and hygiene care, physical exercise, and/or nursing services. Such assisted living services must be provided at the Assisted Living Facility either directly by the Facility or indirectly through contracts with persons, entities, or agencies. Eff: 04/11/12

Proposed Definition

obtained by the service provider. Assisted living services may include, without limitation, housing, on-site assistance with activities of daily living, personal supervision, protection from environmental hazards, diet and nutritional care, food preparation, supervision and assistance in the administration of medications, diversional or motivational activities, bathing and hygiene care, physical exercise, and/or nursing services. Such assisted living services must be provided at the Assisted Living Facility either directly by the Facility or indirectly through contracts with natural persons, entities, or agencies.

Sec. 19-302

Nursing Home. A facility which is operated in connection with a hospital, or in which nursing care and medical services are prescribed by or performed under the general direction of persons licensed to practice medicine or surgery in this State, for the accommodation of convalescent or other persons who are not acutely ill and not in need of hospital care, but who do require skilled nursing care and related medical services. The term “nursing home” or “nursing facility” is restricted to those facilities, the purpose of which is to provide skilled nursing care and related medical services for a period of not less than 24 hours per day to individuals admitted because of illness, disease or physical or mental infirmity and which provides a community service. Eff: 04/11/12

Residential care – nursing home: a facility in which nursing care and medical services are prescribed by or performed under the general direction of natural persons licensed to practice medicine or surgery in this State, for the accommodation of convalescent or other natural persons who are not persons who are not acutely ill and not in need of hospital care, but who do require skilled nursing care and related medical services. The term “nursing home” or “nursing facility” is restricted to those facilities, the purpose of which is to provide skilled nursing care and related medical services for a period of not less than 24 hours per day to individuals admitted because of illness, disease or physical or mental infirmity and which provides a community service

changed the title name so that similar uses would group together in land use tables

Current Definition

Proposed Definition

<p>Sec. 19-302</p>	<p>Private Non-Medical Institutes and Residential Care Facilities, Large. A house or other place that, for consideration, is maintained wholly or partly and licensed for the purpose of providing more than six (6) residents with assisted housing services or assisted living services. Residential care facilities provide housing and services to residents in private or semi-private bedrooms in buildings with common living areas and dining areas. The term does not include a nursing home or a supported living arrangement licensed or certified as such by the Maine Department of Health and Human Services. Eff: 04/11/12</p>	<p>Residential care - private non-medical facilities: a house or other place that, for consideration, is maintained wholly or partly and licensed for the purpose of providing residents with assisted housing services or assisted living services. Residential care facilities provide housing and services to residents in private or semi-private bedrooms in buildings with common living areas and dining areas. The term does not include a nursing home, or a supported living arrangement licensed or certified as such by the Maine Department of Health and Human Services. Eff: 04/11/12</p>	<p>large and small facilities were merged as both uses are allowed in the same districts, a limitation on size will be added where only "small facilities are allowed</p>
<p>Sec.19-304.17SZ</p>	<p>Residential dwelling unit - a room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family at a time, and containing cooking, sleeping and toilet facilities. The term shall include mobile homes and rental units that contain cooking, sleeping, and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units.</p>	<p></p>	<p>Delete, see definition of dwelling unit</p>
<p></p>	<p></p>	<p>Residential renovation – existing structures: two-family or multi-family units that are created within an existing building where no additions are constructed except those necessary to meet the Life Safety Code and where all required parking can be created on</p>	<p>New definition – added because there is a reference in the land use table</p>

Current Definition

Proposed Definition

		the site and the maximum building coverage can be met	
	Restaurant	Restaurant: Any eating and drinking establishment where food and beverages are served and consumed.	Drive through will be allowed in Districts where they currently exist
Sec. 19-302	Retail Business. The selling of goods or merchandise to the general public for personal or household consumption or to businesses which will be customers or end-users of the goods. A retail business may offer incidental services to the sale of such goods, including but not limited to the sale of prepared food for consumption off the premises, and an incidental retail cafe. A retail business does not include motor vehicle sales and service or motor vehicle service station, restaurants or lodging facilities. Eff: 06/10/09	Retail business: the selling of goods or merchandise to the general public or end-users of the goods. A retail business may offer incidental services to include uses accessory to the sale of such goods, including but not limited to light assembly of products sold on site, the sale of prepared food for consumption off the premises, and/or an incidental retail cafe. A retail business does not include motor vehicle sales and service or motor vehicle service stations, restaurants or lodging facilities.	keeps this definition up-to-date with current trends of experiential shopping (seeing products being made or making products. Adding coffee, café and food service has been allowed and will probably increase.
	Riding Stable. A facility and contiguous land under common ownership used for the art or practice of horsemanship. Eff: 10/09/13	Riding stable: A facility and contiguous land under common ownership used for the art or practice of horsemanship.	format change only
Sec. 19-304 SZ	Riprap - rocks, irregularly shaped, and at least six (6) inches in diameter, used for erosion control and soil stabilization, typically used on ground slopes of two (2) units horizontal to one (1) unit vertical or less.	Riprap - rocks, irregularly shaped, and at least six (6) inches in diameter, used for erosion control and soil stabilization, typically used on ground slopes of two (2) units horizontal to one (1) unit vertical or less.	Format change only

Current Definition

Proposed Definition

Sec.19-304.17SZ	River - a free-flowing body of water including its associated floodplain wetlands from that point at which it provides drainage for a watershed of twenty-five (25) square miles to its mouth.	River: A free-flowing body of water including its associated floodplain wetlands from that point at which it provides drainage for a watershed of twenty-five (25) square miles to its mouth.	format change only
	Road - a route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles, excluding a driveway as defined.	Road (in shoreland area): a route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles, excluding a driveway as defined.	format change only
Sec. 19-302	Roll-off container: A box container that can be left on site, separate from a truck. Usually available in several sizes, from 10 cubic yards to 40 cubic yards. Eff. 1/8/03	Roll-off container: a box container that can be left on site, separate from a truck. Usually available in several sizes, up to 40 cubic yards.	format change only
Sec.19-304.17SZ	Salt marsh - Areas of coastal wetland (most often along coastal bays) that support salt tolerant species, and where at average high tide during the growing season, the soil is irregularly inundated by tidal waters. The predominant species is saltmarsh cordgrass (<i>Spartina alterniflora</i>). More open areas often support widgeon grass, eelgrass, and Sago pondweed.	Salt marsh: Areas of coastal wetland (most often along coastal bays) that support salt-tolerant species, and where at average high tide during the growing season, the soil is irregularly inundated by tidal waters. The predominant species is saltmarsh cordgrass (<i>Spartina alterniflora</i>). More open areas often support widgeon grass, eelgrass, and Sago pondweed.	format change only
Sec.19-304.17SZ	Salt meadow - Areas of a coastal wetland that support salt tolerant plant species bordering the landward side of salt marshes or open coastal water, where the soil is saturated during the growing season but which is rarely inundated by tidal water. Indigenous plant	Salt meadow: Areas of a coastal wetland that support salt-tolerant plant species bordering the landward side of salt marshes or open coastal water, where the soil is saturated during the growing season but which is rarely inundated by tidal water. Indigenous plant	format change only

Current Definition

Proposed Definition

species include salt meadow cordgrass (Spartina patens) and black rush; common three-square occurs in fresher areas.

species include salt meadow cordgrass (Spartina patens) and black rush; common three-square occurs in fresher areas.

Sec. 19-302

Schools and Schools with day care centers

School: An institution with facilities used for the offering of courses, lectures, training seminars, performing arts instruction or other similar use, including, but not limited to, public or private nursery, kindergarten, elementary, middle, secondary education, trade schools, and accessory structures and uses necessary to support those activities, including athletic facilities and playgrounds.

currently no definition, allows day care centers as an accessory use to keep the intent of the term.

Keep post-secondary and keep day care as an accessory use

Sec. 19-302

Semi-trailer: a truck trailer equipped with one or more axles and constructed so that the front-end rests upon a truck tractor.

Semi-trailer: a truck trailer equipped with one or more axles and constructed so that the front-end rests upon a truck tractor.

format change only

Sec.19-304.17SZ

Service drop - any utility line extension which does not cross or run beneath any portion of a water body provided that:
1. in the case of electric service
a. the placement of wires and/or the installation of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way; and
b. the total length of the extension is less than one thousand (1,000) feet. 2. in the case of telephone service a. the extension, regardless of length, will be made by the installation of telephone wires to existing utility poles, or

Service drop (in a shoreland area): Any utility line extension which does not cross or run beneath any portion of a water body provided that:
1. in the case of electric service
a. the placement of wires and/or the installation of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way; and
b. the total length of the extension is less than one thousand (1,000) feet. 2. in the case of telephone service a. the extension, regardless of length, will be made by the installation of

Utilities in SZ have a length limitation

Current Definition

Proposed Definition

b. the extension requiring the installation of new utility poles or placement underground is less than one thousand (1,000) feet in length.

telephone wires to existing utility poles, or
 b. the extension requiring the installation of new utility poles or placement underground is less than one thousand (1,000) feet in length.

<p>Sec. 19-302</p>	<p>Construction Services. An establishment furnishing construction services including general building contractors; highway and street construction contractors; heavy construction contractors; plumbing, heating and air conditioning contractors; painting, paper hanging, and decorating contractors; electrical contractors; masonry, stonework, tile setting, and plastering contractors; flooring contractors; roofing and sheet metal contractors; concrete work contractors; water well drilling, and miscellaneous special trade contractors.</p>	<p>Services - construction: activities involved in the construction industry, including the preparation of materials that require heavy machinery, or the storage of heavy equipment used in construction, and the storage of explosives, such as but not limited to concrete production, well drillers, site construction contractors, highway and road contractors.</p>	<p>proposed definition make a stronger distinction between construction services and tradesman services, reflects the types of businesses in the Districts the use is allowed</p>
<p>Sec. 19-302</p>	<p>Human Health Services. An out-patient establishment furnishing medical and fitness services, including the offices of physicians, dentists, and other health care professionals and practitioners, clinics, medical laboratories and blood banks, but excludes sole source pharmacy. It is the intention of the City Council that this ordinance amendment shall apply to applications pending or permitted on or after November 29, 2004. Eff: 01/12/05</p>	<p>Services -- health and medical: an out-patient establishment furnishing services such as medical, dental, physical and occupational therapy and mental health services.</p>	<p>Deleted reference to "Sole Source Pharmacy" as recommended by legal counsel.</p>
<p>Sec. 19-302</p>	<p>Personal Services. An establishment furnishing services including by way of example: laundry and cleaning services, photography studios, shoe repair shops, barber shops and beauty</p>	<p>Services – personal: an establishment furnishing personal care, health and fitness and other specialized services.</p>	<p>covers a wide variety of uses needed by the</p>

Current Definition

Proposed Definition

	salons, pet grooming services, health and fitness facilities, and similar services to the general public. Eff: 8/9/06		general population
Sec. 19-302	Social Services. An establishment furnishing services including individual and family social services, job training and vocational rehabilitation services, child care services, residential care services, and miscellaneous social services.	Services - social: an establishment or activity undertaken to advance the welfare of citizens in need.	Makes definition timeless
Sec. 19-302	Tradesman's or Craftsman's Offices, Shops, and Showrooms. The shop of a person in a skilled trade or craft, including by way of example: artisans, plumbing, heating, and air conditioning contractors; painting, paper hanging, and decorating contractors; electrical contractors; masonry, stonework, tile setting, and plastering contractors; carpeting and flooring contractors; roofing and sheet metal contractors; drilling, and miscellaneous special trade contractors. The total office, shop, and showroom space shall not exceed four thousand (4,000) square feet of total floor area.	Services - trades: the production shop and/or office space of a natural person in a skilled trade or craft, where all of the activity is conducted indoors. May include accessory showrooms of up to four thousand (4,000) square feet of total floor area.	gender neutral definition, existing definition is similar to construction services. Both definitions were changed, Trades for smaller, lighter types of construction, construction services is heavy construction now
		Setback - front infill lot: the front setback of an infill lot may be between the front setback requirement for the District in which it is located and the front setbacks of the principal building on the abutting lots.	new term to support front setback - infill lot. Currently the intent is repeated in each

Current Definition

Proposed Definition

			District where they are allowed moved to new Sec. 19-207 Dimensional Stndrs
Sec. 19-302	Setback (in non-shoreland zones): The minimum horizontal distance between the front, side, or rear lot line and the nearest point of the building, including decks or any covered projections thereof, of the lot. Eff: 09/12/18	Setback (in non-shoreland zones): The minimum horizontal distance between the front, side, or rear lot line and the nearest point of the building, including porches, decks or any covered projections thereof, of the lot. Steps that are less than 25 square feet and ramps for accessible access are not subject to setback requirements.	moved to new Sec. 19-207 Dimensional Stndrs
Sec.19-304.17SZ	Setback - the nearest horizontal distance from the normal high-water line of a water body or tributary stream, or upland edge of a wetland, to the nearest part of a structure, road, parking space or other regulated object or area.	Setback (in shoreland areas) - the nearest horizontal distance from the normal high-water line of a water body or tributary stream, or upland edge of a wetland, to the nearest part of a structure, road, parking space or other regulated object or area.	need distinction between shoreland and non-shoreland areas moved to new Sec. 19-207 Dimensional Standards
Sec. 19-302	Setback, Front: The distance from the property line bordering any street frontage extending the width of the frontage to the nearest part of any principal or accessory building on the lot measured from overhangs or other permanent protrusions. Front setback and front yard are synonymous. Note: Handicapped ramps are exempt from setback calculations. Eff: 05/10/06; amended 09/12/18	Setback, front: The distance between any property line and the nearest point to which any structure can be erected. Measurement shall be to the outermost vertical plane nearest the property line measured from overhangs or other permanent protrusions. Note: Accessible ramps are exempt from setback calculations.	Updated definition moved to new Sec. 19-207 Dimensional Standards

Current Definition

Proposed Definition

Sec. 19-302	<p>Setback, Rear: The distance from the rear line of the lot, extending the full width of the lot to the nearest part of any principal or accessory building on the lot measured from overhangs or other permanent protrusions. Back or rear setback and back or rear yard are synonymous. Note: Corner lots have no rear setback. Eff: 05/10/06; amended 09/12/18</p>	<p>Setback, rear: The distance between the rear line of the lot and the nearest point to which any building or structure can be erected. Measurement shall be to the outermost vertical plane nearest the property line Note: Corner lots have no rear setback.</p>	<p>Updated definition moved to new Sec. 19-207 Dimensional Standards</p>
		<p>Setback, rear exception: a reduction in the rear setback requirement for up to two accessory structures with a combined floor area up to 700 square feet and a maximum height of 18 feet.</p>	<p>moved to new Sec. 19-207 Dimensional Standards</p>
Sec. 19-302	<p>Setback, Side: The distance from the side property line to the nearest part of any principal or accessory building on the lot measured from overhangs or other permanent protrusions. Any lot line not a rear lot line or a front lot line shall be deemed a side lot line. Side setback and side yard are synonymous. Eff: 05/10/06; amended 09/12/18</p>	<p>Setback, side: the distance from the side property line to the nearest part of any principal or accessory building on the lot measured from overhangs or other permanent protrusions. Any lot line not a rear lot line or a front lot line shall be deemed a side lot line.</p>	<p>Updated definition moved to new Sec. 19-207 Dimensional Standards</p>
Sec.19-304.17SZ	<p>Shore frontage - the length of a lot bordering on a water body or wetland measured in a straight line between the intersections of the lot lines with the shoreline.</p>	<p>Shore frontage: the length of a lot bordering on a water body or wetland measured in a straight line between the intersections of the lot lines with the shoreline.</p>	<p>format change only moved to new Sec. 19-207 Dimensional Standards</p>
Sec.19-304.17SZ	<p>Shoreland zone - the land area located within two hundred and fifty (250) feet, horizontal</p>	<p>Shoreland zone: the land area located within two hundred and fifty (250) feet, horizontal</p>	<p>format change only</p>

Current Definition

Proposed Definition

distance, of the normal high-water line of any great pond or river; within 250 feet, horizontal distance, of the upland edge of a coastal wetland, including all areas affected by tidal action; within 250 feet of the upland edge of a freshwater wetland; or within seventy-five (75) feet, horizontal distance, of the normal high-water line of a stream.

distance, of the normal high-water line of any great pond or river; within 250 feet, horizontal distance, of the upland edge of a coastal wetland, including all areas affected by tidal action; within 250 feet of the upland edge of a freshwater wetland; or within seventy-five (75) feet, horizontal distance, of the normal high-water line of a stream.

Sec. 19-304SZ	Shoreline – the normal high-water line, or upland edge of a freshwater or coastal wetland	Shoreline – the normal high-water line, or upland edge of a freshwater or coastal wetland.	format change only
Sec. 19-302	Short Term Rental (“STR”). The use of all or part of a legally-existing dwelling unit for short-term rental to a person or family unrelated to the owner or lessee of the unit, for consideration, for periods of less than one month. Eff: 05/11/16	Short term rental (“STR”): the use of all or part of a legally existing dwelling unit for short-term rental to a person or family unrelated to the owner or lessee of the unit, for consideration, for periods of less than one month.	Format change only
Sec. 19-302	Sign. "Sign" means any structure, display, picture, logo, symbol, device or representation which is designed or used to advertise or call attention to anything, person, business, activity or place and is visible from any public way. It does not include the flag, pennant or insignia of any nation, state or town.	Sign: any structure, display, picture, logo, symbol, device or representation which is designed or used to advertise, business, activity or place and is visible from any public way. It does not include the flag, pennant or insignia of any nation, state or town.	format change only
Sec. 19-302	Signs Measurement. All signs shall be measured by the outside area required to place the complete sign. In the case of a protruding sign, both sides shall be considered as sign area.	Signs measurement: all signs shall be measured by the outside area required to place the cote sign. In the case of a protruding sign, both sides shall be considered as sign area.	format change only
Sec. 19-302	Signs on Premises Advertising. On premises advertising shall mean to include identify of the firm or advertising of services or products for sale or produced on the premises.	Signs – advertising: signs that include identify of the business and services or products that are for sale or produced on the premises. All	currently no definition, consistent with

Current Definition

Proposed Definition

		advertising signs must be located on the same premise as the business.	what happens in practice
Sec. 19-304SZ	Slash - the residue, e.g., treetops and branches, left on the ground after a timber harvest.	Slash: the residue, e.g., treetops and branches, left on the ground after a timber harvest.	
Sec. 19-302	Small engine repair	Small engine repair: a business establishment that repairs and maintains low-power internal combustion engines powered by gasoline or electricity.	currently no definition, consistent with what happens in practice
	Monuments and Stoneworks	Stonework: The shaping, preparation, or setting of stone for cemetery monuments, steps, landscaping, retaining walls.	currently no definition, monuments are only one type of stonework, the broader title was chosen
	Storage Buildings compartmentalized	Storage facility - compartmentalized: A fully enclosed or secured building or area with individual, secured units (accessed with or without supervision) used for the exclusive purpose of storage of non-hazardous materials. Units may or may not be climate controlled. For the purposes of this definition, stackable storage pods shall be considered compartmentalized secured unit and may be stored indoors or outdoors.	Size limitations will be listed with a footnote
	Warehouse	Storage facility - warehouse and storage: A structure or building where goods or materials are stored, but not distributed to other sites.	currently no definition
Sec. 19-302	Story. "Story" means that portion of a building other than a basement, included between the	Story: that portion of a building other than a basement, included between the surface of any	currently no definition,

Current Definition

Proposed Definition

surface of any floor and the surface of any floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.

floor and the surface of any floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.

meets what is currently allowed

Sec.19-304.17SZ

Stream - a free-flowing body of water from the outlet of a great pond or the confluence of two (2) perennial streams as depicted on the most recent edition of a United States Geological Survey 7.5 minute series topographic map, or if not available, a 15-minute series topographic map, to the point where the body of water becomes a river or flows to another water body or wetland within the shoreland area.

Stream: a free-flowing body of water from the outlet of a great pond or the confluence of two (2) perennial streams as depicted on the most recent edition of a United States Geological Survey 7.5 minute series topographic map, or if not available, a 15-minute series topographic map, to the point where the body of water becomes a river or flows to another water body or wetland within the shoreland area.

format change only

Sec. 19-302

Public Street. A public street for the purposes of Chapter 19 is a street or road which has been accepted by the City as a public street, or a private way which is located in an approved subdivision, or a private road in existence prior to December 1, 1989. This does not include undeveloped roads reserved in unapproved subdivisions or undeveloped roads reserved in deeds or other conveyances. Eff: 12/10/90

Street for the purposes of Chapter 19 a street may be accepted by the City as a public street, state routes and highways, and private roads.

Includes state roads and highways and private roads. Consistent with long term practice of street frontage

Building Coverage. The horizontal area measured at the outside of the exterior walls of all principal and accessory buildings on a lot

Structure Coverage. The horizontal area measured at the outside of the exterior walls of all principal and accessory structures on a lot.

Consistent with using structure instead of building moved to new Sec. 19-207 Dimensional Standards

Building or Structure Height. The height of a building or structure is the vertical distance from

Structure height (in non-shoreland areas): the height of a building or structure is the vertical

Current Definition

the mean elevation of the original grade or existing street level, whichever is higher ,around the perimeter of the building to the highest point of a flat roof, or the mean height level between eaves and ridges for gable, hip and gambrel roofs. Height limitations shall not apply to chimneys, steeples, water stand-pipes, or spires, but these structures shall be set back from all lot lines a distance of not less than the height (from the finished grade) of such building or structure. For the purposes of this paragraph, the following shall be the meaning of "original grade" and "average original grade":

- a. Original Grade. The grade of the land that exists prior to the beginning of the proposed construction; provided, however, that if the grade has been altered in the twelve months prior to the application for a building permit for the proposed construction, the original grade shall be the average grade of the land that existed prior to the alteration.
- b. Average Original Grade. Shall be calculated by taking the original grade elevations every ten (10) feet along the perimeter of the foundation or proposed foundation, beginning at the lowest point. The average of all of these

Proposed Definition

distance from the mean elevation of the original grade or existing street level, whichever is higher around the perimeter of the building to the highest point of a flat roof, or the mean height level between eaves and ridges for gable, hip and gambrel roofs. Height limitations shall not apply to chimneys, steeples, water stand-pipes, or spires, but these structures shall be set back from all lot lines a distance of not less than the height (from the finished grade) of such building or structure. For the purposes of this paragraph, the following shall be the meaning of "original grade" and "average original grade":

- a. Original Grade. The grade of the land that exists prior to the beginning of the proposed construction; provided, however, that if the grade has been altered in the twelve months prior to the application for a building permit for the proposed construction, the original grade shall be the average grade of the land that existed prior to the alteration.
- b. Average Original Grade. Shall be calculated by taking the original grade elevations every ten (10) feet along the perimeter of the foundation or proposed foundation, beginning at the lowest point. The average of all of these elevations shall be

moved to new
Sec. 19-207
Dimensional
Standards

Current Definition

elevations shall be the average original grade from which the height of the building is measured.

Proposed Definition

the average original grade from which the height of the building is measured

Sec.19-304.17SZ	Principal structure - a building other than one which is used for purposes wholly incidental or accessory to the use of another building or use on the same premises.	Structure - principal: a structure other than one which is used for purposes wholly incidental or accessory to the use of another structure or use on the same premises.	format change only
Sec.19-304.17SZ	Structure - anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences, and poles, wiring and other aerial equipment normally associated with service drops as well as guying and guy anchors. The term includes structures temporarily or permanently located, such as decks, patios, and satellite dishes.	Structure: anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences, and poles, wiring and other aerial equipment normally associated with service drops as well as guying and guy anchors. Buildings separated only by party walls, without openings, shall be treated as separate buildings. The term includes structures temporarily or permanently located, such as decks, patios, and satellite dishes. Structure – temporary: structures that used for incidental to or accessory to the residential or commercial property on which it is located and that is in place for no more than one year, unless the Planning Board issues a permit for no more than one additional year. These structures do not have to meet any design standards or the standards of the building code adopted by the City. Temporary structures shall not be used for the storage or repair of a	the proposed definition combines a state recognized definition with the inclusion of party walls without openings are deemed to be separate buildings - a long-time practice in Rockland. From Special Use classes

Current Definition

Proposed Definition

		recreational or fishing vessel or fishing equipment.	
Sec. 19-302	Studio. Workroom or rooms of a painter, sculptor, photographer, other artist, craftsperson or musician. Room or rooms in which a music teacher, dramatic coach or other artist or craftsperson gives lessons.	Studio: Workroom or rooms for the creation of artistic works or for the instruction in any of the arts.	More timeless definition
Sec.19-304.17SZ	Substantial start - completion of thirty (30) percent of a permitted structure or use measured as a percentage of estimated total cost.	Substantial start (in shoreland areas only): completion of thirty (30) percent of a permitted structure or use measured as a percentage of estimated total cost.	format change only
Sec.19-304.17SZ	Subsurface sewage disposal system – any system designed to dispose of waste or waste water on or beneath the surface of the earth; includes, but is not limited to: septic tanks; disposal fields; grandfathered cesspools; holding tanks; pretreatment filter, piping, or any other fixture, mechanism, or apparatus used for those purposes; does not include any discharge system licensed under 38 M.R.S. § 414, any surface waste water disposal system, or any municipal or quasi-municipal sewer or waste water treatment system.	Subsurface sewage disposal system: any system designed to dispose of waste or waste water on or beneath the surface of the earth; includes, but is not limited to: septic tanks; disposal fields; grandfathered cesspools; holding tanks; pretreatment filter, piping, or any other fixture, mechanism, or apparatus used for those purposes; does not include any discharge system licensed under 38 M.R.S. § 414, any surface waste water disposal system, or any municipal or quasi-municipal sewer or waste water treatment system.	format change only
Sec.19-304.17SZ	Sustained slope - a change in elevation where the referenced percent grade is substantially maintained or exceeded throughout the measured area.	Sustained slope: a change in elevation where the referenced percent grade is substantially maintained or exceeded throughout the measured area.	format change only
Sec. 19-302	Swimming Pool. "Swimming pool" means an outdoor body of water enclosed in an artificial receptacle or other container, whether in or above the ground, used or intended to be used	Swimming pool: an outdoor body of water enclosed in an artificial receptacle or other container, whether in or above the ground, used or intended to be used for swimming or bathing	Format change only

Current Definition

Proposed Definition

for swimming or bathing and designed for a water depth of 24 inches or more. Eff: 11/28/85

and designed for a water depth of 24 inches or more.

<p>Sec. 19-302</p>	<p>Telecommunications Tower: Any mast, pole, monopole, lattice tower, or other structure designed to support one or more antennas used to transmit, receive, distribute, provide, or offer wireless telecommunications services. Eff: 04/01/20.</p>	<p>Telecommunications tower: Any mast, pole, monopole, lattice tower, or other structure designed to support one or more antennas used to transmit, receive, distribute, provide, or offer wireless telecommunications services.</p>	<p>format change only;</p>
	<p>Tidal waters: all waters affected by tidal action during the maximum spring tide.</p>	<p>Tidal waters: all waters affected by tidal action during the maximum spring tide.</p>	<p>Format change only</p>
	<p>Tiny house: a residential structure with four hundred (400) square feet or less of living space that is built on a foundation or a permanent chassis. Living space shall exclude porches, garages and other unheated space</p>	<p>Tiny home: a living space up to four hundred (400) square feet, not including a trailer, semitrailer, camp trailer, recreational vehicle or manufactured housing, permanently constructed on:</p> <ul style="list-style-type: none"> a) a foundation. Living space shall exclude porches, garages and other unheated space, or, b) a frame or chassis and designed for use as permanent living quarters that: a. Complies with American National Standards Institute standard A 119.5 on plumbing, propane, fire and life safety and construction or National Fire Protection Association standard 1192 on plumbing, propane and fire and life safety for recreational vehicles; b. does not exceed 400 square feet in size; c. does not exceed any dimension allowed for operation on a public way under this Title 29-A M.R.S.A; and d. is a vehicle without motive power. 	<p>Currently no definition, definition matches current uses,</p>

Current Definition

Proposed Definition

Sec.19-
304.17SZ **Transportation Facilities**

Transportation facility: the storage and dispatch of vehicles, and vessels that move people and cargo, and the movement of people and cargo between modes of transportation.

Currently no definition, as online sales increase, the need for regional distribution is likely

Sec.19-
304.17SZ

Tributary stream – means a channel between defined banks created by the action of surface water, which is characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil, parent material or bedrock; and which is connected hydrologically with other water bodies. “Tributary stream” does not include rills or gullies forming because of accelerated erosion in disturbed soils where the natural vegetation cover has been removed by human activity. This definition does not include the term "stream" as defined elsewhere in this Ordinance, and only applies to that portion of the tributary stream located within the shoreland zone of the receiving water body or wetland.

Tributary stream: means a channel between defined banks created by the action of surface water, which is characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil, parent material or bedrock; and which is connected hydrologically with other water bodies. “Tributary stream” does not include rills or gullies forming because of accelerated erosion in disturbed soils where the natural vegetation cover has been removed by human activity. This definition does not include the term "stream" as defined elsewhere in this Ordinance, and only applies to that portion of the tributary stream located within the shoreland zone of the receiving water body or wetland.

format change only

Sec.19-
304.17SZ

Upland edge of a wetland - the boundary between upland and wetland. For purposes of a coastal wetland, this boundary is the line formed by the landward limits of the salt tolerant vegetation and/or the maximum spring tide level, including all areas affected by tidal

Upland edge of a wetland: the boundary between upland and wetland. For purposes of a coastal wetland, this boundary is the line formed by the landward limits of the salt tolerant vegetation and/or the maximum spring tide level, including all areas affected by tidal

format change only

Current Definition

Proposed Definition

action. For purposes of a freshwater wetland, the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation; or where the soils support the growth of wetland vegetation, but such vegetation is dominated by woody stems that are six (6) meters (approximately twenty (20) foot) tall or taller.

action. For purposes of a freshwater wetland, the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation; or where the soils support the growth of wetland vegetation, but such vegetation is dominated by woody stems that are six (6) meters (approximately twenty (20) foot) tall or taller.

Sec. 19-302	Use. The purpose for which land or structures thereon are designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented, or leased. Eff: 05/11/11	Use: the purpose for which land or structures thereon are designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented, or leased.	format change only
Sec. 19-302	Automobile service station. Any premises where the primary use is the retail supply, installation and/or dispensing of gasoline and/or other motor fuels, lubricants, batteries, tires, and motor vehicle accessories.	Vehicle fueling stations: any premises where use is the retail supply, installation and/or dispensing of gasoline, and/or other motor fuels, lubricants, batteries, tires, and motor vehicle accessories. This use may include retail establishments (e.g. convenience stores). This use does not include stand-alone, alternative-fuel charging units for vehicles	Updated
Sec. 19-305SZ	Vegetation - all live trees, shrubs, and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4 1/2 feet above ground level.	Vegetation: all live trees, shrubs, and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4 1/2 feet above ground level.	format change only
Sec.19-304.17SZ	Velocity zone - an area of special flood hazard extending from offshore to the inland limit of the primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.	Velocity zone: an area of special flood hazard extending from offshore to the inland limit of the primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.	format change only
Sec. 19-302	Veterinary Clinic. A place for the provision of medical care to animals. Eff: 10/09/13	Veterinary clinic: a place for the provision of medical care to animals.	format change only

Current Definition

Proposed Definition

Sec.19-304.17SZ	Volume of a structure - the volume of all portions of a structure enclosed by roof and fixed exterior walls as measured from the exterior faces of these walls and roof.	Volume of a structure: the volume of all portions of a structure enclosed by roof and fixed exterior walls as measured from the exterior faces of these walls and roofs.	format change only
Sec.19-304.17SZ	Water body - any great pond, river or stream.	Water body: any great pond, river or stream.	format change only
Sec.19-304.17SZ	Water crossing - any project extending from one bank to the opposite bank of a river, stream, tributary stream, or wetland whether under, through, or over the water or wetland. Such projects include but may not be limited to roads, fords, bridges, culverts, water lines, sewer lines, and cables as well as maintenance work on these crossings. This definition includes crossings for timber harvesting equipment and related activities.	Water crossing: any project extending from one bank to the opposite bank of a river, stream, tributary stream, or wetland whether under, through, or over the water or wetland. Such projects include but may not be limited to roads, fords, bridges, culverts, water lines, sewer lines, and cables as well as maintenance work on these crossings. This definition includes crossings for timber harvesting equipment and related activities.	format change only
Sec.19-304.17SZ	Wetland - a freshwater or coastal wetland.	Wetland: a freshwater or coastal wetland.	format change only
	Wholesale	Wholesale: enterprises engaged in the processing and/or storage of goods, wares, or merchandise in a warehouse for distribution to other destinations. Retail sales or direct sales to consumers is allowed as an accessory use.	currently no definition
	Retail and/or auxiliary wholesale business	Wholesale businesses including retail and manufacturing: Wholesale, storage, and distribution of goods, wares, or merchandise. Manufacturing of products to be stored and distributed and/or retail sales are allowed as an accessory use.	currently no definition, intended to clarify the current description
Sec.19-304.17SZ	Woody Vegetation - live trees or woody, non-herbaceous shrubs.	Woody Vegetation: live trees or woody, non-herbaceous shrubs.	format change only