Updated as of April 19, 2013

306.5 SCHEDULE 0F USES

USE	RURAL	LDR	MDR-1	MDR-2	HDR	HDR-2	CB	GB	IND	IND-2	OR	PB
OPEN AREA USES												
Accessory Use	P	P										**P**
Agriculture	Y	Y										
Barnyard Animals	Y-8,25	Y-8,25										
Farm Stand	P	P										
Forestry	P	P										
Public Parks / Trails	S	S	S	S	S	S	S	S	S-63	S-63	**S**	**S**
Public Playground	S	S	S	S	S	S	S	S			**S**	
Removal of Fill, Gravel, Stone, Loam	S	S										
Water storage-Farm Pond	P-1,2,or 21	P-1,2,or 21										
RESIDENTIAL USES												
Accessory Use	P	P	P	P	P	P	P				P	
Single-family Dwelling	P	P	P	P	P	P	P	P-61			P	
Home Occupations	P	P	P	P	P	P	P				P	
Manufactured Housing*												
Mobile Home Park		S-15,16				S-15,16						
Multi-family, 3 or more (#18)		S			S	S	S	P-61			S	
Planned Unit Development Of Residential Units		S	S-12,15,16	S-12,15,16	S	S-12,15,16	S-12,15,16					
Two-family Dwelling(#18)		P		P	P	P	P	P-61			P	

Any non-residential uses allowed with or without a permit which creates 5,000 square feet of new gross floor area, or creates 5,000 square feet or greater of new unvegetated area in the development, separately or collectively, shall be subject to Site Plan Review. Any proposed non-residential uses allowed, with or without a permit, exceed the 5,000 square foot area for new gross floor area or new unvegetated area, or any proposed combination of the two activities, within a two (2) year period shall be considered cumulative activity and shall require site plan review. (#17)

306.5 SCHEDULE OF USES

USE	RURAL	LDR	MDR-1	MDR-2	HDR	HDR-2	CB	GB	IND	IND-2	OR	PB
COMMERCIAL USES												
Accessory Uses	P	P	P	P	P	P	P	P	P	P	P	P
Adult Amusement Store								S-6				
Adult Motion Picture Theater and On-Site Adult Video Screening									S-6			
Adult Entertainment Nightclub, Bar or Cabaret									S-6			
Adult Relaxation Spa or Adult Spa									S-6			
Animal Clinic								S	S-64	S-64		S
Animal Hospital		S-2,3							S-64	S-64		
Art Galleries							P	P			P	S
Auto Repair							S-12,22,39	S-12	S-12,38	S-12,38		
Auto Service							S-12,22,39	S-12	S-12,38	S-12,38		
Auto, Truck, Equip., Sales							S-5	S-5	S-5			
Aviation		P-1,7								P-1,7		S-1,7
Barbers, Beauty Shops							P	P			P	S
Bed & Breakfast		P			P	P					P	
Boarding of Horses	P-1,2,8											
Building Supply Business								S	S	S		
Business Offices			S-55	S-55	S		P	P	P		S	S
Camping Parks	S	S										
Catering Facility							P	P	P			S
Child Care Center							S		S-60			S

Any non-residential uses allowed with or without a permit which creates 5,000 square feet of new gross floor area, or creates 5,000 square feet or greater of new unvegetated area in the development, separately or collectively, shall be subject to Site Plan Review. Any proposed non-residential uses allowed, with or without a permit, exceed the 5,000 square foot area for new gross floor area or new unvegetated area, or any proposed combination of the two activities, within a two (2) year period shall be considered cumulative activity and shall require site plan review. (#17)

306.5 SCHEDULE OF USES

USE	RURAL	LDR	MDR-1	MDR-2	HDR	HDR-2	CB	GB	IND	IND-2	OR	PB
COMMERCIAL (continued)												
Day Care Facility, Children	P-62	P-62	P-62	P-62	P-62	P-62	P-62					S-62
Day Care Facility, Adult	P-62	P-62	P-62	P-62	P-62	P-62	P-62					S-62
Drinking Establishments, Dance Halls, Night Clubs							S	S				
Financial Institutions							P	P	P		S	S
Funeral Homes					S-12,55		S-55				S-55	
Golf Course	S	S-14										S
Industrial Laundry Facility									S-64	S-64		
Kennels	S-2,3	S-2,3										
Laundromat, Dry Cleaners							P	P				S
Mobile Home Sales								S				
Motel and Hotel							P-12	P-12				S
Museums					P-55		P	P			P	S
Newspaper & Job Printing							P	P	P		P	
Nurseries & Greenhouses	P	P						P	P			S
Planned Group Development (#9)												S
Professional Offices		S	S	S	S		P	P	P		S	S
Recreational Facilities- Indoors							S	S				S
Recreational Facilities- Outdoors	S	S					S	S				S
Recycling Center, other than Automobile recycling facility								S	S			
Redemption Center							S					
Restaurant							P	P				S
Retail Stores							P	P				S

Any non-residential uses allowed with or without a permit which creates 5,000 square feet of new gross floor area, or creates 5,000 square feet or greater of new unvegetated area in the development, separately or collectively, shall be subject to Site Plan Review. Any proposed non-residential uses allowed, with or without a permit, exceed the 5,000 square foot area for new gross floor area or new unvegetated area, or any proposed combination of the two activities, within a two (2) year period shall be considered cumulative activity and shall require site plan review. (#17)

306.5 SCHEDULE OF USES

USE	RURAL	LDR	MDR-1	MDR-2	HDR	HDR-2	CB	GB	IND	IND-2	OR	PB
COMMERCIAL (continued)												
Rooming, Boarding Houses					S-55		S					
Service Businesses							P	P			P	S
Shopping Centers							S	S				
Takeout Food Services							S	S				S
Telecommunication Facilities Not exempt							S-17	S-17	S-17	S-17		S-17
Theaters							S	S				S
Transportation Uses								S	S	S		
Truck Terminal									S			
Warehousing							S	S	S	S		
Wholesaling							S	S	S	S		S
INDUSTRIAL USES												
Accessory Uses							P	P	P	P		P
Automobile Graveyards? Automobile Recycling Facility & junkyards									S			
Bulk Oil & Fuel Tanks									S			
Construction Equipment Storage								S	P	P-38		
Firewood Processing									S	S		
Light Manufacturing							S	S	P	P		
Manufacturing									S	S		
Research and Development Facility(#13)									S			S
Research Facility (#13)									S			S

Any non-residential uses allowed with or without a permit which creates 5,000 square feet of new gross floor area, or creates 5,000 square feet or greater of new unvegetated area in the development, separately or collectively, shall be subject to Site Plan Review. Any proposed non-residential uses allowed, with or without a permit, exceed the 5,000 square foot area for new gross floor area or new unvegetated area, or any proposed combination of the two activities, within a two (2) year period shall be considered cumulative activity and shall require site plan review. (#17)

306.5 SCHEDULE OF USES

USE	RURAL	LDR	MDR-1	MDR-2	HDR	HDR-2	CB	GB	IND	IND-2	OR	PB
INSTITUTIONAL USES												
Accessory Uses	P	P	P	P	P	P	P	P	P	P	P	P
Auditorium											P	S
Cemeteries	S	S-1,2,10,12										
Church(#26)(#29)	S	S	S	S	P-55	S	P	P	S		P	S
Clubhouse & Clubs		S-1,2		S			S	S				
Community Service Organizations							S	P				S
Government Uses except Essential Services	S	S	S	S	S	S	S	S	S	S	S	S
Hospice		S				S					S	S
Hospitals								S				S
Narcotic Treatment Facility (#11)								S-9				S-9
Medical Marijuana Registered Dispensary(#16)												S-11
Medical Marijuana Cultivation Facility (#16)												S-11
Nursing, Convalescent Home		S				S		S				S
Private Schools		S			S-55		P					S
Religious Services as Ancillary Use							P		P	S		S
MISCELLANEOUS												
Essential Services	P**	P**	P**	P**	P**	P**	P**	P**	P**	P**	P**	P**

Essential Service Buildings	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17
Any non-residential uses allowed with or without a permit which creates 5,000 square feet of new gross floor area, or creates 5,000 square feet or greater of new unvegetated area in the development, separately or collectively, shall be subject to Site Plan Review. Any proposed non-residential uses allowed, with or without a permit, exceed the 5,000 square foot area for new gross floor area or new unvegetated area, or any proposed combination of the two activities, within a two (2) year period shall be considered cumulative activity and shall require site plan review. (#17)												

306.5 SCHEDULE OF USES

Footnotes to Schedule of Land Uses

* See Manufactured Housing Overlay District

** Permits are not required when a Utility Permit or Street Opening Permit has been issued. Permits are not required when the utility is located entirely upon the premises of the customer requesting service or for the purpose of maintenance except when a Utility Permit or Street Opening Permit is required. All utilities, both public and private, must be installed underground when located within the right-of-way and/or 150 feet from the right-of-way property line of any accepted City street within the Professional Business (PB) District. This requirement does not apply to Parkway South Wilson Street, and Greenpoint Road except for those areas within or 150 feet from Dirigo Drive as described prior. (#10)

1. Two Hundred (200) feet from any public right-of-way.
2. Two Hundred (200) feet from any abutting property line.
3. One Hundred (100) feet from any public right-of-way.
4. One Hundred (100) feet from any abutting property line.
5. The sales and display of which shall not be within the City's right-of-way.
6. The following Chapters, Articles and Sections shall apply: Chapter 20, Article 5, Section 509 Permitted Locations. Chapter 28 Signs. Chapter 24, Land Use Code, Article 4, Section 424 and Article 6.
7. Enclosed with a fence of a minimum height of six (6) feet and of such design so as to prevent any readily accessibility other than a gate.
8. Fenced along a public way six (6) feet in height.
9. The following Chapters, Articles and Sections shall apply: Chapter 24, Land Use Code, Article 4, Sections 424 & 437, and Article 6. The facility shall be located no closer than 250 feet from the property line of any public and/or private school. (#11)

10. Enclosed with a fence of a minimum height of four (4) feet, so as to prevent any readily accessibility by an automobile other than by a gate.
11. The following Chapters, Articles and Sections shall apply: Chapter 24, Land Use Code, Article 4, Sections 424.2, 424.3 & 438, and Article 6, Section 607.7.1. No Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility shall be

located within 1,000 feet of any property line upon which the Dispensary or Facility is or are located and the nearest property line of a preexisting public or private school. Additionally, no medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility shall be located within 500 feet of any property line upon which the Dispensary and/or Facility is or are located and the nearest property line of any of the following, which is or are in existence when an application for a Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility is made:

a. Preexisting church or other facility for religious worship;
b. Preexisting private residence,
c. Preexisting license daycare facility, or
d. Preexisting methadone clinic. (#16)

12. The traveled area of automobile entrances shall not be more than thirty (30) feet wide or pedestrian entrances more than six (6) feet wide.
14. Abutting street must be at least twenty-eight (28) feet in width.
15. Water- public water- available.
16. Sewer- public sewer- available.
17. The essential services building can be located at the discretion of the Planning Board; Not withstanding the requirements of this ordinance, Essential Services Buildings as defined, shall be exempt from the lot area, coverage, width and frontage requirements of the district in which they are located, provided such structures shall be screened from a public or private street and from any residential district. Additional screening from abutting property owners may be required. Such a buildings or structures must be architecturally similar to the surrounding buildings or structures and kept in good repair.
21. Enclosed by a fence if the actual use is within one hundred (100) feet of the right-of-way or property line.
22. Fenced from view of abutting land owners by a six (6) foot high solid fence.

25. Shall be enclosed by a fence built to confine such animals as are kept and such fence shall be no closer than one hundred (100) feet to any property line
38. All vehicles or parts of vehicles stored outside of buildings shall be fenced from view by a six (6) foot high solid fence within one (1) week from the date that such vehicles are stored.
39. The number of automobiles for sale shall not exceed three (3) automobiles, and the display area for automobile sales shall no exceed six hundred (600) square feet (#9)
49. Lot must contain at least ten (10) acres of land.
54. Structures limited to 2,500 square feet total ground coverage and two stories in height.
55. Located on North Main Street, South Main Street, Wilson Street or State Street.
56. Access drives/driveways: Limited to a single driveway with a minimum width of fifteen (15) feet and a maximum of twenty-four (24) feet; a curb radius of at least five (5) feet and a maximum of fifteen (15) feet. The minimum distance between adjacent driveways shall not be less than ten feet at the highway right-of-way.
60. As an ancillary use to existing use which is limited to the children of employees.

61. As an ancillary use of the principal structure, limited to the area above the ground floor level.
62. To be reviewed by Planning Board referencing only the requirements of Article 4, Section 411.
63. Trail only.
64. Only when served by public water and sewer. (#8)

307 DIMENSIONAL REQUIREMENTS

307.1 SCHEDULE OF DIMENSIONAL REQUIREMENTS

All structures and uses shall meet or exceed the following minimum dimensional requirements. Letters adjacent to Some dimensional requirements refer to notes at the end of the schedule which contain additional requirements.

	RURAL	**LDR**	**MDR-1**	**MDR-2**	**HDR**	**HDR-2**	**CB**	**GB**	**IND**	**IND-2**	**OR**	**PB**
1. Minimum Lot Area (square feet)												
Off-lot sewer and water	60,000	40,000	15,000	7,000	7,000	15,000	2,000	40,000	30,000	40,000	7,000	20,000
On-lot sewer, public water	70,000	50,000	30,000	30,000	N/A	N/A	N/A	N/A	80,000	80,000	N/A	N/A
On-lot sewer and water	120,000	60,000	40,000	40,000	N/A	N/A	N/A	N/A	200,000	200,000	N/A	N/A
2. Minimum area/Family (square feet)												
Off-lot sewer and water	60,000	40,000	15,000-C	7,000	3,900	15,000-H	P	N/A	N/A	N/A	3,900	N/A
On-lot sewer, public water	70,000	50,000	30,000	30,000	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A
On-lot sewer and water	120,000	60,000	40,000	40,000	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A
3. Minimum Lot Frontage (feet)												
Off-lot sewer and water	200	150	100	75	50	100	25-P	200	150	200	100-J	150
On-lot sewer, public water	200	150	125	125	N/A	N/A	N/A	N/A	200	200	N/A	N/A
On-lot sewer and water	200	150	150	150	N/A	N/A	N/A	N/A	400	400	N/A	N/A
4. Minimum Depth Frontage (feet) (#25)	40-A	A-40-A	30-A	30-A	A	30-A	20-A	50-F,E	20-E	30-E	A	50-F,E
5. Minimum Width Side Yard (feet) (#9)	25’ Q-25’	20’-B Q-20’	15’ Q-5’	15’ Q-5’	5’ Q-5’	15’ Q-5’	5’-L,P Q-5’	20’ Q-5’	G’ Q-20’	20’ Q-20’	15’K Q-5’	20’ S Q-20’
6. Minimum Width Rear Yard (feet) (#9)	35’ R-35’	35’ R-35’	25’ R-5’	25’ R-5’	30’ R-5’	25’-I R-5’	20’ R-5’	30’ R-5’	20’ R-20’	20’ R-20’	25’ R-5’	30’ S R-15’
7. Maximum Building or Structure Coverage Percentage (#21)	15	33 1/3	33 1/3	33 1/3	33 1/3	33 1/3	50	50	50	50	50	50
8. Maximum Building Height (feet)	35-M,N	35-M,N	35-M,N	35-M,N	35-M,N	65-N,P	65-N,P	N/A-N	N/A-N	N/A-N	35-M,N	90-M,N

307 DIMENSIONAL REQUIREMENTS

307.1 SCHEDULE OF DIMENSIONAL REQUIREMENTS

A. The lesser of: 1- the defined setback, or 2- the average setback of the six (6) adjacent structures (three (3) on each side) except as otherwise provided in Section 436.6 of this Land Use Code. (#25)

B. Buildings or structures more than twenty (20) feet from ground level in height shall be set back one (1) foot additional for each additional foot in height.

C. 7,000 for publicly assisted housing for the elderly, subject to the Site Plan Review.

D. Plus 700 gross floor area above grade of principle structure per family.

E. references may be had to Section 436.6 of this Land Use Code. (#25)

F. 75 feet on Wilson and State Streets and 25 feet along Dirigo Drive. (#25)

G. A total of forty (40) feet with one (1) a minimum of ten (10) feet.

H. Additional dwelling units in the same building: add 3,000 square feet per unit plus 1,000 square feet per separate bedroom.

I. Plus five (5) feet for each family over one (1).

J. Fifty (50) feet for residential use.

K. Five (5) feet for residential use.

L. May be reduced to zero with Firewall Separation.

M. Spires, belfries, cupolas, antennae, chimneys or other appurtenances usually required to be placed above the roof level and not Intended for human occupancy shall not exceed forty-five (45) feet above average ground level unless they are set back from front, rear and side lot lines one (1) additional foot to the required setback for each foot of excess height.

N. Free standing structures not intended for human occupancy which are permitted uses and subject to Site Plan Review may exceed the stated height limitation, provided that for each additional linear foot in height, there is one (1) linear foot setback from adjacent property and street lines added to the required setback.

O. The Code Enforcement Officer may authorize a height in excess of sixty-five (65) feet, provided that for each additional linear foot in height, there is one (1) linear foot setback from adjacent property and street lines added to that required setback.

P. Lot and Yard Requirements for Dwellings:

1. Minimum Lot Area (sq. ft.) A lot equal to the area needed for the dwelling units, driveways, parking spaces, accessory buildings, minimum yard requirements, maximum lot coverage, and six hundred (600) square feet of open space for the first dwelling unit and an additional two hundred (200) square feet of open space for each additional dwelling unit.
2. Minimum Lot Frontage 50 feet.
3. Minimum Depth Front Yard 20 feet.
4. Minimum Width Side Yard 3 feet.
5. Minimum Depth Rear Yard 20 feet.
6. Maximum Building or Structure coverage 50 %.

Q. Side Line Setbacks for detached accessory structures. (Garages, sheds, swimming pools, free standing decks, gazebos, etc.)

R. Rear Line Setbacks for detached accessory structures. (Garages, sheds, swimming pools, free standing decks, gazebos, etc.)

S. For planned group developments, may be reduced to zero with fire separation, as provided under the codes and ordinances of the City of Brewer. (#9)