

Memo

Date: February 23, 2024
To: Newcastle Select Board
Kevin Sutherland, Town Manager
From: Michael Martone, Town Planner
Re: **SHORELAND ZONING UPDATES**

Context for Shoreland Zoning

Some form of Shoreland Zoning regulations are required by the State and must address all land within 250 feet of:

1. Great Ponds (ponds and lakes over 10 acres)
2. Rivers
3. Coastal Wetlands (which includes all tidal waters)
4. Freshwater Wetlands

And within 75 feet of:

1. Streams

Note: The Damariscotta River, Sheepscot River, and any other tidal water is considered 'Coastal Wetland' under this ordinance.

(Technically, the intertidal area would be the Coastal Wetland and the area beyond the low tide line would be the tidal river which falls outside of the scope of Shoreland Zoning. The area upland of the high tide line, to a distance of 250 feet, is what is subject to Shoreland Zoning standards).

The majority of the regulations and standards required under Shoreland Zoning require structures be a minimum **setback** from the shoreline, limit the **density** of dwelling units or buildings, or prohibit certain **uses**.

Under Shoreland Zoning, the term '**Structure**' is very broad and essentially anything that is not naturally occurring. This includes things like paving, patios, gazebos, as well as unroofed enclosures, scaffolding, and buildings.

Further, Shoreland Zoning does not make any distinction between **temporary structures** and permanent structures. This means outdoor furniture and seasonal or movable buildings are regulated the same as traditional houses and other "permanent" buildings.

The State's Shoreline Zoning requirements allow for six types of zoning districts.

A **Resource Protection** district is the most restrictive district and includes areas which are the most sensitive to disturbance, have the highest biological, scenic, and/or natural value, or present a significant hazard. The location of these districts are largely determined by state-set standards which include things like steep slopes, high erosion potential, high value habitats, large wetland areas, archaeological or historic sites, and 100-year flood hazard areas.

Almost all structures and uses need to be located 250 feet away from the shoreline, or essentially outside of the Shoreland Zone.

A **Stream Protection** district is unique from all of the other districts in that it only extends 75 feet from the normal high-water line of a stream—rather than the 250 feet from other water features. However, within the 75-foot buffer, the Stream Protection district is as restrictive as the Resource Protection district in many ways.

A **Limited Residential** district is intended to cover existing residential areas or areas suitable for residential development. Non-residential uses and structures are not completely prohibited as things like Agriculture, Government, Institutional, and Education uses and structures are permissible—but Commercial and Industrial uses are prohibited.

While the Shoreland Zone and its regulations extend 250 feet from the shoreline, permitted structures in a Limited Residential district can typically be as close as 100 feet or 75 feet to a shoreline, depending on the type of water feature.

A **Limited Commercial** district is very similar in almost every way to a Limited Residential district except that Commercial uses are permissible and some uses which require Planning Board review in a Limited Residential district can be reviewed by the Code Enforcement Officer.

Similar to a Limited Residential district, permitted structures in a Limited Commercial district can typically be as close as 100 feet or 75 feet to a shoreline, even while the Shoreland Zone and its regulations extend 250 feet from the shoreline.

A **Commercial Fisheries/Maritime Activities** (Newcastle refers to this district simply as the 'Maritime Activities District') district is intended for areas to accommodate uses that rely on access and use of the water. It is one of the least restrictive types of districts as it can permit most uses allowed in other districts including Commercial and Industrial uses. However, residential uses are typically not allowed in a Commercial Fisheries/Maritime Activities district—likely to ensure the demand for homes with water views does not push out working waterfronts.

Non-water-dependent uses are required to be setback 75 feet from the shoreline, but “Functionally water-dependent uses” may have no setback requirement. In addition, accommodations for piers, docks, wharfs, etc., as well as locating uses and structures on them, can be made.

A **General Development** district is intended to accommodate Commercial, Industrial, and intensive Recreation uses, and may include residential development—though it may not be solely residential. It is the least restrictive type of district under Shoreland Zoning and allows the municipality the most flexibility to determine local regulations and standards. This is the type of district the proposed Village Center District will be based on.

Non-water-dependent uses may be setback as little as 25 feet from the shoreline in a General Development district, though the Shoreland Zoning Ordinance still applies 250 feet inland.

Changes to the Shoreland Zoning Map

Designation of A Village Center District (VC) in Newcastle's Downtown.

A new district is being proposed to govern development in Newcastle's downtown. Currently, the area along Main Street that falls within Shoreland Zone (within 250 feet of the shoreline of the Damariscotta River) is zoned a Limited Commercial under the current Shoreland Zoning Ordinance. The proposed Village Center District would change the zoning of all parcels with frontage along Main Street/Route 1B—from the Newcastle/Damariscotta Bridge to the intersection with River Road—from Limited Commercial to the new Village Center.

Under the Core Zoning Code, the area being addressed is zoned D6 - Village Center and D5 - Village Business (with the exception of the Town Office and Veterans Park which are SD - Civic, and St. Andrew's which is SD- Historic). All of the designations under the Core Zoning Code would remain unchanged.

Clarification of The Maritime Activities District Boundaries.

The current Shoreland Zoning Map shows the existing Maritime Activities District as an overlay which covers the entirety of Map 11, Lot 40 (owned by Riverside Boat Co, Inc) and Lot 40A. At the same time, the Shoreland Zoning Map also shows the area of Map 11, Lot 40 (owned by Paul S Bryant) that is within 250 feet of the Shoreline as being within the Limited Residential District and the area of Map 11, Lot 40A that is within 250 feet of the Shoreline as being within the Limited Commercial District.

The language of the Shoreland Ordinance does not treat the Maritime Activities District as an overlay, putting these two lots in two different districts at the same time.

The proposed change is to designate the area of Map 11, Lot 40 (owned by Riverside Boat Co, Inc), that is within 250 feet of the Shoreline, as being only in the Maritime Activities District and to designate the area of Map 11, Lot 40A, that is within 250 feet of the Shoreline, as being only in the Limited Commercial District.

Leaving Map 11, Lot 40A in the Maritime Activities District is not recommended as residential uses and structures are prohibited and the current use and structure are residential. Under the Core Zoning Code, this parcel is zoned D4 - Village Residential.

The portion of Map 11, Lot 40 that is further from the Shoreline than 250 feet will not be regulated under the Shoreland Zoning Ordinance, but would continue to be zoned SD - Marine under the Corer Zoning Code.

Clarification of Boundary Along Mills Road.

Five properties along the west side of Mills Road north of the US Route 1 overpass (Map 5, Lots 54B; 54C; 55; 56; and 56A) fall partially within 250 feet of the Damariscotta River, and thus partially within the Shoreland Zone. Further, the Shoreland Zoning Map appears to show the area within the Shoreland Zone as partially within the Limited Commercial District and partially within the Limited Residential District.

The proposed change would make Mills Road the boundary between the Limited Residential District and the Limited Commercial District in this area. Further north

along Mills Road, the Limited Residential District would continue to extend across Mills Road.

Damariscotta Lake Buffer

The proposed change to the Shoreland Zoning Map would put all areas within 250 feet of the Shoreline of Damariscotta Lake, which do not fall within the Resource Protection District, within the Limited Residential District. This includes all of the area north of Damariscotta Mills/Pond Road currently designated as Limited Commercial, putting them into Limited Residential.

Dyer River Buffer

The proposed change to the Shoreland Zoning Map would put all areas within 250 feet of the Shoreline of the Dyer River, which do not fall within the Resource Protection District, within the Limited Residential District. This would change any area along the Dyer River currently designated as Limited Commercial to Limited Residential.

Northern Wetlands Buffer

The proposed change to the Shoreland Zoning Map would put all areas within 250 feet of any wetland north of West Old County Road and East Old County Road (including the connection between the two), which do not fall within the Resource Protection District, within the Limited Residential District. This would change any area currently designated as Limited Commercial to Limited Residential.

Changes due to available updated data.

In addition to the changes from one Shoreland Zoning district to another, changes to the Shoreland Zoning Map are being proposed due to more current and more accurate information being available since the current map was created. This largely will be limited to adjustments in boundary lines resulting from more accurately located shorelines, but it will also include areas around existing streams which are not currently included on the current map. It is important to note that changes to the map do not necessarily mean a change in where the Shoreland Zoning regulations apply, as the reality on the ground dictates applicability over the map. Areas within 75 feet of streams not identified on the current Shoreland Zoning Map are still subject to Shoreland Zoning regulations as it is the proximity to the stream, not the identification on the map, which requires compliance with the regulations.

Dodge Point Preserve

While all of Dodge Point Preserve is shown on the current Shoreland Zoning Map as being within the Resource Protection District, the Ordinance is only applicable to areas within 250 feet (or 75 feet) of water features identified in the Ordinance. The updated Shoreland Zoning Map will not show the area of Dodge Point Preserve which is outside of the 250-foot Shoreland Zone as being subject to the Shoreland regulations. It is important to note that the preserve continues to be owned by the State of Maine and is zoned as SD - Conservation under the Core Zoning Code.

Changes to the Shoreland Zoning Ordinance Language

Below is an explanation of the changes which are currently proposed to be made to the existing Newcastle Shoreland Zoning Ordinance. The changes that were identified and required by the State, and approved by the Planning Board at the November 30, workshop meeting, are identified by purple text.

Please also refer to the three versions of Land Use Tables provided. 1) The 'default' table from the State's model Shoreland Zoning Ordinance; 2) Newcastle current Land Use Table with comparison to the State's 'default' table; and 3) a proposed Land Use Table with a comparison to the State's table and the Town's current table.

Organization Into Three Parts

The Ordinance is organized into four 'Articles': Administrative, Land Use Districts, Land Use Standards, and Definitions. Mainly, administrative sections at the end of the ordinance were moved to the front to be with other admin. sections—everything else is in the same order but grouped into the four articles.

Consolidating all of the administrative elements into one section put the "how to use the ordinance" stuff in one place; the "what uses are allowed and where" together under Land Use Districts; the Land Use Standards are in their original order and their section letters are the same as the original/State ordinance; and the definitions were left at the end of the document.

Change all instances of 'Chapter' to 'Ordinance'.

These changes are being made due to the 2020 separation of the Shoreland Zoning regulations from other land use regulations. This separation caused the Shoreland Zoning regulations to be a stand-alone ordinance rather than one chapter in a combined land use ordinance.

In many cases, consolidating land use regulations into one single ordinance can be effective, but due to the unique nature of the state-mandated Shoreland Zoning regulations, including definitions unique and specifically appropriate to the issues addressed by Shoreland Zoning, and the need to update the ordinance due to factors outside of the Town, keeping the Shoreland Zoning regulations isolated to a stand-alone ordinance may be the most effective and manageable approach.

Timber Harvesting

The changes made relating to timber harvesting are consistent with **Option 1** of the three options laid out by the State's model ordinance, Ch. 1000. Choosing Option 1 essentially implements the current statewide standards for timber harvesting and defers to the Maine State Bureau of Forestry to administer those regulations.

Option 2 also implements the current statewide standards for timber harvesting but would have much of the cost and responsibility of administering those regulations fall to the Town. This is the current situation the Town is in, which does not provide any benefit in the form of flexible or favorable local regulations but does come with the burden of administering and implementing the State's standards.

Option 3 allowed municipalities to retain previous regulations for timber harvesting but required local municipalities to administer and implement those regulations

longer available to the Town as previous regulations have been repealed which the Town cannot now readopt.

The changes made to the Ordinance include: removal of the effective date for Section 15(O) and Section 15(O-1) as they are no longer applicable; the addition of a note that Section 15(O) and Section 15(O-1) are repealed as of the date of the adoption of these changes; The removal of items 3 (forest management activities except for timber harvesting & land management roads), 4 (timber harvesting), and 27 (land management roads) from the Land Use Table; and the removal of the definitions for 'Cross-sectional area', 'DBH', 'Disruption of shoreline integrity', 'Forest management activities', 'Forest stand', 'Harvest area', 'Land management road', 'Licensed forester', 'Residual basal area', 'Residual stand', 'Skid road or skid trail', 'Slash', 'Timber harvesting and related activities', and 'Wind firm'.

Districts and Zoning Map section

The changes made to Article II, Section B.1.: Official Shoreland Zoning Map remove the General Development District but the Village Center District to the list to be consistent with the proposed Land Use Table. Stream Protection District was moved to the top of the list to match the order in the Land Use Table.

It should be noted that in the current ordinance the General Development District and Village Center District are included in the text of the Shoreland Zoning Ordinance, but they are not identified anywhere on the Shoreland Zoning Map. The proposed ordinance has removed any mention of the General Development District but retains mention of the Village Center District to allow for such a district to be implemented through an update to the Shore Land Zoning Map (by adding the VC District to the Map). Changes to the Shoreland Zoning Map would follow the same process as any other change to a land use ordinance or zoning map.

The purpose of the State's GD District (which the VC District is based on) is to allow for existing or proposed commercial, industrial, or other development which is not exclusively residential. In order for the Town to advance the vision for a mixed-use downtown village, the regulations allowed under a GD district (locally called the VC District) seem to be the most appropriate.

Proposed Changes to the Land Use Table

Remove General Development but leave Village Center

The General Development (GD) District was removed from the Ordinance and so removed from the Land Use Table. The Village Center (VC) District was kept as mentioned above.

Removal of Timber Harvesting

The removal of 'Timber Harvesting' from the Land Use Table will be necessary if the Town opts to have the State administer the state standards.

Mineral Extraction

I see no reason to allow uses like 'Mineral Extraction' or other uses which are incompatible with downtown village development, but otherwise I would recommend allowing any uses in the VC District that are allowed in the coinciding

Summary of Proposed Changes to CZC

ARTICLE 2

Changes to all or several districts:

- Remove redundant language about measuring building height in stories
- Add limit for Residential use as a percentage of building floor area
- Add Permitted Building Groups to the District Pages.
- Fix 'Industrial, Artisan' and 'Hotel & Hostel' references.

Changes to all Permitted Buildings tables:

- Consolidate 'Single-Unit Residential' and 'Multi-Unit Residential' building types into one 'Residential' building type that can have one or more units
- Adjust some building widths + depths
- Add or remove Building Floor Area limits as needed
- Reduce number of stories for some building types (Mixed-Use buildings in D6, Hwy Comm., Rural Hwy, and Fabrication as well as Commercial buildings in Fabrication)
**Note that all districts allow one story in the roof structure that does not count as a story.*
- Increase some floor heights
- Add upper floor heights for all buildings—even 1-story buildings
- Remove limit on residential unit counts from larger building types
- Add Unit Floor Area standards for residential units

D1 - Rural

- Remove minimum lot standard of 1 acre
- Remove Lot Coverage standards
- Remove limit of two dwelling units per lot
- Clean up frontage related non-conformance language.
- Add Permitted Buildings table and clarify that Design Standards do not apply in the D1 - Rural District
- Remove Building Standards language
- Add Multi-Unit Court to permitted Building Groups in D1

D5 - Village Business

- Correct indicator next to District Energy System and Paid Parking Lot in D5

D6 - Village Center

- Add minimum number of stories in D6

SD - Marine

- Clean up maximum height language

SD-Fabrication

- Update standards to be more inline with manufacturing/ fabrication uses

the Shoreland Zoning Ordinance would still be applicable, e.g., setbacks from highwater lines.

Agriculture in the Downtown

Agriculture and Aquaculture uses should be permitted in the downtown, especially considering the waterfront available, though restrictions around noise, odor, vibrations, etc. should still be enforced.

Gov't + Institutions

Government and Institutional uses can be compatible with a village downtown—the current town office is in the downtown.

Seasonal Conversions in Downtown

No known seasonal residences exist in the downtown, however, if any do, they should be encouraged to be converted to year-round residences and tied into the sewer and water network.

Note 4

Not permitting buildings within the SP District effectively means the 75' setback that applies to tidal waters would apply to streams similarly. This allows us to remove Note 4 in the Land Use Table and makes regulations around setbacks a bit more consistent.

Floor area vs Footprint

The State has updated their guidelines to now regulate building footprint rather than floor area and to regulate building height rather than building volume. It seems this is intended to make the regulations easier to measure and understand. My recommendation is to follow their lead on this for consistency as well as clarity.

ARTICLE 3

Allow driveways to serve more than 2 residential units and more than 1 commercial unit

ARTICLE 4

Add Agricultural building type

Add General Accessory building type

Remove language around 'any' primary or accessory building being able to serve a primary or accessory building on a lot, respectively

Remove exemption from rectangular form requirement for mixed-use, multi-unit residential, and multi-unit commercial building types.

Clarification that Building Width, Building Depth, and Building Floor Area standards only apply to the Main Building Mass

Remove language regarding number of units

Remove language regarding accommodating an accessory unit in Primary Building if Accessory Building can not fit on site

Move Additions section from Article 5, Design Standards to Article 4, Building Standards section and update language

Allow the use of Additions in D1

Allow Multi-Unit Court building groups in D-1

ARTICLE 5

Move standards for Additions to Article 4, Building Standards

ARTICLE 6

Addition of a list of Use Categories

Clarification of Expanded Use Standards purpose

ARTICLE 7

Removal of Wireless Communications as a permit type

ARTICLE 8

1. Removal of definitions for terms not used in the Ordinance
2. Re-alphabetize definitions (mainly in Es + Fs)
3. New definitions:
 - Affordable Housing Development
 - Affordable Housing, Owned
 - Affordable Housing, Rental
 - General Accessory Building
 - Unit Floor Area
 - Floor Area, Net (Unit)
 - Unit Floor Area
4. Changed definitions:
 - Multi-unit Residential Building > Residential Building

ARTICLE 2 - DISTRICT STANDARDS

D1 RURAL

DESCRIPTION

The Rural D1 district consists of forested lands, fields, rivers and streams with houses interspersed on lots ranging in size from 1 acre to 100 plus acres. Development flows along the rivers, and smaller rural town-owned roads with houses generally close to the road but sometimes set far back. Typical buildings include houses, farmhouses, agricultural buildings, cabins, and are frequently separated from the road by natural features.

PURPOSE

1. To provide the community with a predictable outcome from development and redevelopment.
2. To protect and enhance rural character.
3. To provide opportunities for activities and development that support rural character, including agricultural uses, agrotourism, rural-based businesses, and residential uses.

LOT DIMENSIONS

Width	100 ft min
Depth	n/a
Lot Area	1 acre min
Primary Frontage Line Length	250 ft min

PRIMARY BUILDING PLACEMENT

Primary Front Setback	20 ft min
Secondary Front Setback	20 ft min
Side Setback	15 ft min
Rear Setback	15 ft min

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	10 ft min
Secondary Front Setback	10 ft min
Side Setback	5 ft min
Rear Setback	5 ft min

LOT COVERAGE TABLE

Frontage (linear ft)	Coverage (sq ft)
250	3,000
300	3,300
350	3,500
400	3,800
450	4,000
500	4,200
550	4,400
600	4,600
650	4,800
700	5,000
750	5,200
800	5,400
850	5,500
900	5,700
950	5,800
1,000	6,000

DISTRICT STANDARDS

1. ~~A lot, or virtual lot, in this district shall be limited to two dwelling units with the exception of Expanded Use Building Groups.~~
2. Lots of record created before the date of adoption of this Code that have less than 250 linear ft along their Primary Frontage Line shall be treated as if they have 250 ft of Frontage Line Length.
 - a. ~~This shall include insular and flag lots of record before the date of adoption of this Code.~~
 - b. ~~This provision shall not be interpreted by any permitting or enforcement authority as a non-conformity, a legal non-conformity, a variance, a special exception, a preexisting non-conforming condition, a "grandfathering", or anything other than a legal lot that meets the minimum road frontage requirement.~~
3. ~~Subdivisions and Subdivision lots created after the date of the adoption of this code shall be exempt from the minimum Primary Frontage Line Length standard with the following conditions:~~
 - a. ~~A Subdivision lot that has frontages on both a subdivision road and a non-subdivision road must conform to the minimum Frontage Line Length standard along the non-subdivision road.~~

Permitted Buildings

	Residential	General Accessory	Agricultural Use
Permitting Authority	CEO	CEO	CEO
Building Width	50 ft	30 ft	-
Building Depth	50 ft	40 ft	-
Building Floor Area	-	-	-
Total Stories	2	1	-

First Floor Height	12 ft	16 ft	-
Upper Floor Height	10 ft	10 ft	-
Number of Units		2	-
Unit Floor Area (min.)	400 sf	300 sf	-

DESIGN STANDARDS

Front of buildings	n/a
Side of buildings	n/a
Rear of buildings	n/a
Building Orientation	n/a
Windows & Doors	n/a
Primary & Accessory Roofs	n/a

~~BUILDINGS STANDARDS~~

- ~~1. New buildings and accessory buildings that have a setback of 250 ft or more from the lot's primary frontage shall have no limit on the footprint of the new building. However, this shall not supersede or nullify any other setback, standard, or provision in this Code.~~
- ~~2. To determine the total permitted sq ft lot coverage:~~
 - ~~a. Measure the length (in whole feet) of the primary frontage line along which the lot is located. Insular and flag lots must measure the depth of the right of way by which the lot is accessed.~~
 - ~~b. Add together the product of the length and width (footprint) of each proposed or existing building and accessory building that exceed 150 sq ft.~~
 - ~~c. Using the length measured in (a), find the number in the Frontage column that matches the length when rounded to the nearest number in the column. The corresponding number in the Coverage column is the maximum square feet of permitted impermeable surface area of the lot.~~
 - ~~d. Buildings that are constructed to support an active agricultural use shall not be included in the Lot Coverage calculation.~~
 - ~~e. Driveways and private roads shall not be included in the Lot Coverage calculation.~~

Permitted Building Groups

- Connected Farm
- Small Rural Compound
- Large Rural Compound
- Multi-Unit Court

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District.

TRANSPORTATION & UTILITIES

Dispatch Service	#
District Energy System	2
Junk/Salvage Yard	#
Paid Parking Lot	
Recycling Facility	#
Utilities & Services	2

RECREATION

Amusement, Indoor	#
Amusement, Outdoor	#
Assembly	#
Campground	#
Cultural Facility	#
Health/Fitness Studio	1
Marina, Recreation	2
Private Club or Lodge	#
Stables/Riding Center	2

RESIDENTIAL

Bed & Breakfast	1
Dormitory	
Mobile Home Park	0
Residence	0
Rooming House	#
Tourist Rental	0

AGRICULTURAL

Animal Care, Outdoor	#
Aquaculture	2
Commercial Agriculture	0
Farm/Vendor Market	0

INDUSTRIAL

Industrial, Artisan	1
Industrial, General	#
Industrial, Heavy	
Resource Extraction	2

COMMERCIAL GOODS

Adult Establishment	#
Bar or Tavern	#
Car Wash	#
Drive-Through Facility	
Food Pantry	#
Gas Station	#
Live Entertainment	#
Marina, Dry Storage	#
Outdoor Storage	1
Packaged Liquor	#
Research Laboratory	#
Restaurant & Café	#
Retail & Service, General	#
Retail & Service, Heavy	#
Self-Storage Facility	#
Vehicle Rental or Sales	#
Vehicle Repair	1

COMMERCIAL SERVICES

Animal Care, Indoor	1
Banking Services	
College/University	#
Commercial School	#
Day Care Center	1
Day Care Facility	#
Funeral Services	2
Health Care Provider	1
Hospital	
Hotel & Hostel	#
Human Service Facility	#
Office, Large	
Office, Medium	#
Office, Small	1
Primary/Secondary School	
Residential Care Facility	#

USE STANDARDS FOR D1 - RURAL

1. Gas stations are limited to a maximum of six individual filling pumps.
2. Vehicle repair uses that are not part of a building group may occur only in accessory buildings.
3. Any building used for vehicle repair must have a side setback of 50 ft min
4. Bar or Tavern Use:
 - a. Cannot be the sole use on a lot.
 - b. Must be clearly incidental and subordinate to an Industrial, Artisan use or a Hotel & Hostel use.
 - c. May provide Live Entertainment when it is clearly incidental and subordinate to the Bar or Tavern use.
5. Deliveries or pick-ups in connection with the Artisan Industrial uses are limited to parcel and small freight carriers.

DESIGN STANDARDS

1. Article 5: Design Standards do not apply in the Rural D1 district.

D2 NEIGHBORHOOD RESIDENTIAL

DESCRIPTION

The D2 Neighborhood Residential district is characterized by low-to-medium density residential areas, adjacent to a higher density residential neighborhood. This district has narrow, interconnected streets and long, irregular blocks, with a mix of small and large homes, including homes with historic architectural significance. Many of the lots have generous side yards and rear yards, and accessory barns and carriage houses connected to the principal house and sometimes detached.

PURPOSE

1. To accommodate areas of detached, residential homes.
2. To provide opportunities for residential uses on medium-sized lots within walking distance of the Town Center.
3. To provide the community with a predictable outcome from development and redevelopment.
4. To enable residential companion uses.

LOT DIMENSIONS

Width	80 ft min, 200 ft max
Depth	n/a
Lot Area	n/a

PRIMARY BUILDING PLACEMENT

Primary Front Setback	20 ft min
Secondary Front Setback	20 ft min
Side Setback	12 ft min
Rear Setback	10 ft min
Frontage Zone Setback	n/a

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	20 ft min
Secondary Front Setback	20 ft min
Side Setback	5 ft min
Rear Setback	5 ft min

PERMITTED BUILDINGS

	Single-Unit Residential	Multi-unit Residential	Mixed-Use Building	Residential Accessory
Permitting Authority	CEO	CEO	Planning Board	CEO
Building Width	50 ft	75 ft	50 ft	30 ft
Building Depth	50 ft	50 ft	50 ft	40 ft
Building Floor Area	-	-	-	-
Total Stories	2	2	2	1
First Floor Height	12 ft	12 ft	12 ft	16 ft
Upper Floor Height		10 ft	10 ft	8 ft
Number of Units	1	2	2	1

Unit Floor Area (min.)	-	400 sf	400 sf	300 sf
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DESIGN STANDARDS

Front of buildings	Massing Components	
Side of buildings	Additions	
Rear of buildings	Additions	
Building Orientation	n/a	
Windows & Doors	20% min, 80% max	
Primary & Accessory Roofs	Gable	5/12 min
	Hipped	5/12 min
	Gambrel	Permitted
	Mansard	Permitted
	Shed	2½/12 min
	Flat	Not Permitted

BUILDINGS STANDARDS

1. Unless otherwise noted, all measurements represent the maximum permitted values.
2. The CEO may determine that the scope of the project requires Planning Board approval.
- ~~3. The total number of permitted stories within a building are counted starting at ground level and end at the eave of the roof. Living space contained under and within the roof system is not counted as a story.~~
3. No more than 80% of the total Gross Floor Area of a Mixed-Use Building shall be a Residential use.

Permitted Building Groups

- Connected Farm
- Small Rural Compound
- Large Rural Compound
- Multi-Unit Court

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0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
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Note: Uses without 1, 2, 3, or 4 are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	
District Energy System	2
Junk/Salvage Yard	
Paid Parking Lot	
Recycling Facility	
Utilities & Services	

RECREATION

Amusement, Indoor	
Amusement, Outdoor	
Assembly	2
Campground	
Cultural Facility	
Health/Fitness Studio	1
Marina, Recreation	
Private Club or Lodge	
Stables/Riding Center	2

RESIDENTIAL

Bed & Breakfast	1
Dormitory	
Mobile Home Park	
Residence	0
Rooming House	2
Tourist Rental	0

AGRICULTURAL

Animal Care, Outdoor	
Aquaculture	
Commercial Agriculture	0
Farm/Vendor Market	1

INDUSTRIAL

Industrial, Artisan	1
Industrial, General	
Industrial, Heavy	
Resource Extraction	2

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	
Car Wash	
Drive-Through Facility	
Food Pantry	
Gas Station	
Live Entertainment	
Marina, Dry Storage	
Outdoor Storage	1
Packaged Liquor	
Research Laboratory	
Restaurant & Café	
Retail & Service, General	
Retail & Service, Heavy	
Self-Storage Facility	
Vehicle Rental or Sales	
Vehicle Repair	

COMMERCIAL SERVICES

Animal Care, Indoor	1
Banking Services	
College/University	
Commercial School	
Day Care Center	1
Day Care Facility	0
Funeral Services	2
Health Care Provider	1
Hospital	
Hotel & Hostel	
Human Service Facility	
Office, Large	
Office, Medium	
Office, Small	1
Primary/Secondary School	2
Residential Care Facility	0

USE STANDARDS FOR D2 - NEIGHBORHOOD RESIDENTIAL

1. Deliveries or pick-ups in connection with an ~~the Artisan~~ Industrial, Artisan uses are limited to parcel and small freight carriers.

D3 NEIGHBORHOOD BUSINESS

DESCRIPTION

The D3 Neighborhood Business district is a medium-density residential area within walking distance of the Town Center that is transitioning from a strictly residential neighborhood to mixed-uses, including office and small boutique retail uses.

PURPOSE

1. To accommodate areas of detached, residential homes.
2. To provide opportunities for residential uses on medium-sized lots within walking distance of the Town Center.
3. To provide the community with a predictable outcome from development and redevelopment.
4. To enable residential companion uses.

LOT DIMENSIONS

Width	60 ft min, 200 ft max
Depth	n/a
Lot Area	n/a

PRIMARY BUILDING PLACEMENT

Primary Front Setback	20 ft min, 75 ft max
Secondary Front Setback	20 ft min
Side Setback	12 ft min
Rear Setback	10 ft min
Frontage Zone Setback	4 ft min

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	20 ft min
Secondary Front Setback	20 ft min
Side Setback	12 ft min
Rear Setback	10 ft min

PERMITTED BUILDINGS

	Single Unit Residential	Multi-unit Residential	Mixed-Use Building	Residential Accessory	Commercial Accessory
Permitting Authority	CEO	Planning Board	Planning Board	CEO	Planning Board
Building Width	50 ft	75 ft	75 ft	30 ft	30 ft
Building Depth	50 ft	50 ft	50 ft	40 ft	40 ft
Building Floor Area	-	-	-	-	-
Total Stories	2	2	2	1	1
First Floor Height	12 ft	12 ft	12 ft	16 ft	16 ft
Upper Floor Height	8 ft	8 ft	10 ft	n/a 8 ft	n/a 8 ft
Number of Units	1	6	4	1	1
Unit Floor Area (min.)	-	400 sf	400 sf	300 sf	-

DESIGN STANDARDS

Front of buildings	Massing & Architectural Components
Side of buildings	Massing & Architectural Components
Rear of buildings	Additions
Building Orientation	see Article 5 section 8
Windows & Doors	20% min, 80% max
Primary & Accessory Roofs	Gable 5/12 min
	Hipped 5/12 min
	Gambrel Permitted
	Mansard Permitted
	Shed 2½/12 min
	Flat Not Permitted

BUILDINGS STANDARDS

1. Unless otherwise noted, all measurements represent the maximum permitted values.
2. The CEO may determine that the scope of the project requires Planning Board approval.
- ~~3. The total number of permitted stories within a building are counted starting at ground level and end at the eave of the roof. Living space contained under and within the roof system is not counted as a story.~~
3. No more than 70% of the total Gross Floor Area of a Mixed-Use Building shall be a Residential use.

Permitted Building Groups

- Connected Farm
- Multi-Unit Court

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	
District Energy System	2
Junk/Salvage Yard	
Paid Parking Lot	
Recycling Facility	
Utilities & Services	

RECREATION

Amusement, Indoor	
Amusement, Outdoor	
Assembly	2
Campground	
Cultural Facility	
Health/Fitness Studio	1
Marina, Recreation	
Private Club or Lodge	
Stables/Riding Center	

RESIDENTIAL

Bed & Breakfast	1
Dormitory	
Mobile Home Park	
Residence	0
Rooming House	
Tourist Rental	0

AGRICULTURAL

Animal Care, Outdoor	
Aquaculture	
Commercial Agriculture	
Farm/Vendor Market	2

INDUSTRIAL

Industrial, Artisan	1
Industrial, General	
Industrial, Heavy	
Resource Extraction	

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	
Car Wash	
Drive-Through Facility	
Food Pantry	
Gas Station	
Live Entertainment	
Marina, Dry Storage	
Outdoor Storage	1
Packaged Liquor	
Research Laboratory	
Restaurant & Café	
Retail & Service, General	1, 2
Retail & Service, Heavy	
Self-Storage Facility	
Vehicle Rental or Sales	
Vehicle Repair	

COMMERCIAL SERVICES

Animal Care, Indoor	1
Banking Services	
College/University	
Commercial School	
Day Care Center	1
Day Care Facility	
Funeral Services	2
Health Care Provider	1
Hospital	
Hotel & Hostel	
Human Service Facility	
Office, Large	
Office, Medium	
Office, Small	0
Primary/Secondary School	2
Residential Care Facility	0

USE STANDARDS FOR D3 - NEIGHBORHOOD BUSINESS

1. Deliveries or pick-ups in connection with ~~an the Artisan~~ Industrial, Artisan uses are limited to parcel and small freight carriers.
2. General Retail & Service uses require both a residential companion use permit and a special permit.
3. General Retail & Service uses are limited to antique stores and galleries.

D4 VILLAGE RESIDENTIAL

DESCRIPTION

The D4 Village Residential district has narrow, interconnected streets with a mix of small and large residential houses with barns and garages connected to the principal house and sometimes detached. Lots in this district are generally smaller, with shallower lot depths, narrower lot widths, and shallower setbacks, giving this district a more dense character than the adjacent neighborhood district.

PURPOSE

1. To accommodate areas of tight-knit detached and attached residential homes.
2. To promote a mix of housing options on small to medium sized lots within the villages of Newcastle.
3. To provide the community with a predictable outcome from development and redevelopment.
4. To enable residential companion uses.

LOT DIMENSIONS

Width	50 ft min, 150 ft max
Depth	n/a
Lot Area	n/a

PRIMARY BUILDING PLACEMENT

Primary Front Setback	14 ft min, 35 ft max
Secondary Front Setback	14 ft min
Side Setback	8 ft min
Rear Setback	8 ft min
Frontage Zone Setback	4 ft min

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	14 ft min
Secondary Front Setback	14 ft min
Side Setback	8 ft min
Rear Setback	8 ft min

PERMITTED BUILDINGS

	Single Unit Residential	Multi-unit Residential	Residential Accessory
Permitting Authority	CEO	Planning Board	CEO
Building Width	50 ft	75 60 ft	30 ft
Building Depth	50 ft	50 ft	40 ft
Building Floor Area	-	8,000 sf	-
Total Stories	2	2	1
First Floor Height	12 ft	12 ft	16 ft
Upper Floor Height	8 ft	8 10 ft	n/a 8 ft
Number of Units	1	5	1
Unit Floor Area (min.)	-	400 sf	300 sf

DESIGN STANDARDS

Front of buildings	Massing & Architectural Components
Side of buildings	Massing & Architectural Components
Rear of buildings	Additions
Building Orientation	see Article 5 section 8
Windows & Doors	20% min, 80% max
Primary & Accessory Roofs	Gable 5/12 min
	Hipped 5/12 min
	Gambrel Permitted
	Mansard Permitted
	Shed 2½/12 min
	Flat Not Permitted

BUILDINGS STANDARDS

1. Unless otherwise noted, all measurements represent the maximum permitted values.
2. CEO may determine that the scope of the project requires Planning Board approval.
- ~~3. The total number of permitted stories within a building are counted starting at ground level and end at the eave of the roof. Living space contained under and within the roof system is not counted as a story.¶~~

Permitted Building Groups

- Connected Farm
- Multi-Unit Court

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	
District Energy System	2
Junk/Salvage Yard	
Paid Parking Lot	
Recycling Facility	
Utilities & Services	

RECREATION

Amusement, Indoor	
Amusement, Outdoor	
Assembly	2
Campground	
Cultural Facility	
Health/Fitness Studio	1
Marina, Recreation	
Private Club or Lodge	
Stables/Riding Center	

RESIDENTIAL

Bed & Breakfast	1
Dormitory	
Mobile Home Park	
Residence	0
Rooming House	
Tourist Rental	0

AGRICULTURAL

Animal Care, Outdoor	
Aquaculture	
Commercial Agriculture	
Farm/Vendor Market	1

INDUSTRIAL

Industrial, Artisan	1
Industrial, General	
Industrial, Heavy	
Resource Extraction	

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	
Car Wash	
Drive-Through Facility	
Food Pantry	
Gas Station	
Live Entertainment	
Marina, Dry Storage	
Outdoor Storage	1
Packaged Liquor	
Research Laboratory	
Restaurant & Café	
Retail & Service, General	
Retail & Service, Heavy	
Self-Storage Facility	
Vehicle Rental or Sales	
Vehicle Repair	

COMMERCIAL SERVICES

Animal Care, Indoor	1
Banking Services	
College/University	
Commercial School	
Day Care Center	1
Day Care Facility	
Funeral Services	2
Health Care Provider	1
Hospital	
Hotel & Hostel	
Human Service Facility	
Office, Large	
Office, Medium	
Office, Small	1
Primary/Secondary School	2
Residential Care Facility	0

USE STANDARDS FOR D4 - RESIDENTIAL VILLAGE

1. Deliveries or pick-ups in connection with an ~~the Artisan~~ Industrial, Artisan uses are limited to parcel and small freight carriers.

D5 VILLAGE BUSINESS

DESCRIPTION

The D5 Village Business district allows greater density, larger buildings, and a wide range of building types and uses. Minimum lot sizes are relatively small, with minimal setbacks to encourage in-fill development.

PURPOSE

1. To accommodate fine-grained, diverse mixed-use areas that primarily occur in close proximity to the Village Center.
2. To address the need for missing-middle housing, including apartment buildings, stacked flats, single family homes, duplexes, live/works, and townhouses.
3. To promote a mix of housing options within the Village Center.
4. To provide the community with a predictable outcome from development and redevelopment.

LOT DIMENSIONS

Width	20 ft min, 100 ft max
Depth	n/a
Lot Area	n/a

PRIMARY BUILDING PLACEMENT

Primary Front Setback	0 ft min, 20 ft max
Secondary Front Setback	0 ft min, 15 ft max
Side Setback	0 ft min, 25 ft max
Rear Setback	5 ft min
Frontage Zone Setback	20 ft min

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	20 ft min
Secondary Front Setback	15 ft min
Side Setback	15 ft min
Rear Setback	5 ft min

PERMITTED BUILDINGS

	Single-Unit Residential	Multi-unit Residential	Mixed-Use Building	Multi-Unit Commercial	Residential Accessory	Commercial Accessory
Permitting Authority	CEO	CEO	CEO	Planning Board	CEO	Planning Board
Building Width	36 ft	60 ft	100 60 ft	80 ft	30 ft	30 ft
Building Depth	48 ft	75 ft	n/a	n/a	40 ft	30 ft
Max Sq Ft Building Floor Area	-	13,500	20 12,000 sf	15,000	-	-
Total Stories (3)	2	2	2	2	2	1
First Floor Height	12 ft	12 ft	15 ft	15 ft	10 ft	16 ft
Upper Floor Height	10 ft	10 ft	10 ft	10 ft	10 ft	8 ft
Number of Units	1	16	20	5	1	1
Unit Floor Area (min.)	-	400 sf	400 sf	-	300 sf	-

DESIGN STANDARDS

Front of buildings	Massing & Architectural Components
Side of buildings	Massing & Architectural Components
Rear of buildings	Massing Components
Building Orientation	see Article 5 section 8
Windows & Doors	20% min, 80% max
Primary & Accessory Roofs	Gable 5/12 min
	Hipped 5/12 min
	Gambrel Permitted
	Mansard Permitted
	Shed 2½/12 min
	Flat Not Permitted

BUILDINGS STANDARDS

1. Unless otherwise noted, all measurements represent the maximum permitted values.
2. The CEO may determine that the scope of the project requires Planning Board approval.
- ~~3. The total number of permitted stories within a building are counted starting at ground level and end at the eave of the roof. Living space contained under and within the roof system is not counted as a story.~~
3. No more than 80% of the total Gross Floor Area of a Mixed-Use Building shall be a Residential use.

Permitted Building Groups

- Multi-Unit Court

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	
District Energy System	2 2
Junk/Salvage Yard	
Paid Parking Lot	2 2
Recycling Facility	
Utilities & Services	

RECREATION

Amusement, Indoor	0
Amusement, Outdoor	
Assembly	0
Campground	
Cultural Facility	0
Health/Fitness Studio	0
Marina, Recreation	2
Private Club or Lodge	0
Stables/Riding Center	

RESIDENTIAL

Bed & Breakfast	1
Dormitory	
Mobile Home Park	
Residence	0
Rooming House	0
Tourist Rental	0

AGRICULTURAL

Animal Care, Outdoor	
Aquaculture	
Commercial Agriculture	
Farm/Vendor Market	0

INDUSTRIAL

Industrial, Artisan	0
Industrial, General	
Industrial, Heavy	
Resource Extraction	

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	0
Car Wash	
Drive-Through Facility	
Food Pantry	0
Gas Station	
Live Entertainment	0
Marina, Dry Storage	
Outdoor Storage	2
Packaged Liquor	0
Research Laboratory	0
Restaurant & Café	0
Retail & Service, General	0
Retail & Service, Heavy	0
Self-Storage Facility	
Vehicle Rental or Sales	
Vehicle Repair	

COMMERCIAL SERVICES

Animal Care, Indoor	0
Banking Services	0
College/University	0
Commercial School	0
Day Care Center	1
Day Care Facility	0
Funeral Services	0
Health Care Provider	0
Hospital	0
Hotel & Hostel	0
Human Service Facility	0
Office, Large	
Office, Medium	0
Office, Small	0
Primary/Secondary School	0
Residential Care Facility	

USE STANDARDS FOR D5 - VILLAGE BUSINESS

1. Deliveries or pick-ups in connection with ~~the Artisan an Industrial~~, Artisan uses are limited to parcel and small freight carriers.

D6 TOWN CENTER

DESCRIPTION

The D6 Town Center district consists of a greater density of buildings that accommodate a mix of uses. It has a tight network of streets designed to enable multiple modes of travel, with wide sidewalks for street trees, on-street parking, and active ground floor uses such as restaurants and cafes. Buildings are set close to the sidewalk.

PURPOSE

1. To accommodate attached, mixed use buildings within the Town Center that provide local and regional access to commercial uses.
2. To promote housing on the upper floors of mixed-use buildings.
3. To provide the community with a predictable outcome from development and redevelopment.

LOT DIMENSIONS

Width	20 ft min, 100 ft max
Depth	n/a
Lot Area	n/a

PRIMARY BUILDING PLACEMENT

Primary Front Setback	0 ft max
Secondary Front Setback	0 ft max
Side Setback	0 ft min (4), 5 ft max (5)
Rear Setback	5 ft min
Frontage Zone Setback	20 ft min

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	25 ft min
Secondary Front Setback	25 ft min
Side Setback	0 ft min
Rear Setback	5 ft min

PERMITTED BUILDINGS

	Multi-unit Residential	Mixed-Use Building	Multi-Unit Commercial	Commercial Accessory
Permitting Authority	Planning Board	Planning Board	Planning Board	Planning Board
Building Width	120 90 ft	120 90 ft	120 90 ft	30 ft
Building Depth	120 90 ft	120 90 ft	120 90 ft	40 ft
Sq Ft Building Floor Area	20,000	20,000	20 18,000 sf	-
Total Stories	2 min, 3 max	2 min, 4 3 max	2 min, 3 max	1 max
First Floor Height	12 ft	15 ft	15 ft	15 ft
Upper Floor Height	10 ft	10 ft	10 ft	10 8 ft
Number of Units	40	40	20	1
Unit Floor Area (min.)	400 sf	400 sf	-	-

DESIGN STANDARDS

Front of buildings	Massing & Architectural Components
Side of buildings	Massing & Architectural Components
Rear of buildings	Massing & Architectural Components
Building Orientation	see Article 5 section 8
Windows & Doors	20% min, 80% max
Primary & Accessory Roofs	Gable 5/12 min
	Hipped 5/12 min
	Gambrel Permitted
	Mansard Permitted
	Shed 2½/12 min
	Flat Not Permitted

BUILDINGS STANDARDS

1. Unless otherwise noted, all measurements represent the maximum permitted values.
2. The CEO may determine that the scope of the project requires Planning Board approval.
- ~~3. The total number of permitted stories within a building are counted starting at ground level and end at the eave of the roof. Living space contained under and within the roof system is not counted as a story.¶~~
3. No more than 80% of the total Gross Floor Area of a Mixed-Use Building shall be a Residential use.
4. One side of a new building is required to have a 0 ft side setback.
5. The Planning Board may increase the side setback to include vehicular and pedestrian access to the rear of the lot, but shall not increase the side setback beyond 15 ft.

Permitted Building Groups

- Multi-Unit Court

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	
District Energy System	
Junk/Salvage Yard	
Paid Parking Lot	2
Recycling Facility	
Utilities & Services	

RECREATION

Amusement, Indoor	0
Amusement, Outdoor	
Assembly	0
Campground	
Cultural Facility	0
Health/Fitness Studio	0
Marina, Recreation	2
Private Club or Lodge	0
Stables/Riding Center	

RESIDENTIAL

Bed & Breakfast	
Dormitory	0
Mobile Home Park	
Residence	0
Rooming House	0
Tourist Rental	0

AGRICULTURAL

Animal Care, Outdoor	
Aquaculture	
Commercial Agriculture	
Farm/Vendor Market	0

INDUSTRIAL

Industrial, Artisan	0
Industrial, General	
Industrial, Heavy	
Resource Extraction	

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	0
Car Wash	
Drive-Through Facility	
Food Pantry	0
Gas Station	
Live Entertainment	0
Marina, Dry Storage	
Outdoor Storage	2
Packaged Liquor	0
Research Laboratory	0
Restaurant & Café	0
Retail & Service, General	0
Retail & Service, Heavy	0
Self-Storage Facility	
Vehicle Rental or Sales	
Vehicle Repair	

COMMERCIAL SERVICES

Animal Care, Indoor	0
Banking Services	0
College/University	0
Commercial School	0
Day Care Center	1
Day Care Facility	0
Funeral Services	0
Health Care Provider	0
Hospital	0
Hotel & Hostel	0
Human Service Facility	0
Office, Large	
Office, Medium	0
Office, Small	0
Primary/Secondary School	0
Residential Care Facility	

USE STANDARDS FOR D6 - TOWN CENTER

1. Deliveries or pick-ups in connection with ~~the Artisan~~ an Industrial uses are limited to parcel and small freight carriers.
2. Outdoor Storage use areas that are visible from a road (not including alleys), must be fully enclosed by a wall or a fence at least 6 feet in height, and constructed of natural materials or have the appearance of natural materials

SD HISTORIC

DESCRIPTION

The Historic Special District has narrow, interconnected streets with a mix of small and large residential houses with barns and garages connected to the principal house and sometimes detached. Lots in this district are generally smaller, with shallower lot depths, narrower lot widths, and shallower setbacks. Many of the houses date to the 19th century and have a greater historical significance.

PURPOSE

1. To preserve areas that are identified as historically distinct.
2. To allow new development to proceed in an historically appropriate manner.
3. To provide the community with a predictable outcome from development and redevelopment.
4. To enable residential companion uses.

LOT DIMENSIONS

Width	50 ft min, 150 ft max
Depth	n/a
Lot Area	n/a

PRIMARY BUILDING PLACEMENT

Primary Front Setback	14 ft min, 35 ft max
Secondary Front Setback	4 ft min
Side Setback	8 ft min
Rear Setback	8 ft min
Frontage Zone Setback	20 ft

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	14 ft min
Secondary Front Setback	4 ft min
Side Setback	8 ft min
Rear Setback	8 ft min

PERMITTED BUILDINGS

	Single Unit Residential	Multi-unit Residential	Residential Accessory
Permitting Authority	CEO	Planning Board	CEO
Building Width	50 ft	75 ft	30 ft
Building Depth	50 ft	50 ft	40 ft
Building Floor Area	-	-	-
Total Stories	2	2	1
First Floor Height	12 ft	12 ft	16 ft
Upper Floor Height	8 ft	8 10 ft	n/a 8 ft
Number of Units	1	5	1
Unit Floor Area (min.)	-	400 sf	300 sf

DESIGN STANDARDS

Front of buildings	Massing & Architectural Components
Side of buildings	Massing & Architectural Components
Rear of buildings	Massing & Architectural Components
Building Orientation	see Article 5 section 8
Windows & Doors	20% min, 80% max
Primary & Accessory Roofs	Gable 5/12 min
	Hipped 5/12 min
	Gambrel Permitted
	Mansard Permitted
	Shed 2½/12 min
	Flat Not Permitted

Permitted Building Groups

- Connected Farm
- Multi-Unit Court

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	
District Energy System	2
Junk/Salvage Yard	
Paid Parking Lot	
Recycling Facility	
Utilities & Services	

RECREATION

Amusement, Indoor	
Amusement, Outdoor	
Assembly	2
Campground	
Cultural Facility	
Health/Fitness Studio	1
Marina, Recreation	
Private Club or Lodge	
Stables/Riding Center	

RESIDENTIAL

Bed & Breakfast	1
Dormitory	
Mobile Home Park	
Residence	0
Rooming House	
Tourist Rental	0

AGRICULTURAL

Animal Care, Outdoor	
Aquaculture	
Commercial Agriculture	
Farm/Vendor Market	1

INDUSTRIAL

Industrial, Artisan	1
Industrial, General	
Industrial, Heavy	
Resource Extraction	

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	
Car Wash	
Drive-Through Facility	
Food Pantry	
Gas Station	
Live Entertainment	
Marina, Dry Storage	
Outdoor Storage	
Packaged Liquor	
Research Laboratory	
Restaurant & Café	
Retail & Service, General	
Retail & Service, Heavy	
Self-Storage Facility	
Vehicle Rental or Sales	
Vehicle Repair	

COMMERCIAL SERVICES

Animal Care, Indoor	1
Banking Services	
College/University	
Commercial School	
Day Care Center	1
Day Care Facility	
Funeral Services	2
Health Care Provider	1
Hospital	
Hotel & Hostel	
Human Service Facility	
Office, Large	
Office, Medium	
Office, Small	1
Primary/Secondary School	2
Residential Care Facility	

USE STANDARDS FOR SD-H HISTORIC

1. Deliveries or pick-ups in connection with ~~the Artisan an~~ Industrial uses are limited to parcel and small freight carriers.
2. Tourist Rental uses as the sole use, within Single Unit Residential buildings that are not owner occupied, shall be limited to 6 months of a calendar year.

SD CONSERVATION

DESCRIPTION

The Conservation Special District contains lots of record that are entirely held in conservation. No lot of record that is partially held in conservation may be included in the SD Conservation District

PURPOSE

1. To identify areas permanently protected from development by law, conservation easement or fee, ownership by land trust, or other similar means.
2. To reinforce areas permanently protected for recreational use or resource protection.

LOT DIMENSIONS

Width	n/a
Depth	n/a
Lot Area	n/a

PRIMARY BUILDING PLACEMENT

Primary Front Setback	n/a
Secondary Front Setback	n/a
Side Setback	n/a
Rear Setback	n/a
Frontage Zone Setback	n/a

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	n/a
Secondary Front Setback	n/a
Side Setback	n/a
Rear Setback	n/a

ADDITIONAL STANDARDS

1. Newly created lots in the Conservation District shall be required to maintain a 50 ft right-of-way to a Public or Private Road
 - a. The Planning Board may reduce the required right-of-way width for non-vehicular access.

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service
 District Energy System
 Junk/Salvage Yard
 Paid Parking Lot
 Recycling Facility
 Utilities & Services 2

RECREATION

Amusement, Indoor
 Amusement, Outdoor
 Assembly 2
 Campground 2
 Cultural Facility
 Health/Fitness Studio
 Marina, Recreation
 Private Club or Lodge
 Stables/Riding Center

RESIDENTIAL

Bed & Breakfast
 Dormitory
 Mobile Home Park
 Residence
 Rooming House
 Tourist Rental

AGRICULTURAL

Animal Care, Outdoor
 Aquaculture 2
 Commercial Agriculture 0
 Farm/Vendor Market

INDUSTRIAL

Industrial, Artisan
 Industrial, General
 Industrial, Heavy
 Resource Extraction 2

COMMERCIAL GOODS

Adult Establishment
 Bar or Tavern
 Car Wash
 Drive-Through Facility
 Food Pantry
 Gas Station
 Live Entertainment
 Marina, Dry Storage
 Outdoor Storage 2
 Packaged Liquor
 Research Laboratory
 Restaurant & Café
 Retail & Service, General
 Retail & Service, Heavy
 Self-Storage Facility
 Vehicle Rental or Sales
 Vehicle Repair

COMMERCIAL SERVICES

Animal Care, Indoor
 Banking Services
 College/University
 Commercial School
 Day Care Center
 Day Care Facility
 Funeral Services
 Health Care Provider
 Hospital
 Hotel & Hostel
 Human Service Facility
 Office, Large
 Office, Medium
 Office, Small
 Primary/Secondary School
 Residential Care Facility

USE STANDARDS FOR SD-CONSERVE

SD HIGHWAY COMMERCIAL

DESCRIPTION

The Highway Commercial Special District accommodates the areas of Route 1 that have an auto-oriented pattern of development and allows future commercial activity through infill and redevelopment of underutilized and vacant sites.

PURPOSE

1. To allow large highway oriented buildings to develop in a predictable manner.
2. To enable the continuation of existing highway commercial uses, while allowing new development that enables buildings to be closer together and with opportunities for pedestrian access.

LOT DIMENSIONS

Width	50 ft min
Depth	n/a
Lot Area	n/a

PRIMARY BUILDING PLACEMENT

Primary Front Setback	n/a
Secondary Front Setback	n/a
Side Setback	5 ft min
Rear Setback	5 ft min
Frontage Zone Setback	20 ft min

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	50 ft min
Secondary Front Setback	50 ft min
Side Setback	5 ft min
Rear Setback	5 ft min

PERMITTED BUILDINGS

	Single Unit Residential (1)	Single Unit Commercial	Mixed-Use Building	Multi-Unit Commercial	Commercial Accessory	Residential Accessory(1)
Permitting Authority	CEO	Planning Board	Planning Board	Planning Board	Planning Board	CEO
Building Width	50 ft	120 ft	150 120 ft	120 ft	30 ft	30 ft
Building Depth	50 ft	-	-	-	40 ft	40 ft
Building Floor Area Sq Ft	-	60,000 sf	840,000 sf	60,000 sf	-	-
Total Stories	2	3	4 3	3	1	1
First Floor Height	12 ft	12 ft	15 ft	15 ft	15 ft	16 ft
Upper Floor Height	8 ft	10 ft	10 ft	10 ft	10 ft	8 ft n/a
Number of Units	1	1	40	20	1	1
Unit Floor Area (min.)	-	-	400 sf	-	-	300 sf

DESIGN STANDARDS

Front of buildings	Additions
Side of buildings	Additions
Rear of buildings	n/a
Building Orientation	Parallel within 200 of road
Windows & Doors	20% min, 80% max
Primary & Accessory Roofs	Gable 5/12 min
	Hipped 5/12 min
	Gambrel Permitted
	Mansard Permitted
	Shed 2½/12 min
	Flat Permitted

BUILDINGS STANDARDS

1. Pre-existing Single Unit Residential and Residential Accessory buildings shall be allowed to continue until they are granted a change of use.
 - a. For alteration or expansion of pre-existing Single Unit Residential buildings see Article 4 Section 3 Nonconforming Buildings.
 - b. Lots with pre-existing Single Unit Residential buildings shall be allowed to construct new Residential Accessory buildings.
2. Construction of new Single Unit Residential buildings is not permitted.
3. No more than 70% of the total Gross Floor Area of a Mixed-Use Building shall be a Residential use.

Permitted Building Groups

- Small Rural Compound
- Large Rural Compound
- Multi-Unit Court

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	0
District Energy System	2
Junk/Salvage Yard	
Paid Parking Lot	2
Recycling Facility	
Utilities & Services	2

RECREATION

Amusement, Indoor	0
Amusement, Outdoor	
Assembly	0
Campground	
Cultural Facility	0
Health/Fitness Studio	0
Marina, Recreation	
Private Club or Lodge	0
Stables/Riding Center	

RESIDENTIAL

Bed & Breakfast	
Dormitory	
Mobile Home Park	
Residence	0
Rooming House	
Tourist Rental	

AGRICULTURAL

Animal Care, Outdoor	0
Aquaculture	2
Commercial Agriculture	0
Farm/Vendor Market	0

INDUSTRIAL

Industrial, Artisan	0
Industrial, General	0
Industrial, Heavy	
Resource Extraction	

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	0
Car Wash	0
Drive-Through Facility	0
Food Pantry	0
Gas Station	0
Live Entertainment	0
Marina, Dry Storage	0
Outdoor Storage	0
Packaged Liquor	0
Research Laboratory	0
Restaurant & Café	0
Retail & Service, General	0
Retail & Service, Heavy	0
Self-Storage Facility	0
Vehicle Rental or Sales	0
Vehicle Repair	0

COMMERCIAL SERVICES

Animal Care, Indoor	0
Banking Services	0
College/University	0
Commercial School	0
Day Care Center	1
Day Care Facility	0
Funeral Services	
Health Care Provider	0
Hospital	0
Hotel & Hostel	0
Human Service Facility	
Office, Large	0
Office, Medium	0
Office, Small	0
Primary/Secondary School	
Residential Care Facility	

USE STANDARDS FOR SD-HWY

1. Deliveries or pick-ups in connection with ~~the Artisan~~ an Industrial, Artisan uses are limited to parcel and small freight carriers.
2. Outdoor Storage use areas that are visible from a road (not including alleys), must be fully enclosed by a wall or a fence at least 6 feet in height, and constructed of natural materials or have the appearance of natural materials.
3. The display of vehicles for rental or sale may occur within the frontage zone in this district.

SD RURAL HIGHWAY

DESCRIPTION

The Rural Highway Special District includes areas along the Route 1 corridor outside the Highway Commercial Special District where commercial development exists, and where there is a desire to allow future commercial development to expand in a manner that preserves the rural character of the corridor.

PURPOSE

1. To enable commercial and residential uses along the highway corridor.
2. To allow new development along the highway in a manner that preserves the rural character.

LOT DIMENSIONS

Width	1,000 ft min (1)
Depth	n/a
Lot Area	n/a

PRIMARY BUILDING PLACEMENT

Primary Front Setback	200 ft min
Secondary Front Setback	50 ft min
Side Setback	15 ft min
Rear Setback	15 ft min
Frontage Zone Setback	20 ft min

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	200 ft min
Secondary Front Setback	50 ft min
Side Setback	15 ft min
Rear Setback	15 ft min

PERMITTED BUILDINGS

	Single Unit Residential	Single Unit Commercial	Mixed-Use Building	Multi-Unit Commercial	Commercial Accessory	Residential Accessory
Permitting Authority	CEO	Planning Board	Planning Board	Planning Board	Planning Board	CEO
Building Width	50 ft	120 ft	150 120 ft	120 ft	30 ft	30 ft
Building Depth	50 ft	-	-	-	40 ft	40 ft
Sq Ft Building Floor Area	-	60,000 sf	8 40,000 sf	60,000 sf	-	-
Total Stories	2	3	3 4	3	1	1
First Floor Height	12 ft	12 ft	15 ft	15 ft	15 ft	16 ft
Upper Floor Height	8 ft	10 ft	10 ft	10 ft	10 ft	n/a 8 ft
Number of Units	1	1	4 0	20	1	1
Unit Floor Area (min.)	-	-	400 sf	-	-	300 sf

DESIGN STANDARDS

Front of buildings	Additions	
Side of buildings	Additions	
Rear of buildings	n/a	
Architectural Style	n/a	
Architectural Elements	n/a	
Building Orientation	n/a	
Windows & Doors	20% min, 80% max	
Primary & Accessory Roofs	Gable	5/12 min
	Hipped	5/12 min
	Gambrel	Permitted
	Mansard	Permitted
	Shed	2½/12 min
	Flat Not	Permitted

LOT AND BUILDINGS STANDARDS

1. Lots that abut Route 1 have the following standards:
 - a. Primary Front Setbacks are measured from the center line of Route 1 .
 - b. A Level 4 Natural Screen is required along the entire length of the Route 1 Frontage of the lot, and;
 - i. is required the entire depth of the Primary Front Setback,and;
 - ii. is not required in areas necessary for entrances, driveways, and public or private roads.
2. No more than 70% of the total Gross Floor Area of a Mixed-Use Building shall be a Residential use.

Permitted Building Groups

- Small Rural Compound
- Large Rural Compound
- Multi-Unit Court

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	0
District Energy System	2
Junk/Salvage Yard	
Paid Parking Lot	
Recycling Facility	
Utilities & Services	2

RECREATION

Amusement, Indoor	0
Amusement, Outdoor	2
Assembly	
Campground	
Cultural Facility	
Health/Fitness Studio	0
Marina, Recreation	
Private Club or Lodge	0
Stables/Riding Center	0

RESIDENTIAL

Bed & Breakfast	
Dormitory	
Mobile Home Park	
Residence	0
Rooming House	
Tourist Rental	0

AGRICULTURAL

Animal Care, Outdoor	0
Aquaculture	2
Commercial Agriculture	0
Farm/Vendor Market	0

INDUSTRIAL

Industrial, Artisan	0
Industrial, General	0
Industrial, Heavy	
Resource Extraction	

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	2
Car Wash	
Drive-Through Facility	
Food Pantry	
Gas Station	
Live Entertainment	0
Marina, Dry Storage	0
Outdoor Storage	0
Packaged Liquor	
Research Laboratory	0
Restaurant & Café	#
Retail & Service, General	
Retail & Service, Heavy	0
Self-Storage Facility	0
Vehicle Rental or Sales	
Vehicle Repair	

COMMERCIAL SERVICES

Animal Care, Indoor	0
Banking Services	
College/University	#
Commercial School	#
Day Care Center	1
Day Care Facility	0
Funeral Services	
Health Care Provider	0
Hospital	#
Hotel & Hostel	#
Human Service Facility	
Office, Large	0
Office, Medium	0
Office, Small	1
Primary/Secondary School	#
Residential Care Facility	

USE STANDARDS FOR SD-RHWY

1. Bar or Tavern Use:
 - a. Cannot be the sole use on a lot.
 - b. Must be clearly incidental and subordinate to an Industrial or Hotel or Hostel use.
 - c. May provide Live Entertainment when it is clearly incidental and subordinate to the Bar or Tavern use.
2. Deliveries or pick-ups in connection with ~~an the Artisan~~ Industrial, Artisan uses are limited to parcel and small freight carriers.
3. Outdoor Storage use areas that are visible from a Public Road (not including alleys), must be fully enclosed by a wall or a fence at least 6 feet in height, and constructed of natural materials or have the appearance of natural materials.

SD CAMPUS

DESCRIPTION

The Campus Special District accommodates the unique function and design of the Lincoln Academy campus. The campus has large detached buildings, buildings that face onto internal greens, large recreational spaces, lanes and access driveways, wayfinding and other unique qualities seen in a campus environment.

PURPOSE

1. To accommodate large detached buildings, buildings that face onto internal greens, large recreational spaces, lanes and access driveways, wayfinding and other unique qualities seen in a campus environment.
2. To enable large institutional uses to create campuses in a predictable fashion.

LOT DIMENSIONS

Width	100 ft min
Depth	n/a
Lot Area	n/a

BUILDING PLACEMENT

Primary Front Setback	0 ft min
Secondary Front Setback	0 ft min
Side Setback	5 ft min
Rear Setback	5 ft min
Frontage Zone Setback	20 ft min

DESIGN STANDARDS

Front of buildings	n/a
Side of buildings	n/a
Rear of buildings	n/a
Architectural Style	n/a
Architectural Elements	n/a
Building Orientation	n/a
Windows & Doors	n/a
Primary & Accessory Roofs	n/a

BUILDINGS STANDARDS

1. The Absolute Height of buildings shall not exceed 40 ft in height.
 - a. Absolute Maximum Height shall be measured from the average existing grade at the adjacent public road to the highest structural point.
 - ~~b. Absolute Maximum Height measurements shall not include architectural components such as cupolas, towers, etc.~~
2. No single building or series of connected buildings shall exceed 180 linear feet facing a public road.

Permitted Building Groups

- Large Rural Compound
- Multi-Unit Court

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	0
District Energy System	2
Junk/Salvage Yard	
Paid Parking Lot	
Recycling Facility	
Utilities & Services	2

RECREATION

Amusement, Indoor	0
Amusement, Outdoor	2
Assembly	
Campground	
Cultural Facility	
Health/Fitness Studio	0
Marina, Recreation	
Private Club or Lodge	0
Stables/Riding Center	0

RESIDENTIAL

Bed & Breakfast	
Dormitory	
Mobile Home Park	
Residence	0
Rooming House	
Tourist Rental	0

AGRICULTURAL

Animal Care, Outdoor	0
Aquaculture	2
Commercial Agriculture	0
Farm/Vendor Market	0

INDUSTRIAL

Industrial, Artisan	0
Industrial, General	0
Industrial, Heavy	
Resource Extraction	

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	
Car Wash	
Drive-Through Facility	
Food Pantry	
Gas Station	
Live Entertainment	0
Marina, Dry Storage	
Outdoor Storage	0
Packaged Liquor	
Research Laboratory	0
Restaurant & Café	0
Retail & Service, General	
Retail & Service, Heavy	
Self-Storage Facility	
Vehicle Rental or Sales	
Vehicle Repair	

COMMERCIAL SERVICES

Animal Care, Indoor	
Banking Services	
College/University	0
Commercial School	0
Day Care Center	1
Day Care Facility	0
Funeral Services	
Health Care Provider	0
Hospital	0
Hotel & Hostel	0
Human Service Facility	
Office, Large	0
Office, Medium	0
Office, Small	0
Primary/Secondary School	0
Residential Care Facility	

USE STANDARDS FOR SD-CAMPUS

1. All lots, buildings, and uses within the Campus Special District must serve an educational function of Lincoln Academy.
 - a. Lots removed from the Campus Special District must seek a Zoning Change before applying for any building or use permit

SD MARINE

DESCRIPTION

The Marine Special District includes sites with buildings and uses that are water-dependent or water-oriented. The Marine District accommodates applicable Shoreland zoning rules that requires a sensitive approach and use of best management practices to minimize to the greatest extent negative impacts to water resources.

PURPOSE

1. To accommodate uses that are functionally water dependent, except heavy manufacturing use.

LOT DIMENSIONS

Width	100 ft min
Depth	n/a
Lot Area	n/a

BUILDING PLACEMENT

Primary Front Setback	14 ft min, 35 ft max
Secondary Front Setback	4 ft min
Side Setback	8 ft min
Rear Setback	8 ft min
Frontage Zone Setback	20 ft

DESIGN STANDARDS

Front of buildings	Additions
Side of buildings	Additions
Rear of buildings	n/a
Architectural Style	n/a
Architectural Elements	n/a
Building Orientation	n/a
Windows & Doors	n/a
Primary & Accessory Roofs	n/a

BUILDINGS STANDARDS

1. ~~The Absolute Height of B~~ buildings shall not exceed 40 ft. ~~in height~~
 - a. ~~Absolute Maximum H~~Height shall be measured from the average existing grade at the adjacent public road ~~to the highest structural point.~~
 - ~~ab. Absolute Maximum H~~Height measurements shall not include architectural components such as cupolas, towers, etc.
2. No single building or series of connected buildings shall exceed 180 linear feet facing a public road.

Permitted Building Groups

- Large Rural Compound

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note. Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	
District Energy System	2
Junk/Salvage Yard	
Paid Parking Lot	
Recycling Facility	
Utilities & Services	2

RECREATION

Amusement, Indoor	
Amusement, Outdoor	
Assembly	
Campground	
Cultural Facility	0
Health/Fitness Studio	
Marina, Recreation	0
Private Club or Lodge	0
Stables/Riding Center	

RESIDENTIAL

Bed & Breakfast	
Dormitory	
Mobile Home Park	
Residence	0
Rooming House	
Tourist Rental	

AGRICULTURAL

Animal Care, Outdoor	
Aquaculture	0
Commercial Agriculture	
Farm/Vendor Market	

INDUSTRIAL

Industrial, Artisan	0
Industrial, General	0
Industrial, Heavy	
Resource Extraction	

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	0
Car Wash	
Drive-Through Facility	
Food Pantry	
Gas Station	2
Live Entertainment	0
Marina, Dry Storage	0
Outdoor Storage	0
Packaged Liquor	
Research Laboratory	0
Restaurant & Café	0
Retail & Service, General	0
Retail & Service, Heavy	0
Self-Storage Facility	0
Vehicle Rental or Sales	
Vehicle Repair	

COMMERCIAL SERVICES

Animal Care, Indoor	
Banking Services	
College/University	0
Commercial School	0
Day Care Center	1
Day Care Facility	
Funeral Services	
Health Care Provider	
Hospital	
Hotel & Hostel	
Human Service Facility	
Office, Large	
Office, Medium	0
Office, Small	0
Primary/Secondary School	
Residential Care Facility	

USE STANDARDS FOR SD-MARINE

1. Gas stations are limited to a maximum of 4 individual filling pumps
2. A gas station may be located in SD-Marine only with a special permit that finds the gas station use will not adversely affect the water quality of an abutting water body.

SD FABRICATION

DESCRIPTION

The Fabrication Special District allows a mix of industrial, office, retail, live-work flex spaces and other supporting development.

PURPOSE

1. To accommodate more intensive industrial uses in a way that is compatible with and in proximity to higher density residential areas.
2. To support existing industrial uses and provide an area for their expansion.
3. To allow for residential uses that are compatible with industrial activities.

LOT DIMENSIONS

Width	20 ft min, 100 ft max
Depth	n/a
Lot Area	n/a

PRIMARY BUILDING PLACEMENT

Primary Front Setback	0 ft min, 20 ft max
Secondary Front Setback	0 ft min, 20 ft max
Side Setback	5 ft min
Rear Setback	5 ft min
Frontage Zone Setback	4 ft min

ACCESSORY BUILDING PLACEMENT

Primary Front Setback	20 ft min
Secondary Front Setback	3 ft min
Side Setback	5 ft min
Rear Setback	5 ft min

PERMITTED BUILDINGS

	Single Unit Residential(1)	Single Unit Commercial	Mixed-Use Building	Multi-Unit Commercial	Commercial Accessory	Residential Accessory(1)
Permitting Authority	CEO	Planning Board	Planning Board	Planning Board	Planning Board	CEO
Building Width	50 ft	120 ft	150 ft	120 ft	30 ft	30 ft
Building Depth	50 ft	-	-	-	40 ft	40 ft
Building Floor Area Sq Ft	-	650,000 sf	860,000 sf	650,000 sf	-	-
Total Stories	2	32	42	23	1	1
First Floor Height	12 ft	122 ft	1522 ft	1522 ft	1522 ft	16 ft
Upper Floor Height	8 ft	10 ft	10 ft	10 ft	10 ft	n/a 8 ft
Number of Units	1	1	40	20	1	1
Unit Floor Area (min.)	-	-	400 sf	-	-	300 sf

DESIGN STANDARDS

Front of buildings	Additions	
Side of buildings	Additions	
Rear of buildings	n/a	
Building Orientation	n/a	
Windows & Doors	20% min, 80% max	
Primary & Accessory Roofs	Gable	3/12 min
	Hipped	3/12 min
	Gambrel	Permitted
	Mansard	Permitted
	Shed	2½/12 min
	Flat	Permitted

BUILDINGS STANDARDS

1. Pre-existing Single Unit Residential and Residential Accessory buildings shall be allowed to continue until they are granted a change of use.
 - a. For alteration or expansion of pre-existing Single Unit Residential buildings see Article 4 Section 3 Nonconforming Buildings.
 - b. Lots with pre-existing Single Unit Residential buildings shall be allowed to construct new Residential Accessory buildings.
2. Construction of new Single Unit Residential buildings is not permitted.
3. No more than 45% of the total Gross Floor Area of a Mixed-Use Building shall be a Residential use.

Permitted Building Groups

- Multi-Unit Court

USE TABLE LEGEND

0	Use Permit Required	CEO
1	Residential Companion Permit Required	CEO
2	Special Permit Required	Planning Board
#	Expanded Use Permit Required	Planning Board

Note: Uses without 0, 1, 2, or # are not allowed in this District

TRANSPORTATION & UTILITIES

Dispatch Service	
District Energy System	2
Junk/Salvage Yard	
Paid Parking Lot	2
Recycling Facility	0
Utilities & Services	2

RECREATION

Amusement, Indoor	
Amusement, Outdoor	
Assembly	
Campground	
Cultural Facility	
Health/Fitness Studio	0
Marina, Recreation	
Private Club or Lodge	
Stables/Riding Center	

RESIDENTIAL

Bed & Breakfast	
Dormitory	
Mobile Home Park	
Residence	0
Rooming House	2
Tourist Rental	0

AGRICULTURAL

Animal Care, Outdoor	
Aquaculture	2
Commercial Agriculture	
Farm/Vendor Market	0

INDUSTRIAL

Industrial, Artisan	0
Industrial, General	0
Industrial, Heavy	
Resource Extraction	

COMMERCIAL GOODS

Adult Establishment	
Bar or Tavern	0
Car Wash	
Drive-Through Facility	
Food Pantry	0
Gas Station	
Live Entertainment	
Marina, Dry Storage	0
Outdoor Storage	0
Packaged Liquor	0
Research Laboratory	0
Restaurant & Café	0
Retail & Service, General	0
Retail & Service, Heavy	0
Self-Storage Facility	
Vehicle Rental or Sales	
Vehicle Repair	0

COMMERCIAL SERVICES

Animal Care, Indoor	0
Banking Services	
College/University	
Commercial School	0
Day Care Center	1
Day Care Facility	
Funeral Services	
Health Care Provider	0
Hospital	
Hotel & Hostel	0
Human Service Facility	
Office, Large	
Office, Medium	0
Office, Small	0
Primary/Secondary School	
Residential Care Facility	

USE STANDARDS FOR SD-FAB

ARTICLE 3 - SITE STANDARDS

1. SITE STANDARDS

A. PURPOSE

1. To provide standards for the development of a site.
2. To ensure that private development contributes to the character along a public street or civic space.

B. APPLICABILITY

1. This Article applies to alterations made to a site, including but not limited to parking, access to a site from a public road, landscaping, buffers, loading, mechanical equipment, lighting, and signage.

2. DRIVEWAYS

A. PURPOSE

1. To provide vehicular access to lots.

B. APPLICABILITY

1. New driveways or driveway relocation.

C. GENERAL

1. Driveways must comply with the Roads, Driveways and Entrances Ordinance of Newcastle.
- ~~2. Driveways may provide access for up to 2 dwelling units or 1 commercial unit.~~
3. Residential Companion uses may share a driveway with the primary dwelling unit.
4. Abutting lots may share a driveway subject to the conditions of item 1 above.
5. Driveways may pass through required front, side, and rear setbacks to access permitted parking locations.
6. One driveway is permitted per building or virtual lot.
7. In D1 and D2 more than 1 driveway per lot is permitted

ARTICLE 4 - BUILDING STANDARDS

1. BUILDING TYPES

A. PURPOSE

1. To provide descriptions for different types of buildings.

B. APPLICABILITY

1. Applies to all buildings.

C. GENERAL

1. Buildings shall be classified as Primary or Accessory as follows:
 - a. Primary Buildings are;
 - ~~i. Single Unit Residential~~
 - i. Multi-unit Residential Building
 - ii. Single Unit Commercial Building
 - iii. Multi-unit Commercial Building
 - iv. Mixed Use Building
 - v. Special Use Building
 - b. Accessory Buildings are;
 - i. Residential Accessory Building
 - ii. Commercial Accessory Building
 - iii. General Accessory Building
 - c. The following building may be Primary or Accessory Buildings:
 - i. Special Use Building
 - ii. Agricultural Building
2. If necessary, the CEO shall determine the classification of existing buildings, or of proposed buildings.
- ~~3. Any single Primary Building may serve as the Primary Building on a lot, subject to applicable District Standards.~~
- ~~4. Any Accessory Building may serve as additional buildings on a lot, subject to applicable District Standards.~~

2. NUMBER OF BUILDINGS

A. PURPOSE

1. To be able to effectively regulate the number of buildings allowed on a lot.

B. APPLICABILITY

1. Applies to all buildings and lots.

C. GENERAL

1. Only one Primary Building may be built on each lot or virtual lot.
2. Only one Accessory Building may be built on each lot or virtual lot except:
 - a. Within permitted Building Groups.
 - b. On lots actively used for agricultural uses, additional non-residential accessory buildings that support agricultural activities are permitted.
 - c. When an Accessory Building is attached to the Primary Building, an additional detached Accessory Building is permitted.
3. An Accessory Building may not permanently occupy a lot without a primary building except:
 - a. On lots actively used for commercial agricultural uses, an accessory building or buildings may occupy a lot without a primary building.
 - b. An accessory building may be built on a lot prior to a primary building only if both the primary and accessory buildings have been permitted according to the standards of this Code.

3. BUILDING ASSEMBLY

A. PURPOSE

1. To provide a clear and flexible system for enabling the construction of new buildings and the expansion and modification of existing buildings
2. To allow for a broad range of building designs.

B. APPLICABILITY

1. Applies to all buildings in any District that contains a Permitted Buildings table.

C. GENERAL

1. All Primary Buildings and all Accessory Buildings must meet the standards for one of the building types provided within this Code.
2. Each Primary Building and each Accessory Building must be comprised of a Main Building Mass with a rectangular form and a single allowed roof type.
- ~~3. The following building types are not required to take a rectangular form but must meet standards for floor area, height, and setbacks: Mixed Use Building, Multi-unit Residential Building and Multi-unit Commercial Building.~~
4. The outer wall of a Main Building Mass must be located entirely in a single plane. Deviations to the wall plane are allowed only through permitted articulations.
5. The standards set forth in the Permitted Building tables under Article 2 - District Standards for Building Width, Building Depth, and Building Floor Area ~~For the purpose of measurement, building length and width standards~~ apply only to the Main Building Mass of Primary Buildings and Accessory Buildings.
 - a. Components have unique dimensions and standards.
 - b. Habitable space within the pitch of the roof is not counted towards Total Square Feet.
 - c. All other standards apply to the entire building.
6. Integral components may be used to cut away space within the boundaries of the roof or Main Building Mass provided the eaves and ridge beam of the roof are not affected.

D. ATTACHMENTS

1. Components may attach to primary and accessory buildings.
2. A building may not encroach on setbacks in order to attach to an adjacent building.
3. Primary buildings may attach to other primary buildings or to the components of other primary buildings on no more than two sides.
4. Primary buildings that are allowed to attach to other primary buildings may do so on side or rear walls only.
5. Where a building is allowed to attach to other buildings (or to its component), only one building or component may attach to each building face.
6. Permitted attachments may occur across a virtual or legal lot lines.
7. All attached buildings in a single grouping of attached buildings must maintain the same front setback, except when part of a connected farm
8. Where two primary buildings attach, the division between buildings must be apparent on the building's exterior through seams in materials, downspouts, pilasters, buttresses, or other vertical structural elements that are less than 6 horizontal inches from the surface of a building's facade.

~~E. NUMBER OF UNITS~~

- ~~1. Buildings have a maximum number of units as regulated on the District, pages.~~
- ~~2. If a permitted accessory building cannot be constructed due to site restrictions or other design related concerns, the accessory unit associated with the accessory building may be incorporated into the primary building, provided the total area of the accessory unit does not exceed either 30% the area devoted to the building's primary unit, or the maximum floor area of the permitted accessory building, whichever is smaller.~~

4.2 ADDITIONS

A. PURPOSE

1. To provide a basic framework for the regulation of generic additions to buildings.

B. APPLICABILITY

1. ~~Design Standards are regulated by District. See District Page for specific applicability.~~
2. Applies to the expansion of the square footage of a Primary Building or Accessory Building.
3. Applies to any expansion of an existing Primary Building or Accessory Building that incorporates a roof.

C. GENERAL

1. ~~Design Standards for~~ Additions are not regulated by ~~shall not regulate the~~ form, size, scale, shape, color, roof type, windows and doors or any other such element of the addition, except for the following:
 - a. The Addition shall be attached to and share a common wall with a Primary Building or Accessory Building.
 - b. The Addition shall not be taller, measured in stories or in Absolute Height, than the building to which it is attached.
 - c. The Addition shall not be wider than the building to which it is attached.
 - d. The footprint of the Addition shall not be greater than the building to which it is attached.
 - e.f. Regulations to the roof pitch and style are exempt if a,b,c,d are satisfied.
2. e-Additions which do not conform to a,b,c,d above shall be considered a Primary Building or Accessory Building and shall require a permit ~~for a new primary building.~~

TABLE 4.1 ALLOWABLE ADDITION LOCATION BY DISTRICT

A = Additions are allowable in the specified location.

	Front	Side	Rear
D1	A	A	A
D2	-	A	A
D3	-	-	A
D4	-	-	A
D5	-	-	-
D6	-	-	-
Historic	A	A	A
Conservation	-	-	-
Hwy Comm	A	A	-
Rural Hwy	A	A	-
Campus	-	-	-
Marine	A	A	-
Fabrication	A	A	-

ff

1817. BUILDING GROUPS

A. GENERAL

1. Building groups may be used as an alternative development pattern with unique lot standards and setback standards defined by the building group.
2. A building group may permit additional building types with standards related to form and placement.
3. All buildings that are incorporated into a building group must be located on a single lot or virtual lot.
4. Building Group standards supersede General, District, and Site Standards where the standards differ.
5. The four types of Building Groups are, Connected Farm, Small Rural Compound, Large Rural Compound, and Multi-Unit Court. The Districts where each type of Building Group is allowable is regulated in Table 4.2 Building Groups Permitted By District.

TABLE 4.2 BUILDING GROUPS PERMITTED BY DISTRICT

	Connected Farm	Small Rural Compound	Large Rural Compound	Multi-Unit Court
D1	X	X	X	X
D2	X	X	X	X
D3	X			X
D4	X			X
D5				X
D6				X
SD-Historic	X			X
SD-HWY		X	X	X
SD-RHWY		X	X	X
SD-Campus			X	X
SD-Civic				
SD-Fab				X
SD-Marine			X	
SD-Conserve				

ARTICLE 5 - DESIGN STANDARDS

1. GENERAL

A. PURPOSE

1. Encourage the continued use of existing historically or architecturally important buildings and those which contribute to the character of the Historic areas and discourage their demolition and removal
2. Prevent inappropriate alterations or removal of buildings of historic value;
3. Assure that new buildings are designed and built in a manner compatible with the character of the Historic areas in terms of scale and visual effect
4. Assure that changes to contemporary buildings and new construction do not detract from adjacent historic buildings
5. Assure the protection and preservation of archaeological sites.

B. APPLICABILITY

1. Design Standards shall apply to the construction of new buildings or additions to existing buildings.
2. Renovations or reconstruction, including general maintenance, to existing non-conforming structures or components does not require compliance with these Design Standards.
3. Non-conforming structures or components shall be grandfathered for a period of 12 months from the date of their removal, after which replacement structures or components shall comply with these Design Standards.

TABLE 5.1 DESIGN STANDARDS BY DISTRICT

TABLE 4.1 ALLOWABLE ADDITION LOCATION BY DISTRICT

A = Architectural Components are allowable in the specified location and shall meet applicable Design Standards

M = Massing Components are allowable in the specified location and shall meet applicable Design Standards

	Front	Side	Rear
D1	-	-	-
D2	M	-	-
D3	M/A	M/A	-
D4	M/A	M/A	-
D5	M/A	M/A	M
D6	M/A	M/A	M/A
Historic	M/A	M/A	M/A
Conservation	-	-	-
Hwy Comm	-	-	-
Rural Hwy	-	-	-
Campus	-	-	-
Marine	-	-	-
Fabrication	-	-	-

~~2. ADDITIONS~~

~~A. PURPOSE~~

- ~~1. To provide a basic framework for the regulation of generic additions to buildings.~~

~~B. APPLICABILITY~~

- ~~1. Design Standards are regulated by District. See District Page for specific applicability.~~

- ~~2. Applies to the expansion of the square footage of a primary or accessory building.~~
- ~~3. Applies to any expansion of an existing primary or accessory building that incorporates a roof.~~

~~C. GENERAL~~

- ~~1. Design Standards for Additions shall not regulate the form, size, scale, shape, color, roof, windows and doors or any other such element of the addition, except for the following:~~

- ~~a. The addition shall be attached to and share a common wall with a primary or accessory building.~~
- ~~b. The addition shall not be taller than the building to which it is attached.~~
- ~~c. The addition shall not be wider than the building to which it is attached.~~
- ~~d. The footprint of the addition shall not be greater than the building to which it is attached.~~
- ~~e. Additions which do not conform to a,b,c,d above shall be considered a primary or accessory building and shall require a permit for a new primary building.~~
- ~~f. Regulations to the roof pitch and style are exempt if a,b,c,d are satisfied.~~

ARTICLE 6 - USE STANDARDS

1. USE STANDARDS

A. PURPOSE

1. To ensure the health, safety, and the welfare of the people living and working in Newcastle.
2. To minimize conflicts between neighboring activities and uses.
3. To allow greater flexibility of uses that supports the character of the Town.

B. APPLICABILITY

1. All activities and uses associated with buildings and lots.

C. GENERAL

1. Uses for core districts, special districts, and building groups are permitted according to this Article.
2. Lots, buildings, and units may contain more than one use, so long as each use is permitted.
3. Residential companion uses may only occur in any of the following cases:
 - a. When permitted uses are operated by either an owner or a renter of a dwelling unit, within the walls of their own unit.
 - b. When permitted uses are operated by the owner of a property who occupies a dwelling unit on the same lot. Uses may be operated by the owner within the primary building, accessory building, or elsewhere on the property.
 - c. When permitted uses are operated by someone who does not live on the lot but where the property owner occupies a dwelling unit within the primary building on the same lot.
 - d. When permitted uses are operated by a renter of an entire property who occupies a dwelling unit on the property.
 - e. When permitted uses are operated by the owner of a property where a renter occupies a dwelling unit on the property.
4. Uses are defined within this Article.
5. Additional standards for each use are contained within this Article and must be met in order for a use to be permitted and to continue.

D. USE CATEGORIES

All Uses fall under one of the Categories identified below, as listed under the individual district standards set forth in Article 2 District Standards.

Transportation & Utilities
Recreation
Residential
Agricultural
Industrial
Commercial Goods
Commercial Services

D. UNLISTED USES

1. The Code Enforcement Officer must classify uses on the basis of the use category.
2. If a use is not listed but is similar in nature and impact to a use that is listed, the Code Enforcement Officer must issue a written interpretation indicating which use category will be used.

E. NONCONFORMING USES

1. Routine repair and maintenance of nonconforming uses is permitted.
2. A nonconforming use may be expanded in square footage within a permitted building.
3. When a nonconforming use has been changed, in whole or part, to a conforming use, the part that has come into conformance may not be changed back to the nonconforming use.
4. Whenever the active and continuous operation of a nonconforming use is discontinued for 6 months or more, it constitutes an abandonment of the nonconforming use and the use may not be re-established.
5. When a structure containing a nonconforming use is damaged or destroyed, the use may be reestablished.

F. CHANGE OF USE

1. Any change of use within a building, structure, or unit requires a Change of Use certificate from the Permitting Authority.

G. NUISANCE STANDARDS

1. Uses described in this Code may reference "Nuisance Standards", in which case the following standards apply in addition to any standards separately placed on the proposed Use:
 - a. The proposed use may not adversely affect the use and quiet enjoyment of abutting property as a result of noise, vibrations, fumes, odor, dust, glare or other cause.

2. EXPANDED USE STANDARDS

A. PURPOSE

1. To **allow for** special combinations of uses and buildings ~~permit uses that are otherwise not allowed within a District by means of special combinations of buildings,~~ **as accommodated for in Building Groups.**
2. To allow for special building arrangements without requiring zoning changes or additional districts.

B. APPLICABILITY

1. Applies to lots, primary buildings, and accessory buildings that intend to take advantage of the unique characteristics conferred by building groups.

C. GENERAL

1. Where designated on a ~~District page~~ Use Table **in Article 2 District Standards**, a required Expanded Use Permit shall be permissible in a Small Rural Compound or a Large Rural Compound Building Group.
 - a. Building Groups are defined in Article 4 Section 17 Building Groups.

ARTICLE 7 - ADMINISTRATION

12.SUBDIVISION

A. PURPOSE

1. To allow for the orderly development of a parcel of land into new dwelling units and lots, and roads that provide access to them.
2. To comply with MRSA, Title30-A, Chapter187, Section 4401 et.seq.

B. APPLICABILITY

1. The division of a parcel of land into 3 or more lots within any 5 year period that begins on or after September 23, 1971.
2. The division of structures into 3 or more dwelling units.
3. The construction or placement of 3 or more dwelling units.
4. The division of an existing structure used for commercial or industrial use into 3 or more dwelling units
5. Construction of roads
6. Installation of utility services.

C. AUTHORITY

1. Application for Subdivision must comply with all other standards in this code.
2. The Planning Board reviews and approves all applications for Subdivision Plan approval and enforces this Article.
3. The Office of the Code Enforcement Officer administers the Subdivision Plan approval review process.
4. The Road Commissioner and Code Enforcement Officer oversees the subdivision construction phase.
5. When a Subdivision Plan application requires review and approval of the Maine Department of Environmental Protection, each review may be conducted simultaneously.
6. Upon approval of a Subdivision Plan, the Code Enforcement Officer issues a Zoning Permit for the installation of all required site improvements.
7. Upon approval of a Subdivision Plan, the Office of the Code Enforcement Officer may accept applications for development, including but not limited to Small and Large Project Plans for new buildings.

ARTICLE 7 - ADMINISTRATION

9. APPLICATION TYPES

A. PURPOSE

1. To provide a clear and effective set of rules for gaining approvals for development within the Town of Newcastle.

B. APPLICABILITY

1. All projects.

C. DEVELOPMENT REVIEW

1. Applications are required for the following types of projects:
 - a. Small Project Plan
 - b. Large Project Plan
 - c. Subdivision Plan
 - d. Master Plan
 - e. Plan Revision
 - f. Use Permit
 - g. Residential Companion Use Permit
 - h. Expanded Use Permit
 - i. Special Permit
 - j. Variance

D. ADDITIONAL PERMIT APPLICATIONS

1. Additional permit applications may be required based on conditions of subject property and/or the proposed project, including:
 - a. Shoreland Zoning
 - b. Resource Protection
 - c. Floodplain
 - d. Demolition Delay
 - ~~e. Wireless Communications~~
 - f. Timber Harvesting
 - g. Earth Filling, Grading, Excavation
 - h. Erosion Sedimentation Control
 - i. Seasonal Conversion
 - j. Mobile Home Park

ARTICLE 8 - DEFINITIONS

Abandoned:

When a building, commercial unit, or property becomes vacant and unoccupied for a period of one year or more is deemed abandoned.

~~**Above Ground Storage Tank:**~~

~~The storage of flammable liquids or gasses in a container at or above ground level.~~

Absolute Height:

Height ~~ises~~ measured from the surface of the ground to the highest point on a building, component, sign, or other structure.

Abutting:

Having any segment of a real property boundary in common, or separated by a right-of-way, alley, or easement.

~~**Abutter, Direct:**~~

~~An owner of property located within a certain distance of a subject property considered for development.~~

Access:

The way or means to enter and leave property or structure.

Accessory Building:

See Building, Accessory.

Accessory Dwelling Unit:

An additional permitted dwelling unit located in a component of a primary building or in an accessory building.

Accessory Unit:

An additional permitted residential or commercial unit located in a component of a primary building or in an accessory building.

Additional Structure:

Any item constructed or erected, not including a primary or accessory buildings, the use of which requires more or less permanent location on the ground, or attached to something having permanent location on the ground.

Adjacent:

To be located in close proximity, or the closest instance of a referenced element, but not directly touching.

Affordable Housing Development:

A development in which 51% or more of the dwelling units are deed restricted to meet the definition of Affordable Housing, Owned or Affordable Housing, Rental.

Affordable Housing, Owned:

An owner-occupied dwelling unit for which the occupying household's income does not exceed 120% of the median income for the area as defined by the United States

Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, and said household can afford the unit without spending more than 30% of the household's monthly income on housing costs.

Affordable Housing, Rental:

A dwelling unit which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford the unit without spending more than 30% of the household's monthly income on housing costs.

Agent:

A person who acts on behalf of another person or group.

Agricultural Buildings:

Buildings associated with the planting, cultivating, producing, growing, and harvesting of agricultural or horticultural products, the raising of livestock and poultry, and any work performed in conjunction with the above farm operations, including the packing, drying, and storing of products produced on-premises. Includes buildings for equine, or horse-related activities, including boarding, lessons, rides, breeding, veterinary care, races, events, and shows.

Agricultural Building Structures:

Includes storage sheds, apiaries, hoop houses, chicken coops, cold frames, compost bin, greenhouses, silos, rain barrels.

Agricultural Use:

The commercial planting, cultivating, producing, growing, and harvesting of agricultural or horticultural products, the raising of livestock and poultry, and any work performed in conjunction with the above farm operations, including the packing, drying, and storing of products produced on-premises. Agriculture also includes all equine, or horse-related activities, including boarding, lessons, rides, breeding, veterinary care, races, events, and shows. Unless otherwise specified in this Code, the term 'agriculture' refers to commercial agriculture.

Alley:

A type of road typically located internal to a block that provides access to the side or rear of lots. Alleys typically provide access to service areas, parking, and accessory buildings and may contain utility easements.

Alteration:

As applied to a building or structure, a change or rearrangement in the exterior structural parts or in the exit facilities; also an enlargement or addition where new construction is connected to an existing structure, whether by extending on a side or by increasing in height, or the moving from 1 location or position to another.

~~**Antenna Equipment:**~~

~~Equipment for wireless communication, including but not limited to panel antennas, whip antennas, and satellite dish antennas, which may be located on ground-mounted towers and roof-mounted support structures used to broadcast an amateur (HAM) radio station licensed by the Federal Communication Commission.~~

Applicant:

A person or entity who has submitted an application for review under applicable standards of this Code.

Assigned:

The process of determining the closest reasonable district, building type, component, roof type, use category or other feature of this Code to a nonconforming condition.

Attached:

An object may be said to be attached to another when their outer surfaces are permanently in direct contact, or when they share part of their structural system.

~~**Attic:**~~~~The non-habitable interior space located directly under a pitched roof of a building.~~**Auto-Oriented:**

Businesses that relate to vehicular sales and service. All auto-oriented uses, definitions, and standards may be found in Article 4 Use Standards.

Average Ground Level:

The mean (average) ground level at the corners of the main body of a building type.

~~**Awning:**~~~~A wall mounted, pitched, fabric covering extending from a building to provide shade and weather protection for pedestrians.~~**Basement:**

A story of a building that is, in whole or in part, below the first story.

~~**Bay:**~~~~An area of a facade between two buttresses, pilasters, columns, piers, or other equivalent architectural features.~~**Beam:**

A large structural framing member.

~~**Bedroom:**~~~~A private room for sleeping, however named, planned, intended or used, which is separated and can be closed off from other parts of the dwelling by walls and a door.~~~~**Bench:**~~~~A long seat for more than one person, typically made of wood, metal, or stone.~~~~**Bench (Resting):**~~~~Resting benches are used primarily to rest from walking a distance and are provided throughout a city or residential area. Benches should be comfortable to sit on for a period of time.~~**Blank Wall:**

A portion of any facade of a building that does not include windows, doors, columns, pilasters, or other architectural features.

Block:

The aggregate land area, including alleys, cross weaves, and footpaths, circumscribed by roads.

~~Block Face:~~

~~The aggregate length of one side of a Block, including all lots and alleys.~~

~~Block Perimeter:~~

~~The aggregate of all Block Face lengths of an individual block.~~

Bracket:

A visual and/or structural support, typically made of metal or wood, projecting from a building face to bear the weight or visually support a building element.

Building:

An assemblage of materials and components that form an enclosure including a roof, windows, doors and solid exterior walls, and designed, built, or occupied as a shelter or enclosure for persons, animals, or property. Not synonymous with Structure.

Building, Accessory:

An additional building on a lot that may contain a dwelling unit, a non-dwelling unit, or a commercial unit.

Building, Primary:

A permitted building capable of occupying a lot as the sole structure.

Building Element:

Any part of a building, including the Main Building Mass, components, and accessory buildings.

Building Face:

Any exterior wall of a Building.

Building Floor Area:

The Gross Floor Area of any single Residential or Non-Residential unit.

Building Height:

The measurement of building height by stories, where each full story above average ground level is counted as 1 story. For buildings with pitched roofs, habitable space is allowed within the pitch and is not considered a full story.

Building Mass:

See Main Building Mass.

Building Type:

A classification or kind of structure characterized and differentiated by its massing, composition, use, features, and placement on a lot.

Caliper:

A measurement of the diameter of a tree trunk. For trees less than 4 inches in diameter, the caliper is measured 6 inches from the ground. For trees between 4 inches and 12 inches in diameter, the caliper is measured 12 inches from the ground.

Carport:

A roofed structure covered on 2 or more sides with fabric, vinyl, plastic, or other similar sheeting material that provides protection from the elements for vehicles or other items.

~~Cart Path:~~

~~An informal farm road distinct from a driveway that provides access across fields, pastureland, and forest, and generally takes the form a rutted track way. A cart path does not qualify as a type of road and is not required to meet road construction standards.~~

~~Center Drain:~~

~~A street that is designed to slope toward the middle as opposed to sloping toward the edge, to keep water away from buildings in areas where there are shallow or no front setbacks.~~

~~Syn: Reverse Crowns~~

Change of Use:

The act of changing the categorization of activity within a building, structure, or portion thereof from one primary use to another.

Chine:

The break-point or horizontal plane formed where two differently sloped portions of a complex roof system meet.

Civic Space:

An outdoor open space designed to support social and recreational activities.

Civic District:

An area protected from development and designated for use as civic space on the District Map.

Core District:

An area that shares common characteristics with other land in the same zoning designation, or is an area that is intended to transition toward a character that has been determined by the community. Core Districts span a range of development intensity from most rural, D1, to most urban, D6.

Civic Use:

Activities, uses, purposes, and organizations which are dedicated to arts, culture, education, religion, recreation, government, transit, municipal parking, gardening, horticulture, public gathering, assembly, or meeting. All civic and institutional uses must serve and be open to the public and operate as a non-profit or otherwise be tax exempt. All civic and institutional uses, definitions, and standards may be found in Article 4 Use Standards.

Clearance:

~~The height above the sidewalk or other surface, to the bottom edge of an object or building component.~~

Clear Height:

The vertical distance between the underside of an overhanging building element and the horizontal surface below, free from obstruction.

Close:

~~A type of road that permits free passage of pedestrians and bicycles but is open to vehicles at only one end, distinct from a cul-de-sac which permits no through passage.~~

Commercial:

Any retail, service, or auto-oriented use that deals with transactions with the public either directly or through remote communication.

Commercial Accessory Building:

A building that supports or compliments a commercial use, not a residential use.

Component:

One of the elements that make up a building, the other being the Main Building Mass. Components are comprised of smaller attachments to the Main Building Mass and provide architectural articulation and additional usable space.

Context:

The condition and qualities of the surrounding spaces and structures.

Corbel:

Any bracket, especially one of brick or stone, that typically protrudes only slightly from the face of a building.

Corner Lot:

A building lot that has frontage on 2 private or public roads, where the roads intersect.

Crosswalk:

~~A lateral extension of a sidewalk through an intersection.~~

Curb:

The edge of the vehicular pavement that may be raised or flush to a swale. It usually directs the flow of water to the drainage system.

Curb Radius:

The distance between the edge and center point of a curved section of curbing at the corner of two intersecting roads. This distance is determined by measuring the radius of a circle that approximates the size of the arc formed by the outside face of the curb.

Depth:

The perpendicular, horizontal distance from the primary facade of a building into the lot.

Desire Line:

~~An instinctual trajectory one prefers to walk from origin to destination.~~

Detached:

A dwelling that is physically separated from any other structure or structures except accessory buildings.

Development:

The construction, reconstruction, alteration, expansion, extension, or relocation of any building or structure; excavation, earth filling, grading, or mining; any use or change in use of any building or structure or land; any change in building type; or, any expansion in the use of land.

Development Site:

The land area encompassed in a development proposal irrespective of the number or configuration of lots, land ownership, and/or municipal boundaries.

District Map:

The map or set of maps that shows all land areas subject to, or potentially subject to, regulation by this Code and including Core Districts, Special Districts, and any special requirements.

Dooryard:

~~AnThe outside area which abuts abutting the door of a primary building, barns, and other accessory buildings, and which may include the driveway, lawn, and informal work area.~~

Driveway:

A vehicular way providing access from a Public or Private Road to the interior of a lot, including homes, parking lots, or loading docks. Driveways are not subject to construction specifications required for roads.

Dwelling Unit:

A single unit providing complete, independent, living facilities containing 1 or more rooms arranged for use by no more than 4 unrelated individuals living together as a single housekeeping unit with cooking, living, sanitary, and sleeping facilities.

Dwelling Unit, Accessory:

See Accessory Dwelling Unit.

Easement:

A liberty, privilege, or advantage without profit, which a person(s) may have in the lands of another person(s).

Eave:

The soffit resulting from the junction of a building wall and an overhanging roof.

Element:

See Building Element.

Elevation:

The vertical distance between the average ground plane and the top of the finished first floor of a building.

Enclose(d):

To fill in the spaces between structural supports with latticework, walls, windows, or other non-structural wall covering to increase the usability of an outdoor space.

Encroach:

To break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, above a height limit, or over the sidewalk of a public right-of-way.

Encroachment:

Any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, above a height limit, or the breaking of such limit by a structural element.

Energy Structures:

~~Include wind turbines and solar panels installed to generate energy in association with and for use by a primary building.~~

Entrance (Primary) (see 'Primary Entrance')

Externally Illuminated:

~~When an element is lighted by a light source as opposed to being lighted from within.~~

Facade:

The exterior wall of a building oriented in whole or in part toward a Public or Private Road, civic space, or on-site civic space (not including alleys).

Face:

The surface of a structure or element, especially one that is presented to the view.

Farm:

The land, plants, animals, buildings, structures, ponds and machinery used in the commercial production of agricultural products.

Field:

An area of undeveloped land primarily covered by grass, including uncultivated meadows and open areas traditionally used for agricultural purposes.

First Floor:

The lowest floor of a building that is not considered a basement.

First Floor Elevation:

The height from the average ground level to the surface of the first full floor, measured at the primary front facade of the building.

First Floor Elevation:

~~The height from the average ground level to the surface of the first full floor, measured at the primary front facade of the building.~~

Flag Lot:

A building lot that has frontage along a private or public road which is narrower than the minimum permitted lot width or frontage line length for the district in which it is located. The term "Flag Lot" does not refer to the shape of a lot. Lots may take the shape of a flag provided they meet the standards of the district in which it is located.

Flat Roof:

see Roof, Flat.

Floor Area, Gross:

The sum area of all floors or accessible levels of a building as measured to the perimeter of the exterior faces of the walls with no deduction for corridors, stairs, closets, thickness of walls, columns or other features.

Floor Area, Net (Building):

The sum area of all floors or accessible levels of a building as measured to the perimeter of the exterior faces of the walls, including enclosed porches, but excluding areas used for accessory garage purposes, basement and cellar areas devoted exclusively to storage and mechanical uses accessory to the operation of the building, off-street loading facilities, malls, plazas, elevator shafts, escalators, stairways and stair landings, and those areas used for the storage, operation, or maintenance of mechanical equipment such as air conditioning and heating apparatus.

Floor Area, Net (Unit):

The sum area of all floors or accessible levels of a single unit as measured to the perimeter of the interior faces of the walls, including enclosed porches, but excluding common spaces, shared areas, or areas not exclusively associated with that single unit.

Footprint:

The total gross floor area of a single story of a building, excluding all unenclosed components of a building.

Forecourt:

A landscaped, semi-public area, open to the sky, formed by a recess in a portion of a building facade.

Front (noun):

A condition in which a building is required to be parallel or perpendicular with a frontage line.

Front (verb):

A condition in which a building is required to be parallel or perpendicular with a frontage line.

Front Setback:

The distance from the front lot line to the point where any structure may be constructed.

Front Setback, Primary:

The setback required along a primary frontage.

Front Setback, Secondary:

The setback required along a secondary frontage.

Frontage:

The land area that lies between a building and a public or private road, a right-of-way, an easement, a civic space, or a water body.

Frontage, Primary:

The primary frontage is the frontage that abuts the primary road or, if there is no road, it is the frontage that abuts a civic space, right-of-way, or easement.

Frontage, Secondary:

On corner lots, the frontage that is oriented toward the road that is not the primary road.

Frontage Line:

A lot line bordering a public or private road, a right-of-way, an easement, a civic space, or a water body.

Frontage Line, Primary:

The property line along the primary Frontage.

Frontage Zone:

The Frontage Zone is the Frontage plus an additional Setback from the front facade of the primary building (see ~~S~~standards ~~on~~for individual ~~D~~districts ~~pages~~ under Article 2 ~~District Standards~~). The frontage zone applies along both the primary and secondary frontages, but does not apply to alleys. In the case that a lot is undeveloped, the frontage zone is the area between the front lot line of a property and 30 ft into the site.

Fully Enclose(d):

To fill the space between structural supports with walls or windows.

Furnishing Zone:

An area of space that allows for the placement of furniture without impeding the 4 ft of clear width required for pedestrian movement.

~~**Game Courts:**~~~~Includes tennis, pickle ball, and basketball courts.~~**Garage:**

An enclosed area integral to a primary building or accessory building that provides space for parking or storage of vehicles. Not synonymous with the parking garage building type.

Garage Doors:

Lifting, sliding, or swinging doors that open into an interior space used for vehicular parking, storage, retail sales, fabrication, or other uses.

General Accessory Building:

An accessory building that may be occupied by a residential use or a non-residential use

Grade:

The natural finished ground level of land ground level, or the elevation, at any given point.

Ground Plane:

The surface of the ground.

Gutter:

A channel at the side or in the middle of street, for leading off surface water.

Hardscape:

Ground that has been altered with pavers, crushed materials, or compacted earth, with the intention to be used for pedestrian or vehicular travel.

Height:

The distance between two points along a vertical plane.

Height, Absolute:

See Absolute Height.

Improvements:

Any alteration of land, a lot, a building or a structure.

Industrial:

The processing or manufacturing of materials, and activities associated with this work. All industrial uses, definitions, and standards may be found in Article 4 Use Standards.

Insular Lot:

A building lot that does not have frontage on a private road, a public road, or a waterbody

Intersect:

A condition where one element touches and/or overlaps with another element.

Integral:

A condition that refers to one element being located within another.

Integrated:

See Integral.

Interior Lot:

A building lot that has a frontage along a single private or public road, easement, or right-of-way.

Lamp:

The source of illumination in a lighting fixture.

Landscaping:

Landscaping includes areas of arranged plant materials.

Large Animals:

Large domestic animals including cows, sheep, pigs, and horses raised for home use or for profit.

Length:

In a three-dimensional measurement system, length is a horizontal measurement, distinct and longer than width.

Light Source:

The lamp and all refractive, reflective, and translucent light transmitting parts of an outdoor light fixture.

Loading Dock:

A platform dedicated to the loading or unloading of trucks.

Lodging:

Premises available for daily and weekly renting of bedrooms. All lodging uses, definitions, and standards may be found in Article 4 Use Standards.

Lot:

A designated parcel, tract, or area of land established by a deed or plat, or as otherwise permitted by law.

Syn: Parcel or Lot of Record.

Lot, Building:

A surveyed, bounded, and deeded plot of land that meets the dimensional standards and requirements of this Code for the zoning district in which the plot of land exists, onto which a building or structure may be erected in compliance with this Code.

Lot, Virtual:

A potential lot created by virtual lot lines demarcated on a plan to show and determine conformance with this Code, without the act of legal subdivision. Syn: Potential Lot Lines

Lot Area:

The total area contained within the boundary lines of a lot, excluding publicly dedicated and accepted rights-of-way.

Lot Depth:

Lot depth is defined as the perpendicular distance from the front lot line to the rear lot line; or, if the front and rear lot lines are not parallel, the distance from the midpoint of the front lot line to the midpoint of the rear lot line.

Lot Line:

The boundary that legally and geometrically demarcates a lot.

Lot Lines, Multiple:

The condition where the boundaries of a lot take an irregular form and more than one front, side, or rear lot line may exist for a single lot.

Lot Line, Virtual:

Potential lot lines demarcated on a plan to show and determine conformance with this Code. Virtual lot lines do not require an act of legal subdivision.

Syn: Potential Lot Lines

Lot Line, Primary Front:

The lot line(s) that abuts the primary road(s).

Lot Line, Secondary Front:

The lot line(s) that abuts the secondary road(s).

Lot Line, Rear:

Rear lot line(s) are located opposite the front lot line, do not abut a primary or secondary road, and do not intersect with a front lot line. Where side lot lines meet at a point, the rear lot line is that point.

Lot Line, Side:

Any lot line(s) that connect, or connect to, front and rear lot lines. A lot may have multiple side lot lines depending on its shape.

Lot Width:

~~Lot width is defined as~~ The total length of the front lot line or the distance between side lot lines at the maximum front setback, whichever is greater.

Lumens:

The amount of light energy generated by a light source.

Main Building Mass:

The volume of a primary or accessory building as defined by the dimensional standards for building type and onto which components and roofs may attach.

Master Plan:

A development plan and supporting illustrations and documents providing a framework for future development of a site. A Master Plan provides guidance to the applicant and Town regarding applicable permitting and decision making processes.

Mechanical Equipment:

Equipment, devices, and accessories used for water supply, drainage, heating, ventilating, air conditioning, including elevator shafts, heating and cooling units, utility cabinets, and other visible structures that are located on or near a building or structure.

Multi-unit Commercial Building:

A building occupied by two or more commercial uses and no residential uses.

~~Multi-unit Residential Building:~~

A building occupied by ~~one~~^{two} or more residential uses and no commercial uses.

Mixed Use Building:

A building occupied by a combination of 1 or more commercial uses and 1 or more residential uses.

Natural Materials:

Includes wood, metal, brick, stone, or composites from any of the aforementioned materials.

Natural Resources:

The processing or manufacturing of materials, and activities associated with this work. All natural resources uses, definitions, and standards may be found in Article 64 Use Standards.

~~**Neighborhood Type:**~~~~A neighborhood that has certain characteristics in terms of District arrangement and intensity.~~**Nonconformity:**

An existing use, structure, lot, site characteristics or sign that, at the time of its legal establishment, was in compliance with the zoning regulations, but after the adoption date of this Code has been made wholly or partially nonconforming.

Non-dwelling Unit:

A single, internally connected space that comprises a building or a part of a building that can be occupied by any one of the use categories included in Article 64 Use Standards, except for those under the category of Residential.

Office:

The transaction of general business, including administrative, professional, and clerical activities, but excluding retail. All office uses, definitions, and standards may be found in Article 4 Use Standards.

On-Site Civic Space:

Civic space owned, maintained, and administered by a private entity, provided on the same lot as a building or on a lot associated with a building group, for the purpose of adding publicly accessible amenity space to a development project.

Opening:

A void space in between the expanse of two solid structures or piers.

~~**Outdoor Cafe Seating:**~~~~Outdoor seating, with or without table service, located in a frontage or on a public sidewalk.~~**Outdoor Display:**

The outdoor exhibition or presentation of products and merchandise available for sale.

Outdoor Storage:

The storage of merchandise or material in boxes, crates, on pallets or other kinds of shipping containers; and, garden supplies, building supplies, materials, plants, vehicles

and other similar equipment, inventory, merchandise, or supplies not normally brought indoors overnight.

Parcel:

See Lot.

Parking Lot:

An uncovered area used or designed for the off-street parking of 2 or more motor vehicles, excluding a driveway.

~~**Parkshed:**~~

~~The pedestrian catchment area associated with a particular civic space type.~~

Patio:

A hard-surfaced, landscaped space constructed at ground level, usually directly adjacent to a building. A patio is constructed with a finished walking surface laid or poured directly on finished grade. A patio has no permanent roof coverings.

Permeable:

A condition in which the ground is covered by previous or porous surfaces or materials, such as through soil, mulch, vegetation, and pavers that allow for the movement or passage of water back into the ground.

Permitting Authority:

A person or board granted the authority to conduct project review and approval, in accordance with this Code.

Pier:

A solid support designed to sustain vertical pressure, such as used in a section of a wall between windows or other adjacent openings or as structural members used in the construction of building foundations.

~~**Planter:**~~

~~A soil bed bordering on a pathway, sidewalk, civic space, or road, kept open to air and water flow.~~

Platform:

An elevated flat structure meant to support the weight of people at or above the plane of the ground.

Nonconforming Conditions:

Any use, structure, building lot, site characteristics, or sign that was lawfully established prior to the adoption of this Ordinance and has been made nonconforming in result of the adoption of this Ordinance or subsequent amendments, may continue so long as the nonconformity remains otherwise lawful and complies with this section.

Primary Building:

See Building, Primary.

Primary Entrance:

The main point of access for pedestrians into a building, upper story use, or first floor tenant space.

Primary Frontage:

See Frontage, Primary

Primary Front Lot Line:

See Lot Line, Primary Front.

Primary Front Setback:

See Setback, Primary Front.

Primary Ridge Beam:

The highest framing member of a pitched roof to which all rafters attach.

Primary Road:

See Road, Primary.

Project(ed):

When a building element extends perpendicular and away from the building face to which it is attached.

Property:

Any land, building, or other structure, or part thereof.

Public Realm:

All public or civic lands including roads, sidewalks, rights-of-way, and frontage zones.

Rafter:

One of several internal beams extending from the eaves to the peak of the roof and constituting its frame.

Rear Lot Line:

See Lot Line, Rear.

Rear Setback:

The horizontal distance from a rear lot line to the location of structures or use on a lot, measured perpendicularly from the lot line. This area must be maintained clear of permanent structures with the exception of permitted encroachments. See Setback, Rear.

~~**Recreational Equipment:**~~~~Includes swing sets and slides, sandboxes, picnic tables.~~**Regional:**

Uses catering to patrons originating from locations both within the local municipality and elsewhere in the broader area.

Residential:

Use characterizing premises available for long-term human dwelling. All residential uses, definitions, and standards may be found in Article 4 Use Standards.

Residential Accessory Building:

A building occupied by a use that supports or compliments a residential use, not a commercial use

Retail:

Use characterizing premises available for the sale of merchandise and food service. All retail uses, definitions, and standards may be found in Article 4 Use Standards.

Retaining Wall:

A wall that holds the earth at one side at a higher elevation than the earth on the other side

Rezoning:

An amendment to the Official District Map

Right-of-Way:

The total width of any land reserved or dedicated as a road, alley, pedestrian or bicycle way, railway, waterway, or utility line.

Ridge Beam:

See Primary Ridge Beam.

Road:

A route, track, or way consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for use by vehicular, pedestrian, and bicycle traffic, and which may have stormwater management facilities, shade trees, and utilities along its borders.

Road, Primary:

In determining the Primary Road for Corner lots, Through lots, or any lot that abuts more than one road, the primary road is designated by one or more of the following conditions:

- The road that existed first.
- The widest road.
- The road that carries the greatest amount of traffic.

When a lot fronts on more than one road, and multiple roads meet the above criteria, all such roads shall be treated as primary roads.

Road, Secondary:

In determining the Secondary Road for Corner lots, Through lots, or any lot that abuts more than one road, the secondary road or roads are the roads determined not to be the primary road.

Road, Private:

See Newcastle Road Ordinance

Road, Public:

See Newcastle Road Ordinance.

~~**Roll Curbs:**~~~~See Mountable Curb.~~**Roof Line:**

The highest point on any building or structure where an exterior wall or parapet wall encloses roof or floor area, including floor area provided for housing mechanical equipment.

ROW:

See Right-of-Way

Screen:

A physical barrier between uses, buildings, or activities on adjacent lots or on lots adjacent to a public way, that may be comprised of vegetation, or man-made elements.

Shed:

An enclosed, non-insulated building intended for storage.

~~**Seating (Primary):**~~~~Primary Seating includes very formal fixtures, such as benches and chairs. These fixtures are provided for demanding users and for situations where the need for seating is limited.~~~~**Seating (Recreational):**~~~~Recreational Seating is provided for people to participate in a space. Recreational Seating is used for activities such as: observation of activities in the space, refuge, eating, reading, sleeping, knitting, playing chess, sunbathing, watching people, talking, etc. It can take two forms: Primary Seating and Secondary Seating.~~~~**Seating (Secondary):**~~~~Secondary Seating includes less formal objects such as stairways, pedestals, steps, low walls, boxes, etc. which are used casually and out of necessity. Secondary Seating elements are needed for times when demand for seating is particularly great.~~**Secondary Frontage:**

See Frontage, Secondary.

Secondary Front Lot Line:

See Lot Line, Secondary Front.

Secondary Front Setback:

See Setback, Secondary Front.

Service:

Service uses include any enterprise that provides work performed in an expert manner by an individual or team for the benefit of its customers. The typical service business provides intangible products. Auto-oriented service uses are listed under a

separate use category. All service uses, definitions, and standards may be found in Article 6 Use Standards.

Setback:

The horizontal distance required between the closest exterior wall of a building or parking and a specified element, such as a lot line, easement, or water body, measured along a perpendicular angle at ground height regardless of natural contours of the land. This area must be maintained clear of permanent structures with the exception of allowed encroachments.

Setback, Primary Front:

The distance from a primary lot line bordering a primary road maintained clear from buildings with the exception of encroachments.

Setback, Secondary Front:

The distance from a secondary lot line, bordering a secondary road, maintained clear from buildings with the exception of encroachments.

Setback, Side:

The distance from a side lot line, maintained clear from buildings with the exception of encroachments.

Setback, Rear:

The distance from a rear lot line, maintained clear from buildings with the exception of encroachments.

Shade Tree:

Any tree grown specifically for its shade, specifically large trees with spreading canopies.

Shopfront:

A first floor building facade, where substantial glazing is required, and the building entrance is located at the grade of the sidewalk or adjacent walkway.

Side Lot Line:

See Lot Line, Side.

Side Setback:

See Setback, Side.

Sidewalk:

The paved section of ~~at the public~~ right-of-way, dedicated exclusively to pedestrian activity.

Sign:

Any permanent or temporary name, identification, description, emblem, logo, structure, or device, that is illuminated or non-illuminated; visible or intended to be visible from any public place; and directs attention to a person, product, place, activity, institution, business, organization, activity, or service including any letter, numeral, character, figure, emblem, painting, illustration, banner, pennant, placard, or temporary sign designed to advertise, identify, solicit, or convey information. Signs

include devices designed to attract the eye by intermittent or repeated motion and any permanently installed or situated merchandise, including any banner, pennant, placard, or temporary sign, with the exception of window displays.

~~**Sign Band:**~~

~~A wall area of a building built along the entire width of a principal or secondary frontage allocated for the placement of a sign above a shopfront.~~

Single Unit Commercial Building

A building occupied solely by a commercial use and no other.

Single Unit Residential Building

A building occupied solely by one residential unit and no other.

Site:

A lot or parcel occupied or planned for occupation by a use, including structures and other improvements to the land.

Slope:

The ratio of vertical to horizontal distance.

Small Animals:

Small domestic animals including rabbits, chickens, goats, ducks, alpaca, emu, and other similarly sized animals raised for home use or for profit.

Solar Farm:

A site at which photovoltaic modules are used to generate and produce electric power for distribution to consumers, typically managed by a single entity.

Soffit:

The flat underside of an overhanging building element such as eaves or cornices.

Special District:

An area that due to its intrinsic size, arrangement of buildings, or other unique characteristics cannot meet the standards of an existing core district and is therefore established as a discrete district with a customized set of standards, building standards, and site standards.

Special Requirements:

Designations on the Town of Newcastle Official Zoning Map that indicate additional standards.

~~**Step-back:**~~

~~A condition where an upper story facade is recessed a set distance behind the facade of the story below.~~

Story:

An occupiable floor of a building as distinct from the area contained under the pitch of a roof or a basement.

Street Tree:

A tree planted within the furnishing zone as an element of a road.

Streetwall:

A condition where buildings, through their consistent arrangement along a street, create the impression of forming a wall. While the buildings can be separated, a streetwall is predicated on the buildings all having a similar front setback that is in close proximity to the street or civic space.

Streetwall, Continuous:

A streetwall condition comprised by buildings that are predominantly attached on the sides and that all have a consistent front setback directly on the property line.

Structure:

Anything constructed or erected, the use of which requires more or less permanent location on the ground, or attached to something having permanent location on the ground.

Substantial Modification:

Alteration of a primary building in such a way as to cause an expansion in the footprint of the Main Building Mass.

Swale:

A low or slightly depressed natural area for drainage.

Swimming Pool:

Any structure that is intended for recreational bathing or swimming that contains water deeper than 24 inches. This includes in-ground swimming pools, above-ground or on-ground pools, hot tub, spa, and inflatable pools.

Terraced:

An area of sloped land that has been made into a series of level areas, resembling steps.

Through Lot:

A building lot that has two or more frontages along one or more non-intersecting private or public roads.

Top Plate:

The topmost horizontal, load-bearing member in a framed wall system.

Tree Pit:

A hole filled with soil for the planting and growth of a street tree. Tree pits have surface area open to air and water flow.

Tree, Shade:

See Shade Tree.

Tree Shape:

Refers to 6 unique categories of trees, defined by a unique shape and used as a way to regulate trees along roads or within or civic space.

Tree Plantings:

The required numbers of trees that must be planted per square foot of ground.

Unit:

A single, internally connected space that comprises a building or a part of a building that can be occupied by any one of the use categories included in Article 4 Use Standards. (See Dwelling Unit and Non-dwelling Unit).

Unit Floor Area:

The net Floor Area of any single Residential or Non-Residential unit. [See Floor Area, Net (Unit)]

Upper Story:

Syn: Upper Floor

Use:

Any actual or intended occupation, business, operation, function, or activity carried out on a lot, within a structure, or within part of a structure.

Use, Temporary:

A use established for a fixed period of time with the intent to discontinue such use upon expiration of the time period.

Use Category:

A group of uses collapsed into a category of similar types for the purpose of simplifying the regulation of uses.

Utility Equipment:

Utility equipment includes vents, exhaust, and utility boxes.

Variance:

A departure from the strict terms or expressed standards of this Code, where such departure is authorized in accordance with Section 10 of Chapter 40A of the Maine General Laws.

~~**Verge:**~~~~The strip of grass or plants and sometimes also street trees located between a road and a sidewalk.~~**Vertical Plane:**

A flat surface perpendicular to the ground or horizontal plane.

Waiver:

A predetermined type of deviation, within specific limitations, from the block, lot, and/or road standards ~~for~~ of a specific district in this Code.

Wall:

A low structure typically built of masonry that defines an area or a boundary.

Waterfront Lot:

A building lot that has frontage along a body of water and frontage along a private or public road.

Width:

In a three-dimensional measurement system, width is a horizontal measurement, distinct and shorter than length.

Wind Farm:

A group of wind turbines in the same location used to produce electricity.

Windows & Doors:

The arrangement, proportioning, and design of openings on every exterior wall of a building, including windows and doors but excluding entrances and doors for parking, loading, and service facilities. If a garage door is more than 50% glass, it is counted as a window and door.

Windows & Doors, Ground Story:

The percentage of openings present on a building's ground floor.

Windows & Doors, ~~Upper Ground~~ Story:

The percentage of openings on the upper stories, each considered independently.

Worker:

Workers include all people engaged in labor and who are either full time, part-time, temporary, contract, or self-employed.

Yard:

A privately-owned area that is adjacent to a building and often times described in relation to the building, such as front yard, side yard, or rear yard.

Zoning Permit:

An approval that certifies that a project complies with all applicable municipal ordinances.